



**Minutes of the Council Meeting held in the Council Chambers on
Wednesday, 18th April, 2018 commencing at 9:30am**

Min. No.

PRESENT: Cr Matthew Hannan (Mayor)
Crs: John Bruce, Colin Jones, Denis Glanville, John Taylor, Ross Bodey, Director Corporate Services (Matthew Hansen), Director Technical Services (Fred Exton), Development Manager (Laurie Stevens) and General Manager (Rowan Perkins).

1. APOLOGIES

50 RESOLVED Crs Glanville and Jones that an apology for non-attendance be received from Councillors Bernard Curtin and Daryll Morris.

2. DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTEREST

Cr John Taylor declared a non-Pecuniary Interest in Item 5.5 as he has family members who have an interest in the applicants executive.

4. CONFIRMATION OF MINUTES

56 RESOLVED Crs Taylor and Glanville that the Minutes of the meeting held in the Council Chambers on Wednesday 21st March, 2018 be confirmed.

5.1 FINANCE – ACCOUNTS

AUTHOR: Finance Manager

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting

FILE NO: 12.066.1

Min. No.

- 57** **RESOLVED** Crs Jones and Taylor that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 March 2018, be received and that the accounts paid as per Warrant No. 03/18 totaling \$1,611,078.06 be confirmed.

5.2 PROPOSED FEES AND CHARGES 2018/19

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 08.078.1

- 58** **RESOLVED** Crs Jones and Glanville that the Council adopt the draft fees and charges as amended to indicate that fees and charges associated with the Tocumwal Aerodrome are now based on a financial year.

5.3 ACTION PLAN – 2016/17 AUDIT MANAGEMENT LETTER

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting

FILE NO: 12.019.1

- 59** **RESOLVED** Crs Bodey and Taylor that the Council note the Action Plan – Audit Management Letter 2016/17 March 2018 review attached as **Appendix “B”**

5.4 COUNCILLORS AND OFFICERS LIABILITY

AUTHOR: Enterprise Risk Manager

STRATEGIC OUTCOME: Good government

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

FILE NO: 27.034.1

Min. No.

The responses to the recommendation that the Councillors individually answer the following questions were:

1. Has there been or is there now pending against any Councillor or officer of the council or its Subsidiary Companies or against any outside director a Claim against them in their capacity as such? Yes No
If 'Yes', provide full details:
No – all Councillors
2. Is any Councillor or officer after enquiry, aware of any circumstances which might give rise to a Claim, including but not limited to any act, error, omission, misrepresentation, breach of duty or misconduct? Yes No
If 'Yes', provide full details:
No – all Councillors
3. Is any Councillor or officer after enquiry, aware of any circumstances which might give rise to a prosecution proceeding, under any Work Health & Safety Act, any Environmental Protection Legislation, or any other similar Act or Legislation? Yes No
If 'Yes', provide full details:
No – all Councillors
4. Is any Councillor or officer after enquiry, aware of any facts or circumstances which might affect the ability of the Council or its Subsidiary Companies to meet its debts as and when they fall due? Yes No
If 'Yes', provide full details:
No – all Councillors

Cr John Taylor left the Chamber at 9:43am as he has a non-pecuniary interest in item 5.5

**5.5 DEVELOPMENT APPLICATION 113/18/DA/DM-M:
MODIFICATION TO DEVELOPMENT APPLICATION
60/18/DA/DM – CHANGE OF USE: HOSTEL TO
PLACE OF WORSHIP**

AUTHOR: Town Planner

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

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

Min. No.

FILE NO: 113/18/DA/DM-M

- 60** **RESOLVED** Crs Bruce and Jones that the Council approve Development Application 113/18/DA/DM-M for a Modification to Development Determination 60/18/DA/DM – Change of Use: Hostel to Place of Worship with a revised Condition #6 as follows:

1. Approved Plans

The development shall be implemented substantially in accordance with the details set out on PA ARCHITECTS PTY LTD Job LDS17059 Date:9.18.17, Drawings: DA 000, DA 005, DA010, DA 012, DA 020, DA022, on the application form and on any supporting information received with the application except as amended by the conditions specified hereunder.

2. Occupation

The structure must not be occupied or used until the Principal Certifying Authority has received and determined the application for an “Occupation Certificate”.

*A Final Occupation Certificate must not be issued unless all required certificates have been received and the building is suitable for occupation or use in accordance with its classification under the Building Code of Australia.
(Section 109C(1)(c) and 109H EP&A Act 1979)*

3. Construction Certificate

No work is to commence until the person granted development consent has had the detailed plans and specifications endorsed by the Council or other accredited certifier and has received a “Construction Certificate” [Section 81A EP&A Act 1979].

4. Critical Stage Inspection

The Principal Certifying Authority for building or subdivision work carried out on a site is required to be satisfied that the work has been inspected on such occasions as are prescribed by the regulations or other occasions required by the principal certifying authority, before the issue of a Certificate of Occupancy or Subdivision Certificate for the building or work. (Section 109E EP&A Act 1979)

5. Waste

A garbage receptacle for the reception of all waste materials from the site shall be provided prior to building work commencing and shall be maintained and serviced for the duration of the work.

6. Hours of Operation

- a) *The hours of normal operation for business onsite, such as but not limited to, services, administrative activities, cleaning or emergency spiritual counselling shall be limited to:*

Min. No.

- 7:00am to 10:00pm Sunday
- 7:00am to 10:00pm Monday to Thursday
- 7:00am to Midnight Friday and Saturday

This is to ensure that noise is kept to reasonable levels within residential neighbourhoods, and is in accordance with the Protection of the Environment Operations (Noise Control) Regulations 2017.

- b) For the operating hours from 6:00am to 8:00am, there is to be no noisy article such as musical instruments or electronically amplified sound equipment to be used onsite, activities are to be conducted indoors with doors and windows to the facility to remain closed for the duration of activities and transport movements to and from the site are to be kept to a reasonable level.*
- c) Should activities undertaken onsite exceed the above times, the prior consent of Council will be required to be obtained.*

7. Car Parking

The car parking spaces provided on-site as indicated on the approved site plan must be designed in accordance with Australian Standard 2890.1 and 2890.2.

Should the proposed the Place of Public Worship require formal access from the rear laneway, then it must seal the rear laneway to a width of 4-metres and works must conform to the standards and specifications imposed by Councils Director of Technical Services.

8. Permitted hours for building work

All building work shall be carried out only between the hours of 7.00am and 6.00pm Monday to Friday inclusive, 8.00am and 5.00pm Saturdays. No work shall be carried out on Sundays and public holidays.

9. Fire Safety Schedule

In granting this approval, Council requires the essential fire or other safety measures, as determined by the Principal Certifying Authority upon assessment of the Construction Certificate, to be installed and maintained so as to comply with the requirements of the Building Code of Australia. Prior to the issue of an occupation certificate the owner must cause the Council to be given a fire safety certificate. The fire safety certificate is to state in relation to each essential fire or other safety measure implemented in the building or on the land on which the building is situated:

- a) that the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so and*
- b) that as at the date of the assessment the measure was found to be capable of functioning at a standard not less*

Min. No.

than that required by the Schedule attached to the Construction Certificate.

Note: Annual Fire Safety Statements must be submitted to Council within each twelve month period certifying the maintenance standard of the Essential or Other Safety Measure installed on the property.

10. Compliance with Building Code of Australia

All building work must be carried out in accordance with the provisions of the Building Code of Australia

11. Excavations and backfilling

(a) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

(b) All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

12. Protection of public places

a. If the work involved in the erection or demolition of a building:

(i) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or

(ii) building involves the enclosure of a public place,

a hoarding or fence must be erected between the work site and the public place.

b. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

c. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

d. Any such hoarding, fence or awning is to be removed when the work has been completed.

13. Signs to be erected on building & demolition site

a. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

(i) stating that unauthorised entry to the work site is prohibited, and

(ii) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

Min. No.

b. Any such sign is to be removed when the work has been completed. (Clause 78H of Regulation).

14. Asbestos Material

Work involving the removal of more than ten (10) square metres of asbestos containing material must be undertaken by a NSW licensed contractor as required by the NSW Work Health and Safety Regulations 2011.

Prior to commencement of any work, the Principal Certifying Authority must be provided with:

Written notice is to include the following details:

a) a copy of a signed contract with a person licensed to remove asbestos,

b) the contract must specify the landfill site to which the asbestos containing material is to be delivered.

Division

Voting in favour: Crs Bruce, Jones, Hannan, Bodey

Voting against: Cr Glanville

The Council amended the Officers recommendation to bring the hours of operation into line with general industry standards relating to noise.

Cr John Taylor returned to the Chambers at 9.55am.

5.6 STREET NAMING

AUTHOR: Development Manager

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities

FILE NO: 28.110.1

61 RESOLVED Crs Jones and Glanville that the Council undertake the statutory process to name three (3) new roads constructed as part of a residential subdivision in Tocumwal. The proposed new road names are:

- Tessier Drive
- Allan Street
- Hadley Street

5.7 STAFFING REQUIREMENTS FOR GRANT PROJECT MANAGEMENT

Min. No.

AUTHOR: Director Technical Services

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO: 22.017.1

- 62** **RESOLVED** Crs Glanville and Taylor that the Council approve a change to the staff structure to include an additional Design Engineer position for a 2 year fixed term and a Project Manager position for a 3 year fixed term and include budget provision for this change in the draft 2018/19 budget.

5.8 EXTRAORDINARY COUNCIL MEETING

AUTHOR: General Manager

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.2 Support community engagement through life-long learning, culture and recreation

FILE NO: 13.044.1

- 63** **RESOLVED** Crs Taylor and Jones that the Council convene an extraordinary Council meeting to be held on Wednesday 2nd May, 2018 commencing at 9.00 am in the Council Chambers to consider and order upon Strengthening Country Communities Round 2 grant applications and Development Application 111/18/DA/D5 for a Carport at 11 Town Beach Road, Tocumwal.

5.9 DRAFT INTEGRATED PLANS

AUTHOR: Strategic & Social Planning Coordinator

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting

FILE NO: 04.121.4

- 64** **RESOLVED** Crs Glanville and Jones that the Council adopt as initial draft:
- Draft Annual Operation Plan 2018/19 (Appendix "D")

Min. No.

- Review of the Asset Management Strategy 2017 – 2027 (Appendix “E”)
- Review of the Workforce Management and Development Plan 2017 – 2021 (Appendix “F”)
- Draft Revenue Policy included in the Draft Operational Plan 2018/19 (Appendix “D”)

5.10 FINANCIAL REVIEW

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 12.066.1

65 RESOLVED Crs Jones and Glanville that the Council:

- Note the third quarterly review of the 2017/18 budget and vote the funds contained therein as shown in Appendix “G”
- Note the Quarterly Budget Review Statement attached also as “Appendix “H”

5.11 OPERATIONAL PLAN QUARTERLY REVIEW

AUTHOR: Strategic & Social Planning Coordinator

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting

FILE NO: 04.121.6

66 RESOLVED Crs Taylor and Jones that the Council
1. Note the March Quarter Progress Report of the Annual Operational Plan 2017/18 circulated as Appendix “I”

5.12 SAFE AND SECURE WATER PROGRAM

AUTHOR: Director Technical Services

STRATEGIC OUTCOME: Sustainable natural and built landscapes

Min. No.

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

FILE NO: 32.101.1 & 32.101.3

- 67 **RESOLVED** Crs Glanville and Bodey that Council lodge an expression of interest for funding under the Safe and Secure Water Program for grants of \$2m for the development of a new water treatment plant and Finley and \$850,000 for the provision of a second Dissolved Air Flotation and Filtration Unit at Barooga water treatment plant.

6. ITEMS FOR NOTING

- 6.1 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION –
NATIONAL GENERAL ASSEMBLY
6.2 DEVELOPMENT DETERMINATIONS FOR MONTH OF
MARCH 2018

- 68 **RESOLVED** Crs Glanville and Bodey that Items for Noting numbered 6.1 to 6.2 inclusive be received and noted.

7. MAYORS REPORT

Cr Hannan reported that he had attended the following during the period:

- Chamber of Commerce Presidents meeting
- Corowa grant announcement
- Finley Chamber of Commerce meeting
- Speak Up Forum
- Meeting with General Manager

- 69 **RESOLVED** Crs Taylor and Jones that the Mayors report be received.

8. DELEGATES REPORTS

Cr Bodey

- Win TV interview
- Tocumwal Chamber of Commerce & Tourism meeting

Min. No.

Cr Taylor

- Nil

Cr Glanville

- Win TV interview

Cr Jones

- Aerodrome User's Group meeting
- Central Murray County Council meeting
- Tocumwal Chamber of Commerce & Tourism meeting

Cr Bruce

- Central Murray County Council meeting

9. GENERAL BUSINESS

Cr Bruce

- Too many large burn offs destroying trees

Cr Jones

- Tree clearing
- Tocumwal Foreshore Plan
- Australia Day bin collection

Cr Glanville

- Tocumwal Visitor Information Centre
- Gym at Tocumwal

Cr Taylor

- Finley Golf Club application
- Refugee attraction – spoken to schools

Cr Bodey

- Corella's – use of scare birds \$1500 per day – 10-14 days (\$20k approx.)
- Use of local suppliers
- Storage shed – not available
- Extension of time for notification

Cr Hannan

- Finley sign
- Pedestrian Crossing at Finley

Development Manager

- Finley Pool painting
- Railway Park toilets

Min. No.

- Shops at Tocumwal

Director Corporate Services

- SWA art exhibition

Director Technical Services

- Nil

General Manager

- ANZAC Day
- Community Recycling Centre opening

There being no further business the meeting closed at 11:05am.