



JUNEE SHIRE COUNCIL

CONFIRMATION OF MINUTES ORDINARY MEETING



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MINUTES OF THE ORDINARY MEETING OF JUNEE SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, BELMORE STREET, JUNEE ON TUESDAY, 19 FEBRUARY 2019.

The meeting opened at 4.30pm.

PRESENT

Councillors N Smith, R Asmus, M Austin, D Carter, R Callow, M Cook, P Halliburton, M Holmes and K Walker.

STAFF

General Manager, Director Finance and Administration, Director Community and Business, Director Engineering Services and Executive Assistant.

ADDRESS BY STEPH COOKE MP

Steph Cooke MP addressed the Council and took questions from the Councillors on various issues.

01.02.19 **RESOLVED** *on the motion of Cr M Austin seconded Cr P Halliburton that the Council note the presentation by Steph Cooke MP.*

CONFIRMATION OF MINUTES – ORDINARY MEETING 18 DECEMBER 2018

02.02.19 **RESOLVED** *on the motion of Cr R Asmus seconded Cr M Austin that the minutes of the Ordinary Meeting held on 18 December 2018, copies of which had been supplied to each Councillor, be confirmed.*

BUSINESS ARISING

Councillor P Halliburton asked if a vehicle barrier had been placed at the end of Hiscock Avenue. The General Manager replied that at this stage, it had not.

DECLARATIONS OF INTEREST

Councillors were invited to disclose any Declarations of Interest related to the items of business in the report.

Councillor N Smith declared a non-pecuniary interest in Item 13 of the General Managers Confidential report as his wife is employed as the Nurse Manager at the Junee Medical Centre. It is his intention to leave the Council Chambers during the discussion and any voting related to the matter.

Councillor M Holmes declared a non-pecuniary (less than significant) interest in Item 13 of the General Managers Confidential report as his wife is an employee at the Junee Medical Centre and Item 14 of the General Managers Confidential report as he is a paid-up member of RePower Shoalhaven.

Councillor B Callow declared a non-significant, non-pecuniary interest in Item 13 of the General Managers Confidential report as his daughter is an employee of the Junee Medical Centre.

CHAIRPERSON: _____

GENERAL MANAGER: _____

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MAYORAL MINUTE

Nil

GENERAL MANAGER'S REPORT

The General Manager presented a report which dealt with Items 1 to 12, and the following action was taken:

1[DFA] QUARTERLY BUDGET REVIEW STATEMENT – DECEMBER 2018

03.02.19 **RESOLVED** on the motion of Cr R Callow seconded Cr R Asmus that:

1. The Quarterly Budget Review Report as at 31 December 2018 be received and noted; and
2. The Council approve the variations in budgets at 31 December 2018.

2[DFA] MODEL CODE OF CONDUCT AND MODEL CODE OF MEETING PRACTICE

04.02.19 **RESOLVED** on the motion of Cr M Austin seconded Cr R Callow that the Council note the requirement for the review and implementation of an updated Code of Conduct and Code of Meeting Practice based on the model codes provided by the Office of Local Government.

3[GM] INLAND RAIL COMMUNITY CONSULTATION COMMITTEE

05.02.19 **RESOLVED** on the motion of Cr R Asmus seconded Cr P Halliburton that:

1. The report be noted for information only.
2. Councillor P Halliburton be Council's delegate to the Inland Rail Community Consultation Committee Illabo to Stockinbingal Rail Line.

4[DCB] DELIVERY PROGRAM / OPERATIONAL PLAN - HALF YEAR PROGRESS REPORT

06.02.19 **RESOLVED** on the motion of Cr R Callow seconded Cr R Asmus that the Council receive the Combined Delivery Program / Operational Plan Half Year Progress Report and endorse its publication to the community.

Councillor P Halliburton voted against the Motion and asked that this be recorded.

CHAIRPERSON: _____

GENERAL MANAGER: _____

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5[GM] MURRUMBIDGEE LOCAL HEALTH DISTRICT – OUR COMMUNITIES OUR FUTURE - HEALTHIER TOGETHER, TOWARDS 2021

07.02.19 **RESOLVED** on the motion of Cr M Holmes seconded Cr M Cook that the Council note the Murrumbidgee Local Health District's Our Communities Our Future - Healthier Together, Towards 2021 Strategy.

Councillor P Halliburton voted against the Motion and asked that this be recorded.

6[DFA] ADMINISTRATION OF 2020 COUNCIL ELECTION

08.02.19 **RESOLVED** on the motion of Cr R Asmus seconded Cr P Halliburton that the Council engage the New South Wales Electoral Commissioner to conduct the September 2020 Council Election.

7[FM] COUNCIL INVESTMENTS AND BANK BALANCES

09.02.19 **RESOLVED** on the motion of Cr R Callow seconded Cr M Austin that:

1. The Monthly Investment Reports as at 31 December 2018 and 31 January 2019 be received and noted.
2. The Certificate of the Responsible Accounting Officer be noted and the report adopted.

8[DCB] PROPOSED AMENDMENT TO ALCOHOL FREE ZONE IN SEIGNIOR STREET, JUNEE

10.02.19 **RESOLVED** on the motion of Cr D Carter seconded Cr P Halliburton that:

1. The Council propose to amend the Alcohol Free Zone in Seignior Street, Junee for the period from current to 1 July 2022 to exclude the area under the verandah of the premises known as the Junee Hotel between the hours of 11.00am and 10.30pm daily and subject to the provision of a meal (as defined under Clause 4 of the Liquor Act 2007)).
2. The Council advertise and exhibit the proposal to amend the Seignior Street, Junee Alcohol Free Zones as described in Recommendation 1 above for public comment in accordance with the "Ministerial Guidelines on Alcohol Free Zones (February 2009)" published by the NSW Office of Local Government.
3. The Council send a copy of the proposal to the following parties and invite comment within 30 days from the date of sending the proposal:
 - Police Local Area Commander
 - Officer in charge of the Junee Police Station

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- Any known organisation representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group within the local area.

4. The Council receive a further report following the exhibition period.

9[DCB] CASSIA WAY RESERVE SUBDIVISION – APPLICATION OF COUNCIL’S COMMON SEAL

11.02.19 **RESOLVED** on the motion of Cr R Callow seconded Cr P Halliburton that Council authorise the affixing of the Council’s Common Seal to all documents relevant to the Cassia Way Reserve Subdivision (Council resolution 11.06.17) as required.

10[DCB] DEVELOPMENT APPLICATION 2018/55 - SUBDIVISION OF ONE ALLOTMENT INTO TWO

12.02.19 **RESOLVED** on the motion of Cr R Callow seconded Cr R Asmus that pursuant to Section 4.16 and Section 4.17 of the Environmental Planning and Assessment Act 1979, Development Application DA2018/55 for the subdivision of Lot 1 DP1023391, known as 20 Monte Cristo Road, Junee be approved subject to the conditions of consent included within the section 4.15 assessment report attached to this report.

As required under Section 375A of the Local Government Act, the following is the record of voting for this planning matter.

FOR: Councillors N Smith, R Asmus, M Austin, D Carter, R Callow, M Cook, P Halliburton, M Holmes and K Walker.

AGAINST: Nil

11[DES] NATIONAL HEAVY VEHICLE REGULATOR

13.02.19 **RESOLVED** on the motion of Cr P Halliburton seconded Cr R Asmus that the report regarding National Heavy Vehicle Regulator changes is tabled for information only.

12[DES] DONATION OF ITEMS

14.02.19 **RESOLVED** on the motion of Cr P Halliburton seconded Cr R Callow that:

1. Council publically advertise its intention to donate Plant 269 Iseki Mower and Plant 308 Ford Courier Ute to the Junee Golf Club in accordance with the s356 of the Local Government Act 1993.
2. If there are no written submissions objecting to the proposed donation, the Council donate the items to the Junee Golf Club.

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COMMITTEE REPORTS

Nil

DELEGATES' REPORTS

- Riverina Regional Library Advisory Committee
- South-West Zone Public Libraries Association
- Weeds Committee
- Riverina Joint Organisation
- REROC
- Sports Committee – Cr K Walker

NOTICE OF MOTION

Nil

LATE BUSINESS

Nil

QUESTIONS ON NOTICE

Councillor P Halliburton asked the following questions:

1. Could we please have a list of previous winners of the Citizen of the Year recipients?

List available on Council's website at: <http://www.junee.nsw.gov.au/your-community/australia-day-awards.aspx>

2. Could these people please be honoured on a Board, at, say the Library, or somewhere?

Items 2 and 3 can be considered by the Council during the preparation of the 2019/20 Delivery Program/Operational Plan.

3. Could citizens who, whilst living in Junee Shire, who have received an AO or similar, be acknowledged on a Board at the Council Chambers?

INFORMATION BOOKLET

The information booklet was received and noted.

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GENERAL MANAGER: _____

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CONFIDENTIAL REPORT

15.02.19 At 6.22pm Council RESOLVED on the motion of Cr R Asmus seconded Cr M Austin to go into Closed Committee of the Whole under Section 10A (2):

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and
- (d) (i) commercial information of a confidential nature that would, if disclosed, (i) prejudice the commercial position of the person who supplied it.

15[GM] APPLICATION OF COUNCIL'S COMMON SEAL TO DOCUMENTS RELATING TO THE JUNEE TOURIST PARK LEASE

16.02.19 RESOLVED on the motion of Cr P Halliburton seconded Cr R Callow that:

1. Council execute a Right of Entry (Business and Goods) Deed between LDL Tourist Parks Pty Ltd, Commonwealth Bank of Australia and Council as lessor of the Junee Tourist Park.
2. Council's Common Seal be applied to the Deed.

Councillor M Holmes and Councillor N Smith left the Chambers at 6.33pm.

13[GM] MEDICAL CENTRE

17.02.19 RESOLVED on the motion of Cr P Halliburton seconded Cr R Asmus that:

1. Council offer the sale of Lot 1 DP 1128421 situated at 92-98 Broadway Junee known as the Junee Medical Centre to Junee Medical Pty Ltd or its nominee for a purchase price detailed in the report.
2. In the event the Junee Medical Pty Ltd or its nominee agree to the terms of this sale as detailed in this report, Council enter into a contract of sale and authorise the affixing of the Council's Seal to all documents relevant to the contract of sale.

Councillor N Smith returned to the Chambers at 6.44pm.

14[DCB] PHOTOVOLTAIC PROJECTS AT COUNCIL SITES

18.02.19 RESOLVED on the motion of Cr R Callow seconded Cr R Asmus that:

1. Council call for proposals to supply solar generated electricity at the Junee Junction Recreation and Aquatic Centre, Administration/Council Chamber building and Junee Library.

CHAIRPERSON: _____

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2. *Proposals are sought through the Local Government Procurement Solar Power Purchase Agreement Panel from at least three of the panel members.*
3. *A further report be presented to Council following the assessment of submissions.*

16[GM] RESIDENTIAL LAND SALE – CASSIA WAY

19.02.19 **RESOLVED** *on the motion of Cr R Callow seconded Cr K Walker that Council set a non-negotiable selling price for the following lots in Cassia Way Junee in the unregistered plan dated 19 July 20-18 at:*

- *Lot 1 \$67,000*
- *Lot 5 \$80,000*
- *Lot 6 \$ 84,000*

REVERSION TO OPEN COUNCIL

20.02.19 **RESOLVED** *on the motion of Cr M Austin seconded Cr R Asmus that Council move out of committee and revert to an open meeting of the Council, the time being 7.12pm.*

21.02.19 **RESOLVED** *on the motion of Cr M Austin seconded Cr R Asmus that Council adopt the resolutions made in Closed Committee.*

There being no further business, the meeting closed at 7.13pm.

CHAIRPERSON: _____

GENERAL MANAGER: _____