

# Minutes

## ORDINARY COUNCIL MEETING

**COUNCIL CHAMBERS, GUNDAGAI**

**6:00PM, TUESDAY 26th March, 2019**

Administration Centres: 1300 459 689



**MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, GUNDAGAI  
ON TUESDAY, 26 MARCH 2019 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, Cr Charlie Sheahan

**IN ATTENDANCE:** Phil McMurray (Acting General Manager), Susan Gheller (Manager Business), Andrew Brock (Manager Facilities), Glen McAtear (Manager Regulatory Services), Wayne Bennett (Manager Waste, Parks and Recreation Services), Mark Ellis (Manager Civil Works), Tim Swan (Manager Finance and Customer Service)

## **1 OPEN FORUM**

List of Speakers

1. Pip McAlister - Conveyed thanks to Council for installation of the new bridge at Morley's Creek. She also requested that the grounds surrounding the bridge be tidied. Mrs McAlister further requested that the grounds of Gundagai South Cemetery be cleared, the hedges trimmed and the grounds mowed.

## **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 069/2019**

MOVED: CR DENNIS PALMER

SECONDED: CR DOUG PHILLIPS

**THAT THE APOLOGY RECEIVED FROM CR STEWART BE ACCEPTED AND LEAVE OF ABSENCE GRANTED.**

**CARRIED**

**3 DISCLOSURES OF INTEREST**

A significant non-pecuniary interest was received from Cr Penny Nicholson in relation to item 8.1.12 Gundagai Australian National Busking Championships – Request for Sponsorship for the reason that she is a member of the organising committee for the event.

A pecuniary interest was received from Cr Dennis Palmer in relation to item 11.2 Lease of Road Reserve between Lot 5 DP 10928338 and Lots 60, 61 and 62 DP 753604 Cootamundra for the reason that a relative of his owns property in the vicinity of the subject land.

**4 CONFIRMATION OF MINUTES****5.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 26 FEBRUARY 2019**

Note: It was noted that the spelling of Lindley Park in the Minutes was incorrect (spelled as Lidley rather than Lindley)

**RESOLUTION 070/2019**

Moved: Cr Leigh Bowden

Seconded: Cr Penny Nicholson

**The Minutes of the Ordinary Meeting of Council held on Tuesday, 26<sup>th</sup> February, 2019 be confirmed as a true and correct record of the meeting.**

**CARRIED**

**5.2 MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON MONDAY 25 MARCH 2019 (LATE ITEM)****RESOLUTION 071/2019**

Moved: Cr David Graham

Seconded: Cr Gil Kelly

**The Minutes of the Extraordinary Meeting of Council held on Monday, 25<sup>th</sup> March, 2019 be confirmed as a true and correct record of the meeting.**

**CARRIED**

**5 MAYORAL MINUTES****6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT**

Note: It was noted that the Fees and Charges meeting with Council staff scheduled for 15<sup>th</sup> March, 2019 did not proceed.

**RESOLUTION 072/2019**

Moved: Cr Leigh Bowden

Seconded: Cr Penny Nicholson

**The information in the Mayoral Minute be received and noted**

**.CARRIED**

**6.2 COUNTRY MAYORS ASSOCIATION MARCH,2019 MEETING REPORT****RESOLUTION 073/2019**

Moved: Cr Doug Phillips

Seconded: Cr Leigh Bowden

**The Mayoral report on the Country Mayors Association (CMA) meeting held 8<sup>th</sup> March, 2019, and the Minutes of that meeting attached to the report be received and noted.**

**CARRIED**

**6 REPORTS FROM COMMITTEES**

Nil

**7 GENERAL MANAGER'S REPORT****7.1 CORPORATE SERVICES DIRECTORATE****8.1.1 INVESTMENT REPORT - FEBRUARY 2019****RESOLUTION 074/2019**

Moved: Cr David Graham

Seconded: Cr Doug Phillips

**The Investment Report as at 28 February 2019, attached to the report, be received and noted.**

**CARRIED**

**8.1.2 MONTHLY FINANCE REPORT FOR - FEBUARY 2019****RESOLUTION 075/2019**

Moved: Cr Doug Phillips  
Seconded: Cr Charlie Sheahan

**The Monthly Finance Report for February 2018, attached to the report, be received and noted.**

**CARRIED**

**8.1.3 MONTHLY MAJOR PROJECTS PROGRAM REPORT****RESOLUTION 076/2019**

Moved: Cr Leigh Bowden  
Seconded: Cr Dennis Palmer

- 1. The attached Grants Program Management Schedule on the projects status be received and noted.**
- 2. The recommended changes to the project budgets as listed be adopted.**

**CARRIED**

**8.1.4 DRAFT CODE OF CONDUCT****RESOLUTION 077/2019**

Moved: Cr Dennis Palmer  
Seconded: Cr Charlie Sheahan

- 1. The following three(3) bespoke draft Codes of Conduct attached to the report be adopted:**
  - (a) Code of Conduct for Councillors**
  - (b) Code of Conduct for Staff**
  - (c) Code of Conduct for Delegates and Committee Members**
- 2. The draft Code of Conduct Procedures attached to the report be adopted.**
- 3. The following members of the Regional Code of Conduct Review Panel be appointed to Council's panel of conduct reviewers:**

**Andrew Hedges, Andrew Patterson, Atousa Khadem, Roger North, Rhonda Stein, Peter Bascomb, Gavin Cater, Chris Gallagher, Corey Courtemanche, Elsie Coetzee, Gabrielle Sullivan, Kath Roach, Kathy Thane, Peta Tumpey, Robert, Lorraine Lopich and Sean Lee**

**CARRIED**

**8.1.5 ALGA NATIONAL GENERAL ASSEMBLY 2019****RESOLUTION 078/2019**

Moved: Cr Doug Phillips  
Seconded: Cr Leigh Bowden

**The Mayor and General Manager be Council's delegates to attend the ALGA National General Assembly being held in Canberra 16th – 19<sup>th</sup> June, 2019.**

**CARRIED**

**8.1.6 INFORMATION BULLETIN****RESOLUTION 079/2019**

Moved: Cr Penny Nicholson  
Seconded: Cr Leigh Bowden

**The correspondence contained within the Information Bulletin be received and noted.**

**CARRIED**

**8.1.7 COOTAMUNDRA SHOWGROUND USERS GROUP SECTION 355 COMMITTEE COMPOSITION AND OPERATION****RESOLUTION 080/2019**

Moved: Cr Gil Kelly  
Seconded: Cr Charlie Sheahan

- 1. The Cootamundra Showground Users Group Section 355 Committee comprise one member and one alternate member from each user group.**
- 2. The seven current user groups be invited to submit their nomination for membership (and alternate membership) in accordance with 1 above.**
- 3. The Acting General Manager appoint an appropriate staff member to the role of Chairperson of The Cootamundra Showground Users Group Section 355 Committee on a temporary basis.**
- 4. A Master Plan for the Showground be prepared by Council Officers, in conjunction with the s.355 Committee, including the provision of a Caretaker's Cottage.**
- 5. A report be prepared and submitted to Council within 3 months on the status of the matters detailed in the report.**

**CARRIED**

**8.1.8 THE COOTAMUNDRA HERITAGE CENTRE MANAGEMENT S.355 COMMITTEE MEETING MINUTES****RESOLUTION 081/2019**

Moved: Cr Doug Phillips

Seconded: Cr Leigh Bowden

The Minutes of the Cootamundra Heritage Centre Management s.355 Committee meeting held on 13 February 2019, attached to the report be received and noted.

**CARRIED**

**8.1.9 THE COOTAMUNDRA SHOWGROUND USERS GROUP S.355 COMMITTEE MEETING MINUTES AND MEMBERSHIP****RESOLUTION 082/2019**

Moved: Cr Charlie Sheahan

Seconded: Cr Gil Kelly

1. The Minutes of the Cootamundra Showground Users Group s.355 Committee meeting held on 20 February 2019, attached to the report be received and noted.
2. John Collins and Joan Collins be endorsed as the representatives of the Cootamundra Antique Motor Club on the Showground User Group s.355 Committee.
3. The request for installation of the new sign for the Showground front gate be referred to the appropriate Council officer.

**CARRIED**

**8.1.10 STOCKINBINGAL ELLWOOD'S HALL S.355 COMMITTEE MEETING MINUTES AND MEMBERSHIP****RESOLUTION 083/2019**

Moved: Cr Charlie Sheahan

Seconded: Cr Dennis Palmer

1. The Minutes of the Stockinbingal Ellwood's Hall s.355 Committee ordinary meeting held on 28 February 2019, attached to the report, be received and noted.
2. Lorna Nixon be endorsed as a member of the Stockinbingal Ellwood's Hall s.355 Committee.
3. Council Officers investigate the location of the boundary fence between Elwood's Hall and the Pub and in the event that it is determined that the boundary fence is not located on the correct alignment, Council staff mediate the relocation of the fence

**.CARRIED**

**8.1.11 WALLEND BEEN MEMORIAL HALL S.355 COMMITTEE MEMBERSHIP****RESOLUTION 084/2019**

Moved: Cr Charlie Sheahan

Seconded: Cr Gil Kelly

1. The Wallendbeen Memorial Hall s.355 Committee be advised that membership of the committee is not to exceed 12 in accordance with the Section 355 Committees Management Manual.
2. The Wallendbeen Memorial Hall s.355 Committee be requested to submit the amended proposed membership in accordance with 1 above.

**CARRIED**

**8.1.12 GUNDAGAI AUSTRALIAN NATIONAL BUSKING CHAMPIONSHIPS - REQUEST FOR SPONSORSHIP**

Note: Having disclosed a significant non-percuniary interest in this item, Cr Nicholson left the meeting during discussion and voting.

**RESOLUTION 085/2019**

Moved: Cr Doug Phillips

Seconded: Cr David Graham

**RECOMMENDATION**

The request for sponsorship of \$4000 for the Gundagai Australian National Busking Championship be included for consideration in the 2019/20 budget.

**CARRIED**

Note: Cr Nicholson returned to the meeting at this stage



**8.1.13 COUNCIL MEETING ACTION REPORT****RESOLUTION 086/2019**

Moved: Cr Penny Nicholson

Seconded: Cr Leigh Bowden

1. The updated Council Meeting Action Report, attached to the report, be received and noted.
2. The Council Meeting Action Report be updated prior to the next meeting to include the following:
  - Status of Turners Lane Development
  - Inclusion of Airport Land and Pioneer Park in RV Friendly Application
  - Investigation of potential land purchase in Scott Avenue

**CARRIED**

**7.2 DEVELOPMENT AND COMMUNITY SERVICES DIRECTORATE****8.2.1 DEVELOPMENT APPLICATIONS APPROVED FEBRUARY 2019****RESOLUTION 087/2019**

Moved: Cr David Graham

Seconded: Cr Dennis Palmer

The information on Development Applications Approved in February 2019 be noted.

**CARRIED**

**8.2.2 LIBRARY QUARTERLY REPORT - MARCH, 2019****RESOLUTION 088/2019**

Moved: Cr Gil Kelly

Seconded: Cr David Graham

The Library Quarterly Report to March, 2019 be received and noted.

**CARRIED**

**7.3 OPERATIONS DIRECTORATE****8.3.1 MARCH OPERATIONS REPORT****RESOLUTION 089/2019**

Moved: Cr Doug Phillips

Seconded: Cr Leigh Bowden

**The Operations Update Report and Works Program for the month of March, 2019 attached to the report be received and noted.**

**CARRIED**

**7.4 ASSET MANAGEMENT DIRECTORATE****8.4.1 STOCKINBINGAL SEWAGE SCHEME****RESOLUTION 090/2019**

Moved: Cr Doug Phillips

Seconded: Cr Leigh Bowden

- 1. Council adopt a pressure sewage collection system combined with a package IDEA type treatment plant as the preferred scheme to deliver a sewerage scheme for Stockinbingal Village.**
- 2. NSW Public Works Advisory be invited to prepare a proposal for a concept design incorporating an optional PV arrangement to offset power costs and with the provision for future chlorine treatment should Council wish to supply treated effluent for irrigation purposes within the village.**

**CARRIED**

**8.4.2 STRONGER COMMUNITIES FUND MAJOR PROJECTS - STORMWATER IMPROVEMENTS- PROGRESS REPORT AND ESTABLISHMENT OF COOTAMUNDRA FLOODPLAIN MANAGEMENT COMMITTEE****RESOLUTION 091/2019**

Moved: Cr Dennis Palmer

Seconded: Cr Penny Nicholson

- 1. Councillor Phillips be nominated as Chairperson of the Cootamundra Floodplain Management Committee, with Councillor Sheahan nominated as the alternate Chairperson.**
- 2. Expressions of Interest be invited for three (3) community members from Cootamundra to participate on the Cootamundra Floodplain Committee.**

**CARRIED**

#### **8.4.3 COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL PLANT REPLACEMENT PROGRAM**

##### **RESOLUTION 092/2019**

Moved: Cr Doug Phillips

Seconded: Cr Penny Nicholson

- 1. The plant and fleet replacement program attached to the report be adopted.**
- 2. The potential sale of the 12 seater bus be deferred for further investigation into alternate uses for the bus.**

**CARRIED**

#### **8.4.4 GUNDAGAI SEWAGE TREATMENT PLANT UPDATE**

##### **RESOLUTION 093/2019**

Moved: Cr Doug Phillips

Seconded: Cr Gil Kelly

- 1. Council notes the matters addressed at the meeting, the current status of the project, and the proposed future directions.**
- 2. Council endorse the actions of the Acting General Manager in signing a Funding Deed for the State Government contribution of \$10M.**

**CARRIED**

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

Nil

#### **10 QUESTIONS WITH NOTICE**

Nil

**8 CONFIDENTIAL ITEMS****11.1 CLOSED COUNCIL REPORT (LATE ITEM)****RESOLUTION 094/2019**

Moved: Cr Gil Kelly

Seconded: Cr Leigh Bowden

1. **Item 11.2 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.**
2. **In accordance with section 11 (2) and (3) of the Local Government Act, 1993, the reports, correspondence and other documentation relating to Item 11.2 be withheld from the press and public.**

**11.2 LEASE OF ROAD RESERVE BETWEEN LOT 5 DP10928338 AND LOTS 60,61 & 62 DP753604  
COOTAMUNDRA**Provisions for Confidentiality

Section 10A (2) (g) – The Confidential Report contains advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

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..

**CARRIED**

**11.2 LEASE OF ROAD RESERVE BETWEEN LOT 5 DP10928338 AND LOTS 60,61 & 62 DP753604  
COOTAMUNDRA (LATE ITEM)**

Note: Having disclosed a pecuniary interest in this item Cr Palmer left the meeting during discussion and voting.

**RESOLUTION 095/2019**

Moved: Cr Doug Phillips

Seconded: Cr David Graham

**Council enter into a five (5) year lease of unused public road 'Netherleigh Lane' (Lot 5 DP 10928338 and Lots 60, 61 & 62 DP 753604) with the owner of 'Netherleigh', 294 Netherleigh Lane Cootamundra in accordance with Section 153 of the Roads Act 1993 for an annual fee of \$145.00.**

**CARRIED**

**11.3 RESUMPTION OF OPEN COUNCIL MEETING**

**RESOLUTION 096/2019**

Moved: Cr Gil Kelly

Seconded: Cr Charlie Sheahan

**The Open Council meeting resume.**

**CARRIED**

**11.4 ANNOUNCEMENT OF CLOSED COUNCIL RESOLUTIONS**

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

**The Meeting closed at 8.16pm.**

**The Minutes of this meeting were confirmed at the Ordinary Council Meeting held on 30<sup>th</sup> April, 2019.**

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**CHAIRPERSON**

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**GENERAL MANAGER**