

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME SHIRE COUNCIL
HELD AT THE COUNCIL CHAMBERS, BALFOUR STREET, CULCAIRN
AT 4.30PM ON WEDNESDAY, 15 JULY 2015**

IN ATTENDANCE: Councillors Wilton (Chairperson), Heriot, Meyer, McInerney, Osborne, Quinn and Schilg.

PRESENT: General Manager, Director Environment & Planning, Director Engineering, Director Corporate & Community Services and Executive Assistant.

Cr McInerney offered a prayer to open the meeting.

APOLOGY

4098 RESOLVED [Quinn/Meyer]

That:

1. the apology for Cr Schoff be received and leave of absence granted.
2. it was noted that Cr O'Neill has indicated that she would be a late arrival to the meeting.

ACKNOWLEDGEMENT OF COUNTRY

Cr Wilton offered an Acknowledgement of Country at the commencement of the meeting.

DECLARATION OF PECUNIARY INTEREST OR NON PECUNIARY INTEREST (CONFLICT OF INTEREST)

Nil.

CONFIRMATION OF MINUTES

MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 24 JUNE 2015

4099 RESOLVED [Meyer/Schilg]

That the Minutes of the Ordinary Meeting of Greater Hume Shire Council held at Holbrook on Wednesday, 24 June 2015 as printed and circulated, be confirmed as a true and correct record of the proceedings of such meeting subject to the voting record on page 5 to read as follows:

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FUTURE LOW DENSITY RESIDENTIAL ON SOUTHERN FRINGE OF JINDERA

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Heriot McInerney O'Neill Osborne Schilg Wilton	Meyer Quinn	Schoff	

ACTION REPORT FROM THE MINUTES

1. 3887 – HOUSE NUMBERING AND STREET NAMING INCONSISTENCIES IN JINDERA

Cr Osborne queried if the matter has matter progressed. Director Engineering indicated that staff have been working on the community engagement guide which will include a proposal for street numbering, and it was expected that the guide would be released in the ensuing months.

2. 3832 – COMPULSORY ACQUISITION – COOKARDINIA BUSH FIRE LAND

Cr Heriot queried progress in the acquisition, and what needs to happen now to conclude the matter as the Cookardinia Rural Fire Brigade annual meeting will be held next week, and he would like to provide an update to the meeting. Director Corporate & Community Services advised that he would take it on notice, and provide an email update to Cr Heriot prior to the annual meeting of the brigade.

3. ITEMS IN THE ACTION REPORT/LONG TERM ACTION REPORT

Cr Heriot queried why items are duplicated on the report, and seem to take a long time to be on the report. General Manager responded indicating that items will remain on the report(s) where they require action by another regulatory authority or organisation.

4. QUESTION ON NOTICE – BURNING TIMBER IN OFF FIRE SEASON

Cr Quinn queried why this was 'pending' on the report. General Manager advised that Cr Quinn had previously indicated that he wanted to put forward a motion for the annual conference. Cr Quinn commented that he would also support correspondence being sent directly to the minister regarding the issue.

5. CONFIDENTIAL – CLOSED COUNCIL COMMITTEE REPORT – COMPULSIVE HARDING
– 17 WATTLE STREET CULCAIRN

Cr Heriot queried progress in the matter. Director Environment and Planning advised that a report on the matter will be presented to the August meeting.

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OFFICERS' REPORTS – PART A – FOR DETERMINATION

ENVIRONMENT AND PLANNING

1. **REQUEST TO WAIVE SECTION 94A DEVELOPMENT CONTRIBUTION FEE FOR COMPLYING DEVELOPMENT CERTIFICATE 18.2015.31 FOR A REINSTATEMENT OF A FIRE DAMAGED DWELLING 14 KIRNDEEN STREET CULCAIRN**

MOTION [Heriot/Osborne]

Council resolve not to waive the Section 94A levy for the proposed repairs to the fire damaged dwelling located at 14 Kirndeem Street, Culcairn.

AMENDMENT [Osborne/Quinn]

That the matter be deferred subject to Council writing to the applicant regarding a request for further information as outlined in the report, ie. the area, the age or the condition of the existing dwelling that is being repaired, and if the applicant has received an insurance payout which included the preparation of plans and payment of approval fees and charges.

At this juncture, Cr Quinn pointed out that, in his view, Cr Osborne should withdraw her support for the original motion.

Upon clarification by the General Manager, Cr Osborne withdrew her support for the motion. Cr Meyer then seconded the motion.

4100 MOTION [Heriot/Meyer]

Council resolve not to waive the Section 94A levy for the proposed repairs to the fire damaged dwelling located at 14 Kirndeem Street, Culcairn.

AMENDMENT [Osborne/Quinn]

That the matter be deferred subject to Council writing to the applicant regarding a request for further information as outlined in the report, ie. the area, the age or the condition of the existing dwelling that is being repaired, and if the applicant has received an insurance payout which included the preparation of plans and payment of approval fees and charges.

ON BEING PUT TO THE VOTE THE AMENDMENT WAS LOST. ON BEING PUT TO THE VOTE, THE MOTION WAS CARRIED.

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VOTING ON THE AMENDMENT

REQUEST TO WAIVE SECTION 94A DEVELOPMENT CONTRIBUTION FEE FOR COMPLYING DEVELOPMENT CERTIFICATE 18.2015.31 FOR A REINSTATEMENT OF A FIRE DAMAGED DWELLING 14 KIRNDEEN STREET CULCAIRN

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Osborne Quinn	Heriot McInerney Meyer Schilg Wilton	O'Neill Schoff	

VOTING ON THE MOTION

REQUEST TO WAIVE SECTION 94A DEVELOPMENT CONTRIBUTION FEE FOR COMPLYING DEVELOPMENT CERTIFICATE 18.2015.31 FOR A REINSTATEMENT OF A FIRE DAMAGED DWELLING 14 KIRNDEEN STREET CULCAIRN

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Heriot McInerney Meyer Schilg Wilton Osborne Quinn		O'Neill Schoff	

2. REVIEW OF THE PESTICIDE NOTIFICATION PLAN

4101 RESOLVED [Meyer/Heriot]

That Council adopt the reviewed Pesticide Use Notification Plan as detailed with the above changes and this plan be placed on the Council website.

3. TENDERING THE LEASEHOLDS OF JINDERA AND WALLA WALLA POOLS FOR THREE SWIMMING SEASONS

4102 RESOLVED [Osborne/Schilg]

In accordance with requirements of the Local Government Act 1993 and Local Government Regulations 2005 Council advertise for tender of the leasehold of the Jindera and Walla Walla swimming pools for the next three swimming seasons.

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4. APPOINTMENT OF CANDIDATES TO PROVIDE TENDERS OF THE UPGRADE TO HENTY SWIMMING POOL COMPLEX

Cr McInerney left the meeting room at 4.51pm.

4103 RESOLVED [Quinn/Meyer]

In accordance with Clause 168(4) and (5) the Regulations, Council invite Commercial Aquatics, Icon Building Group, Swimplex and Total Creations to submit a tender for Stage 1 of the Henty Swimming Pool Complex Upgrade.

5. QUESTION ON NOTICE – WEBSITE TO ALERT COMMUNITY TO DEVELOPMENT APPLICATIONS BEING LODGED IN THE NEIGHBOURHOOD

4104 RESOLVED [Heriot/Schilg]

This report be received and noted.

GOVERNANCE

1. RURAL FIRE SERVICES COMMUNICATIONS LICENCES

Cr McInerney returned to the meeting room at 4.53pm.

4105 RESOLVED [Meyer/Heriot]

That the Mayor and General Manager be authorised to execute the following licences under the Common Seal of Council with NSW Police:

1. Renewal Licence No. 408341 (ACMA number 9877) at Peddles Hill, Cookardinia and a
2. new Licence at Jingellic (ACMA number 46377).

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2. PROPOSED CHANGE TO INTERNAL AUDIT ARRANGEMENTS

4106 RESOLVED [Meyer/McInerney]

That:

1. Council formally advise Coolamon, Corowa, Junee, Gundagai and Temora Councils that Council is withdrawing from the Internal Audit Program.
2. a letter of appreciation be forwarded to the Gary Lavelle and Steven Firth of Temora Shire Council in recognition of their contribution to Greater Hume Shire Council Internal Audit Committee.
3. advertising commence immediately for an additional independent Internal Audit Committee Member and
4. advertising commence immediately for Expressions of Interest from a suitably qualified person (or persons) to provide Internal Audit Services to Greater Hume Shire Council.

3. NATIONAL STRONGER REGIONS FUND – ROUND TWO

4107 RESOLVED [McInerney/Osborne]

That Council:

1. approve the submission of an application for funding under the National Stronger Regions Fund for the refurbishment of the Henty and Holbrook Swimming Pools
2. confirms that loan borrowings of \$1Million has been provided in 2015 – 2016 Operational Plan and a further loan borrowing of \$400,000 in the 2016 – 2017 Forward Estimates for pool refurbishments
3. confirms that a Council/community cash contribution of \$200,000 has been included in the 2015 – 2016 Operational Plan
4. provide a letter of support to Holbrook Australian Rules Football Club for the major redevelopment at the Holbrook Sportsground.

Further if requested the General Manager be authorised to provide a letter of support to the Henty Machinery Field Days Co-Op to support an application for the staged implementation of their Master Plan for the site.

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CORPORATE AND COMMUNITY SERVICES

1. REQUEST TO WAIVE FEES FOR COMPLYING DEVELOPMENT CERTIFICATE AND ASSOCIATED INSPECTIONS – CULCAIRN PRESCHOOL

4108 RESOLVED [McInerney/Heriot]

Council provide a contribution of \$1,073.00 to the Culcairn Preschool representing total fees payable for the issuing of Complying Development Certificate, Building Inspection Fees, Occupation Certificate and other associated fees for works being undertaken at Culcairn Preschool.

2. BORDER TRUST COMMUNITY FUND

4109 RESOLVED [Osborne/Schilg]

That the draft Memorandum of Understanding between Border Trust and Greater Hume Shire Council for the management of the Greater Hume Shire Council Community Fund be adopted.

Cr Quinn requested that his opposition to the motion be recorded.

3. CONTRIBUTION TO FOOTPATH CONSTRUCTION – HENTY COMMUNITY CLUB

4110 RESOLVED [Quinn/McInerney]

That Council's policy with regard to contributions to footpath construction be adhered to and that contributions remain payable by Henty Community Club in full.

4. POLICY DEVELOPMENTS

4111 RESOLVED [Heriot/McInerney]

That the Greater Hume Shire Council Workplace Health and Injury Management Policy be adopted.

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ENGINEERING

1. ROAD OPENING POLICY

4112 RESOLVED [Osborne/McInerney]

That Council accept the draft Road Opening Policy and place on display for a minimum of 28 days.

2. PROPOSED SPEED ZONES IN GEROGERY WEST

4113 RESOLVED [Meyer/Quinn]

That Council write to RMS to advise of community sentiment regarding speed zoning within Gerogery West and ask them to consider setting 50 km/h as the posted speed limit in that locality.

3. ADVICE OF EXTRAORDINARY COUNCIL MEETING – 5 AUGUST 2015

4114 RESOLVED [Osborne/Quinn]

That Council endorse the holding of an extraordinary meeting on the 5 August 2015 to consider

1. tenders received for the Jingellic Road (Yarara Gap) and Albury St/Young St reconstruction projects
2. and also a revision of the Walla Walla Swimming Pool operating hours.

ITEM TO BE REFERRED TO CLOSED COUNCIL

1. WRITING OFF UNRECOVERABLE RATES AND CHARGES 2014-2015

4115 RESOLVED [McInerney/Meyer]

That consideration of the report on the writing off of unrecoverable rates and charges be referred to Closed Council in accordance with Section 10A 2(b) of the Local Government Act, 1993 – the personal hardship of any resident or ratepayer.

REASON

On balance the need to preserve the confidentiality of the persons subject to the writing off of rates and charges outweighs the public interest in maintaining transparency in Council decision making because the information in the report may disclose issues of personal hardship or other person information relating to individuals.

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PART B - ITEMS FOR INFORMATION

GOVERNANCE

1. OFFICE OF LOCAL GOVERNMENT CIRCULARS
2. LOCAL GOVERNMENT NEW SOUTH WALES (LGNSW) – WEEKLY CIRCULARS
3. TOURISM AND PROMOTIONS OFFICER'S REPORT

CORPORATE AND COMMUNITY SERVICES

1. CUSTOMER REQUEST MODULE – SUMMARIES OF MONTHLY REQUESTS
2. STATEMENTS OF BANK BALANCES AND INVESTMENTS AS AT 30 JUNE 2015
3. HUMAN RESOURCES ACTIVITY REPORT – JUNE 2015
4. REPOSENSE TO INTERIM AUDIT MANAGEMENT LETTER

ENGINEERING

1. REPORT OF WORKS – JUNE 2015
2. WATER AND SEWER REPORT – JUNE 2015

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ENVIRONMENT AND PLANNING

1. **DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF JUNE 2015**
2. **SENIOR WEEDS OFFICER'S REPORT – JUNE 2015**
3. **RANGER'S REPORT – JUNE 2015**

Cr Osborne left the meeting room at 5.19pm, returning at 5.20pm.
Cr O'Neill arrived to the meeting at 5.22pm.

4116 RESOLVED [Osborne/McInerney]

That Part B of the Agenda be received and noted.

PART C – COMMITTEE AND DELEGATE REPORTS

4117 RESOLVED [Osborne/McInerney]

That Part C of the Agenda be received and noted.

MATTERS OF URGENCY

Nil.

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QUESTIONS ON NOTICE

1. OVERHANGING LIMBS / TREES

Cr Quinn advised that there are overhanging limbs in Thomas Street, Gerogery West. There are also dangerous trees in Sarah and James Street which need to be removed.

2. INVITATION TO ACCEPT CERTIFICATES FOR COMPLETION OF THE COUNCILLORS EXECUTIVE CERTIFICATE TRAINING AT EVENT TO BE HELD IN SYDNEY

Cr Meyer advised that he like other participants has received a letter inviting him to attend a function in Sydney to formally receive the certificate of attainment for the course. Discussion followed and it was agreed that Council did not have funds allocated in the budget so attendance could not be financially supported by Council. Cr Osborne offered to collect the certificates as she will be attending a meeting of LGNSW in her capacity of Board member.

3. DOUBLE LINES – ALBURY STREET, HOLBROOK

Cr Heriot queried if drivers undertake U turns in Albury Street, Holbrook where crossing over double lines, the drivers could be fined. Director Engineering advised that even though he had not received any complaints about the double lines, Police could charge drivers who do U turns crossing the double lines. In the future, Council will be taking back responsibility for Albury Street, and part of the agreement is that Roads and Maritime Services would be funding a bitumen overlay on the street, and when this is undertaken the street would require line marking, which will remove the current issue of the double lines.

4. HOLBROOK SHIRE HALL

Cr McInerney requested that a report be presented to a future meeting of Council regarding improvement works to bring the Holbrook Hall up to modern day standards, and that Council engage with the community regarding alternative uses for the hall.

5. SIZE OF LGNSW BOARD

Cr Schilg questioned Cr Osborne (due to her current role as Board Member of LGNSW) about has there been any steps taken from last year's conference with regard to the motion to reduce the size of the board. Cr Osborne advised that a reduction of the board numbers will occur with the upcoming elections in October this year.

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6. HENTY RECREATIONAL SKATE PARK HUB

Cr Meyer queried the liability status of councillors and members of the Henty Rotary Club with regard to the newly installed skate park at Henty. General Manager advised that when the handover is done at the completion of the works, the asset will form part of Council's asset portfolio and therefore Council will take responsibility for public liability and insurance. General Manager advised that two signs will be installed at the facility that comply with Council's insurer StateWide Mutual Signs as Remote Supervision Best Practice Manual, which clearly indicate the prohibited, warning, general and emergency information and risks to users.

7. MOTIONS FOR ANNUAL LOCAL GOVERNMENT CONFERENCE

General Manager advised that he has received some requests for motions which he is collating and would be preparing a report for Council to deliberate at the August meeting, once adopted they will be regarded as motions to be submitted to conference.

CLOSING THE MEETING

At this juncture there was no one present in the public gallery.

4118 RESOLVED [5.38pm] [Quinn/O'Neill]

That the meeting be closed during the discussion of the confidential matters listed in the agenda.

COMMITTEE OF WHOLE SECTION

4119 RESOLVED [Osborne/Quinn]

That, in accordance with the provisions of the Local Government Act 1993, Council enter into 'Committee of the Whole' for the discussion of the following item of business:

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CONFIDENTIAL - CLOSED COUNCIL (COMMITTEE OF THE WHOLE)

ITEM FOR DETERMINATION

1. **WRITING OFF UNRECOVERABLE RATES AND CHARGES 2014 – 2015**

ORDINARY MEETING RECONVENED

4120 RESOLVED 5.39pm [Quinn/Osborne]

That the Ordinary Meeting be reconvened for the purpose of determining the report of the matter dealt with in Committee.

COMMITTEE REPORT

The General Manager reported that the Committee of the Whole makes the following recommendation.

1. **WRITING OFF UNRECOVERABLE RATES AND CHARGES 2014 – 2015**

RECOMMENDATION [McInerney/Meyer]

That Council approve the writing off of charges as detailed in the report to Closed Council.

RECOMMENDATION OF CLOSED COUNCIL (COMMITTEE OF THE WHOLE)

4121 RESOLVED [Quinn/Osborne]

That the foregoing report and recommendation from Closed Council (Committee of the Whole) be adopted.

There being no further business, the meeting concluded at 5.40pm.

THESE MINUTES WERE CONFIRMED at the Council meeting held on 19 August 2015 at which time the signature hereon was subscribed.

Cr Heather Wilton
Mayor, Greater Hume Shire Council