



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, 18 FEBRUARY 2020.

PRESENT

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

STAFF

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

PUBLIC FORUM

N/A

The meeting opened at 4.30pm.

ADDRESS BY JAMES BOLTON, DIRECTOR, RIVERINA MURRAY, REGIONAL NSW

Mr James Bolton from Riverina Murray, Regional NSW addressed the Council and gave an overview on the Riverina Murray Regional Plan 2036.

CONFIRMATION OF MINUTES – ORDINARY MEETING 17 DECEMBER 2019

01.02.20 **RESOLVED** on the motion of Cr R Asmus seconded Cr M Cook that the minutes of the Ordinary Meeting held on 17 December 2019, copies of which had been supplied to each Councillor, be confirmed.

CONFIRMATION OF MINUTES – EXTRAORDINARY MEETING 21 JANUARY 2020

02.02.20 **RESOLVED** on the motion of Cr R Asmus seconded Cr R Callow that the minutes of the Extraordinary Meeting held on 21 January 2020, copies of which had been supplied to each Councillor, be confirmed.

BUSINESS ARISING

Councillor Carter asked a question in relation to Minute 14.12.19 – Ongoing Management of Crown Land and if letters had been sent to stakeholders. He was advised the matter would be taken on notice.

CHAIRPERSON: _____

GENERAL MANAGER: _____

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DECLARATIONS OF INTEREST

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

Councillor Matt Austin declared a non-pecuniary, non-significant interest in Item 6 of the General Manager's report as he is a friend of one of the neighbouring property owners.

MAYORAL MINUTE

Nil

GENERAL MANAGER'S REPORT

The General Manager presented a report which dealt with Items 1 to 9, and the following action was taken:

1[ADFA] QUARTERLY BUDGET REVIEW STATEMENT – DECEMBER 2019

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

1. The Quarterly Budget Review Report as at 31 December 2019 be received and noted; and
2. The Council approve the variations in budgets at 31 December 2019.

2[FM] COUNCIL INVESTMENTS AND BANK BALANCES

04.02.20 **RESOLVED** on the motion of Cr M Austin seconded Cr P Halliburton that:

1. That the Monthly Investment Reports as at 31 December 2019 and 31 January 2020 be received and noted.
2. That the Certificate of the Responsible Accounting Officer be noted and the report adopted.

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

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

Councillor David Carter and Councillor Pam Halliburton voted against the Motion and asked that this be recorded.

CHAIRPERSON: _____

GENERAL MANAGER: _____

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4[DCB] PLANNING PROPOSAL LEP20/01 – ADDITIONAL CLAUSE ADDED TO JUNEE LEP 2012 TO ENABLE EXCEPTIONS TO THE MINIMUM LOT SIZE IN RURAL ZONES

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

1. Council support the planning proposal LEP20/01 prepared to amend the Junee Local Environmental Plan 2012.
2. Submit the planning proposal to the Department of Planning and Environment for Gateway Determination.
3. Receive a further report after the public exhibition period:
 - a) Addressing any submissions made in respect of the planning proposal.
 - b) Proposing adoption of the planning proposal unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period.

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, R Callow, D Carter, M Cook, P Halliburton, M Holmes and K Walker.

AGAINST: Nil

5[DCB] STAGE 8 OF JOHN POTTS DRIVE SUBDIVISION – REQUIREMENT OF OPEN SPACE/COMMUNITY LAND

07.02.20 **RESOLVED** on the motion of Cr M Austin seconded Cr R Asmus that Council support the current classification of the subject land as Operational Land and divest the proposed lots for sale.

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, R Callow, D Carter, M Cook, P Halliburton, M Holmes and K Walker.

AGAINST: Nil

CHAIRPERSON: _____

GENERAL MANAGER: _____

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6[DCB] DEVELOPMENT APPLICATION 2019/72 - CONSTRUCTION OF STORAGE PREMISES

Councillor Matt Austin declared a non-pecuniary, non-significant interest in this item.

08.02.20 **RESOLVED** on the motion of Cr D Carter seconded Cr R Callow that the Development Application No. 2019/2 from Jose Oliveira for the construction of a storage premises located on Lot: 8 Section: 7 DP: 758533 known as 1 Howell Street, Illabo be **REFUSED CONSENT** based on the following reasons:

1. The application, as submitted, does not adequately satisfy the objectives or numerical controls of the Residential Development Controls under the Junee Development Control Plan 2015.
2. The application as submitted does not adequately satisfy relevant matters for consideration under Section 4.15(b) of the Environmental Planning and Assessment Act 1979 (as amended).

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, R Callow, D Carter, M Cook, P Halliburton, M Holmes and K Walker.

AGAINST: Nil

7[DCB] JUNEE COMMUNITY TRANSPORT CLIENT SURVEY

09.02.20 **RESOLVED** on the motion of Cr R Asmus seconded Cr K Walker that:

1. Council receives and notes the report on the Junee Community Transport Client Service.
2. Council write to the volunteers and staff of Community Transport thanking them for their dedication to the service.

8[EHBS] ADVENTURE PLAYGROUND SITE

10.02.20 **RESOLVED** on the motion of Cr D Carter seconded Cr R Callow that the Council suspend Standing Orders; the time being 5.50pm.

11.02.20 **RESOLVED** on the motion of Cr K Walker seconded Cr M Holmes that Standing Orders be resumed the time being 6.15pm.

12.02.20 **RESOLVED** on the motion of Cr M Austin seconded Cr K Walker that the final site for the construction of the Junee Adventure Playground under the My Community Project Program be Site 1 - West and North of the newly resurfaced carpark at Park Dam.

CHAIRPERSON: _____

GENERAL MANAGER: _____

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

9[DCB] ROAD NAMING

13.02.20 **RESOLVED** on the motion of Cr P Halliburton seconded Cr R Callow that the names Loftus Lane, Library Lane, Danswans Road, and Illabo Showground Road, as identified in this report, be formalised by published Notice in the Government Gazette.

COMMITTEE REPORTS

Nil

DELEGATES' REPORTS

- Riverina Regional Library Committee
- Inland Rail
- Weeds Committee
- Draft Riverina Joint Organisation
- Draft REROC Board Meeting
- Sports Committee – Cr M Holmes – verbal
- Local Health Advisory Committee – Cr M Holmes – verbal
- Seniors Week – Cr P Halliburton - verbal

NOTICE OF MOTION

Nil

LATE BUSINESS

Letter from Junee Diesels Rugby League Club Inc.

14.02.20 **RESOLVED** on the motion of Cr D Carter seconded Cr R Asmus that the new building at Laurie Daley Oval be named in honour of the late Mr Bill Deacon.

QUESTIONS ON NOTICE

1. Could a report/plans be available for the changes to DA/CDC No: 10/2018/07/02 – Modification for staged Development, 37 Waratah St. What is the nature of the modification?

This modification involved a change to the development description only – no other changes to the original development have occurred. The original development description read “Multi-Dwelling Housing & Ten Lot Community Title Subdivision” it turned out this description caused some issues for the developer in obtaining the required Home Building Compensation Fund (former Home Owner Warrantee Insurance) policies. The developer wants to erect each dwelling as they are sold under a house and land type package. Under the Home Building Compensation Fund regulations, multi-dwelling development must obtain a single policy and would require the developer/builder to erect all dwellings at once as a single multi-dwelling type project.

CHAIRPERSON: _____

GENERAL MANAGER: _____

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The Developer requested a minor modification to the Consent to change the developments description to read “Staged Development – 9 New Individual Dwelling Houses & 10 Lot Community Title Subdivision” this has removed the Multi-Dwelling description and will now allow him to obtain multiple policies to cover each individual dwelling houses.

The modification was very minor and made no changes to the physical design, layout or use of the land from that which was originally approved – therefore the application was not neighbour notified and determined under delegated authority.

2. Could a report/plans be available for the changes to DA/CDC No: 10/2018/52/04 – Modification to allow 24hr public access etc and creation of a new crossover for traffic etc, 56 Lord St. Was it neighbour notified at each modification?

The original development application was neighbour notified to adjoining and adjacent landowners, as such each of the subsequent modification applications were also notified to the same landowners. Council did not receive submissions to the development application or subsequent applications to modify the consent.

This original development consent was for the erection of an unmanned diesel refuelling station, two bay truck wash and driver amenities. Since the original consents issue on the 15th January 2019 there have been three modifications.

The initial application sought that the new facility was for use for business to business purposes and wouldn't be available for general public use and this was reflected in the consent conditions with limited hours of operation. The first modification requested that these conditions be relaxed to allow general public use with 24-hour access. This modification was granted 19th August 2019. The second modification requested the addition of a “Caltex” advertising sign to be erected in association with the unmanned refuelling station; this modification was granted 4th November 2019. The third and most recent modification requested that the two bay truck wash also be opened for general public use with 24-hour access. This modification requested minor change to the location of the truck wash onsite and vehicle access and exit locations. This modification was granted 14th January 2020.

3. Could a report/plans be available for the changes to DA/CDC No: 10/2019/77 – two-lot subdivision, 5 McDonalds Lane Wantabadgery. ‘How does this affect the current DA that applies to this address’. How does this affect the current DA that applies to this address?

The application for a subdivision does not materially impact the approval or conditions of approval for the dog breeding facility currently being undertaken on the site.

INFORMATION BOOKLET

The information booklet was received and noted.

There being no further business, the meeting closed at 6.21pm.

CHAIRPERSON: _____

GENERAL MANAGER: _____