

Minutes

ORDINARY COUNCIL MEETING

ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA

6:00PM, TUESDAY 25th February, 2020

Administration Centres: 1300 459 689

**MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA
ON TUESDAY, 25 FEBRUARY 2020 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), Ganesh Ganeshamoorthy (Manager Assets), Susan Gheller (Manager of Business), Mark Ellis (Manager Civil Works), Miriam Crane (Manager of Community and Culture), Sharon Langman (Manager Development, Building and Compliance), Andrew Brock (Manager Facilities), Tim Swan (Manager Finance), Janelle Chapman (Acting Manager Regulatory Services), Matt Stubbs (Manager Technical Services), Wayne Bennett (Manager Waste, Parks & Recreation Services)

1 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.

ADJOURN MEETING FOR OPEN FORUM

RESOLUTION 040/2020

Moved: Cr Leigh Bowden

Seconded: Cr David Graham

Council adjourn for Open Forum.

CARRIED

2 OPEN FORUM

List of Speakers

1. Geoff Larsen – Mr Larsen addressed Council on his concerns in relation to Muttama Creek flooding at the Cutler Avenue causeway and impacting his house situated alongside the creek. Further he is also concerned of children playing on an exposed pipeline at the causeway crossing. As a member of the Inland Rail Committee, Mr Larsen also expressed his disappointment at the absence of Council representation at the Inland Rail Consultative Committee meetings.
2. Allan Young –Mr Young spoke in opposition of item 8.4.2 Development Application DA2019/149 – Cattle Feedlot, 358 Jugiong road, Cootamundra As a neighbour to the property he provided examples of the anticipated negative impacts to his family if Council approved the development application.

3. Angie-Lee Farmer – Mrs Farmer posed questions to Council in relation to the Bangus Quarry development. The Bangus Quarry development is being determined by the Southern Regional Planning Panel.
4. Kelsey Farmer – Mr Farmer addressed Council in relation to the Bangus Quarry Development. Mr Farmer advised that gravel extraction was occurring at 6:00am some Saturday mornings when people like to sleep in. The Bangus Quarry development is being determined by the Southern Regional Planning Panel.
5. Anthony White – Mr White addressed Council on the Bangus Quarry development site. He commented on lack of community consultation on the proposed development. Council was also questioned on the removal of some trees outside the quarry boundary. The Bangus Quarry development is being determined by the Southern Regional Planning Panel.
6. Dr Alan Hauquitz – Dr Hauquitz congratulated Council on its Climate and Energy Minuted in item 5.1 Confirmation of Council Minutes item 8.1.4 Statewide Mutual Climate Change Report and item 8.1.2 Energy Efficiencies.
7. Jacqueline Vincent – Ms Vincent spoke in support of item 8.10.2 Landscape Concept Plan (Cenotaph).

RESUME OPEN MEETING

RESOLUTION 041/2020

Moved: Cr Penny Nicholson

Seconded: Cr Dennis Palmer

Council resume the Open Meeting.

CARRIED

3 APOLOGIES

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

RESOLUTION 042/2020

Moved: Cr Dennis Palmer

Seconded: Cr Gil Kelly

Apologies from Cr Craig Stewart be received and leave of absence granted.

CARRIED

4 DISCLOSURES OF INTEREST

Cr Dennis Palmer (Deputy Mayor) disclosed a significant non-pecuniary interest in item 8.4.2 Development Application DA2019-149 – Cattle Feedlot, 358 Jugiong Road, Cootamundra due to a relative living in proximity of the Feed Lot.

Cr Charlie Sheahan disclosed a less than significant non-pecuniary interest in item 8.10.1 Draft Waste Strategy Three Month Exhibition due to a relative being in the care of an organisation of similar commercial nature.

Phillip McMurray (General Manager) disclosed a significant pecuniary interest in Confidential item 11.2 Mayoral Update on the General Managers Performance Review being the General Manager.

5 CONFIRMATION OF MINUTES

5.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 28 JANUARY 2020

RESOLUTION 043/2020

Moved: Cr Gil Kelly

Seconded: Cr Dennis Palmer

The Minutes of the Ordinary Meeting of Council held on Tuesday 28 January 2020 be confirmed as a true and correct record of the meeting.

CARRIED

6 MAYORAL MINUTES

6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT

Note: The following amendments were made at the meeting:

25th January, 2020

Cr's Nicholson, Graham and I attended dinner with Australia Day 2020 Ambassador for Gundagai, Artist and curator Mr. Yanni Johns.

3rd February, 2020

Cr Sheahan attended a Cootamundra Adina Care Board Meeting

RESOLUTION 044/2020

Moved: Cr Leigh Bowden

Seconded: Cr Doug Phillips

The Mayoral Minute and additional information provided at the meeting be received and noted.

CARRIED

6.2 MAYORAL MINUTE - NATIONAL RUGBY LEAGUE ROADS TO REGION

RESOLUTION 045/2020

Moved: Cr Dennis Palmer

Seconded: Cr Leigh Bowden

The Mayoral Minute on National Rugby League Roads to Region be received.

CARRIED

6.3 MAYORAL MINUTE - MARGARET COSSEY, OAM

RESOLUTION 046/2020

Moved: Cr Charlie Sheahan

Seconded: Cr Leigh Bowden

A letter of congratulations be sent to 2020 Medal of the Order of Australia Mrs. Margaret Cossey, OAM for her tireless service to Indigenous literacy and special needs education.

CARRIED

7 REPORTS FROM COMMITTEES

7.1 MINUTES OF THE COOTAMUNDRA-GUNDAGAI LOCAL TRAFFIC COMMITTEE MEETING HELD ON THURSDAY 13 FEBRUARY 2020

RESOLUTION 047/2020

Moved: Cr Gil Kelly

Seconded: Cr Charlie Sheahan

- 1. The Minutes of the Cootamundra-Gundagai Local Traffic Committee Meeting held on Thursday 13 February 2020 (attached) are submitted for the consideration of Council.**
- 2. The recommendations included in the report, if any, be considered.**

CARRIED

**7.2 MINUTES OF THE ACCESS AND INCLUSION COMMITTEE MEETING HELD ON THURSDAY
23 JANUARY 2020****RESOLUTION 048/2020**

Moved: Cr Dennis Palmer

Seconded: Cr Penny Nicholson

- 1. The Minutes of the Access and Inclusion Committee Meeting held on Thursday 23 January 2020 (attached) were adopted.**
- 2. That Management and Customer Service staff be provided with Disability Inclusion training.**
- 3. The inclusive playspace considered for Jubilee Park be relocated to Albert Park.**

CARRIED**8 GENERAL MANAGER'S REPORT****8.1 BUSINESS****8.1.1 DELIVERY PROGRAM/OPERATIONAL PLAN QUARTERLY PROGRESS REPORT****RESOLUTION 049/2020**

Moved: Cr Leigh Bowden

Seconded: Cr Charlie Sheahan

The Delivery Program 2018-2021 Incorporating the Operational Plan 2019/20 quarterly progress report, (Q2, 1 October - 31 December, 2019) be received and noted.

CARRIED**8.1.2 ENERGY EFFICIENCIES****RESOLUTION 050/2020**

Moved: Cr Dennis Palmer

Seconded: Cr Gil Kelly

That the Energy Efficiencies report be received and noted.

CARRIED

8.1.3 DRAFT CIVIC EVENTS AND CEREMONIAL FUNCTIONS POLICY

RESOLUTION 051/2020

Moved: Cr Leigh Bowden

Seconded: Cr Penny Nicholson

The amended Draft Civic Events and Ceremonial Functions Policy, circulated separately to Council, be adopted.

CARRIED

8.1.4 DRAFT COMPANION ANIMALS MANAGEMENT PLAN

RESOLUTION 052/2020

Moved: Cr Dennis Palmer

Seconded: Cr Penny Nicholson

The draft Companion Animals Management Plan, attached to the report, be adopted.

CARRIED

8.1.5 DRAFT PESTICIDE NOTIFICATION PLAN

RESOLUTION 053/2020

Moved: Cr Charlie Sheahan

Seconded: Cr Doug Phillips

The draft Pesticide Use Notification Plan, attached to the report, be adopted.

CARRIED

8.1.6 INFORMATION BULLETIN

RESOLUTION 054/2020

Moved: Cr Leigh Bowden

Seconded: Cr Penny Nicholson

The Information Bulletin, and attached correspondence, be received and noted.

CARRIED

8.1.7 INVITATION TO PARTICIPATE IN NATIONAL ROAD SAFETY WEEK 2020

RESOLUTION 055/2020

Moved: Cr Charlie Sheahan

Seconded: Cr David Graham

- 1. Council participate in National Road Safety Week 2020.**
- 2. Council allocate \$1000 from both Civil Works and Technical Services to promote the event.**

CARRIED

8.1.8 COUNCIL MEETING ACTION REPORT

RESOLUTION 056/2020

Moved: Cr Doug Phillips

Seconded: Cr David Graham

The Council Meeting Action Report be received and noted.

CARRIED

8.1.9 MUTTAMA HALL MANAGEMENT S.355 COMMITTEE MEETING MINUTES

RESOLUTION 057/2020

Moved: Cr Leigh Bowden

Seconded: Cr Penny Nicholson

The Minutes of the Muttama Hall Management s.355 Committee meeting held on 12th December, 2019, attached to the report, be received and noted.

CARRIED

8.1.10 STOCKINBINGAL MEMORIAL HALL S355 COMMITTEE - MINUTES - 16TH JANUARY, 2020

RESOLUTION 058/2020

Moved: Cr Gil Kelly

Seconded: Cr Dennis Palmer

The Minutes of the Stockinbingal Memorial Hall s355 Committee meeting held 16th January, 2020 (attached) be received and noted.

CARRIED

8.1.11 COOTAMUNDRA TOURISM ACTION GROUP SECTION 355 COMMITTEE**RESOLUTION 059/2020**

Moved: Cr Leigh Bowden

Seconded: Cr Penny Nicholson

- 1. The Minutes of the Gundagai Tourism Action Group s.355 Committee meetings held on 6th February, 2020 attached to the report, be received and noted.**
- 2. Recommendations contained in the Minutes, attached to the report, if any, be considered by Council.**

CARRIED

8.1.12 REQUEST FOR SPONSORSHIP FOR THE NEW SOUTH WALES RURAL DOCTOR'S BUSH BURSARY AND COUNTRY WOMEN'S ASSOCIATION SCHOLARSHIP PROGRAM.

It was moved by Cr 's Sheahan and Bowden:

Council consider supporting the 20 New South Wales Rural Doctor's Network Bush Bursary and Country Women's Association Scholarship Program

On being put to the vote the Motion was LOST.D

8.1.13 COOTAMUNDRA COUNTRY CLUB WOMEN'S BOWLS REQUEST FOR SPONSORSHIP**RESOLUTION 060/2020**

Moved: Cr Gil Kelly

Seconded: Cr Leigh Bowden

The amount of \$100 be donated to the Cootamundra Country Club Women's Bowls for their April, 2020 Annual Mixed Triples Tournament.

CARRIED

8.1.14 20TH HELI HEATWAVE REQUEST FOR SPONSORSHIP**RESOLUTION 061/2020**

Moved: Cr Penny Nicholson

Seconded: Cr Doug Phillips

Council donate \$250 to the 20th Heli Heatwave to be held from Friday, 6th March to Monday, 9th March, 2020 at the State Flying Field Cootamundra

CARRIED

8.1.15 GUNDAGAI ST PATRICKS SCHOOL REQUEST FOR DONATION

RESOLUTION 062/2020

Moved: Cr Doug Phillips
Seconded: Cr Penny Nicholson

Council not purchase the requested family swimming pool 2020/21 season pass the St Patricks School for their fundraising event as the Gundagai Swimming Pool is under private management.

CARRIED

8.2 FINANCE

8.2.1 MONTHLY FINANCE REPORT FOR JANUARY 2020

RESOLUTION 063/2020

Moved: Cr Charlie Sheahan
Seconded: Cr Doug Phillips

The Monthly Finance Report for January, 2020 be received and noted.

CARRIED

8.2.2 INVESTMENT REPORT - JANUARY 2020

RESOLUTION 064/2020

Moved: Cr Leigh Bowden
Seconded: Cr Penny Nicholson

The Investment Report as at 31 January, 2020 be received and noted.

CARRIED

8.2.3 MONTHLY MAJOR PROJECTS STATUS REPORT – FEBRUARY, 2020

Note: It was noted at the meeting that the Monthly Major Projects Status Report was for February 2020 and not October, 2019 as stated in the Report.

RESOLUTION 065/2020

Moved: Cr Dennis Palmer

Seconded: Cr Charlie Sheahan

- 1. The Monthly Major Projects Status Update report be received and noted.**
- 2. The recommended changes to the project budgets as listed be adopted.**

CARRIED

8.3 COMMUNITY AND CULTURE**8.3.1 RECREATIONAL NEEDS STUDY PUBLIC CONSULTATION****RESOLUTION 066/2020**

Moved: Cr Leigh Bowden

Seconded: Cr Charlie Sheahan

- 1. The Draft Cootamundra-Gundagai Recreational Needs Study (attached under separate cover) be placed on public exhibition for a period of twenty eight days inviting submissions from the community.**
- 2. A further report on the Cootamundra-Gundagai Recreational Needs Study including submissions, if any, be prepared and submitted for the consideration of Council.**

CARRIED

8.3.2 DROUGHT COMMUNITIES PROGRAM**RESOLUTION 067/2020**

Moved: Cr Gil Kelly

Seconded: Cr Charlie Sheahan

Applications be prepared and submitted through the Drought Communities Program for the Gundagai Main Street Development Stage Two (2) and Parker Street Cootamundra Upgrade.

CARRIED

8.4 DEVELOPMENT, BUILDING AND COMPLIANCE

8.4.1 DEVELOPMENT APPLICATIONS APPROVED FOR THE MONTH OF JANUARY, 2020

RESOLUTION 068/2020

Moved: Cr David Graham

Seconded: Cr Leigh Bowden

The information on Development Applications approved in January, 2020 be noted.

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

CARRIED

8.4.2 DEVELOPMENT APPLICAITON DA2019/149 - CATTLE FEEDLOT, 358 JUGIONG ROAD, COOTAMUNDRA

Note: Having declared a significant non-pecuniary interest Cr Dennis Palmer (Deputy Mayor) left the meeting.

RESOLUTION 069/2020

Moved: Cr Charlie Sheahan

Seconded: Cr Leigh Bowden

That Council approve the following development, subject to the consent conditions below:

Application No: DA2019/149
Property: Lot 1 DP1049802
358 Jugiong Road
COOTAMUNDRA NSW 2590

Development: Intensive livestock agriculture – to establish and operate a 600 SCU (standard cattle unit) cattle feedlot, containing a maximum of 852 head of cattle.

Conditions:

A. ADMINISTRATIVE CONDITIONS

Feedlot design, construction and operation – Industry guidelines

- A1. The design, construction and operation of the feedlot shall be in accordance with the following industry publications:
- (a) *Beef cattle feedlots: design and construction* (August 2016), Meat & Livestock Australia,
 - (b) *National Guidelines for Beef Cattle Feedlots in Australia* (3rd Edition), Meat & Livestock Australia,
 - (c) *National Beef Cattle Feedlot Environmental Code of Practice* (2nd Edition), Meat & Livestock Australia, and
 - (d) *Beef cattle feedlots: waste management and utilisation* (September 2015), Meat & Livestock Australia.

Parameters of consent

- A2. The maximum number of cattle accommodated on the property at any time must not exceed either of the following limits:
- (a) 600 standard cattle units, and
 - (b) 852 head of cattle
- Any increase above these numbers will require further consent to be obtained.

Approved plans, specifications and documents

- A3. The Development being completed in accordance following documents and written information (including all plans and specifications contained within), except where varied by conditions of this consent.

The Statement of Environmental Effects titled “ <i>Proposed 600 SCU Cattle Feedlot</i> ”, dated 6 th November 2019, prepared by Livestock Environmental and Planning, submitted 10 th January 2020
Additional information, relating to water use, on-site dam storage, water balance, pen surface and manure management, emailed to Council, 13 th February 2020 (10:37 am)
Additional information, relating to vehicle movements from the offsite disposal of manure, emailed to Council, 13 th February 2020 (12:42 pm)

Inconsistencies between approved plans and documents, condition of consent and Industry guidelines

- A4. In the event of an inconsistency between the documents and/or plans referred to above, the latter documents and/or plans, shall prevail to the extent of the inconsistency.

- A5. In the event of an inconsistency between the conditions of this consent and the documents and/or plans referred to above, then the conditions of this consent shall prevail to the extent of the inconsistency.
- A6. In the event of an inconsistency between the conditions of this consent and the industry guidelines, referred to above, the Industry guidelines, shall prevail to the extent of the inconsistency.

B. PRIOR TO WORK/CONSTRUCTION COMMENCING

Clean water diversion bank

- B1. Prior to work commencing on-site, detailed design plans for the clean water diversion bank, shall be prepared by a suitably qualified professional, and shall be submitted to Council for approval.

Construction of pens

B2. Prior to work commencing on-site, detailed design plans for the pen pads shall be prepared by a suitably qualified professional, and shall be submitted to Council for approval. The plans shall clearly demonstrate that the pens have been designed in accordance with the SEE and the *Beef cattle feedlots: design and construction*, and in particular to meet the following standards as a minimum:

- (a) slope of between 3% and 4% (away from the feed bunk towards the drain),
- (b) underlain by at least 300 mm of clay or other suitable soil compacted to achieve a design permeability of $<1 \times 10^{-9}$ m/s.

Drain design

- B3. Prior to work commencing on-site, detailed design plans for the drain along the bottom of the pens, shall be prepared by a suitably qualified professional, and shall be submitted to Council for approval. The plans shall clearly demonstrate that the drain has been designed as per the SEE and the *Beef cattle feedlots: design and construction*, to meet the following standards as a minimum:
- (a) the drain can safely carry the peak flow rates resulting from a design storm event with an average recurrence interval (ARI) of 20 years,
 - (b) the flow velocity in the drain during the 20-year ARI design storm event should be greater than 0.5 m/s but at the same time be non-scouring,
 - (c) underlain by at least 300 mm of clay or other suitable soil compacted to achieve a design permeability of $<1 \times 10^{-9}$ m/s.

Design and construction plans – sedimentation basin and effluent holding pond

B4. Prior to work commencing on-site, detailed design plans for the construction of the sedimentation basin and the effluent holding pond shall be prepared by a suitably qualified professional, and shall be submitted to Council for approval. The plans shall clearly demonstrate that the sedimentation basin and the effluent holding pond have been designed as per the SEE and the *Beef cattle feedlots: design and construction*, to meet the following standards as a minimum:

- (a) sedimentation basin:

- minimum capacity of 300 m²,
 - maximum depth of 1 metre,
 - minimum of 0.9 metres freeboard;
- (b) effluent holding pond:
- minimum capacity of 3650 m²;
 - minimum of 0.9 metres freeboard;
- (c) both structures being underlain by at least 300 mm of clay or other suitable soil compacted to achieve a design permeability of $<1 \times 10^{-9}$ m/s.

Design and construction plans – manure stockpile area

- B5. Prior to work commencing on-site, detailed design plans for the construction of the manure stockpile area shall be prepared by a suitably qualified professional, and shall be submitted to Council for approval. The plans shall clearly demonstrate that the manure stockpile area has been designed as per the SEE and the *Beef cattle feedlots: design and construction*, to meet the following standards as a minimum:
- (a) sufficient capacity to stockpile a minimum of twelve (12) months of solids,
 - (b) draining at an acceptable grade, into the sedimentation basin,
 - (c) being underlain by at least 300 mm of clay or other suitable soil compacted to achieve a design permeability of $<1 \times 10^{-9}$ m/s.

Payment of section 7.12 contribution

- B6. Prior work commencing, a contribution is required towards the provision of public amenities and services, in accordance with the Cootamundra–Gundagai Regional Council *Section 7.12 Fixed Developer consent Levy Contributions Plan 2018*.

C. DURING CONSTRUCTION

Hours of work

- C1. Hours of work, shall be limited to the following:
- (a) Mondays to Fridays – 7:00 am to 6:00 pm
 - (b) Saturdays – 8:00 am to 5:00 pm
 - (c) Sundays and public holidays – Nil
 - (d) Any other times – only with the prior written consent of Council.

Construction noise

- C2. Noise emissions from plant and equipment, shall be minimised by installing and maintaining, wherever practicable, efficient silencers and low-noise mufflers.

Dust

- C3. All activities on the site shall be undertaken with the objective of preventing visible emissions of dust from leaving the site, including wind-blown and traffic-generated dust. Should such visible dust emissions occur at any time, the Developer shall identify and implement all practicable dust mitigation measures, including cessation of relevant works or dampening of site roads and work areas, as appropriate, such that emissions of visible dust cease.

Unexpected finds

- C4. Should any relics or artefacts (Aboriginal or European) be discovered during earthworks, excavation or disturbance, work in the immediate area must stop immediately, and Council and the Office of Environment and Heritage shall be consulted.

Sedimentation and erosion controls

- C5. Soil and water management measures consistent with Managing Urban Stormwater - Soils and Construction Volumes 1 and 2, 4th Edition (Landcom 2004), shall be employed during the construction of the development to minimise soil erosion and the discharge of sediment and other pollutants to land and/or waters. The measures shall not be removed until such time as the ground cover has been re-established.

Removal of topsoil

- C6. Any topsoil from disturbed areas shall be conserved and used in the rehabilitation of the site.

Stabilisation of exposed surfaces

- C7. As soon as practical after all structures have been finished, exposed surfaces shall be stabilised (seeding, spraying or other suitable method), to ensure that the integrity of the structures and surfaces are maintained and no erosion occurs.

Tree removal

- C8. Trees shall not be removed from the site without the prior consent of Council.

Design of feed bunks

- C9. The feed bunks shall be designed and constructed as per the *Beef cattle feedlots: design and construction*. The feed bunks shall have drain holes or slots at intervals along the length of the trough to drain rain water.

D. PRIOR TO OCCUPATION OR COMMENCEMENT OF USE**Approval to operate**

- D1 The feedlot shall not commence operating, until such time as ALL the requirements of the conditions of this consent have been carried out to the reasonable satisfaction of Council, as signified in writing.

Certification of pens and effluent holding structures

- D2. Following the construction of the pens, manure stockpile area, sedimentation basin, holding pond, cattle lanes, and drains, a report must be prepared by a suitably qualified professional or engineer, confirming that each of the structures have been constructed according to the approved specifications and capacity, and that the design permeability of $<1 \times 10^{-9}$ m/s has been achieved. This report must be approved by Council prior to the use of the facility.

Tree planting

- D3. The tree plantings proposed along the northern, eastern and western side of the feedlot, shall be established, prior to the feedlot commencing operations.

Weed control program

- D4. A weed control program shall be prepared, prior to the feedlot commencing operations.

Access

- D5. The existing access off Jugiong Road (at the eastern end of the site), shall be upgraded and sealed, which may involve its possible relocation to achieve better site distance. The access shall be located to ensure that it achieves the maximum available sight distance in each direction.
- D6. Full engineering design plans shall be prepared by a suitably qualified engineer, and submitted to Council for approval.
- D7. Warning / advisory signs shall be installed on the approaches to the access, due to the limited sight distance. The design plans for the construction of the access shall nominate the location and type of advisory sign proposed.
- D8. If the existing access is relocated, the culvert shall be removed and the table drain reinstated, to prevent the use of the access.

E. DURING OPERATIONS OF THE FACILITY**Maintenance of the pens**

- E1. The pens shall be cleaned and maintained in accordance with Clause 1 (Pen cleaning / manure removal), Clause 2 (Under-fence cleaning) and Clause 3 (Elimination of wet patches and potholes in the pens) of Appendix 1 (Standard operating procedures for waste management and utilisation), of the publication *Beef cattle feedlots: waste management and utilisation* (see Attachment 1), and in particular:
- cleaning the pens at intervals of 13 weeks or less,
 - cleaning when manure is moist but not wet,
 - removing manure from under fence lines and around water troughs and feed bunks, more regularly,
 - pen surfaces are inspected for wet patches and potholes, and are repaired
 - the impermeable base of the pens are maintained to achieve design permeability of $<1 \times 10^{-9}$ m/s.
- E2. Stockpiling of manure in the pens is not permitted.

Maintenance and cleaning of feed bunks and water troughs

- E3. Feed bunks and water troughs shall be cleaned and maintained, in accordance with Clause 4 (Removal of feed residues from feed bunks) and Clause 5 (Water trough cleaning) of Appendix 1 (Standard operating procedures for waste management and

utilisation), of the publication *Beef cattle feedlots: waste management and utilisation* (see Attachment 1).

Maintenance of the drain

- E4. The drain shall be maintained on a regular basis in accordance with Clause 6 (Drain and sedimentation device cleaning and maintenance) and Clause 23 (Diversion banks and drains) of Appendix 1 (Standard operating procedures for waste management and utilisation), of the publication *Beef cattle feedlots: waste management and utilisation* (see Attachment 1), to avoid the build-up of manure, and so as not to reduce the operational capacity or function of the drain.
- E5. All work on the drain shall be carried out so as not to damage the impermeable nature of the drains.

Maintenance of the sedimentation basin

- E6. The sedimentation basin shall be appropriately maintained in accordance with Clause 6 (Drain and sedimentation device cleaning and maintenance), of Appendix 1 (Standard operating procedures for waste management and utilisation), of the publication *Beef cattle feedlots: waste management and utilisation* (see Attachment 1) to ensure that:
- (a) it maintains the required operational capacity,
 - (b) the risk of major structural component failure is minimised,
 - (c) the impermeable base and sides of the structure is maintained to achieve design permeability of $<1 \times 10^{-9}$ m/s,
 - (d) the outlet is not blocked with debris,
 - (e) it is cleaned as soon as practicable after significant material builds up (generally when sediment accumulates to half the basin depth).

Maintenance of the effluent holding pond

- E7. The effluent holding pond shall be appropriately maintained in accordance with Clause 8 (Effluent holding pond maintenance), of Appendix 1 (Standard operating procedures for waste management and utilisation), of the publication *Beef cattle feedlots: waste management and utilisation* (see Attachment 1), to ensure that:
- (a) it maintains the required operational capacity,
 - (b) the risk of major structural component failure is minimised,
 - (c) the impermeable base and sides of the structure is maintained to achieve design permeability of $<1 \times 10^{-9}$ m/s.

Storage of solid waste

- E8. All solid waste shall be stored and stockpiled in accordance with Clause 9 (Manure stockpiling and stockpile management), Clause 10 (Managing fires in manure stockpiles) and Clause 11 (Manure stockpile area maintenance), of Appendix 1 (Standard operating procedures for waste management and utilisation), of the publication *Beef cattle feedlots: waste management and utilisation* (see Attachment 1), in particular:

- (a) all solid waste shall be stored in the manure stockpile area located adjacent the sedimentation basin an effluent holding pond,
 - (b) the height and width of the windrows, to minimise odour and facilitate water-shedding,
 - (d) wet manure shall not be stockpiled - it shall be allowed to dry in the pens and sedimentation basin, before removal and stockpiling,
 - (e) the impermeable base of the pad is maintained to achieve design permeability of $<1 \times 10^{-9}$ m/s.
- E9. The manure stockpiling / composting area shall be maintained in accordance with Clause 24 (Manure stockpiling /composting area), of Appendix 1 (Standard operating procedures for waste management and utilisation), of the publication *Beef cattle feedlots: waste management and utilisation* (see Attachment 1),

Composting of (single) mortalities

- E10. Composting of (single) mortalities shall be carried in accordance with Clause 14 (Mortalities Composting), of Appendix 1 (Standard operating procedures for waste management and utilisation), of the publication *Beef cattle feedlots: waste management and utilisation* (see Attachment 1).

Management of waste utilisation area

- E11. The quantity of effluent and solid waste applied to the waste utilisation area must not exceed the capacity of the area to effectively utilise the effluent/solids.

For the purposes of this condition, 'Effectively utilise', means the use of the effluent/solids for pasture or crop production, as well as the ability of the soil to absorb the nutrient, salt, hydraulic load and organic material.

Soil testing

- E12. Prior to the application of effluent or solid waste to the waste utilisation area (as a minimum annually and no more than 2 months prior the main application period), soil testing shall be carried out to determine the existing nutrient levels, and in turn the appropriate application rates of the effluent or solid waste.

Effluent and solid waste testing

- E13. The effluent in the holding pond shall be tested annually (as a minimum), and no more than 2 months prior the main application period, and this data shall be used to determine sustainable rates for application to the waste utilisation area. The parameters to be tested shall include the following as a minimum:
- total nitrogen
 - total phosphorus
 - sodium
 - conductivity
 - pH.

- E14 The solid waste (manure) shall be tested annually (as a minimum), and no more than 2 months prior the main application period, and this data shall be used to determine sustainable rates for application to the waste utilisation area. The parameters to be tested shall include the following as a minimum:
- total nitrogen
 - total phosphorus
 - potassium
 - sodium
 - sulfur
 - zinc.

Effluent irrigation procedures

- E15. The operator/owner shall ensure that effluent is applied to land in accordance with Clause 16 (Selection of effluent irrigation areas) and Clause 17 (Effluent irrigation), of Appendix 1 (Standard operating procedures for waste management and utilisation), of the publication *Beef cattle feedlots: waste management and utilisation* (see Attachment 1), and in particular:
- effluent application must not occur in a manner that causes surface runoff,
 - effluent shall not be irrigated to waterlogged soils,
 - effluent shall not be irrigated when rain is imminent or under gusty conditions
 - spray from effluent application must not drift beyond the boundary of the premises or into a watercourse,
 - livestock access to any effluent application area must be denied during irrigation and until the applied effluent has dried,
 - wherever appropriate and practical, effluent shall be spread early in the day to utilise the wind to disperse odours and avoid the drift of odour that can occur in the evening,
 - wherever appropriate and practical, effluent shall not be spread on paddocks that are up wind of sensitive receptors at the edge of the prescribed buffer distances on days where climatic conditions would significantly increase odour impacts from waste disposal.
- E16. Effluent shall only be irrigated within the nominated effluent utilisation area shown in Figure 18 of the SEE, and shall not be irrigated within the buffer areas nominated below, for the particular receptor:
- watercourses– 50 metres,
 - farm dams – 40 metres,
 - bores used for household water supply – 250 metres,
 - dwelling – 50 metres,
 - property boundary – 10 metres.

Solid waste application procedures

- E17. The operator/owner shall ensure that solid waste is applied to land in accordance with Clause 18 (Selection of manure spreading areas) Clause 19 (Manure spreader calibration) and Clause 20 (Manure spreading), of Appendix 1 (Standard operating procedures for waste management and utilisation), of the publication *Beef cattle feedlots: waste management and utilisation* (see Attachment 1), in particular:

- wherever appropriate and practical, solid waste shall be spread early in the day to utilise the wind to disperse odours and avoid the drift of odour that can occur in the evening,
- wherever appropriate and practical, solid waste shall not be spread on paddocks that are up wind of sensitive receptors at the edge of the prescribed buffer distances on days where climatic conditions would significantly increase odour impacts from waste disposal,
- solid waste should not be spread when it is too dry and can blow towards neighbours,
- solid waste shall not be spread when rain is imminent or under gusty conditions.

E18. Solid waste shall not be spread within the buffer areas nominated below:

- watercourses– 50 metres,
- farm dams – 40 metres,
- bores used for household water supply – 100 metres,
- dwelling – 50 metres,
- public road – 25 metres,
- property boundary – 10 metres.

Odour

E19. The operator/owner must not cause or permit the emission of offensive odours from the feedlot and its associated activities, beyond the property boundaries.

Health and welfare of cattle

E20 The operator/owner shall operate the feedlot in accordance with the following guidelines:
(a) *Australian Animal Welfare Standards and Guidelines for Cattle* (2016), Animal Health Australia,
(b) *Australian Animal Welfare Standards and Guidelines – Land Transport of Livestock* (2012), Animal Health Australia.

Biosecurity

E21. The feedlot shall be operated in accordance with the *National Biosecurity manual for Beef Cattle Feedlots* (2013), published by Animal Health Australia.

Vermin and flies

E22. The operator/owner shall ensure that flies and vermin are controlled in accordance with Clause 25 (Fly and vermin Management), of Appendix 1 (Standard operating procedures for waste management and utilisation), of the publication *Beef cattle feedlots: waste management and utilisation* (see Attachment 1), and the following best-practice:

- good manure management: clean under fence lines, sedimentation basins, drains, and manure stockpiles,
- clean up feed spilled near the bunks,
- good feedstuff storage - clean up spills and keep silage well covered,
- appropriate mortalities management – compost and cover completely,
- maintaining the feedlot troughs, drains, sedimentation basins and vegetation management by mowing or slashing around the feedlot.

Dust

- E23. All operations and activities occurring at the premises must be carried out in a manner that will minimise dust at the boundary of the premises, and in particular in accordance with Clause 26 (Dust management), of Appendix 1 (Standard operating procedures for waste management and utilisation), of the publication *Beef cattle feedlots: waste management and utilisation* (see Attachment 1).

Noise

- E24. The use of the property for the approved development, shall not give rise to “offensive noise” as defined in the Protection of the Environment Operations Act 1997, at the closest residence, at any time.

Removal of solids from site

- E.25 Prior to the removal of solids from the site, the operator/owner of the feedlot shall ensure the receiver is aware of their requirements under *The manure exemption 2014*.
- E26. Trucks transporting solids from the property must be covered when leaving the premises.

Water supply

- E27. The use of Goldenfields Water in the feedlot (except in an emergency situation), is not permitted unless the written consent of Goldenfields Water has been obtained, and a copy of the consent is supplied to Council.

Storage of hazardous materials

- E28. All chemicals, cleaning and disinfectant agents, pesticides, herbicides and veterinary drugs shall be kept in a safe and secure location.

Complaints procedure and records

- E29. The operator/owner shall ensure that a phone number and email address is available for community complaints to be lodged direct to the operator/owner. All complaints shall be investigated within twenty-four (24) hours.
- E30. The operator/owner shall maintain records of all complaints received, action taken, etc., in accordance with Clause 32 (Complaint recording), of Appendix 1 (Standard operating procedures for waste management and utilisation), of the publication *Beef cattle feedlots: waste management and utilisation* (see Appendix 1).

Monitoring and recording

- E31. The operator of the feedlot must maintain accurate records in accordance with Clause 27 (Operational recording) and Clause 29 (Environmental monitoring), of Appendix 1 (Standard operating procedures for waste management and utilisation), of the publication *Beef cattle feedlots: waste management and utilisation* (see Appendix 1). The records shall contain as a minimum, the following information:

- (a) dates and details of the number of cattle-in and cattle-out of the property (both in numbers and standard cattle units),
- (b) maximum number of cattle on-site (both in numbers and standard cattle units) – recorded on a continual basis (minimum of weekly),
- (c) details of all stock losses (dates, number, disposal method and location),
- (d) soil test results (prior to the application of effluent),
- (e) effluent and solid waste test results (prior to use),
- (f) details of, and plans showing, the location, quantity and dates of the application of effluent and solid waste to the property, including the weather conditions at the time,
- (g) details of any effluent removed from site, including the dates, quantity and destination,
- (h) summary of complaints (date and time, name, nature) and all action taken in response to each complaint,
- (i) details of any emergency situations (date and time, nature) and all actions taken in response to each emergency situation,
- (j) details of any known non-compliance with conditions of consent or the statement of environmental effects.

E32. The operator of the feedlot shall, upon the written request of Council, produce the any or all of the above information, within fourteen (14) days of the request.

Annual environmental report

E33. The operator of the feedlot shall prepare an Annual Environment Management Report within six (6) weeks after the end of the financial year, in accordance with Clause 30 (Annual environmental report), of Appendix 1 (Standard operating procedures for waste management and utilisation), of the publication *Beef cattle feedlots: waste management and utilisation* (see Appendix 1)

E34. The operator of the feedlot shall submit a copy of the Annual Environment Management Report to Council, no later than the 1st September each year (for the preceding financial year).

Truck size

E35. The maximum size truck permitted to service the feedlot is a 19 metre semi-trailer or 19 metre rigid truck and trailer combination.

Truck haulage routes

E36. All trucks servicing the feedlot shall approach the feedlot from Gundagai/Muttama Road (western end of Jugiong Road). Trucks shall not approach the feedlot from Old Gundagai Road (eastern end of Jugiong Road).

F. DECOMMISSIONING OF THE EXISTING UNAPPROVED FEEDLOT

Decommissioning / rehabilitation

F1. The operator of the feedlot and/or the owner of the land, shall remediate/rehabilitate the existing unapproved feedlot on the site, to its original state immediately preceding

the unauthorised use of the site as a feedlot, within the following time frames

(whichever occurs first):

- (a) within twelve (12) months of the date of consent of this application, or
- (b) within three (3) months of the approved feedlot becoming fully operational.

G. DECOMMISSIONING OF THE APPROVED FEEDLOT

Decommissioning / rehabilitation

G1. Within three (3) months of the cessation of the feedlot operation approved under this consent, the operator of the feedlot and/or the owner of the land, shall remediate/rehabilitate the land to its original state immediately preceding the use of the site as a feedlot.

REASONS FOR THE CONDITIONS:

- To ensure the feedlot is constructed and managed in accordance with the relevant industry standards.
- To regulate the extent of the permitted development, and require the assessment of, and consent for, any further intensification.
- To confirm the details of the application as submitted by the applicant and as approved by Council.
- To manage any inconsistencies between the approved plan and documents, conditions of consent and the industry guidelines.
- To ensure that the development has little or no impact on the environment and neighbouring properties.

VOTING RECORD	
FOR RESOLUTION	AGAINST RESOLUTION
Cr Abb McAlister (Mayor) Cr Leigh Bowden Cr David Graham Cr Gil Kelly Cr Penny Nicholson Cr Doug Phillips Cr Charlie Sheahan	Nil
ABSENT	DECLARED INTEREST
Cr Craig Stewart	Cr Dennis Palmer (Deputy Mayor)

CARRIED

8.5 REGULATORY SERVICES

Nil

8.6 ASSETS

Nil

8.7 CIVIL WORKS

8.7.1 CIVIL WORKS AND TECHNICAL SERVICES REPORT - FEBRUARY 2020

RESOLUTION 070/2020

Moved: Cr Charlie Sheahan

Seconded: Cr Gil Kelly

The Civil Works and Technical Services Report for the month of February, 2020 be received

CARRIED

8.8 TECHNICAL SERVICES

Nil

8.9 FACILITIES

Nil

8.10 WASTE, PARKS AND RECREATION

8.10.1 DRAFT WASTE STRATEGY THREE MONTH PUBLIC EXHIBITION

RECOMMENDATION

The Draft Waste Strategy (provided to Council at the Ordinary Meeting held 26th November, 2019) be deferred for further discussion by Council to the Ordinary Meeting to be held 31st March, 2020.

Note: Having disclosed a less than significant non-pecuniary interest in item 8.10.1 Draft Waste Strategy Three Month Exhibition Cr Charlie Sheahan left the meeting.

8.10.2 LANDSCAPE CONCEPT PLAN ALBERT PARK (CENOTAPH)**RESOLUTION 071/2020**

Moved: Cr Gil Kelly

Seconded: Cr Leigh Bowden

- 1. Council accept the Albert Park RSL Memorial Area Landscape Concept Plan.**
- 2. Council approve the Albert Park RSL Memorial Landscape Concept Plan.**
- 3. Council approve The Returned and Services League of Australia (Cootamundra Sub Branch) be permitted to use the Albert Park Memorial Landscape Concept Plan, for the purposes of seeking grant funding options for the Landscape Concept Plans development.**

CARRIED

8.10.3 LANDSCAPE CONCEPT PLAN JUBILEE PARK AND CAPTAINS' WALK COOTAMUNDRA**RESOLUTION 072/2020**

Moved: Cr Doug Phillips

Seconded: Cr David Graham

- 1. The expressions of interest received relating the development of a landscape concept plan for Jubilee Park and Captains Walk (circulated under confidential cover) be received and noted.**
- 2. The submission from sala4D be accepted.**
- 3. Council allocate \$40,000 available within the Stronger Community Fund for the purpose of developing the Jubilee Park and Captains Walk Landscape Concept Plan.**

CARRIED

9 MOTION OF WHICH NOTICE HAS BEEN GIVEN

- 9.1 NOTICE OF MOTION - THAT COUNCIL INVESTIGATE THE FEASIBILITY (BENEFITS AND RISKS) OF PURCHASING AN EXECUTIVE HOUSE (A MARKETING TERM FOR A LARGE AND WELL APPOINTED HOUSE - AT LEAST TWO BATHROOMS) AS AN INVESTMENT PROPERTY, WITH A VIEW TO RENTING IT.**

It was moved by Cr's Bowden and Sheahan:

That Council investigate the feasibility (benefits and risks) of purchasing an executive house (a marketing term for a large and well-appointed house – at least 2 bathrooms) as an investment property, with a view to renting it.

Upon being put to the vote the motion was LOST.

10 QUESTIONS WITH NOTICE**10.1 QUESTIONS WITH NOTICE****RESOLUTION 073/2020**

Moved: Cr Gil Kelly

Seconded: Cr Dennis Palmer

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

CARRIED

11 CONFIDENTIAL ITEMS**11.1 CLOSED COUNCIL REPORT****RESOLUTION 074/2020**

Moved: Cr Dennis Palmer

Seconded: Cr Gil Kelly

- 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 MAYORAL MINUTE - MAYORAL UPDATE ON THE GENERAL MANAGERS PERFORMANCE REVIEWProvisions for Confidentiality

Section 10A (2) (f) – The Confidential Report contains details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

Public Interest

Not applicable.

CARRIED

11.2 MAYORAL MINUTE - MAYORAL UPDATE ON THE GENERAL MANAGERS PERFORMANCE REVIEW

Note: Having disclosed a significant pecuniary interest in Confidential item 11.2 Mayoral Update on the General Managers Performance Review Phillip McMurray (General Manager) left the meeting.

RESOLUTION 075/2020

Moved: Cr Doug Phillips
Seconded: Cr Penny Nicholson

1. Blackadder be contracted to undertake and facilitate the General Managers Review.
2. The Mayor engage Blackadder to undertake the General Managers review.

CARRIED

11.3 RESUMPTION OF OPEN COUNCIL MEETING

RESOLUTION 076/2020

Moved: Cr Charlie Sheahan
Seconded: Cr Gil Kelly

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 9:00 PM.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 31 March 2020.

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CHAIRPERSON

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GENERAL MANAGER