



JUNEE SHIRE COUNCIL

CONFIRMATION OF MINUTES ORDINARY MEETING



MINUTES OF THE ORDINARY MEETING OF JUNEE SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, BELMORE STREET, JUNEE ON TUESDAY, 28 JULY 2020

PRESENT

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

STAFF

General Manager, Director Community and Business, Director Engineering Services, Chief Executive Officer and Executive Assistant.

APOLOGIES

Councillor Martin Holmes has previously been granted a leave of absence from the 28 July 2020 Ordinary Council meeting.

PUBLIC FORUM

N/A

The meeting opened at 4.40pm.

CONFIRMATION OF MINUTES – ORDINARY MEETING 16 JUNE 2020

01.07.20 **RESOLVED** *on the motion of Cr R Asmus seconded Cr R Callow that the minutes of the Ordinary Meeting held on 16 June 2020, copies of which had been supplied to each Councillor, be confirmed.*

CONFIRMATION OF MINUTES – EXTRAORDINARY MEETING 30 JUNE 2020

02.07.20 **RESOLVED** *on the motion of Cr D Carter seconded Cr R Asmus that the minutes of the Extraordinary Meeting held on 30 June 2020, copies of which had been supplied to each Councillor, be confirmed.*

BUSINESS ARISING

Nil

DECLARATIONS OF INTEREST

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

The General Manager declared a pecuniary interest in Item 11 of the General Manager's Confidential report as the report deals with a matter of employment related to the position of the General Manager.

CHAIRPERSON: _____

GENERAL MANAGER: _____

MINUTES OF THE ORDINARY MEETING OF JUNEE SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, BELMORE STREET, JUNEE ON TUESDAY, 28 JULY 2020

MAYORAL MINUTE

Nil

GENERAL MANAGER'S REPORT

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

I[CFO] COMBINED DELIVERY PROGRAM OPERATIONAL PLAN 2020 – 2024 AND WORKFORCE PLAN

03.07.20 **RESOLVED** on the motion of Cr M Austin seconded Cr K Walker that the Combined Delivery Program Operational Plan 2020-24, as presented, be adopted.

1. That the Revenue Policy 2020-2024, as advertised, and after taking into consideration all submissions made to the Plan and any amendments listed in the report to Council, be adopted;
2. That pursuant to the provisions of the Local Government (Financial Management) Regulation 1993 expenditure required to finance works, service and activities of the Council for the financial year 2020-2021 and as detailed in the Financial Estimates section of the Council's Combined Delivery Program Operational Plan 2020-2024 be approved and voted accordingly;
3. That whereas public notice has been given by advertisement published on Council's website of the preparation of the Draft Combined Delivery Program Operational Plan 2020-2024 in relation to the Council's activities for the 2020-2024 period and the Council's Revenue Policy for the 2020-2021 financial year and whereas such Draft Combined Delivery Program Operational Plan 2020-2024 and Revenue Policy and Workforce Plan have been publicly exhibited for not less than 28 days and whereas Council has considered any matters concerning the Draft Combined Delivery Program Operational Plan 2020-2024, Revenue Policy and Workforce Plan and whereas such Draft Combined Delivery Program Operational Plan 2020-2024, Revenue Policy and workforce Plan were amended as necessary, and adopted at a meeting held on 28 July 2020 and whereas the ordinary rates do not exceed in the aggregate the permitted increase the ordinary rates and the special rates and the charges detailed hereafter be and hereby are made for the financial year commencing 1 July 2020:
 - i) Make a FARMLAND rate of zero point one six one eight nine two (0.161892) cents in the dollar on the land value of all rateable land in the area which has been categorised by the Council as Farmland pursuant to Section 515 of the Local Government Act subject to a base amount of three hundred and twenty five dollars (\$325.00) in respect of each separate parcel with the base amount producing ten point zero four percent (10.04%) of the total amount of the rate levy of the Farmland rate category, and

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MINUTES OF THE ORDINARY MEETING OF JUNEE SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, BELMORE STREET, JUNEE ON TUESDAY, 28 JULY 2020

- ii) *Make a RESIDENTIAL - TOWN rate of zero point eight seven nine three eight seven (0.879387) cents in the dollar on the land value of all rateable land in the area which has been sub-categorised by the Council as Residential - Town pursuant to Section 516 and 529 of the Local Government Act 1993 subject to a base amount of three hundred and twenty five dollars (\$325.00) in respect of each separate parcel with the base amount producing thirty seven point zero six percent (37.06%) of the total amount of the rate levy of the Residential - Town rate sub-category, and*
 - iii) *Make a RESIDENTIAL – RURAL & VILLAGE rate of zero point four zero two seven zero six (0.402706) cents in the dollar on the land value of all rateable land which has been sub-categorised by the Council as Residential – Rural & Village pursuant to Sections 516 and 529 of the Local Government Act, 1993 subject to a base amount three hundred and twenty five dollars (\$325.00) in respect of each separate parcel with the base amount producing forty five point seven one percent (45.71%) of the total amount of the rate levy of the Residential – Rural & Village rate sub-category, and*
 - iv) *Make a BUSINESS – TOWN rate of two point four eight seven zero one nine (2.487019) cents in dollar on the land value of all rateable land in the area which has been sub-categorised by the Council as Business – Town pursuant to Section 518 and 529 of the Local Government Act 1993 subject to a three hundred and twenty five dollars (\$325.00) in respect of each separate parcel with the base amount producing twelve point four seven percent (12.47%) of the total amount of the rate levy of the Business - Town rate sub-category, and*
 - v) *Make a BUSINESS rate of one point three seven nine two one four (1.379214) cents in dollar on the land value of all rateable land in the area which has been categorised by the Council as Business pursuant to Section 518 of the Local Government Act 1993 subject to a three hundred and twenty five dollars (\$325.00) in respect of each separate parcel with the base amount producing thirty two point one six percent (32.16%) of the total amount of the rate levy of the Business rate category, and*
- 4. *That pursuant to Section 558 of the Local Government Act, 1993 such lands belonging to a public hospital, public benevolent institution or public charity and public reserves are non-rateable to an ordinary rate pursuant to Section 556/557 of the said Act.*
 - 5. *That the schedule of fees and charges for 2020-2021 as outlined in the Draft Combined Delivery Program Operational Plan 2020-2024 with the alterations as described in the report be adopted;*
 - 6. *That the General Manager cause preparation and service of rate notices for the financial year 2020-2021.*

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GENERAL MANAGER: _____

MINUTES OF THE ORDINARY MEETING OF JUNEE SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, BELMORE STREET, JUNEE ON TUESDAY, 28 JULY 2020

2[CFO] DETERMINATION OF ANNUAL REMUNERATION FEES FOR COUNCILLORS AND MAYOR

04.07.20 **RESOLVED** on the motion of Cr D Carter seconded Cr P Halliburton that the Councillors fees remain the same as the previous year.

3[CFO] SUSPENSION OF SALE OF LAND FOR UNPAID RATES

05.07.20 **RESOLVED** on the motion of Cr P Halliburton seconded Cr R Callow that Council suspend the sale of land for overdue rates, as resolved at its ordinary meeting held 17 December 2019, until 1 January 2021.

4[GM] REROC MEMBERSHIP

06.07.20 **RESOLVED** on the motion of Cr M Austin seconded Cr R Callow that Council support the request to formally commit to maintaining its REROC membership for the next two years.

5[GM] LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

07.07.20 **RESOLVED** on the motion of Cr R Asmus seconded Cr R Callow that Council not attend the LGNSW annual conference this year given the uncertainty and risk associated with COVID-19 pandemic.

6[MFBS] COUNCIL INVESTMENTS AND BANK BALANCES

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

1. The Monthly Investment Reports as at 30 June 2020 be received and noted.
2. The Certificate of the Responsible Accounting Officer be noted and the report adopted.

7[DCB] SECTION 8.2 REQUEST FOR REVIEW OF DETERMINATION TO REFUSE APPLICATION TO MODIFY DEVELOPMENT CONSENT 2019/77.1 - TWO LOT RESIDENTIAL SUBDIVISION

09.07.20 **RESOLVED** on the motion of Cr R Asmus seconded Cr K Walker that subject to a Section 8.2 review containing an amended plan, the application to Modify Development Consent No. 2019/77.1 from Sophie & Lisa Gavel, to undertake a 2-Lot Residential Torrens Title Subdivision on the land known as Lot 1 DP1111809, No.5 McDonalds Lane, Wantabadgery, now be APPROVED subject to original conditions of consent based on the following reasons:

- a) The request to review the original determination to refuse the modification application has been assessed under the Section 4.55(1A) of the Environmental Planning and Assessment Act 1979 (as amended) (the Act). Taking into consideration the amended plan deleting the "Battle Axe Handle" it is considered to be of a 'minimal environmental impact', as set out in Section 4.55(1A).

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MINUTES OF THE ORDINARY MEETING OF JUNEE SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, BELMORE STREET, JUNEE ON TUESDAY, 28 JULY 2020

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 and K Walker.

AGAINST: Councillor P Halliburton

8[DES] ROAD HIERARCHY STRUCTURE

10.07.20 **RESOLVED** on the motion of Cr D Carter seconded Cr R Asmus that Council adopt the revised road hierarchy structure and levels of service.

9[DES] FIXING LOCAL ROADS FUNDING

11.07.20 **RESOLVED** on the motion of Cr R Callow seconded Cr R Asmus that the report detailing the Fixing Local Roads program funding for sealing primer seals be tabled for information only.

10[DES] LOCAL ROADS AND COMMUNITY INFRASTRUCTURE (LCRI) PROGRAM

12.07.20 **RESOLVED** on the motion of Cr D Carter seconded Cr P Halliburton that the Council suspend Standing Orders; the time being 5.03pm.

13.07.20 **RESOLVED** on the motion of Cr M Austin seconded Cr D Carter that Standing Orders be resumed the time being 5.22pm.

It was MOVED by Cr R Callow seconded Cr R Asmus that Council endorse the following projects towards the Local Roads and Community Infrastructure program:

- Byrnes Road Rehabilitation
- JJRAC Energy Efficiency and Water Quality Improvement Project

An AMENDMENT was MOVED by Cr D Carter seconded Cr P Halliburton that Council consider endorsing the JJRAC Energy Efficiency and Water Quality Improvement Project to be funded from the Local Roads and Community Infrastructure program.

The AMENDMENT was PUT and LOST.

The MOTION was then PUT.

14.07.20 **RESOLVED** on the motion of Cr R Callow seconded Cr R Asmus that Council endorse the following projects towards the Local Roads and Community Infrastructure program:

- Byrnes Road Rehabilitation
- JJRAC Energy Efficiency and Water Quality Improvement Project

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

CHAIRPERSON: _____

GENERAL MANAGER: _____

MINUTES OF THE ORDINARY MEETING OF JUNEE SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, BELMORE STREET, JUNEE ON TUESDAY, 28 JULY 2020

COMMITTEE REPORTS

Nil

DELEGATES' REPORTS

15.07.20 **RESOLVED** on the motion of Cr P Halliburton seconded Cr R Callow that the report of the Riverina Regional Library Advisory Committee be received and noted.

16.07.20 **RESOLVED** on the motion of Cr R Asmus seconded Cr K Walker that the report of the Riverina Joint Organisation be received and noted.

17.07.20 **RESOLVED** on the motion of Cr R Asmus seconded Cr R Callow that the report of the Riverina Eastern Regional Organisation Of Councils be received and noted.

18.07.20 **RESOLVED** on the motion of Cr D Carter seconded Cr K Walker that the report of the Noxious Weeds meeting be received and noted.

NOTICE OF MOTION

Nil

LATE BUSINESS

Nil

QUESTIONS ON NOTICE

Nil

INFORMATION BOOKLET

The information booklet was received and noted.

CONFIDENTIAL ITEM

19.07.20 At 5.42pm Council **RESOLVED** on the motion of Cr R Callow seconded Cr M Austin to go into Closed Committee of the Whole under Section 10A (2):

- (a) personnel matters concerning particular individuals (other than councillors).

11 [MAYOR] ANNUAL PERFORMANCE REVIEW – GENERAL MANAGER

20.07.20 **RESOLVED** on the motion of Cr M Cook seconded Cr R Callow that:

1. Council note the report tabled by the sub-committee relating to the 2019 Performance Review of the General Manager.

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2. Council write to James Davis, the General Manager, congratulating him on his outstanding service to Council.

REVERSION TO OPEN COUNCIL

21.07.20 **RESOLVED** on the motion of Cr M Austin seconded Cr D Carter that Council move out of committee and revert to an open meeting of the Council, the time being 5.50pm.

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

There being no further business, the meeting closed at 5.52pm.

CHAIRPERSON: _____

GENERAL MANAGER: _____