



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, 20 FEBRUARY 2024.

PRESENT

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

STAFF

General Manager, Chief Financial Advisor, Director Engineering Services, Director Corporate and Community Development and Executive Assistant.

The meeting opened at 4.34pm.

LEAVE OF ABSENCE

Councillor Marie Knight has previously been granted a leave of absence from the 20 February 2024 Ordinary Council meeting.

ADDRESS BY MELANIE FENNEL – MURRUMBIDGEE LHD

Ms Melanie Fennell from Murrumbidgee LHD addressed the Council via Zoom and gave an overview of future health service planning for Junee.

01.02.24 **RESOLVED** *on the motion of Cr D Carter seconded Cr M Cook that the Council note the address by Ms Melanie Fennell from Murrumbidgee LHD.*

CONFIRMATION OF MINUTES – ORDINARY MEETING HELD 19 DECEMBER 2023

02.02.24 **RESOLVED** *on the motion of Cr P Halliburton seconded Cr M Cook that the minutes of the Ordinary Meeting held on 19 December 2023, 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, Mr James Davis, declared a non-pecuniary - significant conflict interest in Item 11 of the General Managers report as his residential property where he lives, located at 13 Anzac Parade, Junee, is adjacent to one of the proposed unformed laneways that Council is considering to publicly exhibit for closing.

CHAIRPERSON: _____

GENERAL MANAGER: _____

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The Director Corporate and Community Development declared a non-pecuniary – significant conflict interest in Item 12 of the General Managers report as he resides in a neighbouring property.

Councillor P Halliburton declared a pecuniary interest in Item 12 of the General Managers report as she owns, along with her husband, the land immediately to the east of the eastern boundary of 192 Waterworks Road, Junee.

PUBLIC FORUM

Nil

1(MAYOR) MAYORAL MINUTE

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

GENERAL MANAGER'S REPORT

The General Manager presented a report which dealt with Items 2 to 15.

2[ESO] DELIVERY PROGRAM AND OPERATIONAL PLAN HALF YEARLY PROGRESS REPORT

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

Councillor D Carter voted against the Motion and asked that this be recorded.

3[CFO] SECOND QUARTERLY BUDGET REVIEW

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

1. The Quarterly Budget Review Report, as at 31 December 2023, be received and noted.
2. Council approve the variations in the capital and operating budgets as detailed in the attached Second Quarterly Budget Review Report for the 2024 financial year.

4[CFO] SALE OF LAND FOR UNPAID RATES

06.02.24 **RESOLVED** on the motion of Cr P Halliburton seconded Cr M Austin that Council note the report on the Sale of Land for Unpaid Rates.

CHAIRPERSON: _____

GENERAL MANAGER: _____

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5[CFO] ADOPTION OF INTERNAL AUDIT CHARTER AND AUDIT RISK AND IMPROVEMENT COMMITTEE (ARIC) TERMS OF REFERENCE

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

1. Council revoke the current Audit Risk and Improvement Committee (ARIC) Charter from 30 June 2024.
2. Adopt the Draft Internal Audit Charter attached to this report effective 1 July 2024.
3. Adopt the Draft Audit Risk and Improvement Committee (ARIC) Terms of Reference attached to this report effective 1 July 2024.
4. Councillor A Clinton to be a non-voting member of the Junee Shire Council Audit Risk and Improvement Committee (ARIC) from 1 July 2024.
5. Council support the Internal Audit Alliance seeking expressions of interest from suitably qualified persons to act as Chair of the ARIC.
6. Council seeks expressions of interest from suitably qualified persons to act as independent members of the Junee Shire Council ARIC.

6[DCCD] COUNCIL INVESTMENTS AND BANK BALANCES – DECEMBER 2023

08.02.24 **RESOLVED** on the motion of Cr M Austin seconded Cr R Asmus that Council notes the Investment Report as of 31 December 2023, including the certification by the Responsible Accounting Officer.

7[DCCD] COUNCIL INVESTMENTS AND BANK BALANCES – JANUARY 2024

09.02.24 **RESOLVED** on the motion of Cr D Carter seconded Cr M Austin that Council notes the Investment Report as of 31 January 2024, including the certification by the Responsible Accounting Officer.

8[DCCD] LEASE OF BROADWAY HOTEL

10.02.24 **RESOLVED** on the motion of Cr M Cook seconded Cr M Austin that:

1. Council endorses the General Manager to negotiate a new draft lease agreement on behalf of Council, which includes an option to sublease part for the Broadway Hotel.
2. Receive a further report on the new draft lease agreement following negotiations with the Broadway Museum.

CHAIRPERSON: _____

GENERAL MANAGER: _____

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9[DCCD] AMENDED JUNEE LOCAL COMPANION ANIMALS MANAGEMENT PLAN

11.02.24 **RESOLVED** on the motion of Cr M Cook seconded Cr M Austin that:

1. Council endorse placing the amended Junee Local Companion Animals Management Plan on public exhibition for a minimum of 28 days for comment and feedback.
2. Receive a further report on the Junee Local Companion Animals Management Plan following public exhibition.

10[DCCD] MODEL CONTAMINATED LAND POLICY

12.02.24 **RESOLVED** on the motion of Cr M Austin seconded Cr R Asmus that Council adopts the Model Contaminated Land Policy, following a 28-day period of public exhibition during which no comments or feedback were received.

11[GIS] PROPOSED CLOSURE OF UNFORMED ROADS

The General Manager left the meeting at 5.21pm.

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

1. Council receive this report for closure of unformed roads.
2. Endorse commencement of the road closure process in accordance with the Roads Act 1993, Part 4, for the roads identified in the report.
3. Enter into discussions with adjoining landholders, to establish any interest in boundary modification, with final boundary and sale considerations to be returned to Council in line with the Local Government Act 1993.
4. Resolves to undertake the public consultation process as detailed in the Roads Act 1993, Section 38B.

The General Manager returned to the meeting at 5.29pm.

Councillor N Smith arrived at the meeting at 5.29pm.

CHAIRPERSON: _____

GENERAL MANAGER: _____

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12[TP] PLANNING PROPOSAL 2024.01 – 192 WATERWORKS ROAD (AMENDMENT TO LEP – ZONING AND MINIMUM LOT SIZE)

The Director Corporate and Community Development and Councillor P Halliburton left the meeting at 5.30pm.

14.02.24 **RESOLVED** on the motion of Cr D Carter seconded Cr A Clinton that the Council suspend Standing Orders; the time being 5.30pm.

15.02.24 **RESOLVED** on the motion of Cr D Carter seconded Cr A Clinton that Standing Orders be resumed; the time being 5.48pm.

16.02.24 **RESOLVED** on the motion of Cr M Austin seconded Cr N Smith that:

1. Council resolve to provide in-principle support for the Draft Planning Proposal.
2. Refer the Planning Proposal to the Department of Planning, Housing and Infrastructure for Gateway Determination.
3. Seek that Council be appointed the Local Plan-Making Authority by the Department.

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, M Austin, R Callow D Carter, A Clinton, M Cook and N Smith.

AGAINST: Nil

The Director Corporate and Community Development and Councillor P Halliburton returned to the meeting at 5.50pm.

13[DES] CHAIN OF RESPONSIBILITY POLICY

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

1. Council receives the report regarding a Draft Chain of Responsibility Policy.
2. Council adopts the attached Draft Chain of Responsibility Policy, addressing Councils legislative requirements under Heavy Vehicle National Law (HVNL).

COMMITTEE REPORTS

Nil

CHAIRPERSON: _____

GENERAL MANAGER: _____

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DELEGATES REPORTS

18.02.24 **RESOLVED** on the motion of Cr N Smith seconded Cr M Cook that the minutes of the Riverina Eastern Regional Organisation of Councils (REROC) Board meeting held 8 December 2023, be noted.

19.02.24 **RESOLVED** on the motion of Cr D Carter seconded Cr R Asmus that the minutes of the Junee Sports Committee meeting held 8 February 2024, be noted.

20.02.24 **RESOLVED** on the motion of Cr D Carter seconded Cr P Halliburton that the minutes of the Riverina Zone Service Level Agreement Committee meeting be noted.

Bethungra on the Up Committee – Cr D Carter – verbal.

NOTICE OF MOTION

21.02.24 **RESOLVED** on the motion of Cr D Carter seconded Cr A Clinton that Council install a donations/suggestions box at Bethungra Dam and Sandy Beach.

LATE BUSINESS

Nil

QUESTIONS ON NOTICE

Councillor D Carter asked the following questions:

1. Lisgar Street Kerb and Gutter

When are the dirt patches, created because of the kerb and gutter work, in Lisgar Street going to be tared?

Response:

The patches are a concern for Council staff, given the location. Boral have been booked in to seal this before the end of March, the job would have been early if not for an aggregate supply issue.

The areas will be re-prepped and compacted prior to sealing.

2. Weed Control at Bethungra Dam

What measures are being considered for the eradication of thistles, blackberries and other weeds within the Bethungra Dam Reserve?

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GENERAL MANAGER: _____

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Response:

Council has not run a weed spraying program at Bethungra Dam for some time, other than ad hoc spraying. As a result of the weeds service review, the need for additional weed management on the Bethungra Dam reserve has been identified. Staff have been liaising with the weeds contractor from RENWA intended to activate a controlled weeds management program.

3. Electric Charging Stations

Where is Council up to in deciding where to erect new Electric Power Charging Stations?

Response:

As outlined in the report dated 18 October 2022, REROC, in collaboration with the NSW Sustainable Councils program, engaged ChargeWorks Pty Ltd to support Councils in implementing destination charging across the region. ChargeWorks was tasked with assisting Junee Shire Council in conducting a feasibility study on leveraging grant opportunities for the installation of destination chargers in Junee. The recommendation stemming from the study was to proceed with the installation of two destination chargers in Junee.

Given that co-funding was a requirement under the grants program, the report sought Council's endorsement to apply for the first round of Drive Electric NSW EV Destination Charging.

Although the motion to endorse the submission of an application under the first round of the Drive Electric NSW EV Destination Charging grants was moved by Cr R Asmus and seconded by Cr M Austin, the motion was put to a vote and did not carry.

An Update

Following the 2023 State Election, the NSW Government initiated the Local Small Commitments Allocation (LSCA) Program. This program allocated funds to 93 NSW electorates with the objective of supporting small local projects aimed at enhancing community wellbeing and delivering benefits to communities across the state.

Junee Shire Council has been provisionally allocated approximately \$43,000 specifically designated for EV Charging Stations under this program. As of the date of this response, the council has not yet received a funding deed. At present, the program requirements and associated timeframes remain unclear.

We will continue to monitor developments regarding the LSCA Program and its implications for the implementation of EV Charging Stations in Junee. Should there be any updates or further information forthcoming, we will advise Council of any outcomes.

INFORMATION BOOKLET

The information booklet was received and noted.

CHAIRPERSON: _____

GENERAL MANAGER: _____

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CONFIDENTIAL ITEM

22.02.24 At 6.06pm, Council **RESOLVED** on the motion of Cr N Smith seconded Cr P Halliburton 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
- (g) advice concerning litigation or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

14[GM] RIVERINA REGIONAL LIBRARY

23.02.24 **RESOLVED** on the motion of Cr P Halliburton seconded Cr N Smith that Council receive and note the report on the Riverina Regional Library.

15[DES] PLANT REPLACEMENT MOTOR GRADER TENDER

24.02.24 **RESOLVED** on the motion of Cr R Asmus seconded Cr N Smith that:

1. Council acknowledges that tenders have been invited for a proposed Motor Grader in accordance with the Local Government Act 193, Section 55 through Vendor panel and three successful tenders were presented.
2. Council accepts the tender from RDO Equipment Pty Ltd for the John Deere Grader 670GP Motor Grader, in accordance with the Local Government Act, Section 55 and Local Government (General) Regulation 2005, Part 7, for \$599,500 (Incl. GST).
3. Council recommends that the existing Motor Grader, Plant 62 is traded in to RDO Equipment Pty Ltd for \$181,500, in accordance with the Local Government (General) Regulation 2005, Part 7.

REVERSION TO OPEN COUNCIL

25.02.24 **RESOLVED** on the motion of Cr N Smith seconded Cr P Halliburton that Council move out of Committee and revert to an open meeting of the Council, the time being 6.13pm.

26.02.24 **RESOLVED** on the motion of Cr N Smith seconded Cr P Halliburton that Council adopt the resolutions made in Closed Committee.

There being no further business, the meeting closed at 6.18pm.

CHAIRPERSON: _____

GENERAL MANAGER: _____