

#210963

MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

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

commencing at 5.00 pm, on Wednesday, 16th March, 2016

MINUTES

PRESENT

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

In attendance

David Aber (General Manager), Craig Filmer (Director – Planning & Environment), Dirk Wymer (Director – Operations), Greg Armstrong (Director – Corporate Services), Peter Grove (Acting Director – Utility Services), Leanne Hardy (Personal Assistant), 1 member of the Press and 5 in the gallery.

APOLOGIES

45/16 RESOLVED on the motion of Councillors Stuart Freudenstein and Walker that an apology be accepted from Councillor Mullany.

CONFIRMATION OF MINUTES

46/16 RESOLVED on the motion of Councillors Cooper and Sandy Freudenstein that the minutes of the Ordinary Meeting of Council held on Wednesday, 17th February, 2016, be confirmed as a correct record of the proceedings.

OBITUARIES

MICHAEL LINDSAY
TIMOTHY BATINICH
MAVIS ELDRIDGE
RONALD COLE
DONNA HARMER
BERYL CLARKE
VALERIE PATTERSON
ALLAN KIDD
ALLAN DAVIS
EVA WALKER

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RECOGNITION OF COMMUNITY ACHIEVEMENT

47/16 RESOLVED on the motion of Councillors Cooper and Stuart Freudenstein that the Young Cherryettes League Tag Team be congratulated for organising a successful League Tag Carnival in Young on 12th and 13th March, 2016.

48/16 RESOLVED on the motion of Councillors Miller and Sandy Freudenstein that the Young Harness Racing Club be congratulated on the successful running of the Carnival of Cups on Saturday, 12th March, 2016.

OPEN FORUM

1. Mr Gerry Bailey addressing Council regarding community services and emergency services.

DELEGATES REPORTS AND CIVIC DUTY

49/16 RESOLVED on the motion of Councillors Sandy Freudenstein and Cooper that the verbal Delegates Reports and Civic Duties reports be noted.

COMMITTEE REPORTS

Access Advisory Committee – 8.12.15

50/16 RESOLVED on the motion of Councillors Walker and Sandy Freudenstein that the minutes of the Access Advisory Committee meeting held on the 8th December, 2015 be received and adopted.

Youth Council – 8.2.16

51/16 RESOLVED on the motion of Councillors Cooper and Stuart Freudenstein that the minutes of the Youth Council meeting held on the 8th February, 2016 be received and adopted.

Environmental Initiatives Committee – 9.2.16

52/16 RESOLVED on the motion of Councillors Miller and Sandy Freudenstein that the minutes of the Environmental Initiatives Committee meeting held on the 9th February, 2016 be received and the following recommendations adopted:

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Prior to the Management Agreement for Tree Pruning & Maintenance by the local Electricity Authority being signed, the EIC receive a report and a copy of this agreement and set of service levels.

Item 6.1 **E-WASTE AND THE NATIONAL TELEVISION & COMPUTER RECYCLING SCHEME**

That Council:

- 1. continues to pursue a co-regulatory arrangement for disposal of e-waste collected*
- 2. if and when Council no longer has a co-regulatory arrangement under the scheme that e-waste no longer be considered as a separate waste stream and that current fees for the disposal of waste apply.*
- 3. Council write to the Federal & State Government (including Local Members and Local MLC's) seeking advice on the functioning of the consumer levy collection system or retailer tariff and how this operates and may be better improved for funds transfer through to the actual capture and rebate in the e-waste recycling collection and administration.*

Item 6.2 **CONTAINER DEPOSIT SCHEME**

That Council lodge a submission that;

- 1. Congratulates the Government on their research and move towards implementation of the container deposit scheme in NSW*
- 2. Council support Option 1 of the proposal paper and in its submission outline Council's desire for better servicing methods for rural and regional NSW*
- 3. Additionally it is to be expressed in the submission that Council are keen to secure a controlled location and host a reverse vending machine (under the scheme) on one of its properties, due to our strong recycling focus as a Council*

Item 6.3 **COMMUNITY BASED SOLAR AND ENERGY OPPORTUNITIES**

That :

- 1. That the Committee receive and note this advice at this time and confirm the desire to have the NSW Office of Environment and Heritage Officer speak at the next Environmental Initiatives Committee Meeting.*
- 2. Council further consider and research such options as;*

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- *a Community Solar Power Plant for community based organisations in town;*
 - *a subsidy scheme for domestic off-grid battery connected to PV installations; and*
 - *public infrastructure power support,*
- when aiming toward grant consideration for projects.*

7.1 Mikla Lewis introduced the 1 tree per child (OTPC) program being put forward by the Federal Government in conjunction with National Landcare. The OTPC program is supported by John Dee who is a former YSC Australia Day Ambassador and formerly of Planet Ark.

1. *That Council commend and support Young Landcare in applying on behalf of Council and Young Landcare to the One Tree Per Child Grant Application to the full extent of 10,000 trees.*
2. *Council consider priorities of the many public areas that could receive trees, after the grant announcement.*

7.2 Mikla Lewis raised a matter she had become aware of at the Chinese Tribute Gardens and the Chinaman's Dam Reserve. She had noticed recently a number of native birds that had hooks in their beaks and line detritus that were affecting them. She is very worried about fishing rubbish left and causing effects to the wildlife.

1. *That Council procure additional signage at the dam that asks anglers to remove all fishing rubbish on their leaving the facility, such signage to also include a WIRES contact phone number*
2. *The Ranger fit in occasional patrols in the Chinaman's Dam area pertaining to littering from anglers.*

7.3 Kevin Stemm raised the issue of stray and roaming cats and the committee discussed effective control under section 31 (Nuisance Cats) the Companion Animals legislation.

1. *The Environmental Health Section prepare and distribute a pamphlet on responsible cat ownership, primarily within the township area of Young*

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Young Tidy Town – 10.2.16

53/16 RESOLVED on the motion of Councillors Sandy Freudenstein and Miller that the minutes of the Young Tidy Town meeting held on the 10th February, 2016 be received and adopted.

National Cherry Festival AGM – 10.2.16

54/16 RESOLVED on the motion of Councillors Walker and Stuart Freudenstein that the minutes of the National Cherry Festival AGM held on the 10th February, 2016 be received and adopted.

National Cherry Festival – 10.2.16

55/16 RESOLVED on the motion of Councillors Walker and Stuart Freudenstein that the minutes of the National Cherry Festival Committee meeting held on the 10th February, 2016 be received and adopted.

Fruit Industry Committee of Young & Harden – 11.2.16

56/16 RESOLVED on the motion of Councillors Walker and Sandy Freudenstein that the minutes of the Fruit Industry Committee of Young & Harden held on the 11th February, 2015 be received and the following recommendation adopted:

4.1 YOUNG SHIRE FRUIT FLY CONTROL ACTIONS

That Council;

- 1. Receives and note the actions in community and backyard fly management.*
- 2. Review its funding commitment for Q-fly management for remainder of 2015 – 16.*

Plant Committee – 17.2.16

57/16 RESOLVED on the motion of Councillors Sandy Freudenstein and Miller that the minutes of the Plant Committee meeting held on 17th February, 2016 be received and noted.

Economic Development – 23.2.16

58/16 RESOLVED on the motion of Councillors Stuart Freudenstein and Sandy Freudenstein that the minutes of the Economic Development Committee meeting held on the 23rd February, 2016 be received and the following recommendations adopted:

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Recommend to Council in the first instance to write urgently to Federal Member, Angus Taylor, State Member, Katrina Hodgkinson and Deputy Leader of the Nationals in the Senate, Minister for Regional Development, Minister for Regional Communications and Minister for Rural Health, Fiona Nash, on behalf of the Horticulture Industry to support them in their opposition to the Government's plan to increase the tax paid by all working holiday makers to be taxed as non-residents – that is, at 32.5% on all income.

Recommend to Council that the Mayor and leaders of the Horticulture Industry seek to have joint meetings with elected representatives for the area to highlight the serious implications of the tax change to the industry's future viability and at the same time to raise concerns over the ACTU's formal challenge to the horticultural award. It is recommended that this be undertaken as a matter of urgency.

PRIMITIVE CAMPING GROUND – UPDATE ON SHOWGROUND PLAN OF MANAGEMENT

Recommendation that Council support the upgrading of the Showground Designation by a letter of support to the Lands Department.

Recommendation that Council investigate ways that the Young Visitor Information Centre may be able to assist with bookings, administration, promotion of the showground.

Tourism Committee – 23.2.16

59/16 RESOLVED on the motion of Councillors Sandy Freudenstein and Walker that the minutes of the Tourism Sub-Committee meeting held on the 23rd February, 2016 be received and the following recommendations adopted:

That Director of Operations table plan of works for the fence and car park at the Chinese Tribute Garden for the 2016/17 Budget.

Tout's Lookout

Sign indicating landmarks to be investigated, including costing by Tourism Manager. Sign to be installed on water tank advising on usage of non potable water supply.

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General Manager

Mayor

Family Adventure Playground Committee – 24.2.16

60/16 RESOLVED on the motion of Councillors Cooper and Sandy Freudenstein that the minutes of the Family Adventure Playground Committee meeting held on the 24th February, 2016 be received and noted.

Asset Renewal Committee – 25.2.16

61/16 RESOLVED on the motion of Councillors Stuart Freudenstein and Wallace that the minutes of the Asset Renewal Committee meeting held on the 25th February, 2016 be received and the following recommendations adopted:

4.1 UNSEALED ROADS RESHEETING PROGRAM

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

4.2 SEALED ROADS MAINTENANCE PLAN: KEY PERFORMANCE INDICATORS

That Council receive and note the draft Operations quarterly review and the key performance indicators for the Sealed Roads Routine Maintenance Plan

4.3 OPERATIONS TEN YEAR FINANCIAL PLAN

Recommendation

1. *That Council prepare the Delivery and Operational Plan for 2016/17 using the forward program as detailed in the report; subject to budget constraints.*

2. *That Council fund its 50% share of the Federal Bridges Renewal Program by either*
 - a. *Continuing with the shortlisted application to the NSW Fixing Country Roads Program; or in the event the application to this program is unsuccessful;*
 - b. *Allocating \$419,000 from the Regional Roads Block Grant for 2016/17 toward the project and funding Regional roads reseals from the Roads to Recovery program*

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Arts & Cultural Section 355 Committee – 25.2.16

62/16 RESOLVED on the motion of Councillors Wallace and Walker that the minutes of the Arts & Cultural Section 355 Committee meeting held on the 25th February, 2016 be received and the following recommendation adopted:

That the Draft Public Art Policy be placed on public exhibition subject to amendments.

Traffic Committee – 1.3.16

63/16 RESOLVED on the motion of Councillors Cooper and Stuart Freudenstein that the minutes of the Traffic Committee meeting held on the 1st March, 2016 be received and the following recommendations adopted:

4.1 Special Event - Anzac Day

That Council approve the temporary road closures and regulatory traffic control required on Monday 25th April 2016 for the ANZAC DAY Memorial Commemorative Services “Special Events” subject to the following;

- 1. The Traffic and Transport Management of Special Events application for the ANZAC Day ceremonies received with required supporting information;*
- 2. Temporary road closures are in accordance with Traffic Control Plans (TCP) submitted for the locations, Young Township, Bribbaree Village, Koorawatha Village and Murringo Village;*
- 3. Council to advertise temporary road closures in two consecutive editions of the Young Witness, prior to the event;*
- 4. Council staff to install temporary road closures in accordance with TCP’s and assist with detouring traffic;*
- 5. Formal Police approval is provided;*
- 6. Adhere to Police directions.*

4.2 Special Event – Lambing Flat Chinese Festival

That Council approve the temporary road closure of the Service Road through Anderson Park and Lynch Street between Lovell Street and Railway line for the purpose of the Lambing Flat Chinese Festival on Saturday 19th March 2016 subject to the following;

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1. *General criteria for Special Events to be addressed including Risk/Hazard Assessment;*
2. *Country Link bus operator is advised of precinct closure and relocation of bus pick up and drop off area at Library for Country Link.*
3. *Notification of event be placed in the Young Witness for two consecutive Fridays together with an editorial by the Tourist Information Centre to be published prior to the closure of the internal precinct road;*
4. *The area be kept clean and tidy during the event and at its completion;*
5. *Council will assist by providing installation and removal of TCP, barricades and signage for temporary road closures and vehicle detours;*
6. *Adhere to Police directions.*

4.3 Sign Audit – Timber Bridge Over Crowther Creek On Scenic Road At Crowther

That Council approve the following;

1. *Installation of a Give Way sign on the western approach for a single lane bridge in accordance with AS 1742.2 2009 (Figure 4.11 Single lane bridge). Give Way sign to be placed in an appropriate location;*
2. *Provide widened sealed shoulder at the Give Way sign for stationary vehicles that allows for a clear line of travel for passing vehicles;*
3. *Installation of curve warning signs for the 2 curves approaching the bridge structure and seek RMS assistance in providing curve speed auditing for the curves to install speed advisory plates to the curve warning signs;*
4. *Provide improved delineation by way of installation of guide posts along the horizontal alignment in this vicinity;*
5. *Install creek name identification blade on each approach to the bridge;*
6. *Removal of low hanging branches that obstruct larger vehicles and impede the driver's line of sight.*
7. *Design for new bridge to consider two lane arrangements.*

4.4 Speed Zone Review – Murringo Road In The Vicinity Of Apps Lane

That Council approve the following;

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1. *That Council seek RMS support in the relocation of the 80km/h speed limit further east to a suitable location on the Murringo Road from Apps Lane;*
2. *Seek RMS advice to install advanced 80km/h AHEAD signage at a suitable location in advance of the new 80/100km/h speed limit signs to inform west bound motorists;*
3. *Installation of curve warning signs for the curve at Apps Lane intersection and for the curves at 400m, 650m and 1.4km east of Apps Lane intersection. RMS assistance in providing curve speed auditing for the curves to install speed advisory plates to the curve warning signs;*
4. *Installation side Road Junction warning signs on Murringo Road approaches to Apps Lane;*
5. *Remark the centreline and edge line pavement marking to assist with the delineation of the road alignment when line marking contractor in the vicinity;*
6. *Install guideposts as required along the length of Murringo Road to the east for a length of 1.8km and to the west 300m;*
7. *Police monitor driver behaviour on Murringo Road in the vicinity of Apps Lane when resources permit.*

4.5 Special Event – Bike Ride, Hilltops Spokes For Folks

That Council approve the application package received from Young Cycling Club for the “Hilltops Spokes for Folks” Special Event bike ride subject to the following;

1. *The bike ride is not a timed race event for either route event;*
2. *The organizer supplies Council with a Certificate of Currency for Public Liability for a minimum amount of \$20,000,000 with Young Shire Council and NSW Police Force noted as “Interested Parties” on the policy;*
3. *The Lambing Flat Chinese Tribute Garden and surrounding precinct be left in a clean and tidy state at the commencement and completion of the event;*
4. *The participants adhere to the current Australian Road Rules;*
5. *Approval from NSW Police Force be provided;*
6. *The participants adhere to any NSW Police Force direction.*

4.6 Proposed Loading Zone – Carrington Park Carpark

That Council approve the temporary installation of regulatory Loading Zone signs Monday to Friday on the southern side of the Carrington Park Carpark for the period of the TAFE upgrade.

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64/16 RESOLVED on the motion of Councillors Cooper and Stuart Freudenstein that:

5.1 Black Spot Project – Intersection of Wombat Street and Gordon Street

That Council approved the intersection treatment works to construct 2 centre medians in Gordon Street, kerb blisters each side of Wombat Street (east side of the intersection) and associated signage and pavement line marking, with modification to the NW island to allow car parking between the existing island and the driveway.

That the Wombat Street kerb blisters not extending past the current 10m restriction on parking at the kerb line (as per Plan No. 2098a amendment date 8/03/2016).

Young Tidy Towns Committee – 2.3.16

65/16 RESOLVED on the motion of Councillors Cooper and Wallace that the minutes of the Young Tidy Towns Committee meeting held on 2nd March, 2016 be received and the following recommendation be adopted:

That Joy Cornish (Under the Bridge Mural Co-Ordinator) is to receive no more payments until the Bridge Mural Project is completed and she is to be informed by letter from Council of this outcome.

Audit Committee – 4.3.16

66/16 RESOLVED on the motion of Councillors Stuart Freudenstein and Cooper that the minutes of the Audit Committee meeting held on 4th March, 2016 be received and the following recommendation be adopted:

Awnings Project

That Council endorse and implement a community communication strategy in regard to owner's responsibilities for awnings encroaching on property which is under the care and control of Council.

GENERAL MANAGER'S REPORT

ITEM 8.01	FINANCE AND PERFORMANCE FOR JANUARY/FEBRUARY
Prepared by: General Manager	File Number: 162.00

67/16 RESOLVED on the motion of Councillors Sandy Freudenstein and Stuart Freudenstein that the reports for the Finance and Performance for the month of February be received and noted.

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General Manager

Mayor

**ITEM 8.02 MEMBERSHIP OF THE ARTS AND CULTURAL SECTION 355
MANAGEMENT COMMITTEE**

Prepared by: General Manager

File Number: 124.01

68/16 RESOLVED on the motion of Councillors Sandy Freudenstein and Walker that Council appoint the following independent member on the Arts and Cultural Section 355 Management Committee for a period of 12 months:

Joseph Kinsela

**ITEM 8.03 LOCAL DEVELOPMENT PERFORMANCE MONITORING DATA
2014/2015**

Prepared by: Manager of Planning

File Number: F154.00

69/16 RESOLVED on the motion of Councillors Stuart Freudenstein and Sandy Freudenstein that the information be noted.

**ITEM 8.04 2016/DA-00022 – PROPOSED NEW DWELLING – 625 TUBBUL
ROAD, MEMAGONG**

Prepared by: Manager - Planning

File Number: F14.00

70/16 RESOLVED on the motion of Councillors Sandy Freudenstein and Miller that Council, in accordance with Clause 4.6 of the Young LEP 2010, approve the variation of the development standard contained in Clause 6.1 of the Young LEP 2010, relating to the minimum lot size for the erection of a dwelling, in respect of the following application:

- § Application No.: 2016/DA-00022,
§ Property: Lot 3 DP 787697, 625 Tubbul Road, Memagong
§ Development: Staged development for a dwelling (new) - Stage 1 - establishment of dwelling building envelope; Stage 2 - erection of a dwelling (subject to a further development application).

Record of Councillor Voting on Planning Matters in accordance with Section 375A of the Local Government Act, 1993.

Clr Stuart Freudenstein	For	Clr Tony Wallace	For
Clr Ben Cooper	For	Clr Brian Ingram	For
		Clr Sandy Freudenstein	For
Clr John Walker	For	Clr Allan Miller	For

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General Manager

Mayor

ITEM 8.05 STANDARD PLAQUES, YOUNG LAWN CEMETERY

Prepared by: Acting Director – Utility Services

File Number: F18.00/F18.04

71/16 RESOLVED on the motion of Councillors Sandy Freudenstein and Wallace that Council resolves as follows:

1. To include the family plaque in the standard plaque range as per Council's Cemetery Management Policy;
2. That we keep one set of fees for a new grave and a second interment in the lawn cemetery.

**ITEM 8.06 YOUNG STORMWATER UPGRADE SCHEME CONCEPT
DESIGN STUDY – STAGE 3**

Prepared by: Acting Director - Utility Services

File Number: F33.07 / F45.15

72/16 RESOLVED on the motion of Councillors Walker and Stuart Freudenstein that Council:

- Accept the offer of funding from the OEH and sign the Funding Agreement; and
- Prepare a letter of thanks to the Minister.
- Approve an allocation of \$95,900 to cover the estimated total cost set out above.

ITEM 9 CORRESPONDENCE

9.01 #209115 32.00/130.00

THE ROTARY CLUB OF YOUNG INC

73/16 RESOLVED on the motion of Councillors Cooper and Sandy Freudenstein that a donation be made to The Rotary Club of Young Inc of \$3,000 to enable the purchase of an instructional driving simulator.

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General Manager

Mayor

9.02 #209539 29.02

YOUNG SHOWGROUND TRUST

74/16 RESOLVED on the motion of Councillors Walker and Miller that the fees associated to a DA for the Young Showground Trust to have Portable Toilet/Showers units – Eastern side of grounds and a Portable Office – Western side of grounds near grandstand be waived.

9.03 #209999 23.00

LOCAL GOVERNMENT NSW

75/16 RESOLVED on the motion of Councillors Stuart Freudenstein and Cooper that we do not take up this offer of training for Councillor Walker.

9.04 #210115 130.00/17.06/45.00

NSW GOVERNMENT, PREMIER & CABINET

76/16 RESOLVED on the motion of Councillors Sandy Freudenstein and Wallace that the information be received and noted.

9.05 #210151 25.00/75.02

KATRINA HODGKINSON'S OFFICE

77/16 RESOLVED on the motion of Councillors Sandy Freudenstein and Stuart Freudenstein that the information be referred to Young Showground Trust.

9.06 #210344-02 82.00

SOUTHERN SLOPES NOXIOUS PLANTS AUTHORITY

78/16 RESOLVED on the motion of Councillors Wallace and Sandy Freudenstein that minutes from the Southern Slopes Noxious Plants Authority Meeting held 17th December, 2015 be received and noted.

9.07 #210344-03 82.00

SOUTHERN SLOPES NOXIOUS PLANTS AUTHORITY

79/16 RESOLVED on the motion of Councillors Wallace and Miller that minutes from the Southern Slopes Noxious Plants Authority Meeting held 18th February, 2016 be received and noted.

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General Manager

Mayor

ITEM 10 CONFIDENTIAL REPORT

10.1 TENDER 2016/RFTQ-00271 SUPPLY AND DISPOSAL OF ONE MOTOR GRADER

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,

80/16 RESOLVED on the motion of Councillors Wallace and Stuart Freudenstein that the Confidential Item be deferred.

The meeting closed at 6.15 pm.

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General Manager

Mayor