

**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS, JERILDERIE ON TUESDAY, 23 FEBRUARY 2016 COMMENCING AT 9.00AM**

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**PRESENT**

Mayor RE McRae occupied the Chair, and also present were Councillors L Henery, T N Hogan, J E Hudson, F Bryce and G Smith.

Also present were Craig Moffitt, General Manager, David Tamlyn, Director of Technical Services, Susan Appleyard, Manager of Development and Vicki Sutton, Finance Manager.

**APOLOGIES**

- 19/02/16** **Resolved** on the motion of Councillors Hogan and Hudson that the apology from Councillor T Sheed be received and leave of absence be granted.

**CONFIRMATION OF MINUTES**

- 20/02/16** **Resolved** on the motion of Councillors Hudson and Bryce that the Minutes of the Ordinary Meeting of Council held on Tuesday 26 January 2016, as printed and circulated, be confirmed.

**MAYORAL REPORT**

- 21/02/16** **Resolved** on the motion of Councillors Hogan and Hudson that the Mayoral Report be adopted.

**GENERAL MANAGER'S REPORT**

**JERILDERIE LEGACY UNITS-TRANSFER OF LAND**

**PF 678.03000.8 / LD / 02.13**

- 22/02/16** **Resolved** on the motion of Councillors Hudson and Bryce that Council approve transfer of ownership of the land described as 25-27 Southey Street (Jerilderie Legacy Units) to the Alf Hanna Jerilderie Legacy Committee, with the Committee to be responsible for legal costs associated with the transfer.

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.....General Manager .....Mayor

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**UPDATE – CAPITAL WORKS WUNNAMURRA ESTATE STAGE 2 AND NORTH JERILDERIE SEWERAGE CONSTRUCTION**

**04.15.02 / 04.35.04**

**23/02/16** **Resolved** on the motion of Councillors Smith and Bryce that the Capital Works Program for Wunnamurra Estate Stage 2 and North Jerilderie Sewerage Works be adopted.

**ROAD SEALING CONTRACT NOVEMBER 2014 TO SEPTEMBER 2017 – CONTRACT TENDER 01/2015**

**03.09.25**

**24/02/16** **Resolved** on the motion of Councillors Henery and Smith that the adjustments to Schedule 2 – Rates for Sealing Contract 01/2015 from Downer Infrastructure Services as requested on 27 January 2016 be agreed.

**LEAGUE OF SILENT FLIGHT AUSTRALIA (LSF) 39<sup>TH</sup> RUNNING OF THE EVENT**

**02.12 / 04.03.02**

**25/02/16** **Resolved** on the motion of Councillors Henery and Hudson that approval be granted for the 39<sup>th</sup> League of Silent Flight Tournament to be held at the Jerilderie Racecourse from Thursday 9 June to Tuesday 14 June 2016 (Queen’s Birthday Long Weekend), with assistance as requested.

**RADIO CONTROL GLIDER AERO TOW – EASTER 2016 MEETING**

**02.12 / 04.03.02**

**26/02/16** **Resolved** on the motion of Councillors Henery and Hudson that approval be granted to hold the RC Glider Aero Tow Easter Meeting at the Jerilderie Racecourse from Thursday 24 March to Tuesday 29 March 2016, and assistance as requested be provided.

Councillor Smith declared a pecuniary interest in this matter and left the building.

**DEVELOPMENT APPLICATION NO. 10-15/16 FENCE, SIGNAGE, DOORS, PUBLIC ENTERTAINMENT LICENCE**

**DA 10-15/16**

**27/02/16** **Resolved** on the motion of Councillors Hogan and Henery that consent be granted to Development Application No. 10-15/16 for fencing, signage, doors and public entertainment licence at The Willows, on Lot 7016, DP 1125040, 11 Powell Street, Jerilderie dated 15 January 2016 as shown on Plan Number DA 10-15/16 and described in details accompanying the application under *Section 80(1) of the Environmental Planning and Assessment Act, 1979* subject to the following conditions:

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.....General Manager .....Mayor

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1. The development shall take place in accordance with the plans and documentation submitted with the application. A copy of these are held by Council as Plan No. DA10-15/16.

Reason: To clarify the extent of the consent.

2. A Construction Certificate is to be obtained from Council or an accredited Private Certifier to verify that if all building work for construction and installation of doors is carried out in accordance with those endorsed detailed plans and specifications it will fully comply to all of the provisions of the Building Code of Australia (BCA).

Reason: This is a prescribed Condition of the Environmental Planning and Assessment Act and Associated Regulations.

3. The works, subject of this Development Consent, MUST not be commenced until:
  - a) detailed plans/specifications of the building have been endorsed with a construction certificate by:
    - (i) the Council, or
    - (ii) an accredited certifier, and
  - b) the person having the benefit of the Development Consent:
    - (i) has appointed a principal certifying authority, and
    - (ii) has notified the Council of the appointment, (FORM 7) and
  - c) the person having the benefit of the Development Consent must lodge a notice of commencement form with Council prior to commencement of work at least two days prior to commencing the erection of the building.

Reason: These are requirements of the Environmental Planning and Assessment Act and associated Regulations.

4. **CLASS 5, 6, 7, 8 or 9 BUILDINGS**  
The following inspections are required and 48 hours notice is to be given to Council or an accredited certifier to enable an inspection to be conducted:
  - a) at the commencement of building work;
  - b) prior to covering all hot and cold water plumbing and sewer plumbing and drainage, and;

- c) after building work has been completed and prior to any occupation certificate being issued in relation to the approval.

Please note that failure to comply with this condition may result in the Occupation Certificate not being granted.

Reason: To ensure compliance with the Environmental Planning and Assessment Act, associated legislation and Council requirements.

- 5. The land may be subject to flooding and the development has been assessed using best available information concerning the likelihood of flooding at the date of determination. If the land is flooded, Council will not, pursuant to Section 733 of the Local Government Act 1993, incur any liability in respect of the granting of this consent.

Reason: To outline Council's Position.

- 6. Builders/Developers are to provide on-site waste bins for waste materials generated during construction or they are to remove waste from the site on a daily basis.

Reason: To avoid a public health nuisance.

- 7. The work shall not commence on the site before 7.00 am Monday to Saturday and 8.00am on Sundays and cease by 8.00pm daily.

Reason: To ensure compliance with the requirements of the Protection of the Environment Operations Act 1997 and Regulations.

- 8. No plants or trees are to be removed unless:
  - a) The individual trees or area to be cleared have been delineated on the approved plans; or
  - b) Removal is required to comply with any other condition of consent in relation to matters such as servicing or firebreaks.

Reason: To clarify the extent of vegetation removal permissible with this consent.

- 9. Access for people with disabilities is to be provided in accordance with Section d3.3 of the Building Code of Australia.

Reason: To ensure compliance with the requirements of the Building Code of Australia.

10. Operation of Development

The development is to be conducted in such a manner so as not to significantly interfere with the amenity of the area by reason of noise transmission, vibration, smell, fumes, smoke, vapor, steam, soot, ash, dust, grit, oil, waste water, waste products or otherwise.

Reason: To ensure amenity of area is maintained.

11. A sign must be erected in a prominent position on any work site which is being carried out:

- a) Showing the name, address and telephone number of the principal certifying authority for the work, and
- b) Showing the name for the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c) Stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work had been completed.

This Condition does not apply to:

- a) building work carried out inside an existing building, subdivision work or demolition work that is carried out inside an existing building, that does not affect the external walls of the building; or
- b) In relation to Crown building work that is certified, in accordance with Section 116G of the Environmental Planning and Assessment Act, to comply with technical provisions of the State's building laws.

Reason: This is a prescribed condition of the Environmental Planning and Assessment Act.

12. The structure(s) are to comply with the relevant requirements of the Building Code of Australia and the Environmental Planning and Assessment Act 1979.

Reason: To ensure compliance with the Building Code of Australia.

## Public Entertainment Area Licence Conditions

1. At any one time there shall be no more than 164 persons on the premises.

Reason: To comply with the Building Code of Australia.

2. The licensee shall ensure by appropriate means that the number of persons in the structure does not exceed the authorised capacity of the entertainment area

Reason: To comply with the Environmental Planning and Assessments Regulation 2005.

3. The Public Entertainment Area Licence pertains to the interior of the building only.

Reason: To ensure the amenity of neighbouring properties is maintained.

4. Hours of operation for the external parts of the development, notably the verandahs and the enclosed area to the east of the building are limited to 9am-8pm daily.

Reason: To ensure the amenity of neighbouring properties is maintained.

5. A privacy fence is to be erected along the eastern boundary of the property.

Reason: To maintain the privacy of the adjoining property and its occupants.

Councillor Smith returned to the meeting.

### FAITH IN A BASIN FUTURE PROGRAM

03.23.03

At 9.50am Mr Austin Evans joined the meeting and gave a presentation on the Faith in a Basin Future Program.

**28/02/16** **Resolved** on the motion of Councillors Hogan and Smith that the "Faith in a Basin Future Program" be supported, in principle, by Council.

The meeting adjourned for morning tea at 10.10am  
The meeting resumed at 10.35am.

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.....General Manager .....Mayor

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**REQUEST TO REFUND CONSTRUCTION CERTIFICATE FEES -  
JERILDERIE CRICKET CLUB 05.10**

**29/02/16 Resolved** on the motion of Councillors Henery and Bryce that donation of \$395 be made to meet the cost of Construction Certificate fees for the Jerilderie Cricket Club.

**30/02/16 REQUEST FOR DONATION 05.10**

**Resolved** on the motion of Councillors Hogan and Hudson that a contribution of \$300.00 be made to the Christmas Party for Special Children 2016 function.

**ITEMS FOR INFORMATION**

**STATEMENT OF BANK BALANCES & SCHEDULE OF  
INVESTMENT 05.13**

**31/02/16 Resolved** on the motion of Councillors Hudson and Hogan that the Statements of Bank Balances and Schedules of Investments as at 31 January 2016 be noted and received.

**NOXIOUS WEEDS / SALEYARDS / TRUCKWASH / STOCK CONTROL  
04.21**

**32/02/16 Resolved** on the motion of Councillors Hogan and Smith that the Noxious Weeds, Saleyards, Truckwash and Stock Control Report be adopted.

**WORKS IN PROGRESS 18/1/2016 to 14/2/2016 03.16.04**

**33/02/16 Resolved** on the motion of Councillors Hogan and Hudson that concern be expressed to Roads & Maritime Services over the lack of response to Councils concern over works to rectify the poor condition of the Newell Highway pavement in Jerilderie.

**34/02/16 Resolved** on the motion of Councillors Henery and Smith that the Works in Progress Report be adopted.

**COMMITTEE MINUTES**

**MINUTES OF THE JERILDERIE TIDY TOWNS COMMITTEE 02.09**

**35/02/16 Resolved** on the motion of Councillors Bryce and Hudson that accommodation of backpackers in Jerilderie be investigated, with a report to the March meeting of Council.

