

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME SHIRE COUNCIL
HELD AT THE COUNCIL CHAMBERS, BALFOUR STREET, CULCAIRN
AT 4.30PM ON WEDNESDAY, 21 OCTOBER 2015**

IN ATTENDANCE: Councillors Wilton (Chairperson), Heriot, Meyer, O'Neill, Osborne, Quinn, Schilg and Schoff.

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

Cr Schoff offered a prayer to open the meeting.

ACKNOWLEDGEMENT OF COUNTRY

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

APOLOGY

4188 RESOLVED [Quinn/Meyer]

That the apology for Cr McNerney be received and leave of absence granted.

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

Nil.

CONFIRMATION OF MINUTES

MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 16 SEPTEMBER 2015

4189 RESOLVED [Meyer/Heriot]

That the Minutes of the Ordinary Meeting of Greater Hume Shire Council held at Culcairn on Wednesday, 16 September 2015 as printed and circulated, be confirmed as a true and correct record of the proceedings of the meeting.

Cr Osborne requested that the Director Environment and Planning provide an update on the staffing arrangements for the Jindera and Walla pools for the 2015/2016 season.

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ACTION REPORT FROM THE MINUTES

1. CONFIDENTIAL CLOSED COUNCIL REPORT – COMPULSIVE HOARDING, 17 WATTLE STREET, CULCAIRN

Cr Heriot questioned progress in the matter. General Manager advised that it was appropriate that the matter be discussed in the confidential section of the meeting.

2. LEASE OF LAND – WALLA WALLA GERMAN WAGON

Cr Schoff queried progress in the matter. In response, General Manager advised that Council had signed off the formal documents for the lease of the land and that execution by the Lutheran Church was imminent.

3. ANZAC CENTENARY – COUNCIL COMMEMORATION

Cr Osborne queried progress in the matter. General Manager advised that positive responses had been received from Brocklesby and Burrumbuttock communities and Culcairn and Holbrook RSL Sub Branches and that Council was still awaiting response from other locations. General Manager also advised that Council has submitted an application seeking grant funding under the Saluting Their Service Commemorative Grants Program for the project.

4. COOKARDINIA RURAL FIRE BRIGADE – NEW STATION

Cr Heriot asked about when Cookardinia Fire Brigade could apply for a new station. General Manager advised that there is no reason to impede that brigade from starting the process.

5. QUESTION ON NOTICE – DELAPIDATED SHED ON RAILWAY PARADE

Cr Heriot also queried progress in the matter. General Manager advised that the building report had not been received from John Holland at this stage.

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OFFICERS' REPORTS – PART A – FOR DETERMINATION

CORPORATE AND COMMUNITY SERVICES

1. BURRUMBUTTOCK SQUIRREL GLIDER LAMP INITIATIVE

4190 RESOLVED [Quinn/Schilg]

That standing orders be suspended at 4.52pm to enable a presentation by Matthew Cameron (Office of Environment and Heritage), Helen Waudby (Murray Local Land Services), and Judy Frankenberg (Burrumbuttock landholder) regarding the Burrumbuttock Squirrel Glider LAMP initiative

and that the PART A – CORPORATE AND COMMUNITY SERVICES – WYMAH RECREATION RESERVE COMMITTEE REPORT AND PART A – GOVERNANCE – PRESENTATION OF 2014/2015 FINANCIAL STATEMENTS be brought forward at this time.

2. WYMAH RECREATION RESERVE COMMITTEE

4191 RESOLVED [Osborne/O'Neill]

That:

1. the delegations vested to the Wymah Recreation Reserve Committee under Section 355 of the Local Government Act 1993 be revoked and that the Wymah Recreation Reserve Committee be removed from Council's register of committees appointed under Section 355 of the Local Government Act 1993.
2. the Bowna Wymah Community Committee be appointed as a Management Committee of Council in accordance with Section 355 of the Local Government Act 1993.
3. the Draft Terms of Reference for the Bowna Wymah Community Committee be adopted by Council.
4. the funds held by the Wymah Recreation Reserve Committee be transferred to the Bowna Wymah Community Committee for the continuing maintenance and management of the Wymah Recreation Reserve.

At this juncture, the General Manager advised that the report presented in the Addendum to the meeting titled PART A – ENGINEERING – REQUEST FOR CONSTRUCTION OF NEW ENTRANCE TO WYMAH RECREATION RESERVE should in fact be considered as a Matter of Urgency and be brought forward at this time of 5.13pm for deliberation.

4192 RESOLVED [Osborne/Quinn]

And ruled by the Chair that the MATTER OF URGENCY - PART A – ENGINEERING – REQUEST FOR CONSTRUCTION OF NEW ENTRANCE TO WYMAH RECREATION RESERVE be dealt with at this time.

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REQUEST FOR CONSTRUCTION OF NEW ENTRANCE TO WYMAH RECREATION RESERVE

4193 RESOLVED [Osborne/Quinn]

That Council:

1. approve and construct a new entrance to the Wymah Recreation Reserve for an estimated project cost of \$15,000 as detailed in this report this financial year with appropriate signage installed, and
2. allocate the widening and sealing of Wymah Road on the bend where the access is proposed at an estimated project cost of \$45,000 from the additional Roads to Recovery Funding in 2016/17.

GOVERNANCE

3. PRESENTATION OF 2014/2015 FINANCIAL STATEMENTS

At this juncture, an addendum report was presented on the matter and the Director Corporate and Community Services welcomed Mr Gary Mottau, Council's external auditor from Hill Rogers Spencer Steer. Mr Mottau provided councillors with a report on the conduct of the audit and the financial result for the year ending 30 June 2015.

Mr Mottau also thanked staff for a supreme effort migrating from the old financial system to new system within the past financial year, as well as completing the year's accounts in such a timely manner.

4194 RESOLVED [Osborne/Schilg]

That standing orders be resumed at 5.34pm.

4195 RESOLVED [Osborne/Meyer]

That:

1. in accordance with Section 419 (1) of the Local Government Act 1993, the audited Financial Statements and the Auditor's Reports for the year ended 30 June 2015 are hereby received and noted.
2. a further report be presented to the November 2015 Council Meeting detailing any submissions received in respect of Council's audited Financial Statements if applicable.

At this juncture, the meeting returned to the order as printed in the agenda.

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ENVIRONMENT AND PLANNING

1. DEVELOPMENT APPLICATION 10.2015.83 – CONSTRUCT A NEW STORAGE SHED – LOT 6 & 7 DP36035 – 58 COMER STREET HENTY

4196 RESOLVED [Schoff/Schilg]

That consideration of Development Application 10.2015.83 be deferred to November meeting.

Cr O'Neill left the meeting room at 5.36pm.

2. APPOINTMENT OF COUNCIL REPRESENTATIVE TO THE MURRAY REGIONAL WEEDS COMMITTEE

4197 RESOLVED [Osborne/Heriot]

That Council nominate Noxious Weeds Officer, Neil Hibberson as its committee member for the Murray Regional Weeds Committee.

3. AMENDMENT TO GREATER HUME LOCAL ENVIRONMENTAL PLAN 2012 - CHANGE IN PREFERRED FUTURE LAND USE FROM INDUSTRIAL TO R2 LOW DENSITY RESIDENTIAL AND NOW TO R5 LARGE LOT RESIDENTIAL - PART LOT 11 DP1164647 CORNER HAWTHORN AND URANA ROADS JINDERA

Cr O'Neill returned at 5.37pm. Cr Schilg left the meeting room at 5.37pm, returning at 5.39pm.

4198 RESOLVED [Schoff/Meyer]

1. In accordance with Section 56 of the Environmental Planning and Assessment Act 1979 Council resolve to submit to the Department of Planning and Infrastructure for a Gateway Determination the planning proposal for the rezoning of part Lot 11 DP1164647 corner Hawthorn and Urana Roads Jindera to R5 Low Density Residential.
2. Council advise the Department of Planning and Infrastructure that it will utilise its delegations under Section 59 of the Environmental Planning and Assessment Act 1979 to make or not make the plan.
3. Council resolve to exhibit the planning proposal in accordance with the Gateway Determination.
4. Council resolve to prevent through the development assessment process any development upon the 50 metre wide land buffer.

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AMENDMENT TO GREATER HUME LOCAL ENVIRONMENTAL PLAN 2012 - CHANGE IN PREFERRED FUTURE LAND USE FROM INDUSTRIAL TO R2 LOW DENSITY RESIDENTIAL AND NOW TO R5 LARGE LOT RESIDENTIAL - PART LOT 11 DP1164647 CORNER HAWTHORN AND URANA ROADS JINDERA [CONT'D]

AMENDMENT TO GREATER HUME LOCAL ENVIRONMENTAL PLAN 2012 - CHANGE IN PREFERRED FUTURE LAND USE FROM INDUSTRIAL TO R2 LOW DENSITY RESIDENTIAL AND NOW TO R5 LARGE LOT RESIDENTIAL - PART LOT 11 DP1164647 CORNER HAWTHORN AND URANA ROADS JINDERA

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

4. OUT OF HOURS ACCESS TO COUNCIL SWIMMING POOLS BY SCHOOLS WITHIN GREATER HUME SHIRE

4199 RESOLVED [Meyer/Schoff]

That Council endorse the proposed opening hours for the 2015/2016 swimming season which have been made to accommodate access to the swimming pool facilities by schools.

GOVERNANCE

1. PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO THE MAYOR AND COUNCILLORS POLICY

4200 RESOLVED [O'Neill/Meyer]

That the Payment of Expenses and Provision of Facilities to the Mayor and Councillors Policy as publicly exhibited be adopted.

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2. DISCLOSURE OF INTEREST RETURNS

4201 RESOLVED [Osborne/Meyer]

That the report be received and noted.

3. PRESENTATION OF 2014/2015 FINANCIAL STATEMENTS

Dealt with earlier in the meeting.

4. LOAN OF COMMANDER HOLBROOK MEDALS TO AUSTRALIAN WAR MEMORIAL

4202 RESOLVED [Osborne/Schilg]

That:

1. the Medals as named being the Victoria Cross, 1914-15 Star, British War Medal 1914-1920, Victory Medal, Defence Medal, War Medal 1939-1945, George VI Coronation Medal, Elizabeth II Coronation Medal, Chevalier of the Legion of Honour ('Chevalier de la Legion) and the Miniature Medals be offered under a renewed Loan Agreement for loan to the Australian War Memorial.
2. the term of the renewed Loan Agreement be on a five (5) year basis.
3. either party may terminate the Loan Agreement by providing one (1) years notice in writing.
4. the Medals remain the property of the people of Holbrook, with Greater Hume Shire Council as Trustee.
5. should the Medals be required to be returned to Holbrook for a specific purpose, notification in writing is required from Council to the Australian War Memorial 30 working days prior to the specific purpose. The period of the return of the Medals to Holbrook is to be for a defined period by written agreement between Council and the Australian War Memorial.
6. the Mayor and General Manager is authorised to execute a renewed Loan Agreement under the Common Seal of Council for the loan of the Commander Norman Holbrook V. C. R. N. Medals to the Australian War Memorial.

CORPORATE AND COMMUNITY SERVICES

Items 1 and 2 dealt with earlier in the meeting.

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3. GREATER HUME SHIRE COUNCIL COMMUNITY HEALTH AND WELLBEING PLAN

4203 RESOLVED [O'Neill/Schilg]

That the Greater Hume Shire Council Community Health and Wellbeing Plan and Health Promoting Council Policy be adopted.

ENGINEERING

1. 2015/16 SPRAY SEALING WORKS - GREATER HUME, LOCKHART, AND COROWA SHIRE COUNCILS

4204 RESOLVED [Meyer/Heriot]

That report be received and noted.

2. ROAD OPENING POLICY

4205 RESOLVED [Heriot/Quinn]

That Council adopt the Road Opening Policy as advertised.

4. WALBUNDRIE SHOW TRAFFIC MANAGEMENT SUPPORT

4206 RESOLVED [Osborne/Schilg]

That Council advise the Walbundrie Show Society that the cost for the future provision of traffic management for the Walbundrie Show is to be funded by the Society.

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ITEMS TO BE REFERRED TO CLOSED COUNCIL

1. POTENTIAL SALE OF PART LOT 11 DP 1164647, HAWTHORN ROAD JINDERA

4207 RESOLVED [Meyer/Schoff]

That:

1. Council endorse the draft Lot layouts for the 15 Lot expansion to the Jindera Industrial Estate and the 35 Lot - Large Lot Residential development and proceed to submit a development application(s).
2. Further consideration of the valuation for the potential disposal of the residual part of Lot 11 DP 1164647 at Jindera be referred to Closed Council in accordance with section 10 A (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.

REASON

On balance the need to preserve the confidentiality of the valuations received from Taylor Byrne Property Valuers to ensure that the proceeds of any future sale are maximised, outweighs the public interest in maintaining openness and transparency in Council decision making because the disclose of this information could compromise the commercial position of Council.

2. TERMINATION OF LEASE – INDUSTRIAL PROPERTY AT CULCAIRN

4208 RESOLVED [Meyer/Schoff]

That the matter of termination of lease on an industrial property at Culcairn be referred to Closed Council in accordance with section 10 A (2) (b) the personal hardship of a resident or ratepayer.

REASON

On balance the need to preserve the confidentiality of personal hardship of the Lessee outweighs the public interest in maintaining openness and transparency in Council decision making because the disclose of this information could cause undue duress to the Lessee.

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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 SEPTEMBER 2015
3. HUMAN RESOURCES REPORT FOR SEPTEMBER 2015

ENGINEERING

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

ENVIRONMENT AND PLANNING

1. DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF september 2015
3. SENIOR WEEDS OFFICER'S REPORT – SEPTEMBER 2015
3. RANGER'S REPORT – SEPTEMBER 2015

4209 RESOLVED [O'Neill/Osborne]

That Part B of the Agenda be received and noted.

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PART C – COMMITTEE AND DELEGATE REPORTS

4210 RESOLVED [Osborne/Meyer]

That Part C of the Agenda be received and noted.

MATTER OF URGENCY

Dealt with earlier in the meeting.

QUESTIONS ON NOTICE

1. RANGER'S REPORT TO OCTOBER MEETING – INCIDENT REGARDING TWO DOGS

Cr Osborne requested that a report be provided to Council on the usual processes used in dealing with euthanasia of dogs held in Council pounds. Director Environment and Planning advised he would provide a report to the November meeting of Council regarding processes dealing with dog complaints.

2. COURT ACTION REGARDING DOGS KILLING SHEEP AT MOUNTAIN CREEK

Cr Heriot indicated that he had become aware that the defendant was appealing the decision, and queried if Council is still involved. Director Environment and Planning advised that Council's involvement in the matter is finalised.

3. BURNING LANEWAYS OUTSIDE OF BUSH FIRE PERIODS

Cr Quinn raised the issue of burning laneways which are public road reserves and queried Council's role in approval for the burning to take place. Director Engineering advised that the resident should advise the RFS in the first instance, as the Rural Fire Service is the only authority that can burn public roadways. RFS officers will then contact the Director Engineering who will consider whether the road reserve is listed as a high conservation area. If the area is a high conservation area some conditions will be applied to burning to protect the vegetation. Provided the road reserve is not listed as high conservation, the Director Engineering generally responds to RFS on the same day for the burning to take place.

4. REQUEST FOR LEAVE OF ABSENCE FROM NOVEMBER MEETING

4211 RESOLVED [Schilg/O'Neill]

That Cr Osborne be granted leave of absence for the November meeting.

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5. HOLBROOK SHIRE HALL

Cr Heriot queried progress with regard to renovations being considered for the Holbrook Shire Hall. General Manager advised staff have received quotes for a range of proposed works at the precinct including renovating the floor, upgrading the kitchen, removal of the disused toilets plus removal of section of the front of the original chambers. A meeting will be organised with interested councillors prior to preparation of a report on funding options which will be presented to a future meeting.

6. ANNUAL CONFERENCE

Cr Quinn asked that the General Manager to provide a verbal debrief from conference and the events of yesterday where the Independent Pricing and Regulatory Tribunal report on the Assessment of Council Fit for the Future proposals was released which included Greater Hume Shire Council as deemed Fit for the Future.

General Manager elaborated on both matters and advised a report would be submitted to the November meeting.

CLOSING THE MEETING

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

4212 RESOLVED [6.40pm] [Quinn/Schilg]

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

COMMITTEE OF WHOLE SECTION

4213 RESOLVED [Quinn/Schilg]

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:

1. **POTENTIAL SALE OF PART LOT 11 DP 1164647, HAWTHORN ROAD JINDERA**
2. **TERMINATION OF LEASE – INDUSTRIAL PROPERTY AT CULCAIRN**

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CONFIDENTIAL - CLOSED COUNCIL (COMMITTEE OF THE WHOLE)

ITEMS FOR DETERMINATION

1. **POTENTIAL SALE OF PART LOT 11 DP 1164647, HAWTHORN ROAD JINDERA**

RECOMMENDATION [O'Neill/Osborne]

That:

3. Council endorse the acquisition of Lot 20 Stockwell Drive, Jindera for an amount of \$103,150 excl.GST with Council to fund all legal costs associated with the sale.
4. Council endorse the draft lot layouts for the 15 lot expansion to the Jindera Industrial Estate and the 35 lot Large Lot Residential development and proceed to submit a development application(s).
5. subject to development approval being obtained Council market the remaining englobo land as Large Lot Residential (R 5) parcel.
6. the General Manager be authorised to appoint a Real Estate Agent to act on Council's behalf to market the englobo land.

2. **TERMINATION OF LEASE – INDUSTRIAL PROPERTY AT CULCAIRN**

RECOMMENDATION [Myer/Schoff]

That:

1. the General Manager's actions in terminating the lease agreement as at 31 March 2016 be endorsed
2. an appropriate repayment schedule be negotiated to maximise the repayment of outstanding lease payments.
3. the General Manager be authorised to appoint a Real Estate Agent act on behalf of Council to place the factory (Lot 561 DP 1159099) at Gordon Street, Culcairn on the market for sale.

ORDINARY MEETING RECONVENED

4214 RESOLVED 6.51pm [Quinn/Schoff]

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

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COMMITTEE REPORT

The Mayor reported that the Committee of the Whole makes the following recommendation.

RECOMMENDATION OF CLOSED COUNCIL (COMMITTEE OF THE WHOLE)

4215 RESOLVED [Quinn/Schoff]

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

There being no further business, the meeting concluded at 6.52pm.

THESE MINUTES WERE CONFIRMED at the Council meeting held on 18 November 2015 at which time the signature hereon was subscribed.

Cr Heather Wilton
Mayor, Greater Hume Shire Council