

Minutes

ORDINARY COUNCIL MEETING

ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA

6:00PM, TUESDAY 27th August, 2024

Administration Centres: 1300 459 689

**MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA
ON TUESDAY, 27 AUGUST 2024 AT 6:00PM**

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

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

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 160/2024

Moved: Cr Charlie Sheahan

Seconded: Cr Leigh Bowden

Council adjourn for Open Forum.

CARRIED

2 OPEN FORUM

List of Speakers

1. Peter Lott – DA 2023/109 Feedlot
2. Diana Hill – DA 2023/109 Feedlot
3. Simon Lott – EnviroAg – DA 2023/109 Feedlot
4. Neil Armstrong – Gundagai Golf Course and Playing Fields Irrigation / Pumps and Pond
5. Gordon Forster – Pump for Golf Course and Ovals at Gundagai
6. Lewis Butterworth – Gundagai Golf Course and Playing Fields Irrigation / Pumps and Pond
7. Peter Blundell – Stormwater Coolac Service Station
8. Rosalind Wight – The Tourist Information Centre

RESUME OPEN MEETING

RESOLUTION 161/2024

Moved: Cr Les Boyd
 Seconded: Cr Logan Collins

Council resume the Open Meeting.

CARRIED

PROCEDURAL MOTION

RESOLUTION 162/2024

Moved: Cr Charlie Sheahan
 Seconded: Cr Leigh Bowden

That council bring forward items 8.4.1 and 8.7.1 on the agenda for consideration.

CARRIED

8.4.1 DA2023/109 - PROPOSED STAGED 15,000 SSU FEEDLOT AND ASSOCIATED INFRASTRUCTURE - 1570 OLD COOTAMUNDRA ROAD COOTAMUNDRA

RESOLUTION 163/2024

Moved: Cr Logan Collins
 Seconded: Cr David Graham

1. Council determines DA2023/109 by way of approval subject to the Notice of Determination conditions of consent (Attachment 3 to the Report), inclusive of the following consent condition:

1.1. That the applicant nominate an area of land for the planting of a grove of trees/vegetation, to the satisfaction of council, to minimise any adverse odour impact and to mitigate the overland flow of water to the neighbouring land use.

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

CARRIED**8.7.1 GUNDAGAI EFFLUENT REUSE****MOTION**

Moved: Cr Leigh Bowden

Seconded: Cr Logan Collins

1. Council authorise the Interim General Manager to explore the delivery of interim arrangements to provide treated water for the golf course and sporting fields, including EPA approvals, collaboratively with the Gundagai District Services club.
2. To enable 1. above, Council allocate a budget of \$25,000 to undertake interim works with funds to be sourced from the Bangus Landfill Lease Reserve funds.
3. In accordance with the 23A Guidelines issued by the NSW Office of Local Government, under which CGRC is required to operate at the present time, Council place on public exhibition the Gundagai Effluent Reuse Project Stage 1 works at a value of \$300,000 seeking public comments for 21 days.
4. Subject to 3. above and if there are no public comments in the negative, Council allocate a budget of \$300,000 to its 2024/25 budget for the Gundagai Effluent Reuse Project Stage 1, to be sourced from the Bangus Landfill Lease Reserve funds, thus enabling tank storage and pumping equipment to progress through the procurement phase.
5. A further report be provided to Council following discussions with the Environment Protection Authority (EPA) and representatives of the Gundagai District Services Club, such report to provide the status of the various EPA approvals and potential funding sources for Stage 2 of the Gundagai Effluent Reuse Project.
6. A further report be provided to Council regarding the potential for a policy regarding the supply of treated effluent.

AMENDMENT

Moved: Cr Penny Nicholson

Seconded: Cr Abb McAlister

That each point of item 8.7.1 be voted on separately.**THE AMENDMENT ON BEING PUT TO THE MEETING WAS CARRIED.**

AMENDMENT

Moved: Cr Abb McAlister

Seconded: Cr Penny Nicholson

That the funding required for point 2 and 4 of item 8.7.1 be sourced from the CGRC Sewer Reserve.

THE AMENDMENT ON BEING PUT TO THE MEETING WAS LOST.

AMENDMENT

Moved: Cr David Graham

Seconded: Cr Penny Nicholson

That the following points be added to item 8.7.1

- 1. Council allocate \$300,000 from the CGRC Sewer Reserve to complete Stage 2.**
- 2. In accordance with the 23A Guidelines issued by the NSW Office of Local Government, under which CGRC is required to operate at the present time, Council place on public exhibition the Gundagai Effluent Reuse Project Stage 2 works at a value of \$300,000 seeking public comments for 21 days.**

THE AMENDMENT ON BEING PUT TO THE MEETING WAS LOST.

AMENDMENT

Moved: Cr Charlie Sheahan

Seconded: Cr Logan Collins

That the original recommendation be put forth and voted on for item 8.7.1.

THE AMENDMENT ON BEING PUT TO THE MEETING WAS CARRIED.

AND BECAME THE MOTION AS AMENDED.

MOTION

RESOLUTION 164/2024

Moved: Cr Charlie Sheahan

Seconded: Cr Trevor Glover

1. Council authorise the Interim General Manager to explore the delivery of interim arrangements to provide treated water for the golf course and sporting fields, including EPA approvals, collaboratively with the Gundagai District Services club.
2. To enable 1. above, Council allocate a budget of \$25,000 to undertake interim works with funds to be sourced from the Bangus Landfill Lease Reserve funds.
3. In accordance with the 23A Guidelines issued by the NSW Office of Local Government, under which CGRC is required to operate at the present time, Council place on public exhibition the Gundagai Effluent Reuse Project Stage 1 works at a value of \$300,000 seeking public comments for 21 days.
4. Subject to 3. above and if there are no public comments in the negative, Council allocate a budget of \$300,000 to its 2024/25 budget for the Gundagai Effluent Reuse Project Stage 1, to be sourced from the Bangus Landfill Lease Reserve funds, thus enabling tank storage and pumping equipment to progress through the procurement phase.
5. A further report be provided to Council following discussions with the Environment Protection Authority (EPA) and representatives of the Gundagai District Services Club, such report to provide the status of the various EPA approvals and potential funding sources for Stage 2 of the Gundagai Effluent Reuse Project.
6. A further report be provided to Council regarding the potential for a policy regarding the supply of treated effluent.

CARRIED

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 APOLOGIES

Nil

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 JULY 2024****RESOLUTION 165/2024**

Moved: Cr Leigh Bowden

Seconded: Cr Les Boyd

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

CARRIED

6 MAYORAL MINUTES**6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT****RESOLUTION 166/2024**

Moved: Cr Charlie Sheahan

Seconded: Cr David Graham

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

CARRIED

Additions to note:

5 August 2024

Cr Sheahan attended the Riverina Eastern Regional Organisation of Council (REROC) Executive zoom meeting.

8 August 2024

Cr Sheahan attended the Candidate Information session in Cootamundra.

9 August 2024

Cr Sheahan attended the Riverina Eastern Regional Organisation of Council (REROC) meeting with MP Kristie McBain.

30 July 2024

Crs Kelly (Mayor), Nicholson and Sheahan attended the Local Government Week event in Cootamundra.

20 August 2024

Crs Bowden, Collins, Nicholson, and McAlister attended the "Meet the Candidates" session at the Country Club.

22 August 2024

Crs Nicholson, McAlister, and I, Cr Kelly (Mayor) attended a Citizenship Ceremony in Gundagai.

7 REPORTS FROM COMMITTEES**7.1 MINUTES OF THE COOTAMUNDRA-GUNDAGAI LOCAL TRAFFIC COMMITTEE MEETING HELD ON WEDNESDAY 31 JULY 2024****RESOLUTION 167/2024**

Moved: Cr Logan Collins

Seconded: Cr Leigh Bowden

- 1. The Minutes of the Cootamundra-Gundagai Local Traffic Committee Meeting held on Wednesday 31 July 2024, attached to the report, be received and noted.**
- 2. In consideration of the Cootamundra-Gundagai Local Traffic Committee recommendations detailed in the minutes, Council endorse the following:**
 - 2.1. That Council cease further works related to the installation of a pedestrian refuge at the roundabout intersection of Parker Street and Adams Street in Cootamundra and investigate the reallocation of LRCI funds.**
 - 2.2. Approval be given to The Wallendbeen Community Association to hold the Wallendbeen Long Lunch Event on Saturday 12th October 2024 subject to the following conditions:**
 - a) The temporary closure of Hoskins Street and King Street between 8:00am and 6:30pm on Saturday 12 October 2024.**
 - b) That all businesses along the route be advised and the road closure advertised throughout the community.**
 - c) The event organiser complies with any conditions set by Council and the NSW Police.**
 - d) The Event Management Plan (EMP) is completed and submitted to Council (attached).**
 - e) A current Certificate of Currency (COC) is submitted to Council noting Council, TfNSW and NSW Police as interested parties (attached).**
 - f) Council has attached a Traffic Guidance Scheme (TGS) and will arrange placement and removal of all road barriers and signage.**
 - 2.3. That approval be given to CGRC to install a temporary speed reduction of 40km/h at the OiBell Drive intersection on Middleton Drive, Gundagai for the duration of the Snake Gully Cup Carnival scheduled for the 15 - 16 November 2024.**
 - 2.4. That approval be given for the Cootamundra Community of Schools to hold the 2024 Book Week Parade on Friday the 23 August 2024 subject to the following conditions:**
 - a) The temporary closure of Parker Street between Adams and McKay Street between 10:30am and 12 noon, including Bourke Street at Parker Street and the Woolworths carpark entry exit at Parker Street.**
 - b) That all businesses along the route be advised and road closures be advertised throughout the community.**

- c) The event organiser complies with any conditions set by Council and the NSW Police.
- d) A Police escort is organised for the duration of the parade by the event organiser.
- e) The Event Risk Assessment and Hazard Summary forms associated with the Event Management Plan are completed and submitted to Council (attached).
- f) A current Certificate of Currency is submitted to Council noting Council, TfNSW and NSW Police as interested parties (attached).
- g) Council has provided a Traffic Guidance Scheme (attached).
- h) Council to arrange qualified traffic controllers and barrier placement and removal.

2.5. That the Ton Plus Two motorcycle event scheduled for Saturday 16 November 2024 be approved in principle subject to the following conditions:

- a) An Event Management Plan (EMP) from the Cootamundra Antique Motor Club is completed and submitted to Council (attached).
- b) A current Certificate of Currency (COC) from the Antique Motor Club is provided to Council, noting CGRC, NSW Police and TfNSW as interested parties no later than twenty-one (21) days prior to the event.
- c) The event organiser complies with any conditions set by Council and the NSW Police.

2.6. That the Cootamundra Salvation Army Toy Run Event scheduled for Saturday 14 December 2024 be approved in principle subject to the following conditions:

- a) An Event Management Plan (EMP) from the Salvation Army is completed and submitted to Council.
- b) A current Certificate of Currency (COC) from the Salvation Army and the Antique Motor Club are provided to Council, noting CGRC, NSW Police and TfNSW as interested parties.
- c) An Emergency Services Agreement is signed and submitted to Council no later than twenty-one (21) days prior to the event.
- d) The event organiser complies with any conditions set by Council and the NSW Police.

2.7. That approval be given to the Cootamundra-Gundagai Regional Council for the annual Wattle Time Parade and Fair to hold this year's event subject to the following conditions:

- a) The closure of Murray Street between Adams and Bourke Street , Adams Street from Murray Street to Parker Street, Parker Street between Adams and Wallendoon Street, Wallendoon Street between Parker and Murray Street to hold the Street Parade between 10:15am and 11:00pm on Saturday 7 September 2024.
- b) That all businesses along the route be advised and road closure advertised throughout the community.

- c) A Police escort is organised for the duration of the parade by the event organiser.
- d) The event organiser complies with any conditions set by Council and the NSW Police.
- e) The Event Management Plan (EMP) is completed and submitted to Council (attached).
- f) A Traffic Guidance Scheme and traffic control will be provided by Riverina Traffic Control (attached).

2.8. That approval be given to Cootamundra-Gundagai Regional Council to hold the Festival of Gundagai on Saturday 21st September 2024 subject to the following conditions:

- a) The temporary closure of Sheridan Street from Carberry Park to Byron Street between 3:30pm and 8pm on Saturday 21 September 2024.
- b) That all businesses along the route be advised and road closure advertised throughout the community.
- c) The event organiser complies with any conditions set by Council and the NSW Police.
- d) The Event Management Plan (EMP) is completed and submitted to Council (attached).
- e) Council will provide a Traffic Guidance Scheme and arrange the placement and removal of all road barriers.

2.9. That approval be given to Cootamundra Gundagai Regional Council to hold the 2024 Sparkling Streets Christmas Party event on Thursday 12 December 2024 in Cootamundra between 6pm and 9pm subject to the following conditions:

- a) The temporary closure of Parker Street between 5pm and 10pm on Thursday 12 December 2023 from Wallendoon Street to Adams Street.
- b) That all businesses along the route be advised and road closure advertised throughout the community.
- c) The event organiser complies with any conditions set by Council and the NSW Police.
- d) The Event Management Plan (EMP) is completed and submitted to Council (attached).
- e) Council will provide a Traffic Guidance Scheme (TGS) and associated traffic control (attached).

2.10. That approval be given to Cootamundra-Gundagai Regional Council to hold the Christmas on Sheridan event in Gundagai on Friday 6 December 2024 between 5pm and 9pm subject to the following conditions:

- a) The temporary closure of Sheridan Street between Otway Street and Homer Street from 3:30pm and 10pm on Friday 6 December 2024.
- b) That all businesses along the route be advised and road closure advertised throughout the community.

- c) The event organiser complies with any conditions set by Council and the NSW Police.
- d) The Event Management Plan (EMP) is completed and submitted to Council (attached).
- e) Council will provide a Traffic Guidance Scheme (attached) and arrange placement and removal of all road barriers.

2.11. That approval be given for the Cootamundra Rodeo Association to hold the 2024 Rodeo Parade and Festival on Friday 1 November 2024 subject to the following conditions:

- a) The temporary closure of Adams Street from the Fisher Park entry/exit point to the Parker Street roundabout then Parker Street through to and including the Wallendoon Street roundabout from 4:30pm until 5:30pm.
- b) The temporary closure of Parker Street from 50m north of the Bourke Street intersection through to the north side of the Wallendoon Street roundabout from 4pm until 9pm. This closure will include the Bourke Street intersection and temporary relocation of the taxi rank.
- c) That all businesses along the route be advised and road closures be advertised throughout the community.
- d) The event organiser complies with any conditions set by Council and the NSW Police.
- e) A Police escort is organised for the duration of the parade by the event organiser.
- f) The Event Management Plan is completed and submitted to Council (attached).
- g) A current Certificate of Currency is submitted to Council noting Council, TfNSW and NSW Police as interested parties.
- h) Council provides an approved Traffic Guidance Scheme, traffic control and barrier placement and removal.

2.12. That approval be given to Cootamundra Health Care Co-Operative Ltd to hold the 2025 Coota Beach Volleyball Carnival from the 14 - 16 February 2025 subject to the following conditions:

- a) The temporary closure of Murray Street (Wallendoon Street to Bourke Street) between Tuesday 11th February and Monday the 17 February inclusive.
- b) The event organiser complies with any conditions set by Council and the NSW Police.
- c) The Event Management Plan (EMP) is completed and submitted to Council (attached).
- d) A current Certificate of Currency (COC) is submitted to Council noting Council, TfNSW and NSW Police as interested parties.
- e) Council provides a Traffic Guidance Scheme and associated traffic control.

2.13. 'No Parking – Police Excepted' signage is no longer required at Stratton Park, Cootamundra as recommended in May 2024 Local Traffic Committee meeting.

2.14. Council removes the repeated stop line on the southern side of the Cooper Street pedestrian crossing located at the Wallendoon intersection, Cootamundra.

2.15. Council to install temporary disabled parking in the current *No Parking* zone at the entrance of the Civic Hall on Cooper Street, Cootamundra for the duration of the local election pre-polling period in September 2024.

CARRIED

8 GENERAL MANAGER'S REPORT

8.1 GENERAL MANAGER OFFICE

8.1.1 O I BELL DRIVE ACCESS

RESOLUTION 168/2024

Moved: Cr Charlie Sheahan

Seconded: Cr Les Boyd

- 1. Council note the correspondence received from Steph Cooke MP and The Hon Jenny Aitchison MP.**
- 2. Council issue a request to the State Government to urgently put in place actions to provide suitable access along O I Bell Drive for all vehicular traffic, including high vehicles.**
- 3. Council issue a request to the State Government to put in place actions to reinstate vehicle access along Tumut Street.**
- 4. Council issue correspondence in strong terms to the Minister for Regional Transport and Roads, Jenny Aitchison MP, indicating that this has been ongoing for way too long, and invite the Minister to a site inspection.**

CARRIED

8.1.2 MOTIONS FOR THE LGNSW ANNUAL CONFERENCE 2024

RESOLUTION 169/2024

Moved: Cr David Graham

Seconded: Cr Logan Collins

The motion for submission to the 2024 Local Government NSW Annual Conference, listed below, be submitted to LGNSW by Friday 18 October 2024;

- 1. Improve State Rail Services**

CARRIED

8.1.3 RIVERINA EASTERN REGIONAL ORGANISATION OF COUNCILS (REROC) MEETING MINUTES**RESOLUTION 170/2024**

Moved: Cr Abb McAlister

Seconded: Cr Leigh Bowden

The Minutes of the Riverina Eastern Regional Organisation of Councils (REROC) Board Meeting held on 28 June 2024, attached to the report, be received and noted.

CARRIED**8.1.4 COUNTRY MAYORS ASSOCIATION MEETING MINUTES 9 AUGUST 2024****RESOLUTION 171/2024**

Moved: Cr Gil Kelly

Seconded: Cr Penny Nicholson

The Minutes of the Country Mayors Association Meetings held on 9 August 2024, attached to the report, be received and noted.

CARRIED**8.2 BUSINESS****8.2.1 DELIVERY PROGRAM/ OPERATIONAL PLAN QUARTERLY PROGRESS REPORT****RESOLUTION 172/2024**

Moved: Cr Trevor Glover

Seconded: Cr Logan Collins

The Delivery Program incorporating the Operational Plan 2023/2024, quarterly progress report, (4th Quarter April to June), attached to the report, be received and noted.

CARRIED**8.2.2 COOTAMUNDRA SHOWGROUND USERS S.355 COMMITTEE MEETING MINUTES****RESOLUTION 173/2024**

Moved: Cr Logan Collins

Seconded: Cr Les Boyd

The Minutes of the Cootamundra Showground User s.355 Committee Meeting held on 19 June 2024 attached to the report, be received and noted.

CARRIED

8.2.3 THE COOTAMUNDRA HERITAGE CENTRE MANAGMENT S.355 COMMITTEE MEETING MINUTES AND MEMBERSHIP

RESOLUTION 174/2024

Moved: Cr Les Boyd

Seconded: Cr Abb McAlister

- 1. The Minutes of the Cootamundra Heritage Centre Management s.355 Committee meetings held on 1 July 2024 and 5 August 2024, attached to the report, be received and noted.**
- 2. The Minutes of the Cootamundra Heritage Centre Management s.355 Committee Annual General Meeting held on 1 July 2024, attached to the report, be received and noted.**
- 3. The Annual Report from the Secretary, Betti Punnett, dated 1 July 2024 attached to the report, be received and noted.**
- 4. The office bearers of the Cootamundra Heritage Centre Management s.355 Committee as detailed in the report, be endorsed for 2024.**

CARRIED

8.2.4 MUTTAMA HALL MANAGEMENT S.355 COMMITTEE MEETING MINUTES

RESOLUTION 175/2024

Moved: Cr Charlie Sheahan

Seconded: Cr Leigh Bowden

The Minutes of the Muttama Hall Management s.355 Committee Ordinary Meeting held, 10 July 2024, attached to the report, be received and noted.

CARRIED

8.2.5 MUTTAMA CREEK REGENERATION GROUP S.355 COMMITTEE MEETING MINUTES

RESOLUTION 176/2024

Moved: Cr Penny Nicholson

Seconded: Cr Trevor Glover

The Minutes of the Muttama Creek Regeneration Group s.355 Committee meeting held 3 June 2024, attached to the report be, received and noted.

CARRIED

8.2.6 STOCKINBINGAL ELLWOOD'S HALL S.355 COMMITTEE MEETING MINUTES AND MEMBERSHIP

RESOLUTION 177/2024

Moved: Cr David Graham

Seconded: Cr Logan Collins

- 1. The Minutes of the Stockinbingal Ellwood's Hall s.355 Committee Ordinary Meeting and Annual General Meeting held on 25 July 2024 attached to the report, be received and noted.**
- 2. Membership of the Stockinbingal Ellwood's Hall s.355 Committee, as detailed in the report, be endorsed.**
- 3. The Chairperson, Carmel Payne's report dated 25 July 2024 attached to the report, be received and noted.**

CARRIED

8.3 FINANCE

8.3.1 REFERRAL OF FINANCIAL STATEMENTS FOR AUDIT

RESOLUTION 178/2024

Moved: Cr Trevor Glover

Seconded: Cr Les Boyd

- 1. The 2024 Financial Statements be referred for review by the ARIC Committee, with any comments to be presented to Council prior to lodgement of the Statements to the NSW Office of Local Government.**
- 2. The 2024 Financial Statements be referred for external audit.**

CARRIED

8.3.2 FINANCE UPDATE - JULY 2024

RESOLUTION 179/2024

Moved: Cr Leigh Bowden

Seconded: Cr Abb McAlister

The Finance Update report, be received and noted.

CARRIED

8.3.3 RESTRICTED CASH RECONCILIATION - JULY 2024**RESOLUTION 180/2024**

Moved: Cr Logan Collins

Seconded: Cr David Graham

The Restricted Cash Reconciliation report, be received and noted**CARRIED****8.3.4 2025 CARRY FORWARD BUDGET****RESOLUTION 181/2024**

Moved: Cr Penny Nicholson

Seconded: Cr Charlie Sheahan

- 1. The Carry Forward Budget report be received and noted.**
- 2. The budget variations in the report be adopted.**

CARRIED**8.3.5 INVESTMENT REPORT - JULY 2024****RESOLUTION 182/2024**

Moved: Cr David Graham

Seconded: Cr Trevor Glover

The report detailing Council Cash and Investments as at 31st July 2024, be received and noted.**CARRIED****8.4 SUSTAINABLE DEVELOPMENT****8.4.2 PRIMARY BUILDING LINE VARIATION 204 THOMPSON STREET COOTAMUNDRA****RESOLUTION 183/2024**

Moved: Cr Les Boyd

Seconded: Cr Abb McAlister

That Council approve the following Development Application subject to the consent conditions 1-24 below:

- **Application No.:** DA 2024/52
- **Property:** Lot: 12 DP: 35306
204 Thompson Street
COOTAMUNDRA NSW 2590

- **Development:** Proposed Alterations and Additions to existing dwelling including new front and side verandah and rear bedroom addition with deck.

General Conditions

- 1 **Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989**
 1. It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.
 2. It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences.
 3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia.
 4. In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.
 5. In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.
 6. This section does not apply—
 - a. to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or
 - b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.

Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.

- 2 **Erection of signs**
 1. This section applies to a development consent for development involving building work, subdivision work or demolition work.
 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—
 - a. showing the name, address and telephone number of the principal certifier for the work, and
 - b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
 - c. stating that unauthorised entry to the work site is prohibited.
 3. The sign must be—
 - a. maintained while the building work, subdivision work or demolition work is being carried out, and
 - b. removed when the work has been completed.
 4. This section does not apply in relation to—

- a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
- b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.

3 Fulfilment of BASIX commitments

It is a condition of a development consent for the following that each commitment listed in a relevant BASIX certificate is fulfilled —

- 1. BASIX development,
- 2. BASIX optional development, if the development application was accompanied by a BASIX certificate.

Condition reason: Prescribed condition under section 75 of the Environmental Planning and Assessment Regulation 2021.

4 Notification of Home Building Act 1989 requirements

- 1. This section applies to a development consent for development involving residential building work if the principal certifier is not the council.
- 2. It is a condition of the development consent that residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following—
 - a. for work that requires a principal contractor to be appointed—
 - i. the name and Licence number of the principal contractor, and
 - ii. the name of the insurer of the work under the Home Building Act 1989, Part 6,
 - b. for work to be carried out by an owner-builder—
 - i. the name of the owner-builder, and
 - ii. if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989—the number of the owner-builder permit.
- 3. If the information notified under subsection (2) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information.
- 4. This section does not apply in relation to Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

Condition reason: Prescribed condition under section 71 of the Environmental Planning and Assessment Regulation 2021.

5 Approved plans and supporting documentation

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Approved plans				
Plan number	Revision number	Plan title	Drawn by	Date of plan
A1744291		BASIX certificate	PEM group	19/04/2024
DA01	A	Cover sheet	Morson group	23/04/2024
DA02	C	Site analysis	Morson group	23/07/2024
DA03	A	Existing & demo plan	Morson group	23/04/2024
DA04	A	Proposed plan	Morson group	23/04/2024
DA05	B	Elevations - 1	Morson group	26/06/2024

DA06	B	Elevations – 2	Morson group	26/06/2024
DA07	A	Proposed roof plan	Morson group	23/04/2024
DA09	A	Door and window schedule	Morson group	23/04/2024
DA10	A	Finish’s schedule	Morson group	23/04/2024
V2		Statement of environmental effects	Morson group	25/06/2024

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

6 Essential Energy Conditions

The service main on the property may be affected by the development. Therefore, a level 2 electrician is required to ascertain compliance with the NSW Service and Installation Rules and AS3000. The applicant is required to provide the results from the electrician in writing before works are to commence on the front verandah section of the development.

It is also essential that all works comply with SafeWork clearance requirements. It is the responsibility of the person/s completing the work to understand their safety responsibilities. the applicant will be required to submit a "request for safety advice" if works cannot maintain the safe working clearances set out in the Working near overhead Powerlines Code of Practice.

Essential energy also makes the following comments.

- If the proposed development changes, there may be potential safety risks and it recommends that Essential Energy is consulted for further comment.
- Any existing encumbrances in favor of essential energy (or its predecessors) noted on the title of the property shall be complied with.
- Any activities in proximity to electrical infrastructure must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the management of Activities within Electricity easements and Close to infrastructure.
- before the carrying out of any works, a "dial before you dig" enquiry should be undertaken in accordance with the requirements of *Part 5E (Protection of underground electricity power lines)* of the *Electricity Supplies Act 1995 (NSW)*, the location of overhead and underground powerlines are also shown in the Look Up and Live App www.essentialenergy.com.au/lookupandlive

Condition reason: To comply with Essential Energy requirements from CNR-70419 received on 17/6/2024

7 Asbestos removal

All removal, transport and disposal of asbestos or other contaminated waste materials shall be controlled in accordance with the *Work health and Safety Act 2011, SafeWork Australia Code of Practice - How to manage and control asbestos in the workplace & Protection of The Environment Act 1997.*

Work involving asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a Licence under clause 485 of the *Work Health & Safety Regulation 2017.*

Condition reason: To minimise the risk of asbestosis and to dispose of this harmful product in a safe and secure manner at an accredited disposal point.

Demolition Work

Before demolition work commences

8 Asbestos removal signage

Before demolition work commences involving the removal of asbestos, a standard commercially manufactured sign containing the words ‘DANGER: Asbestos removal in progress’ (measuring

not less than 400mm x 300mm) must be erected in a prominent position at the entry point/s of the site and maintained for the entire duration of the removal of the asbestos.

Condition reason: To alert the public to any danger arising from the removal of asbestos

During demolition work

9 Handling of asbestos during demolition

While demolition work is being carried out, any work involving the removal of asbestos must comply with the following requirements:

1. Only an asbestos removal contractor who holds the required class of Asbestos Licence issued by SafeWork NSW must carry out the removal, handling and disposal of any asbestos material.
2. Asbestos waste in any form must be disposed of at a waste facility licensed by the NSW Environment Protection Authority to accept asbestos waste; and
3. Any asbestos waste load over 100kg (including asbestos contaminated soil) or 10m² or more of asbestos sheeting must be registered with the EPA on-line reporting tool WasteLocate.

Condition reason: To ensure that the removal of asbestos is undertaken safely and professionally

On completion of demolition work

No additional conditions have been applied to this stage of development.

Building Work

Before issue of a construction certificate

10 Long Service Levy

Before the issue of a Construction Certificate, the long service levy of \$0, as calculated at the date of this consent, must be paid to the Long Service Corporation under the Building and Construction industry Long Service Payments Act 1986, section 34, and evidence of the payment is to be provided to the certifier or Council (where a certifier is not required).

Condition reason: To ensure the long service levy is paid.

11 Section 68 Application required

An application shall be lodged and approved by Cootamundra - Gundagai Regional Council under section 68 of the local government Act 1992 for any new water, sewer, stormwater or sewer drainage works before the issue of a Construction certificate.

All plumbing work must be undertaken by a licensed plumber or drainer. they must submit their notice of works (N.O.W) and pay for any associated inspections 48hrs before the first inspection. they also must submit a correct sewer service diagram (SSD) for all works. The certificate of compliance (C.O.C) and S.S.D must be submitted before an occupation certificate can be released by the Principal certifying Authority (P.C.A)

The proponent shall comply with all requirements tabled under any approval issued, NSW Fair Trading and the Plumbing Code of Australia.

Condition reason: Statutory Compliance

Before building work commences

12 Erosion and sediment controls in place

Before any site work commences, the principal certifier, must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been established in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).

Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.

13 Tree protection measures

Before any site work commences, the principal certifier, or Council where a principal certifier is not required, must be satisfied the measures for tree protection detailed in the approved plans are in place.

The existing ornamental tree within the front yard must be protected and remain after the completion of works.

Condition reason: To protect and retain trees.

14 Site setout report

Site setout report prepared by a registered surveyor is to be supplied to the principal certifier confirming the development is located as per the development consent's approved plans prior to the commencement of works.

Survey pegs/marks are to be protected and preserved throughout construction.

Condition reason: To ensure development is located as per the development consent

During building work

15 Hours of work

Site work must only be carried out between the following times –

For weekdays Mon-Fri from 7:30AM to 5:00PM

For Saturdays 7:30AM to 5:00PM

Sundays and public holidays no work.

Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.

Condition reason: To protect the amenity of the surrounding area.

16 Procedure for critical stage inspections

While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.

Condition reason: To require approval to proceed with building work following each critical stage inspection.

17 Tree protection during work

While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with:

1. the trees shown on the site plan approved under this consent.

This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.

Condition reason: To protect trees during the carrying out of site work.

18 Waste management

While site work is being carried out:

1. all waste management must be undertaken in accordance with the waste management plan; and
2. upon disposal of waste, records of the disposal must be compiled and provided to the principal certifier or Council, detailing the following:
 - a. The contact details of the person(s) who removed the waste.
 - b. The waste carrier vehicle registration.
 - c. The date and time of waste collection.
 - d. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill.
 - e. The address of the disposal location(s) where the waste was taken;
 - f. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.

If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and Council.

Condition reason: To require records to be provided, during site work, documenting the lawful disposal of waste.

19 Termite Protection - Existing Building

The existing building shall be protected from termite attack due to the construction of the additions. Treatment is to be in accordance with Australian Standard 3660.1 shall be deemed to satisfy this requirement.

NB: If a chemical system is selected for use as a barrier against termite attack, a durable notice shall be attached to the house providing information relating to the treatment supplied and the chemical used. This notice should be affixed permanently in either the electric meter box or at the entrance to the subfloor area.

Whilst the Building Code of Australia (BCA) and AS 3660.1 prescribe measures for protection in relation to the structural elements of a building, there are many other elements which may be susceptible to termite attack. Council therefore, encourages builders and owners to take general protective measures against termite attack according to approved industry standards and practices.

No protective measure is permanent. Owners should therefore, arrange regular inspections of their building by appropriate experts.

Condition reason: To protect the building from termite attack.

20 Alterations: plumbing & drainage works

All plumbing works must be undertaken by a licenced Plumber or Drainer. They must submit their Notice of Work (N.O.W) and pay for any associated inspections 48hrs before the first inspection. They also must submit a Certificate of Compliance (C.O.C) after the work has been completed and also submit a correct Sewer Service Diagram (S.S.D.) for all works. The C.O.C and S.S.D must be submitted before an Occupation Certificate can be released by the Principal Certifying Authority (P.C.A).

Condition reason: Statutory compliance.

Before issue of an occupation certificate

21 Removal of waste upon completion

Before the issue of an Occupation Certificate:

- a. all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the approved waste management plan; and
- b. written evidence of the waste removal must be provided to the satisfaction of the principal certifier or Council (where a principal certifier is not required).

Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.

22 Works-as-executed plans and any other documentary evidence

Before the issue of an Occupation Certificate, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works must be submitted to the satisfaction of the principal certifier:

- a. All stormwater drainage systems and storage systems; and
The following matters that Council requires to be documented
- b. Waste facility receipt for the Asbestos removed onsite and any associated clearance paperwork of the site.
- c. A copy of any certificates required by the PCA as directed.

Condition reason: To confirm the location of works once constructed that will become Council assets and for any clarification of works conducted by future owners.

23 occupation of building

A person must not commence occupation or use of the whole or any part of the buildings unless an occupation certificate has been issued by the appointed Principal Certifying Authority.

Condition reason: So that the development is substantially completed to a safe standard to allow use or occupation of said building.

24 BASIX requirements

The development is to be carried out in accordance with the current BASIX certificate and schedule of commitments approved in relation to this development.

Prior to an Occupation Certificate being issued, the applicant is to provide certification certificates to the PCA which specifies that all commitments listed in the BASIX Certificate have been completed.

Condition reason: To ensure the development meets State Government energy and water efficiency targets

Occupation and ongoing use

No additional conditions have been applied to this stage of development.

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

CARRIED

8.4.3 DA2024/043 - 18 KEITH TAYLOR CRESCENT, COOTAMUNDRA - PROPOSED RESTRICTION AS TO USER AND DCP VARIATIONS

RESOLUTION 184/2024

Moved: Cr Charlie Sheahan

Seconded: Cr Leigh Bowden

1. That Council approve the proposed variations as detailed in the Council report, and
2. That Council approve the following development, subject to the consent conditions detailed in the draft Notice of Determination (Attachment 1 to the report):
 - Application No.: DA 2024/043
 - Property: Lot 10 DP 1270489

**18 Keith Taylor Crescent
COOTAMUNDRA NSW 2590**

- **Development:** Subdivision and two (2) dwelling houses – to erect a single storey dwelling house on the existing lot, to subdivide the land into two (2) lots of approximately 805 m² and 809 m², and to erect another single storey dwelling house on the vacant lot, in three (3) stages.

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

CARRIED

8.5 ENGINEERING COOTAMUNDRA

8.5.1 COOTAMUNDRA ENGINEERING REPORT - AUGUST 2024

RESOLUTION 185/2024

Moved: Cr Trevor Glover
Seconded: Cr Les Boyd

The Cootamundra Engineering Report for the month of August 2024 be noted.

CARRIED

8.6 ENGINEERING GUNDAGAI

8.6.1 GUNDAGAI ENGINEERING REPORT - AUGUST 2024

RESOLUTION 186/2024

Moved: Cr Logan Collins
Seconded: Cr Penny Nicholson

The Gundagai Engineering Report for the month of August 2024 be noted.

CARRIED

8.7 REGIONAL SERVICES GUNDAGAI

8.7.2 GUNDAGAI REGIONAL SERVICES WORKS REPORT

RESOLUTION 187/2024

Moved: Cr Abb McAlister

Seconded: Cr Charlie Sheahan

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 188/2024

Moved: Cr David Graham

Seconded: Cr Les Boyd

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 - COOTAMUNDRA MEN'S SHED

RESOLUTION 189/2024

Moved: Cr Charlie Sheahan

Seconded: Cr Trevor Glover

That Cootamundra-Gundagai Regional Council work with the Cootamundra Men's Shed in preparing and presenting the Tim McLaren Quad Scull as an attraction and tribute to Tim McLaren OAM.

Council to:

- 1. Provide access for the necessary restoration work by the Men's Shed at the Bradman St depot where the scull is currently stored.**
- 2. Provide the storey board and information around Tim McLaren, both his connection to Cootamundra and his achievements in rowing sport in Australia and internationally.**

3. **Look at displaying the Quad Scull in an appropriate way and place e.g. the foyer of the Town Hall.**
4. **Provide a budget of \$5000 from the Cootamundra Regional Services budget to meet points 2 and 3.**

CARRIED

10 QUESTIONS WITH NOTICE

10.1 QUESTIONS WITH NOTICE

Responses noted.

11 CONFIDENTIAL ITEMS

11.1 CLOSED COUNCIL REPORT

RESOLUTION 190/2024

Moved: Cr Charlie Sheahan

Seconded: Cr Trevor Glover

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 191/2024

Moved: Cr Trevor Glover

Seconded: Cr Charlie Sheahan

The Open Council meeting resume.

CARRIED

ANNOUNCEMENT OF CLOSED COUNCIL RESOLUTIONS

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

11.2 TENANDRA ROAD MUNDARLO BRIDGE REPLACEMENT - LETTER OF SUPPORT**RESOLUTION 192/2024**

Moved: Cr Abb McAlister

Seconded: Cr David Graham

Council supports the bridge replacement on Tenandra Road, over the Murrumbidgee River for environmental flow purposes.

CARRIED**11.3 PROPOSED DEVELOPMENT ON COUNCIL ROAD RESERVE - COOLAC ROAD COOLAC****RESOLUTION 193/2024**

Moved: Cr Les Boyd

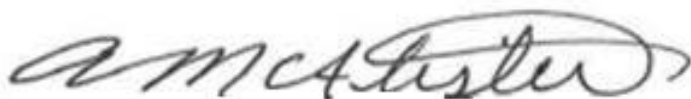
Seconded: Cr Leigh Bowden

- 1. That Council provide owners consent to the development application for a charging station and related infrastructure at the intersection of Coolac Rd and Muttama Rd Coolac.**
- 2. Council negotiate with the applicant for the lease of the land.**
- 3. Should negotiations align with this report, Council enter into a lease agreement with the applicant. The Interim General Manager is then authorised to execute all required documents to enact the lease agreement.**

CARRIED

The Meeting closed at 8:25pm

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 22 October 2024.

**CHAIRPERSON****GENERAL MANAGER**