

#196841

MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

held in the Council Chambers, Town Hall, Boorowa Street, Young

commencing at 5.00 pm, on Wednesday, 19th August, 2015

MINUTES

PRESENT

Councillors John Walker (Mayor and Chairperson), Ben Cooper, Stuart Freudenstein, Brian Mullany, Tony Wallace, Brian Ingram and Allan Miller.

In attendance

Peter Vlatko (General Manager), Craig Filmer (Director – Planning & Environment), Dirk Wymer (Director – Operations), Greg Armstrong (Director – Corporate Services), Nicole Vonarx (Director – Utility Services), Leanne Hardy (Personal Assistant), 1 member of the Press and 6 in the gallery.

APOLOGIES

245/15 RESOLVED on the motion of Councillors Cooper and Stuart Freudenstein that an apology be accepted from Councillor Sandy Freudenstein.

246/15 RESOLVED on the motion of Councillors Ingram and Miller that no recording take place in the meeting.

CONFIRMATION OF MINUTES

247/15 RESOLVED on the motion of Councillors Stuart Freudenstein and Cooper that the minutes of the Ordinary meeting of Council held on Wednesday 15th July, 2015, be confirmed as a correct record of the proceedings.

248/15 RESOLVED on the motion of Councillors Stuart Freudenstein and Cooper that the minutes of the Extra-Ordinary meeting of Council held on 17th July, 2015, be confirmed as a correct record of the proceedings.

249/15 RESOLVED on the motion of Councillors Stuart Freudenstein and Cooper that the minutes of the Extra-Ordinary meeting of Council held on 23rd July, 2015, be confirmed as a correct record of the proceedings.

250/15 RESOLVED on the motion of Councillors Stuart Freudenstein and Cooper that the minutes of the Extra-Ordinary meeting of Council held on 12th August, 2015, be confirmed as a correct record of the proceedings.

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OBITUARIES

KEVIN SHEATHER
CHERRIE MCKINNEY
ALLAN RICHARDSON
EILEEN LOADER
HEATHER JASPRIZZA
KERRY PETTIT
CHRISTOPHER MULLINS
SCOTT MCDONALD
RYAN HUGHES
SELWYN WALSH
JOHN MCGREGOR
NICHOLAS HAUGHEY
GEORGE LANG
ROSS TRITON
RONNIE SMITH
IVY POCHWYT
NOEL DAVISON
SHEILA DAVISON

RECOGNITION OF COMMUNITY ACHIEVEMENT

251/15 RESOLVED on the motion of Councillors Mullany and Miller that Malcolm Ward be recognized for his outstanding achievements in Soccer. He will arrive in Paris on 26th August as a warm up to the World Cup in Chile later this year. He is a representative in the Australian (Joey's) Under 17 Soccer side.

252/15 RESOLVED on the motion of Councillors Cooper and Stuart Freudenstein that the Rotary Club of Young be recognized for the Heritage Walk in Young.

253/15 RESOLVED on the motion of Councillors Cooper and Ingram that Luke Branighan be recognized for his excellent leadership and support of Young's Rugby League community over the past 4 years.

254/15 RESOLVED on the motion of Councillors Cooper and Wallace that Nyree Job be recognized for her years of dedication in organizing musical performances for Young's community events.

OPEN FORUM

Nil

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General Manager

Mayor

DELEGATES REPORTS AND CIVIC DUTY

255/15 RESOLVED on the motion of Councillors Cooper and Miller that the verbal Delegates Reports and Civic Duties be noted.

COMMITTEE REPORTS

Plant Committee – 15.7.15

256/15 RESOLVED on the motion of Councillors Mullany and Miller that the minutes of the Plant Committee meeting held on 15th July, 2015 be received and the following recommendations adopted:

ITEM 3.1	PLANT UTILISATION REPORT
<i>Prepared by: Director Operations</i>	<i>File Number: F93.00</i>

Resolved on the motion of Councillors Miller and Walker that Council receive and noted the information provided in the quarterly Plant Utilisation Report.

ITEM 3.2	PLANT INTERNAL HIRE RATES 2014/2015
<i>Prepared by: Director Operations</i>	<i>File Number: F93:00</i>

Resolved on the motion of Councillors Miller and Walker that Council receive and note the internal plant hire rates for the last quarter 2014/2015.

ITEM 3.3	PROGRESS ON 2014/2015 PLANT REPLACEMENT REPORT
<i>Prepared by: Director Operations</i>	<i>File Number: F93.00</i>

Resolved on the motion of Councillors Miller and Walker that Council receive and note the information provided on the 2014 / 2015 plant replacement.

Youth Council Meeting – 16.7.15

257/15 RESOLVED on the motion of Councillors Cooper and Ingram that the minutes of the Youth Council meeting held on 16th July, 2015 be received and noted.

Aboriginal Liaison Committee Meeting – 22.7.15

258/15 RESOLVED on the motion of Councillors Stuart Freudenstein and Cooper that the minutes of the Aboriginal Liaison Committee meeting held on 22^d July, 2015 be received and the following recommendations adopted:

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It is recommended to Council that Council use the following “Welcome to Wiradjuri Country people of Girrawa (goanna totem” in appropriate places such as the webpage and signs.

The Committee recommends to Council that an additional Flag Pole be installed at the front of the Council Office, Town Hall, to allow the Aboriginal Flag to be displayed alongside the current Australian Flag.

That a combined BBQ be organised for the 14th October, 2015, 5.30 to 7 pm, at the Chinese Tribute Gardens for Young Shire Council Councillors and the Land Council Board, to promote the goodwill and relationships that currently exists.

That Council investigate the opportunity in looking into the creating an Aboriginal Identified Traineeship in Council.

Asset Renewal Committee Meeting – 28.7.15

259/15 RESOLVED on the motion of Councillors Wallace and Ingram that the minutes of the Asset Renewal Committee meeting held on 28th July, 2015 be received and the following recommendations adopted:

That Council undertake a review of building asset valuation and depreciation using an independent expert in this field.

That Council receive and note the information provided on the planned gravel road resheeting program.

That Council receive and note the Operations quarterly review for third quarter 2014/2015.

That Council receive a further report on feasibility, land suitability and on potential funding options for the Young Industrial Lands: Development Servicing Plan.

That Council negotiate with each interest holder of the Wickham Lane properties to endeavour to reach agreement to Council’s acquisition of the land for road widening purposes and that if agreement is reached, the Council acquire that land, provided that such agreement will be subject to a further resolution of Council.

That Council advertise the intended closure of a section of the Wickham Lane end of Whites Road for public submissions for 28 days.

That Council receive a further report on potential staging and funding options for the Murringo Road town approaches plan.

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That Council receive and note the proposed ten year program for Road to Recovery funded projects

That Council adopts the Roads to Recovery program for 2015/16 as follows:

Project	Estimated Budget Required
<i>Chillingworks Road widening</i>	\$ 368,000
<i>Shoulder widening and reconstruct pavement Maimuru SS Road</i>	\$ 324,889
<i>Gravel roads resheeting</i>	\$ 275,000
<i>McHenrys Creek Bridge on Henry Lawson Way</i>	\$ 769,500

Arts & Cultural Section 355 Committee Meeting – 6.8.15

260/15 RESOLVED on the motion of Councillors Wallace and Stuart Freudenstein that the minutes of the Arts & Cultural Section 355 Committee meeting held on 6th August, 2015 be received and the following recommendations adopted:

That Young Shire Council develop a Public Art Policy.

That Council build five (5) moveable walls for the Town Hall as per the prototype.

Fruit Industry Committee Young & Harden Meeting – 7.8.15

261/15 RESOLVED on the motion of Councillors Stuart Freudenstein and Mullany that the minutes of the Fruit Industry Committee Young & Harden meeting held on 7th August, 2015 be received and noted.

Youth Council Meeting – 10.8.15

262/15 RESOLVED on the motion of Councillors Cooper and Miller that the minutes of the Youth Council meeting held on 10th August, 2015 be received and noted.

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General Manager

Mayor

Young Healthy Shire Group Meeting – 10.8.15

263/15 RESOLVED on the motion of Councillors Stuart Freudenstein and Ingram that the minutes of the Young Healthy Shire Group meeting held on 10th August, 2015 be received and noted.

Tourism Sub-Committee Meeting – 11.8.15

264/15 RESOLVED on the motion of Councillors Mullany and Wallace that the minutes of the Tourism Sub-Committee meeting held on 11th August, 2015 be received and the following recommendations adopted:

Council is ready to proceed with farm style fence with tank busters. Recommend to proceed with quote received by Director – Corporate Services.

Call for a report on security at Chinese Tribute Garden, issues to be addressed include security cameras, lighting, fencing, gates and current security arrangements with staff locking and unlocking access gates etc.

That primitive camping ground process be suggested to village committees and showgrounds.

That Kathy Batinich (Valley Fresh Cherries and Stonefruit) be invited to join the Tourism Sub-Committee.

That the action plan developed by Ray Christison be submitted to Council for adoption and that action number 2 on the action plan at staff seek quotes.

Access Advisory Committee Meeting – 11.8.15

265/15 RESOLVED on the motion of Councillors Mullany and Stuart Freudenstein that the minutes of the Access Advisory Committee meeting held on 11th August, 2015 be received and noted.

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General Manager

Mayor

GENERAL MANAGER'S REPORT

ITEM 8 GENERAL MANAGER'S REPORTS

ITEM 8.01	FINANCE AND PERFORMANCE FOR JULY/AUGUST
Prepared by: General Manager	File Number: 162.00

266/15 **RESOLVED** on the motion of Councillors Wallace and Mullany that the reports for the Finance and Performance for the month of June be received and noted.

ITEM 8.02 **PROPOSED JOINT FIRE CONTROL CENTRE AND REGIONAL OFFICE**

Prepared by: General Manager

File Number: F15.09

267/15 **RESOLVED** on the motion of Councillors Cooper and Ingram that Council accepts and commits to the recommendation from the South West Slopes Zone Service Liaison Committee to have Young as the preferred site, on the condition that Young Shire Council will supply sewer, water, power, communications, access and basic site works and that the cost of services these matters be separated from the Fire Control Centre budget and Young Shire Council to fund the Council's contribution percentage amount of this servicing.

268/15 **RESOLVED** on the motion of Councillors Mullany and Cooper that Young Shire Council advocate to the Minister for the Rural Fire Shed to be located in Young and highlight that site access concerns have been addressed.

ITEM 8.03 **YOUNG SALEYARDS - LICENCE**

Prepared by: General Manager

File Number: F118.00

269/15 **RESOLVED** on the motion of Councillors Mullany and Miller that Council call for Expressions of Interest from persons wishing to enter into a licence arrangement to utilise Council's Saleyard Complex for the purpose of conducting sales on a regular basis for a maximum licence period of three (3) years, and be advertised in the region and the local paper only.

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General Manager

Mayor

**ITEM 8.04 LOCAL DEVELOPMENT PERFORMANCE MONITORING DATA
2014/2015**

Prepared by: Town Planner

File Number: 154.00

270/15 RESOLVED on the motion of Councillors Wallace and Stuart Freudenstein that the draft Local Development Performance Monitoring Data for 2014/2015 be received and noted.

**ITEM 8.05 NOMINATION OF NEW MEMBERS OF YOUNG YOUTH
COUNCIL**

Prepared by: Environmental Health &
Community Services Officer

File Number: 48.06

271/15 RESOLVED on the motion of Councillors Stuart Freudenstein and Cooper that Council appoint the following applicant to the Young Youth Council;

- Samantha Cullen Hennessy Catholic College

ITEM 8.06 WATER AND SEWER ANNUAL PERFORMANCE REPORT

Prepared by: Director of Utility Services

File Number: F127.00 and F166.00

272/15 RESOLVED on the motion of Councillors Mullany and Wallace that Council:

- Receive and note the report NSW Water Supply and Sewerage Performance Monitoring Report 2013/14; and
- Continue to provide support to Council staff for undertaking works required to develop and implement all aspects of Best Practice Management.

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General Manager

Mayor

**ITEM 8.07 WATER SUPPLY AND SEWERAGE – DEVELOPER
SERVICING PLAN**

Prepared by: Director of Utility Services

File Number: F168.01

273/15 RESOLVED on the motion of Councillors Wallace and Mullany that Council:

1. adopt the Water Supply and Sewerage Developer Servicing Plan, incorporating the changes as requested by DPI Water;
2. Delay the implementation of the new charges until 1 January, 2016 with staff to conduct consultation with the community; and
3. Develop a policy that details requirements for the deferment of developer charges and for out of sequence development.

ITEM 8.08 POLICY – MANAGEMENT OF COUNCIL ASSETS

Prepared by: General Manager

File Number: F24.00

274/15 RESOLVED on the motion of Councillors Wallace and Ingram that the Draft Policy for the Management of Councils Asset used exclusively by one group be approved for public display in accordance with the Local Government Act.

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General Manager

Mayor



YOUNG SHIRE COUNCIL

**MANAGEMENT OF COUNCILS
ASSET USED EXCLUSIVELY BY
ONE GROUP POLICY**

DATE ADOPTED: 00 XXX 0000

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1 INTRODUCTION/BACKGROUND

Council at its meeting held on 17th June, 2015 resolved 170/15 “that Council develop a policy that governs the management of those Council assets used exclusively by one group at below commercial rent”.

2 PURPOSE/OBJECTIVES

To establish a clear documented understanding of the relationship between Council and those groups with exclusive use of Council’s buildings.

To ensure that the costs associated with the Council Assets are accounted for.

3 POLICY

The Lease/Licensee is to provide annual financial reports to Council. The report is to also include a Management report on the current and future outlook of the group.

The Lease/License shall be in accordance with the provision of the Local Government Act.

4 RESPONSIBILITY

The Director of Corporate Services be responsible for the Implementation of the Policy and reviewed every four (4) years.

ITEM 8.09 CANBERRA REGION JOINT ORGANISATION

Prepared by: General Manager

File Number: F21.04

275/15 RESOLVED on the motion of Councillors Stuart Freudenstein and Wallace that Council:

1. Endorse the Canberra Region Joint Organisation Company Limited by Guarantee Draft constitution
2. Become a member of the Canberra Region Joint Organisation Company Limited by Guarantee upon creation
3. Endorse the transfer of assets from the former South East Region Organisation of Councils to the Canberra Region Joint Organisation Company Limited by Guarantee upon creation
4. Write to the Minister of Local Government to seek his approval to establish the Canberra Region Joint Organisation Ltd, a Company limited by Guarantee under the Corporations Act

ITEM 8.10 CLOSURE OF PUBLIC ROAD OFF LIGHTING LANE, YOUNG

Prepared by: Director Operations

File Number: 2010/DA00050

276/15 RESOLVED on the motion of Councillors Mullany and Miller that subject to there being no objection lodged during the public advertising period; Council consent to

- the closure of the public road shown on Deposited Plan 1079073 as '10 wide, 7.8 wide and variable width' between Lighting Lane and Lovell Street road
- the transfer of this road upon closure to the adjacent landholder of Lot 5 DP 1079073

ITEM 8.11 BY-ELECTION

Prepared by: General Manager

File Number: F23.00

277/15 RESOLVED on the motion of Councillors Stuart Freudenstein and Ingram that in accordance with the Local Government Act, Council make an application to the Minister under Section 294 that due to the passing of Councillor John McGregor the casual vacancy of Councillors not be filled.

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General Manager

Mayor

ITEM 8.12 ANNUAL FINANCIAL STATEMENTS 2014-2015

Prepared by: Director – Corporate Services

File Number: 2.00

278/15 RESOLVED on the motion of Councillors Mullany and Ingram that:

- (i) Council's Financial Statements be referred to audit in accordance with with Section 413 (1) of the Local Government Act 1993.
- (ii) Council note that the Annual Financial Statements have been compiled In accordance with:
 - ◆ The LG Act 1993 (as amended) and the regulations made there under;
 - ◆ The Australian Accounting Standards and professional pronouncements; and
 - ◆ The Local Government Code of Accounting Practice and Financial Reporting.
- (iii) The Annual Financial Statements presents fairly the Council's operating result and financial position for the year, and accords with Council's accounting and other records.
- (iv) Council is not aware of any matter that would render this report false or misleading in any way.
 - a) In accordance with Section 413(2)(c) the Mayor, one Councillor, the General Manager and the Responsible Accounting Officer sign the required Statements Relating to the General Purpose Financial Statements, and the Special Purpose Financial Statements.
 - b) The General Manager be delegated authority to issue the Financial Statements upon receipt of the auditor's reports.

ITEM 9 CORRESPONDENCE

9.01 #193073 32.00/97.03

279/15 RESOLVED on the motion of Councillors Cooper and Stuart Freudenstein that Council contribute \$200.00 to the Southern Sports Academy for 2015-2016.

9.02 # 78.05

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General Manager

Mayor

280/15 RESOLVED on the motion of Councillors Mullany and Wallace that Council note the August 2015 report from High Ground Consulting.

281/15 RESOLVED on the motion of Councillors Mullany and Stuart Freudenstein that the matter of changing the Electorate Name of Cootamundra be brought forward as a matter of urgency.

282/15 RESOLVED on the motion of Councillors Mullany and Stuart Freudenstein that Young Shire Council write to all fellow Councils within the State Electorate area of Cootamundra seeking their support in changing the electoral area named to Schultz Electorate in recognition of achievements by Alby Schultz for our region.

ITEM 10 CONFIDENTIAL REPORT

10.1 UNSIGHTLY PROPERTY – 99 LACHLAN STREET, YOUNG

10.2 TENDERS FOR THE LOVELL STREET UPGRADE

PUBLIC ACCESS TO COUNCIL MEETINGS

In accordance with s10(1) of Local Government Act 1993 -

Everyone is entitled to attend a meeting of the Council and those of its committees except as provided by s10A(2).

s10A of the Local Government Act 1993 further provides that a Council, or a committee of the Council of which all the members are Councillors, may close to the public so much of its meeting as comprises the receipt or discussion of any of the following:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the Council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,

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General Manager

Mayor

283/15 RESOLVED on the motion of Councillors Ingram and Wallace that Council close the meeting to the public in accordance with s10A of the Local Government Act 1993 in order to consider the Confidential Reports:

10.1 UNSIGHTLY PROPERTY – 99 LACHLAN STREET, YOUNG

10.2 TENDERS FOR THE LOVELL STREET UPGRADE

Due to the following:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the Council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law.

The meeting concluded at 7.09 pm.

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General Manager

Mayor