



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, 17 OCTOBER 2023.

PRESENT

Councillors R Asmus, R Callow, A Clinton, M Cook, D Carter, P Halliburton and M Knight.

STAFF

General Manager, Acting Director Engineering Services, Acting Director Planning and Community Development and Executive Assistant.

The meeting opened at 4.33pm.

LEAVE OF ABSENCE

01.10.23 **RESOLVED** *on the motion of Cr D Carter seconded Cr R Asmus that Councillor M Austin be granted a leave of absence from the 17 October 2023 Ordinary Council meeting.*

Councillor Neil Smith was previously granted a leave of absence from the 17 October 2023 Council meeting.

CONFIRMATION OF MINUTES – ORDINARY MEETING HELD 19 SEPTEMBER 2023

02.10.23 **RESOLVED** *on the motion of Cr R Asmus seconded Cr A Clinton that the minutes of the Ordinary Meeting held on 19 September 2023, copies of which had been supplied to each Councillor, be confirmed.*

BUSINESS ARISING

Councillor A Clinton asked if a new delegate had been chosen to attend the Weeds Committee following the resignation of Councillor D Carter. The General Manager advised that a report will be presented to the November 2023 Council meeting regarding this matter.

DECLARATIONS OF INTEREST

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

Councillor R Asmus declared a non-pecuniary non-significant interest in Item 5 as his parents live on Tathra Drive, Junee.

MAYORAL MINUTE

03.10.23 **RESOLVED** *on the motion of Cr R Callow that the Mayoral Minute, as tabled at the meeting, be noted.*

CHAIRPERSON: _____

GENERAL MANAGER: _____

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GENERAL MANAGER'S REPORT

The General Manager presented a report which dealt with Items 1 to 13.

1[CFO] FIRST QUARTERLY BUDGET REVIEW

04.10.23 **RESOLVED** on the motion of Cr A Clinton seconded Cr R Asmus that:

1. *The Quarterly Budget Review Report, as at 30 September 2023, be received and noted.*
2. *Council approve the variations in the capital and operating budgets as detailed in the attached First Quarterly Budget Review Report for the 2024 financial year.*

2[GM] JUNEE SHIRE COUNCIL INFRASTRUCTURE DEFERRED PAYMENT POLICY

05.10.23 **RESOLVED** on the motion of Cr D Carter seconded Cr A Clinton that the Council suspend Standing Orders; the time being 4.46pm.

06.10.23 **RESOLVED** on the motion of Cr M Cook seconded Cr R Asmus that Standing Orders be resumed the time being 4.55pm.

07.10.23 **RESOLVED** on the motion of Cr M Cook seconded Cr M Knight that Council adopt the Junee Shire Council Infrastructure Deferred Payment Policy.

3[CFO] COUNCIL INVESTMENTS AND BANK BALANCES

08.10.23 **RESOLVED** on the motion of Cr P Halliburton seconded Cr A Clinton that Council notes the Investment Report as of 30 September 2023, including the certification by the Responsible Accounting Officer.

4[TP] DEVELOPMENT APPLICATION 2023/44 – 5 LOUGHAN ROAD (EXTENSION TO EXISTING SHED)

09.10.23 **RESOLVED** on the motion of Cr M Cook seconded Cr A Clinton that Development Application No. 2023/44 from Mr A Coen for the development of an Extension to an Existing Shed located on Lot 20, DPI1035451, known as 5 Loughan Road, Junee be APPROVED subject to the applicable Standard Conditions of Consent.

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

FOR: Councillors R Asmus, R Callow, A Clinton, M Cook, D Carter, P Halliburton, M Knight.

CHAIRPERSON: _____

GENERAL MANAGER: _____

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AGAINST: Nil

Councillor R Asmus left the Council Chambers at 5.00pm for Item 5.

5[TP] DEVELOPMENT APPLICATION 2023/51 – 29 TATHRA DRIVE, JUNEE (DUAL OCCUPANCY AND HOME OCCUPATION)

10.10.23 **RESOLVED** on the motion of Cr A Clinton seconded Cr M Knight that Development Application No. 2023/51 from Ms S Brown for the development of a dual occupancy and home business located on Lot: 5, DP1261405, known as 29 Tathra Drive, Junee be **REFUSED CONSENT** for the following reasons:

- *The proposed development is considered to be inconsistent with the objectives and controls of the Junee Development Control Plan 2021, where the requested variations to these controls are not supported.*
- *The site is not considered to be suitable for the proposed development, as required by the heads of consideration outlined in s4.15 of the Environmental Planning and Assessment Act 1979.*
- *The proposal is inconsistent with the existing character and amenity of the locality.*

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

FOR: Councillors R Callow, A Clinton, M Cook, D Carter, P Halliburton, M Knight.

AGAINST: Nil

Councillor R Asmus returned to the Council Chambers at 5.02pm.

6[TP] DEVELOPMENT CONTROL PLAN AMENDMENTS

11.10.23 **RESOLVED** on the motion of Cr M Cook seconded Cr R Asmus that Council proceeds with the adoption of the proposed amendments to the Junee Development Control Plan 2021.

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

FOR: Councillors R Asmus, R Callow, M Cook, D Carter, P Halliburton, M Knight.

AGAINST: Councillor A Clinton

CHAIRPERSON: _____

GENERAL MANAGER: _____

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7[EHBS] MOBILE FOOD AND DRINK VENDING VEHICLES POLICY

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

1. Council formally adopts the updated policy on Mobile Food and Drink Vending Vehicles policy.
2. Council rescinds the "Food Vending Vehicles and Temporary Food Premises Code Policy" and the "Itinerant Vendors and Standing Stalls Policy".

Councillor R Asmus voted against the Motion and asked that this be recorded.

COMMITTEE REPORTS

Nil

DELEGATES REPORTS

13.10.23 **RESOLVED** on the motion of Cr D Carter seconded Cr R Asmus that the minutes of the Bush Fire Management Committee meeting held 4 April 2023, be noted.

14.10.23 **RESOLVED** on the motion of Cr M Knight seconded Cr P Halliburton that the minutes of the Sports Committee meeting held 12 October 2023, be noted.

NOTICE OF MOTION

Nil

LATE BUSINESS

Nil

QUESTIONS ON NOTICE

Nil

INFORMATION BOOKLET

The information booklet was received and noted.

CHAIRPERSON: _____

GENERAL MANAGER: _____

MINUTES OF THE ORDINARY MEETING OF JUNEE SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, BELMORE STREET, JUNEE ON TUESDAY, 17 OCTOBER 2023.

CONFIDENTIAL ITEM

15.10.23 At 5.25pm, Council **RESOLVED** on the motion of Cr R Asmus seconded Cr A Clinton to go into Closed Committee of the Whole under Section 10A (2):

(d) (i) prejudice against the commercial position of the person who supplied it.

8[ADES] TENDER T2.2024 – ANNUAL WET PLANT HIRE

16.10.23 **RESOLVED** on the motion of Cr P Halliburton seconded Cr M Cook that:

1. Council receive the report on the tender assessment for TENDER T2.2024 for wet plant hire within Junee Shire Council LGA.
2. In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2021, award the panel of 20 preferred suppliers, subject to all parties agreeing to the terms of agreement to supply services.
3. Authorise the affixing of the Council's Common Seal to all relevant documents as required.
4. Notify the unsuccessful tenderers.

9[ADES] TENDER T2.2024 – ANNUAL WET PLANT HIRE

17.10.23 **RESOLVED** on the motion of Cr R Asmus seconded Cr M Cook that:

1. Council receive the report on the tender assessment for TENDER T2.2024 for dry plant hire within Junee Shire Council LGA.
2. In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2021, award the panel of nine preferred suppliers, subject to all parties agreeing to the terms of agreement to supply services.
3. Authorise the affixing of Council's Common Seal to all relevant documents as required.
4. Notify the unsuccessful tenderers.

10[ADES] TENDER T3.2024 – ANNUAL TENDER FOR PROVIDING TRAFFIC CONTROL SERVICES

18.10.23 **RESOLVED** on the motion of Cr R Asmus seconded Cr M Cook that:

1. Council receive the report on the tender T3.2024 assessment for the annual tender for providing traffic control services on various projects within the shire.

CHAIRPERSON: _____

GENERAL MANAGER: _____

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2. *In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2021, award the tender to Riverina Traffic Services Pty Ltd subject to both parties agreeing to sign the Contract for the supply of traffic control.*
3. *In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2021, authorise East Cost Traffic Management to be engaged in the event rehiring Riverina Traffic services Pty Ltd is not able to complete the required works throughout the year.*
4. *Authorise the affixing of the Council's Common Seal to all relevant documents as required.*
5. *Notify the unsuccessful tenderers.*

11[ADES] TENDER T4.2024 – SUPPLYING AND DELIVERING DGB-DGS-AGGREGATES

19.10.23 **RESOLVED** on the motion of Cr R Asmus seconded Cr M Cook that:

1. *Council receive the report on the tender assessment for TENDER T4.2024 for supplying and delivering Dense Grade Base (DGB), Dense Grade Sub-base (DGS) and Aggregates within Junee Shire Council LGA.*
2. *In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2021, award the tender to E.B Mawson & Sons Pty Ltd and Bald Hill Quarry Pty Ltd as the reserve tenderer, subject to both parties agreeing to sign the Contract for the supply of materials on an as needs basis.*
3. *The tender offer for the supplying and delivery of Dense Grade Base (DGB), Dense Grade Sub-base (DGS) and Aggregates be accepted for a period of one year with a possible extension for another two years (in one-year lots) and be subject to rise & fall and the quality of services offered under the contract.*
4. *Authorise the affixing of the Council's Common Seal to all relevant documents as required.*
5. *Notify the unsuccessful tenderers.*

12[ADES] TENDER T5.2024 – ANNUAL ROAD STABILISATION WORKS – PART SERVICES

20.10.23 **RESOLVED** on the motion of Cr M Cook seconded Cr M Knight that:

1. *Council receive the report on the tender assessment for TENDER T5.2024 for Annual Road Stabilisation Works within Junee Shire Council LGA.*

CHAIRPERSON: _____

GENERAL MANAGER: _____

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2. *In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2021, award the tender to Stabilfix Pty Ltd, subject to the party agreeing to sign the Contract for this project.*
3. *The tender offer for the Annual Road Stabilisation Works be accepted for a period of one year with an option for extension for another two years (in one-year lots) and be subject to rise & fall and the quality of services offered under the contract.*
4. *Authorise the affixing of the Council's Common Seal to all relevant documents as required.*
5. *Notify the unsuccessful tenderers.*

13[ADES] TENDER T7.2024 – LORD STREET BRIDGE RECONSTRUCTION

21.10.23 **RESOLVED** on the motion of Cr M Cook seconded Cr R Asmus that:

1. *Council receive the report on the tender assessment for TENDER T7.2024 for the Lord Street Bridge Reconstruction project.*
2. *In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2021, award the tender to Snowy Valleys Council subject to both parties agreeing to sign the Contract for the works.*
3. *Authorise the affixing of the Council's Common Seal to all relevant documents as required.*
4. *Notify the unsuccessful tenderers.*

REVERSION TO OPEN COUNCIL

22.10.23 **RESOLVED** on the motion of Cr A Clinton seconded Cr M Cook that Council move out of Committee and revert to an open meeting of the Council, the time being 5.52pm.

23.10.23 **RESOLVED** on the motion of Cr D Carter seconded Cr M Knight that Council adopt the resolutions made in Closed Committee.

There being no further business, the meeting closed at 6.00pm.

CHAIRPERSON: _____

GENERAL MANAGER: _____