



## BERRIGAN SHIRE COUNCIL

Minutes of the Council Meeting held in the Council Chambers on Wednesday, 18<sup>th</sup> March, 2015 commencing at 9:15am.

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**Min. No.** **Present:** Cr. Bernard Curtin (Mayor)  
Crs: John Bruce, Matthew Hannan, Brian Hill, Denis Glanville, Colin Jones, Darryl Morris, Andrea O'Neill, Director of Corporate Services (Matthew Hansen), Development Manager (Laurie Stevens) and General Manager (Rowan Perkins).

**Apology**

nil

**Declaration of Items of Pecuniary and other Interests**

nil

**Confirmation of Minutes**

**4. CONFIRMATION OF MINUTES**

**36** **RESOLVED** Crs: Glanville and Jones that the Minutes of the meeting held in the Council Chambers on Wednesday 18<sup>th</sup> February, 2015 be confirmed.

**5.1 FINANCE – ACCOUNTS**

**AUTHOR:** Finance Manager

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance by Council of Council operations and reporting

**37** **RESOLVED** Crs: Morris and Jones that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 28 February 2015, be received and that the accounts paid as per Warrant No. 02/15 totalling \$2,138,035.34 be confirmed.

**5.2 HALF COST SCHEME 05/13/14 KERB AND GUTTER CONSTRUCTION – KELLY STREET, TOCUMWAL**

**AUTHOR:** Executive Engineer

**STRATEGIC OUTCOME:** Supported and engaged communities

- 2 Minutes of the Ordinary Council meeting held in the Council Chambers on Wednesday, 18<sup>th</sup> March, 2015.
- 

**Min. No.**

**STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities**

**FILE NO: 28.167.4 & HC05/13/14**

- 38 RESOLVED** Crs: Morris and Jones that the Council proceed with the construction of kerb and gutter in Kelly Street, Tocumwal pursuant to Section 217 of the Roads Act 1993 and Council's Administration of Contributory Footpath and Kerb and Gutter Schemes Pursuant to clause 217, 218 & 219 of the Roads Act 1993 Policy, and make a charge on abutting property owners in accordance with the Schedule for Scheme 05/13/14 as set out below.

**Min. No.**

<b>Property</b>	<b>Owner's Percentage</b>	<b>Frontage (m)</b>	<b>Total Cost \$</b>	<b>Owner's Cost Excl GST \$</b>	<b>GST \$</b>	<b>Total Owner's Cost Incl. GST \$</b>	<b>Council Cost Excl GST \$</b>
Lot 3 Sec 48 DP758981 53-55 Charlotte Street Tocumwal NSW 2714	25%	20.120	\$2,414.40	\$603.60	\$60.36	\$663.96	\$1,810.80
Lot 6 Sec 20 DP758981 46-48 Kelly Street Tocumwal NSW 2714	50%	40.310	\$4,837.20	\$2,418.60	\$241.86	\$2,660.46	\$2,418.60
Lot 51 DP712960 50 Kelly Street Tocumwal NSW 2714	50%	20.920	\$2,510.40	\$1,255.20	\$125.52	\$1,380.72	\$1,255.20
Lot 52 DP 712960 52 Kelly Street Tocumwal NSW 2714	25%	19.510	\$2,341.20	\$585.30	\$58.53	\$643.83	\$1,755.90
COUNCIL'S FRONTAGE	0%	87.790	\$10,534.80	\$0.00	\$0.00	\$0.00	\$10,534.80
		188.650	\$22,638.00	\$4,862.70	\$486.27	\$5,348.97	\$17,775.30

- 4 Minutes of the Ordinary Council meeting held in the Council Chambers on Wednesday, 18<sup>th</sup> March, 2015.
- 

**Min. No.**

**5.3 DETERMINATION OF FEES PAYABLE TO COUNCILLORS**

**AUTHOR: General Manager**

**STRATEGIC OUTCOME: Good government**

**STRATEGIC OBJECTIVE: 2.2 Ensure effective governance by Council of Council operations and reporting**

**FILE NO: 13.045.1**

- 39 RESOLVED** Crs: Hill and Glanville that the Council not make any submission to the Local Government Remuneration Tribunal in relation to its 2015 review and determination of fees payable to Councillors and categorization of Councils.

**5.4 REFUSE DISPOSAL NATIONAL AND REGIONAL PARKS**

**AUTHOR: General Manager**

**STRATEGIC OUTCOME: Sustainable natural and built landscapes**

**STRATEGIC OBJECTIVE: 1.1 Support sustainable use of our natural resources and built landscapes**

**FILE NO: 11.096.3**

Cr Bruce advised that he would organise to meet with Regional Management of National Parks & Wildlife Service.

**5.5 WASTE COLLECTION AND DISPOSAL POLICY**

**AUTHOR: Director Corporate Services**

**STRATEGIC OUTCOME: Good government**

**STRATEGIC OBJECTIVE: 2.2 Ensure effective governance by Council of Council operations and reporting**

**FILE NO: 28.128.8**

- 40 RESOLVED** Crs: Jones and Glanville that the Council revoke:

- Waste Management Policy
- Access to the Council's Refuse Depot – Special Events Policy
- New Kerbside Garbage Collection Services Policy

and adopt the following policy for Waste Collection and Disposal.

**Min. No.**

**WASTE COLLECTION AND DISPOSAL POLICY**

**1. POLICY STATEMENT**

Management of a waste collection disposal and recycling system for Berrigan Shire is one of the core responsibilities of Berrigan Shire Council.

This policy puts in place a framework under which the Council will deliver these services.

**2. PURPOSE**

The purpose of this policy is to plan and provide for an environmentally sustainable and effective system for waste disposal in line with the *Waste Avoidance and Resource Recovery Act 2001*, other legislation and community expectations.

**3. SCOPE**

This policy applies to all waste management activities undertaken by Berrigan Shire Council

**4. OBJECTIVE**

This policy is developed to assist the Council with Delivery Plan Objective 1.3.2.2:

*Manage landfill, recycling and waste disposal*

**5. DEFINITIONS**

**Hardwaste** – Includes waste that is neither putrescible (organic) or recyclable

**Greenwaste** – Includes garden waste, tree lopping and lawn clippings

**Putrescible** – Organic waste that is capable of decomposing (i.e. food scraps etc.)

**Recyclables** – Includes materials able to be recycled in accordance with national standards e.g. cardboard, paper, plastics, metal, batteries, tyres and whitegoods etc.

**Scavenging** – the removal of items previously left as waste from a waste management facility by the public.

**Special Event** – A special event includes the following

**Min. No.**

- Picola Football Netball League and Murray Football Netball League Grand Finals (if held in Berrigan Shire)
- Berrigan and Finley Agricultural and Horticultural Shows
- Berrigan Gold Cup
- Finley Ricestrippers Ball
- Tuppal Food and Fibre Festival
- Other events as determined by the General Manager on a case-by-case basis.

**6. POLICY IMPLEMENTATION**

**6.1 Waste management facilities**

**6.1.1 Location**

Berrigan Shire Council will operate the following facilities

- Berrigan Waste Management Facility – receives all waste
- Tocumwal Waste Management Facility – receives only clean hardwaste, recyclables and greenwaste
- Finley Recycling Centre – receives only recyclables

**6.1.2 Opening hours**

Opening hours for these facilities are set as:

Facility	MON	TUES	WED	THURS	FRI	SAT	SUN
<b>Berrigan</b>	Closed	1:30pm – 4:00pm	Closed	1:30pm – 4:00pm	Closed	Closed	12:30pm-4:00pm
<b>Tocumwal</b>	Closed	Closed	1:30pm – 4:00pm	Closed	1:30pm – 4:00pm	Closed	1:30pm – 4:00pm
<b>Finley</b>	Closed	Closed	Closed	Closed	Closed	Closed	8:30am – 12:00pm

Opening hours for these facilities will only be modified by resolution of the Council.

All waste management facilities will be closed on the following days:

- Christmas Day

**Min. No.**

- Good Friday
- ANZAC Day

While open, use of the facility will be supervised by an authorised Council employee at all times. Access to the facility outside normal opening hours is prohibited, except as otherwise allowed for in this policy.

6.1.3 Fees and charges

Fees and charges for these facilities will be set annually in the Fees and Charges Register.

As a general rule, all users of the facility will be charged the appropriate fee at the time of disposal. There is to be no free use of any of the waste management facilities.

Requests for the Council to donate the cost of use of the facility are to be directed to the Council for assessment under the Donations and Financial Assistance Policy. Unless the Council has expressly given notice that it will donate the cost of the fees, payment must be made at the time of disposal.

Commercial entities frequently using the Council's Waste Management Facilities may be granted credit facilities in line with the Council's Commercial Credit Policy. Until access to credit is expressly provided, payment must be made at the time of disposal.

6.1.4 Special events

The Council will cooperate with the organisers of "special events" regarding collection and disposal of waste associated with the event.

Generally, this will be by way of providing bins to allow for the normal kerbside collection service to collect.

Where this is not possible or practicable, the Council may allow access outside normal hours to a waste management facility for "special events".

If access is allowed, the following arrangements will apply

1. On the last working day before the event an authorised representative of the organisers of the "special event" will collect a key from the Council Administration Office

**Min. No.**

2. At this time, the representative will complete a “Key Issue Responsibility Acceptance” form, noting that failure to return the key may make that person liable for the cost of installing new locks as required.
3. When the key is collected, the representative will pay any appropriate tipping fees based on an estimate of the type and quantity of the refuse expected to be disposed of. An adjustment to these fees may be made after the event if the types and quantities are materially different.
4. The key is to be returned on the first working day after the event.

Abuse of this privilege will see that organisation prohibited from access outside normal hours in the future.

Requests for subsidised tipping fees and the like will be considered as per the Council’s Requests for Donations and Financial Assistance Policy.

6.1.5 Scavenging rights

The Council will not allow any scavenging at any of its waste management facilities under any circumstances.

**6.2 Kerbside collection**

6.2.1 Services

The Council will offer the kerbside collection services shown in the table below:

<b>Name</b>	<b>Service</b>
<b>Domestic Waste Collected</b>	1 x Weekly pick up of 120 litre small garbage bin. (Green) 1 x Fortnightly pick up 240 litre recycling bin. (Blue)
<b>Additional Service (Collected)</b>	1 x Weekly pick up of 120 litre small garbage bin (Green)
<b>Uncollected (vacant)</b>	Charged on vacant land within the collection zone – no service is provided.



**Min. No.**

<b>Business / Non Residential Garbage</b>	1 x Weekly pick up of 240 litre big bin. (Green)
<b>Garbage and Recycling</b>	1 x Weekly pick up of 240 litre big garbage bin. (Green) 1 x Fortnightly pick up of 240 litre recycling bin. (Blue)
<b>Recycling Collected</b>	1 x Fortnightly pick up of 240 litre recycling bin. (Blue)

6.2.2 Serviced area

The Garbage and Recycling services are normally only provided to those that are within the town boundary.

Under certain circumstances Council's service provider will collect outside the town boundary if a significant number of people request the service.

6.2.3 Voluntary service

Residents outside the service area may avail themselves of the waste kerbside collection service. A request for this service will be passed on the Environmental Engineer to assess in line with this policy.

The Environmental Engineer will determine the nearest collection point where the resident will need to bring their bins for collection.

Any property provided with a garbage service under this section will also receive a recycling collection service.

6.2.4 Fees and charges

Fees and charges for these facilities will be set annually, via the:

- Fees and Charges Register,
- Rating and Revenue Policy, and
- through the Council's rates and charges resolution.

6.2.5 Compassionate service

The Council will provide a larger 240 litre bin for the garbage service for Residents with special waste collection needs relating to

**Min. No.**

their medical care – i.e. dialysis machine and adult incontinence aids etc.

Each request for a larger bin under this section will be assessed on their merits by the Environmental Engineer.

Residents will be asked to provide evidence – i.e. a medical certificate or a statutory declaration – in support of their request.

**7. RELATED LEGISLATION, POLICIES AND STRATEGIES**

**7.1 Legislation and other documents**

- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- *Waste Avoidance and Resource Recovery Act 2001*
- [Reducing Waste: Implementation Strategy 2011-2015](#)

**7.2 Relevant Council documents**

- Fees and Charges Register
- Waste Management Asset Management Plan
- User Fees and Charges Policy
- Commercial Credit Policy
- Requests for Donations and Financial Assistance Policy

**5.6 FIXING COUNTRY ROADS DRAFT DEED**

**AUTHOR:** Director Corporate Services

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance by Council of Council operations and reporting

**FILE NO:** 28.128.8

- 41 RESOLVED** Crs: Bruce and Hill that the Council delegate authority to the General Manager to sign and seal the Restart NSW Funding Deed for the Silo Road project on its behalf.

**5.7 EARLY CHILDHOOD INTERVENTION SERVICES – POLICIES AND PROCEDURES**

**AUTHOR:** Director Corporate Services

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance by Council of Council operations and reporting

**Min. No.**

**FILE NO: 3.160.3**

**42 RESOLVED** Crs: Morris and Jones that the Council

- revoke all existing policies and procedures directly relating to its Early Childhood Intervention service, and
- adopt the suite of policies and procedures included in the Manual attached as Appendix "C".

**5.8 BAROOGA COMMUNITY BOTANICAL GARDENS COMMITTEE OF MANAGEMENT**

**AUTHOR: General Manager**

**STRATEGIC OUTCOME: Good government**

**STRATEGIC OBJECTIVE: 2.2 Ensure effective governance by Council of Council operations and reporting**

**FILE NO: 21.101.1**

**43 RESOLVED** Crs: Morris and Hill that the Council:

- A) Revoke existing members of the Barooga Community Botanical Gardens Committee of Management.
- B) pursuant to Section 355 of the Local Government Act, 1993, appoint the following persons to the Committee of Management:

President	Mrs Lyn Knight
Secretary	Mrs R Burnett
Treasurer	Mr M Burnett
Committee	Mrs J Cullen, Mr G Brentnall, Mr R Wright, Mrs M Nixon, Mr G Backhouse, Mrs C Wigg, Mrs W Wright and Mrs I Twigg

**5.9 FRIENDS OF THE TOCUMWAL LIBRARY COMMITTEE OF MANAGEMENT**

**AUTHOR: General Manager**

**STRATEGIC OUTCOME: Good government**

**STRATEGIC OBJECTIVE: 2.2 Ensure effective governance by Council of Council operations and reporting**

**FILE NO: 03.095.2**

**44 RESOLVED** Crs: Morris and Hill that the Council:

**Min. No.**

- A) Revoke existing members of the Friends of Tocumwal Library Committee of Management.
- C) pursuant to Section 355 of the Local Government Act, 1993, appoint the following persons to the Committee of Management:

President Lois Johnson  
Secretary Esther Bryan  
Treasurer Gayle Blakey  
Committee Ann Way, Sita Baker, Barb Davis, Josie Johnson, Liz McLaurin, Sue Tyler and Jan Whitten

**5.10 DRAFT BUDGET AND CAPITAL WORKS**

**AUTHOR: Director Corporate Services**

**STRATEGIC OUTCOME: Good government**

**STRATEGIC OBJECTIVE: 2.2 Ensure effective governance by Council of Council operations and reporting**

**FILE NO:**

- 45 RESOLVED** Crs: Bruce and O'Neill that the Council remove from the draft budget the \$40,000 supply and installation of promotional flagpoles and that the flagpoles will be installed as part of the town entrance works.

The meeting adjourned at 10:40am.

The meeting reconvened at 11:20am.

- 46 RESOLVED** Crs: Morris and O'Neill that the Council adopt as a draft the 2015/16 Budget attached as Appendix "D" and Capital Works Program attached as Appendix "E" as amended.

**ITEMS FOR NOTING**

- 6.1 2015 – 2018 BUSINESS PLAN - CROSS BORDER COMMISSIONER
- 6.2 UPPER MURRAY JOINT ORGANIZATION
- 6.3 MURRAY REGIONAL TOURISM DIGITAL PLATFORM
- 6.4 FIT FOR THE FUTURE FACILITATION REPORT FOR MID-MURRAY COUNCILS
- 6.5 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT
- 6.6 FIT FOR THE FUTURE – PREPARATION OF BUSINESS CASE

- 13 Minutes of the Ordinary Council meeting held in the Council Chambers on Wednesday, 18<sup>th</sup> March, 2015.
- 

**Min. No.**

- 6.7 LIBRARY EVENTS
- 6.8 WORK HEALTH AND SAFETY COMMITTEE MINUTES
- 6.9 DEVELOPMENT DETERMINATIONS FOR MONTH OF FEBRUARY 2015

- 47** **RESOLVED** Crs: Hannan and Morris that Items for Noting numbered 6.1 to 6.9 Inclusive be received and noted.

**7 CLOSED COUNCIL**

In accordance with the *Local Government Act 1993* and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

Set out below is section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in the closed part of a meeting.

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than councillors)
- (b) the personal hardship of any resident or ratepayer
- (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
- (f) matters affecting the security of the council, councillors, council staff or council property
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.

**7.1 CARETAKERS**

- 14 Minutes of the Ordinary Council meeting held in the Council Chambers on Wednesday, 18<sup>th</sup> March, 2015.
- 

**Min. No.**

This item is classified CONFIDENTIAL under section 10A(2)(g) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege

It is not in the public interest to reveal the legal advice provided to the Council regarding individual debt collection.

- 48 **RESOLVED** Crs: Morris and Glanville that the Council move into a closed session to consider the following business together with any reports tabled at the meeting.

**And further that pursuant to section 10A(1)-(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above and that the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.**

**7.1 CARETAKERS**

Council closed its meeting at 12:40pm. The public and media left the Chamber.

15 Minutes of the Ordinary Council meeting held in the Council Chambers on  
Wednesday, 18<sup>th</sup> March, 2015.

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**Min. No.**

Open Council resumed at 1:30pm.

No resolutions from the closed session of the Council were made available to the public.

The meeting adjourned at 1:30pm.

The meeting reconvened at 1:53pm.

**Min. No.**

**8.1 MINUTES OF A CORPORATE SERVICES COMMITTEE MEETING HELD ON WEDNESDAY 4<sup>th</sup> MARCH, 2015 IN THE COUNCIL CHAMBERS COMMENCING AT 9.00 am.**

- 51 RESOLVED** Crs: Jones and Morris that recommendation number 1 of the Corporate Services Committee Meeting held on 4<sup>th</sup> March, 2015 be adopted as amended.

**5. TOCUMWAL VISITOR INFORMATION CENTRE**

**AUTHOR: Economic Development Officer**

**STRATEGIC OUTCOME: Diverse and resilient business**

**STRATEGIC OBJECTIVE: 4.3 Diversify and promote local tourism**

**FILE NO: 08.160.3**

**RECOMMENDATION NO 1 - that the Council:**

- take over control of the Visitor Information Centre on 1<sup>st</sup> May, 2015, including stock at no cost (non negotiable) and with a seamless handover and further that on 30<sup>th</sup> June, 2015 a new community management structure to be put in place to operate the Visitor Information Centre from 1<sup>st</sup> July, 2015 and further if no community management structure is in place by 1<sup>st</sup> July, 2015 then the Visitor Information Centre be closed.
- A working group consisting of Crs. Bruce, Hannan, Jones and Council staff be formed to negotiate the development of a Visitor Information Centre community management structure.
- that the Council note the report with regard to the Tocumwal Visitor Information Centre.

**MAYORS REPORT**

Cr. Curtin reported that he had attended the following during the period:

- Fit for the Future Joint O's
- TAFE Graduation
- BDDA\



**Min. No.**

- RAMROC
- McCauly Institute
- Meeting with politicians
- RDA Board
- Berrigan Committee meetings – John Lawler
- International Women’s Day
- Integrity meeting with consultants
- Barooga library 10<sup>th</sup> Anniversary
- MDA with President & CEO
- Country Mayors - Sydney

**52 RESOLVED** Crs: Morris and o’Neill that the Mayors report be received.

**DELEGATES REPORTS**

**Cr Hill**

- Railway Park Committee of Management meeting
- Zone 7 Showgirl Quest
- RAMROC
- ICE Forum Planning meeting
- Maroopnah ICE meeting
- Finley Farmers Market
- Barooga Library 10<sup>th</sup> Anniversary
- CMCC

**Cr O’Neill**

- International Women’s Day

**Cr Morris**

- Finley Chamber of Commerce and Agriculture meeting

**Cr Hannan**

- Finley Chamber of Commerce and Agriculture meeting
- Finley Farmer Market

**Cr Glanville**

- Barooga Library 10<sup>th</sup> Anniversary

**Cr Jones**

- CMCC
- MDA Plains meeting
- Tocumwal Chamber of Commerce - meeting 24<sup>th</sup>  
- pre meeting?

**Cr Bruce**

- RFS meeting
- BAG meeting

**Min. No.**

- Barooga Library 10<sup>th</sup> Anniversary

**GENERAL BUSINESS**

**Cr Hill**

- Nil

**Cr O'Neill**

- Nil

**Cr Morris**

- Nil

**Cr Hannan**

- Hard Waste

- 53 RESOLVED** Crs: Hill and Morris that the Council prepares a report for the Council's consideration outlining the costs, benefits of issues relating to a hard waste collection service.

- Barooga Residential Storage sheds good.

**Cr Glanville**

- Barooga Library re the location of a disabled car park be referred to Traffic committee.
- McKinley Court trees blocking sign.

**Cr Jones**

- NBN tower at Tocumwal
- Footpaths need cleaning at Tocumwal

**Cr Bruce**

- Barooga Recreation Reserve power
- Barooga Cemetery - volunteers meeting  
- water
- RSL Gallipoli dinner
- ICE Forum
- Tree at Barooga Library needs removing

**Cr Curtin**

- Grafton Institute

**Development Manager**

- Barooga Netball Courts have been repaired

**Director Corporate Services**

- VendorPanel

**Min. No.**

**General Manager**

- Fit For the Future & I,P & R timetable
- Early Intervention – issues with staff training etc
- Goulburn Enterprise proposal

**54**        **RESOLVED** Crs: Hannan and O'Neill that the Council support the Heritage Application lodged in relation to the Finley Presbyterian Church.

**55**        **RESOLVED** Crs: Bruce and Morris write to church requesting that it reconsider its proposal to demolish the Finley Presbyterian Church, even though the Council has granted consent for it to do so, given stormy opposition to the proposed demolition.

**Min. No.**

There being no further business the meeting closed at 3:20pm.

