

Minutes

ORDINARY COUNCIL MEETING

COUNCIL CHAMBERS, GUNDAGAI

6:00PM, TUESDAY 28th May, 2024

Administration Centres: 1300 459 689

**MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, GUNDAGAI
ON TUESDAY, 28 MAY 2024 AT 6:00PM**

PRESENT: Cr Charlie Sheahan (Mayor), Cr Gil Kelly (Deputy Mayor), Cr Leigh Bowden (online), Cr Logan Collins, Cr Trevor Glover, Cr David Graham, Cr Abb McAlister, Cr Penny Nicholson

IN ATTENDANCE: Steve McGrath (Interim General Manager), Paul Woods (Interim Deputy General Manager - CCD), Linda Wiles (Manager Business), Zac Mahon (Manager Finance), Michael Mason (Interim Manager Sustainable Development), Thomas Hogg (Acting Manager Engineering Gundagai), Greg Ewings (Acting Manager Regional Services Gundagai), Gary Arthur (Acting Manager Engineering Cootamundra)

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.

The Mayor recognised that it is National Reconciliation week. Council invited Uncle Pete Smith to deliver a welcome to country.

ADJOURN MEETING FOR OPEN FORUM

RESOLUTION 104/2024

Moved: Cr David Graham

Seconded: Cr Trevor Glover

Council adjourn for Open Forum.

CARRIED

2 OPEN FORUM

List of Speakers

1. Lyn Smart – Nangus Water – Questions with Notice
2. Diana Hill – Item 8.4.2 DA2023/109
3. Peter McClintock – Item 8.4.2 DA2023/109
4. Phil Matheson – Item 8.4.1 DA2023/137
5. Charlotte Matheson – Item 8.4.1 DA2023/137

RESUME OPEN MEETING

RESOLUTION 105/2024

Moved: Cr Trevor Glover

Seconded: Cr Gil Kelly

Council resume the Open Meeting.

CARRIED

ADJOURN MEETING FOR OPEN FORUM

RESOLUTION 106/2024

Moved: Cr Trevor Glover

Seconded: Cr Gil Kelly

Council adjourn for Open Forum.

CARRIED

6. Richard Eberle – Item 8.4.2 DA2023/109

RESUME OPEN MEETING

RESOLUTION 107/2024

Moved: Cr David Graham

Seconded: Cr Trevor Glover

Council resume the Open Meeting.

CARRIED

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 APOLOGIES

RESOLUTION 108/2024

Moved: Cr David Graham

Seconded: Cr Abb McAlister

Apology from Cr Boyd, be received and leave of absence granted.

CARRIED

3.2 LEAVE OF ABSENCE

Nil

4 DISCLOSURES OF INTEREST

Nil

5 CONFIRMATION OF MINUTES

5.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 23 APRIL 2024

RESOLUTION 109/2024

Moved: Cr David Graham

Seconded: Cr Gil Kelly

The Minutes of the Ordinary Meeting of Council held on Tuesday 23 April 2024 be confirmed as a true and correct record of the meeting.

CARRIED

6 MAYORAL MINUTES**6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT****RESOLUTION 110/2024**

Moved: Cr Charlie Sheahan

Seconded: Cr Abb McAlister

The information in the Councillor Engagements Mayoral Minute be received and noted.

CARRIED

7 REPORTS FROM COMMITTEES**7.1 MINUTES OF THE COOTAMUNDRA-GUNDAGAI LOCAL TRAFFIC COMMITTEE MEETING HELD ON TUESDAY 7 MAY 2024****RESOLUTION 111/2024**

Moved: Cr Gil Kelly

Seconded: Cr Trevor Glover

- 1. The Minutes of the Cootamundra-Gundagai Local Traffic Committee Meeting held on Tuesday 7 May 2024, attached to the report, be received and noted.**
- 2. In consideration of the Cootamundra-Gundagai Local Traffic recommendations detailed in the minutes, Council endorse the following:**
 - 2.1. That “No Parking – Police Excepted” signs be erected on Sutton Street between Campbell and Stratton Avenue, Cootamundra.**
 - 2.2. That Council undertake safety campaign to advise cyclists of their responsibilities when using footpaths.**
 - 2.3 The proposed High Pedestrian Activity Area (HPAA) and subsequent 30Km/h speed limit be reviewed by the Local Traffic Committee with further community consultation, and presented back to council for endorsement.**

CARRIED

8 GENERAL MANAGER’S REPORT**8.1 GENERAL MANAGER OFFICE**

8.1.1 RIVERINA EASTERN REGIONAL ORGANISATION OF COUNCILS (REROC) MEETING MINUTES

RESOLUTION 112/2024

Moved: Cr Trevor Glover
Seconded: Cr David Graham

The Minutes of the Riverina Eastern Regional Organisation of Councils (REROC) Board Meeting held on 19 April 2024, attached to the report, be received and noted.

CARRIED

8.2 BUSINESS

8.2.1 DELIVERY PROGRAM/ OPERATIONAL PLAN QUARTERLY PROGRESS REPORT

RESOLUTION 113/2024

Moved: Cr Gil Kelly
Seconded: Cr Logan Collins

The Delivery Program incorporating the Operational Plan 2023/2024, quarterly progress report, (3rd Quarter January to March), attached to the report, be received and noted.

CARRIED

8.2.2 COOTAMUNDRA HERITAGE CENTRE MANAGEMENT S.355 COMMITTEE MEETING MINUTES

RESOLUTION 114/2024

Moved: Cr David Graham
Seconded: Cr Trevor Glover

The Minutes of the Cootamundra Heritage Centre Management s.355 Committee Meeting held 8 April 2024 and 7 May 2024, attached to the report, be received and noted.

CARRIED

8.2.3 STOCKINBINGAL ELLWOOD'S HALL S.355 COMMITTEE MEETING MINUTES

RESOLUTION 115/2024

Moved: Cr Gil Kelly
Seconded: Cr Logan Collins

The Minutes of the Stockinbingal Ellwood's Hall s.355 Committee Ordinary Meeting held on 18 April 2024 attached to the report, be received and noted.

CARRIED

8.2.4 BUSINESS TEAM REPORT**RESOLUTION 116/2024**

Moved: Cr Penny Nicholson

Seconded: Cr David Graham

The Business Team Report be received and noted.**CARRIED****8.3 FINANCE****8.3.1 FINANCE UPDATE - APRIL 2024****RESOLUTION 117/2024**

Moved: Cr David Graham

Seconded: Cr Penny Nicholson

The Finance Update report, be received and noted.**CARRIED****8.3.2 QUARTERLY BUDGET REVIEW STATEMENT - MARCH 2024****RESOLUTION 118/2024**

Moved: Cr Trevor Glover

Seconded: Cr Abb McAlister

- 1. The March 2024 Quarterly Budget Review be received and noted.**
- 2. The budget variations listed in the March 2024 Quarterly Budget Review report be adopted.**

CARRIED**8.3.3 RESTRICTED CASH RECONCILIATION - APRIL 2024****RESOLUTION 119/2024**

Moved: Cr David Graham

Seconded: Cr Gil Kelly

The Restricted Cash Reconciliation report, be received and noted.**CARRIED**

8.3.4 INVESTMENT REPORT - APRIL 2024

RESOLUTION 120/2024

Moved: Cr Penny Nicholson
 Seconded: Cr Trevor Glover

The report detailing Council Cash and Investments as at 30th April 2024, be received and noted.
CARRIED

8.3.5 BEN WARBY MEMORIAL RESERVE

RESOLUTION 121/2024

Moved: Cr Penny Nicholson
 Seconded: Cr David Graham

Council decline the request to become Crown Land Manager for Reserve 88505 identified as the Ben Warby Memorial Reserve.
CARRIED

8.4 SUSTAINABLE DEVELOPMENT

8.4.1 DEVELOPMENT APPLICATION 2023/137 - 4.6 VARIATION TO DEVELOPMENT STANDARD - LOT 292 DP753604, INGOLD LANE, COOTAMUNDRA

RESOLUTION 122/2024

Moved: Cr Trevor Glover
 Seconded: Cr Logan Collins

Council defer the assessment given; the building envelope is not a development and cannot be granted consent. However, council remains open to a submission around clause 4.6 of the LEP section (2) and (3), and section 4.6 (3).

Being:

- (a) compliance with the development standard is unreasonable or unnecessary in the circumstances and**
- (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.**

VOTING RECORD	
FOR RESOLUTION	AGAINST RESOLUTION
Cr Charlie Sheahan (Mayor) Cr Gil Kelly Cr Leigh Bowden	Nil

Cr Logan Collins Cr Trevor Glover Cr David Graham Cr Abb McAlister Cr Penny Nicholson	
ABSENT	DECLARED INTEREST
Cr Les Boyd	Nil

CARRIED

8.4.2 DEVELOPMENT APPLICATION 2023/109 - PROPOSED STAGED 15,000 SSU FEEDLOT AND ASSOCIATED INFRASTRUCTURE - 1570 OLD COOTAMUNDRA ROAD, COOTAMUNDRA

RESOLUTION 123/2024

Moved: Cr Gil Kelly

Seconded: Cr Trevor Glover

1. Council defer determination of this application to enable the applicant to ascertain potential impacts of historical flooding of ‘Powder Horn Creek’ on adjoining lands (including the site and adjoining/adjacent parcels).
2. The applicant be provided with information and a copy of visual information to assist any flooding impact assessment.
3. The applicant provide a report on the impact of water supply on adjoining properties including an annual demand analysis.

VOTING RECORD	
FOR RESOLUTION	AGAINST RESOLUTION
Cr Charlie Sheahan (Mayor) Cr Gil Kelly Cr Leigh Bowden Cr Logan Collins Cr Trevor Glover Cr David Graham Cr Abb McAlister Cr Penny Nicholson	Nil
ABSENT	DECLARED INTEREST
Cr Les Boyd	Nil

CARRIED

At 7:10 pm, Cr Charlie Sheahan (Chairperson) adjourned the meeting.

At 7:16 pm, Cr Charlie Sheahan (Chairperson) resumed the meeting.

8.5 ENGINEERING COOTAMUNDRA**8.5.1 COOTAMUNDRA ENGINEERING REPORT - APRIL 2024****RESOLUTION 124/2024**

Moved: Cr Logan Collins

Seconded: Cr Gil Kelly

The Cootamundra Engineering Report for the month of May 2024 be noted.**CARRIED****8.6 ENGINEERING GUNDAGAI****8.6.1 MOTOR VEHICLE LEASEBACK PARTICIPANTS POLICY****RESOLUTION 125/2024**

Moved: Cr Logan Collins

Seconded: Cr Leigh Bowden

Council defer the motion pertaining to the Motor Vehicle Leaseback Participants Policy until greater detail can provided.**CARRIED****8.6.2 GUNDAGAI ENGINEERING REPORT - MAY 2024****RESOLUTION 126/2024**

Moved: Cr David Graham

Seconded: Cr Penny Nicholson

The Gundagai Engineering Report for the month of May 2024 be noted.**CARRIED****8.7 REGIONAL SERVICES GUNDAGAI****8.7.1 GUNDAGAI REGIONAL SERVICES WORKS REPORT****RESOLUTION 127/2024**

Moved: Cr David Graham

Seconded: Cr Trevor Glover

The Gundagai Regional Services Department, Monthly works report be received and noted.**CARRIED**

8.8 REGIONAL SERVICES COOTAMUNDRA

8.8.1 REGIONAL SERVICES - COOTAMUNDRA DIVISIONAL MONTHLY REPORT TO COUNCIL

RESOLUTION 128/2024

Moved: Cr Leigh Bowden

Seconded: Cr Gil Kelly

The Regional Services Cootamundra Department Monthly Works Report be received and noted.

CARRIED

9 MOTION OF WHICH NOTICE HAS BEEN GIVEN

9.1 NOTICE OF MOTION - TENANCY ARRANGEMENTS OF THE OLD COOTAMUNDRA HOSPITAL

RESOLUTION 129/2024

Moved: Cr Leigh Bowden

Seconded: Cr Logan Collins

That Council Staff prepare a report on all the tenancy arrangements of The Old Cootamundra Hospital and present it to Council.

CARRIED

9.2 NOTICE OF MOTION - GUNDAGAI FLOOD STUDY

MOTION

The 2018 Gundagai Flood Study and 2023 Cootamundra Flood Study and associated Flood Plan Risk Management Plans be added to Cootamundra-Gundagai Regional Council website for the public to easily access.

10 QUESTIONS WITH NOTICE

Questions with Notice from Councillors Noted

11 CONFIDENTIAL ITEMS**11.1 CLOSED COUNCIL REPORT****RESOLUTION 130/2024**

Moved: Cr David Graham

Seconded: Cr Abb McAlister

- 1. Items 11.2 and 11.3 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.**

CARRIED

RESUMPTION OF OPEN COUNCIL MEETING**RESOLUTION 131/2024**

Moved: Cr Penny Nicholson

Seconded: Cr Logan Collins

The Open Council meeting resume.

CARRIED

ANNOUNCEMENT OF CLOSED COUNCIL RESOLUTIONS

Note: The Chairperson announced the resolutions made in Closed Council as follows:

11.2 BUSINESS COOTAMUNDRA OUTSTANDING INVOICES**RESOLUTION 132/2024**

Moved: Cr Leigh Bowden

Seconded: Cr Gil Kelly

- 1. Council issues a Letter of Demand as prepared by Lindsay Taylor Lawyers.**
- 2. Is to remain confidential.**

CARRIED

11.3 UPDATE - SALE OF 24 BOURKE STREET AND 11 TEMORA STREET

Council adopted the recommendation but decided that the resolution should remain confidential pending subsequent processes.

The Meeting closed at 7:56pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 25 June 2024.



CHAIRPERSON



GENERAL MANAGER