



**Minutes of the Council Meeting held in the Council Chambers on  
Wednesday 12<sup>th</sup> December, 2018 commencing at 9:15am**

---

**Min. No.**

**PRESENT:** Cr Matthew Hannan (Mayor)

Crs: John Bruce, Colin Jones, Denis Glanville, Ross Bodey, Daryll Morris, John Taylor, Roger Reynoldson, Director Technical Services (Fred Exton), Development Manager (Laurie Stevens), Finance Manager (Carla von Brockhusen and General Manager (Rowan Perkins)

**1. APOLOGIES**

Nil

**2. DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTEREST**

Nil

**4. CONFIRMATION OF MINUTES**

**250 RESOLVED** Crs Glanville and Jones that the Minutes of the meeting held in the Council Chambers on Wednesday 21<sup>st</sup> November, 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:** 12.019.1

**251 RESOLVED** Crs Taylor and Morris that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 30 November 2018, be received and that the accounts paid as per Warrant No. 11/18 totaling \$11,841,844.79 (\$7,000,000.00 transfer to the Council from NAB operating account over to BENDIGO operating account) be confirmed.

**Min. No.**

**5.2 TOCUMWAL WAR MEMORIAL HALL COMMITTEE OF MANAGEMENT**

**AUTHOR: General 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: 05.101.8**

**252 RESOLVED** Crs Morris and Taylor that the Council:

A) revoke existing members of the Tocumwal War Memorial Hall Committee of Management.

B) pursuant to Section 355 of the Local Government Act, 1993, appoint the following persons to the Tocumwal War Memorial Hall Committee of Management:

President:	Sergio Redegalli
Secretary/Treasurer:	Leanne Mark
Committee:	
	Laurie McQueen
	Anne Jones
	Kevin McCumstie
	Mark Wileman
	Claire Wileman
	Kerry Davies
	Betsy Bird

**5.3 MANAGEMENT LETTER -2017/18 FINANCIAL STATEMENT AUDIT**

**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**

**Min. No.**

**253**      **RESOLVED** Crs Jones and Reynoldson that the Council note the Management Letter, including the response from management, for the year ended 30 June 2018 and:

1. Assign responsibility for implementing the recommendations in the Management Letter as per the management response; and
2. That the General Manager or his delegate will present to the next Corporate Services Committee an action plan, including a timetable, to implement the recommendations – consistent with the management response
3. That the Corporate Services Committee monitor progress against the action plan via a monthly report to the committee from the General Manager or his delegate

**5.4**            **DRAFT CODE OF ACCOUNTING PRACTICE AND FINANCIAL REPORTING – UPDATE 27**

**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**

**254**      **RESOLVED** Crs Taylor and Reynoldson that the Council delegate the General Manager to submit a response on its behalf to the Office of Local Government to the Draft Local Government Code of Accounting Practice and Financial Reporting – Update 27

**5.5**            **LIQUID TRADE WASTE POLICY**

**AUTHOR: Director Technical Services**

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

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

**FILE NO: 29.094.2**

**255**      **RESOLVED** Crs Glanville and Jones that the Draft Policy for liquid trade waste regulation as attached as **Appendix “B”** be placed on public exhibition for a period of 28 days commencing 16<sup>th</sup> January, 2019 and comment invited from interested parties and that the Council provide individual notice to affected business owners.

**Min. No.**

**5.6 BERRIGAN SHIRE LOCAL HERITAGE FUND  
2018/2019**

**AUTHOR: Town Planner**

**STRATEGIC OUTCOME: Good government**

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

**FILE NO: 26.128.2**

**256 RESOLVED** Crs Bodey and Jones that the Council offer grants of:

- 1) \$1,075 to Presbyterian Church (Heritage Item in *Berrigan Local Environmental Plan 2013*) for repainting existing exterior white areas and doors at 13-19 Denison Street, Finley
- 2) \$2,719 to "Bizzy Sizzors" (commercial premises within Berrigan Conservation Area) for internal repairs and painting at 46 Chanter Street, Berrigan
- 3) \$5,000 to "Sportavia" (Aircraft Hangar, World War 2 infrastructure) for repair of truss and maintenance works at 129 Burma Road, Tocumwal

**5.7 DEVELOPMENT APPLICATION 66/19/DA/DO-M  
RURAL SHED**

**AUTHOR: Town Planner**

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

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

**FILE NO: 66/19/DA/DO-M**

**257 RESOLVED** Crs Bodey and Taylor that the Development Application 66/19/DA/DO-M for the construction of a rural shed be approved subject to the following conditions:

1. Approved Plans

The development shall be implemented substantially in accordance with the details set out on the Approved Plans BSC-001, RANBUILD Drawing No: 380300-GA Page 1 to 3, on the application form and on any supporting information received with the application except as amended by the conditions specified hereunder.

2. Use

This approval is granted for the shed to be used for storage purposes normally associated with a residence. No other use is

**Min. No.**

permitted for the shed unless prior approval is obtained from Council.

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. Appointment of PCA and Notice of Commencement

No work is to commence until the person granted development consent has:

- a) obtained a Construction Certificate for each structure
- b) appointed a PRINCIPAL CERTIFYING AUTHORITY (Complete Form D - Appointment PCA)
- c) notified the Council of the appointment
- d) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved.
- e) given the Council at least 2 days notice of the intention to commence erection of the building. (Section 81A EP&A Act 1979)

5. Critical Stage Inspections

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)

6. 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)

7. Compliance with Building Code

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

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.

**Min. No.**

9. 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.

10. Signs Erected on Building and Demolition Sites

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

11. 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.

12. Stormwater

Roofwater from the structure must be disposed of appropriately either by being connected to the existing dwelling stormwater drainage system or piped underground directly to the Council's stormwater drainage system located in Golf Course Road or alternatively directed to an appropriate onsite system to allow storage and reuse in accordance with the Building Code of Australia and relevant Australian Standards. This is to ensure that runoff does not cause damage to neighbouring properties.

Division

In Favour: All

Against: Nil

**Min. No.**

**5.8 C001/18 – LANDFILL WASTE AND RECYCLABLES  
COLLECTION**

**AUTHOR: Engineering Services Manager**

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

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

**FILE NO: C001/18**

**258 RESOLVED** Crs Morris and Glanville that the Council:

1. Award contract C001/18 –Landfill Waste and Recyclables Collection to DS Kendall Waste Services Pty Ltd.
2. Sign and seal the contract documents.

Merran Socha entered the Council Chambers at 9:35am.

**5.9 MAJOR EVENT FUNDING PROGRAM REVIEW**

**AUTHOR: Economic & Industry Development Liaison**

**STRATEGIC OUTCOME: Diverse and resilient business**

**STRATEGIC OBJECTIVE: 4.2 Diversify and promote local  
tourism**

**FILE NO: 08.063.3**

**259 RESOLVED** Crs Morris and Reynoldson that the Council modify its event funding program to:

1. Establish a smaller fund (\$5000) to support locally initiated events with the maximum amount available being \$1000 for marketing and promotion of the event. Make the application form no more than 2 pages. Maintain the three year funding limit.
2. Maintain the Major Event Funding program with a focus on externally initiated events, especially sporting events. Application for funding to be through an interview and presentation prior to the written application. Remove the three year limit and allow for multiple year agreements from one application.
3. Maintain an active role on the Cobram Barooga and Tourism Event Stakeholder Committee and fund major external events through this collaboration.

**Min. No.**

**5.10 EVENT FUNDING – TRAINEE CHAMPIONSHIPS**

**AUTHOR:** Economic & Industry Development Liaison

**STRATEGIC OUTCOME:** Diverse and resilient business

**STRATEGIC OBJECTIVE:** 4.2 Diversify and promote local  
tourism

**FILE NO:** 08.063.3

- 260** **RESOLVED** Crs Glanville and Taylor that the Council allocate \$7,500 a year to funding the PGA Southern Division Trainee Championships and Junior Golf Experience held at the Tocumwal Golf Club in 2019, 2020 and 2021.

**5.11 EVENT FUNDING – MILD 2 WILD ROD RUN**

**AUTHOR:** Economic Development Officer

**STRATEGIC OUTCOME:** Diverse and resilient business

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

**FILE NO:** 08.063.3

- 261** **MOVED** Crs Morris and Jones that the Council allocate \$1,000 to the Mild2Wild Rod Run.

**AMENDMENT**

- 262** **MOVED** Crs Bodey and Taylor that the Council allocate \$3,500 to the Mild2Wild Rod Run.

The amendment when put was carried and because the motion when put as motion it was again carried.

Merran Socha left the Council Chambers at 10:12am.

**6. ITEMS FOR NOTING**

- 6.1 DEBT MANAGEMENT AND HARDSHIP GUIDELINES
- 6.2 NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS
- 6.3 SUPPLY AND INSTALLATION OF ASPHALT ON STRATHVALE ROAD BERRIGAN
- 6.4 RIVERINA AND MURRAY JOINT ORGANISATION
- 6.5 BAROOGA POSTCODE
- 6.6 DEVELOPMENT DETERMINATIONS FOR MONTH OF NOVEMBER 2018



**Min. No.**

- 263**      **RESOLVED** Crs Morris and Jones that Items for Noting numbered 6.1 to 6.6 inclusive be received and noted.

The Council adjourned for morning tea at 10:25am.

The meeting reconvened at 10:50am.

**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.

**Min. No.**

**7.1 C001/18 – LANDFILL WASTE RECYCLABLES  
COLLECTION**

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

- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it

It is not in the public interest to reveal details of personnel.

**264 RESOLVED** Crs Jones 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 C001/18 – LANDFILL WASTE RECYCLABLES  
COLLECTION**

Council closed its meeting at 10:50am. The public and media left the Chamber.

Open Council resumed at 10:51am.

**RESOLUTIONS FROM THE CLOSED COUNCIL MEETING**

The following resolutions of the Council while the meeting was closed to the public were read to the meeting by the Mayor:

That the Council note the evaluation summary information for Tender C001/18 Landfill Waste Recyclables Collection.

**Min. No.**

**8. MAYORS REPORT**

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

- Finley Regional Care information session
- Christmas Function
- Finley Log Cabin & Museum 50<sup>th</sup> anniversary
- Capital Works Tour
- Berrigan Street Party
- Regional Strategic Water Group
- Finley Chamber of Commerce meeting

**267**      **RESOLVED** Crs Taylor and Morris that the Mayors report be received.

**9. DELEGATES REPORTS**

**Cr Ross Bodey**

- Australia Day meeting

**Cr John Taylor**

- Finley Regional Care meeting
- Christmas Function
- Capital Works Tour
- TAFE Presentation

**Cr Daryll Morris**

- National Roads Conference

**Cr Roger Reynoldson**

- Berrigan Street Party and Carols
- Berrigan and District Development Association

**Cr Denis Glanville**

- Christmas Function
- Library Annual Conference
- Capital Works Tour
- Tocumwal Public School presentation

**Cr Colin Jones**

- Capital Works Tour
- Sacred Heart presentation
- Central Murray County Council

**Cr John Bruce**

- Chamber Presidents meeting
- Barooga Public School presentation
- Barooga Carols by Candlelight

**Min. No.**

**10. GENERAL BUSINESS**

**Cr John Bruce**

- Central Murray County Council
  - progress of submission
  - lack of meetings
- Drought
- Sporties
  - List for discussion at January 2019 meeting

**Cr Colin Jones**

- Splash Park

**Cr Denis Glanville**

- Strawberry Fields
  - Now sees as a positive event

**Cr Roger Reynoldson**

- Presentation

**Cr Daryll Morris**

- Waste collection Quicks Road
- Bushlands Road sign
- Walking track patching at Finley Lake
- Container Disposal Scheme

**Cr John Taylor**

- Nil

**Cr Ross Bodey**

- Splash Park opening date
- Australia Day
  - Need to catch up with GMPA to discuss
  - Sprinklers
- Architects meeting
- Speakup Rally

**Development Manager**

- Nil

**Finance Manager**

- Local Government Finance Professionals conference

**Director Technical Services**

- CASA audit
  - Exclusion fencing

**General Manager**

- Merry Christmas
- Corporate Workshop 20<sup>th</sup>, 21<sup>st</sup> 22<sup>nd</sup> February 2019
- Irrigation Greenfields sites
  - MIMCO rally
  - Development strategy at Corporate Workshop
- No Committee meetings in January

**Min. No.**

**Cr Ross Bodey**

- Australia Day Budget

There being no further business the meeting closed at 11:50am.