



**Minutes of the Council Meeting held in the Council Chambers on
Wednesday 16th January, 2019 commencing at 9:15am**

Min. No.

PRESENT: Cr Matthew Hannan (Mayor)

Crs: Daryll Morris, John Bruce, Colin Jones, Denis Glanville, John Taylor, Ross Bodey and Roger Reynoldson, Director Corporate Services (Matthew Hansen), Director Technical Services (Fred Exton), Engineering Services Manager (Matthew Clarke), Development Manager (Laurie Stevens) and General Manager (Rowan Perkins).

1. APOLOGIES

Nil

2. DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTEREST

Cr Taylor declared a non-Pecuniary Interest in Item 5.10 as he employs one of the owners associated with the land acquisition of Strathvale Road.

Fred Exton & Matthew Clarke declared a Pecuniary Interest in Item 7.1 as they are the subject of the report.

4. CONFIRMATION OF MINUTES

- 1 RESOLVED** Crs Glanville and Morris that the Minutes of the meeting held in the Council Chambers on Wednesday 12th December, 2018 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

- 2 RESOLVED** Crs Jones and Taylor that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 December 2018, be received and that the accounts paid as per Warrant No. 12/18 totaling \$2,337,475.11 be confirmed.

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5.2 ALCOHOL FREE ZONES

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO: 24.128.1

3 RESOLVED Crs Glanville and Taylor that the Council prepare proposals for the establishment of the following Alcohol Free Zones:

- Barooga (commercial and residential area) and extending to cover Riverview Court
- Berrigan (commercial and residential area)
- Tocumwal (commercial and residential area) and extending to cover Remembrance Lane and Labelle Court. Also extending to cover Liberator Place and Wirraway Court (This area is zoned industrial, although with residential rights, and would be low-risk)
- Finley (commercial and residential area)

5.3 PROPOSAL TO DISSOLVE CENTRAL MURRAY COUNTY COUNCIL

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: 11.160.1

4 RESOLVED Crs Morris and Jones that the Council do not make a submission into the public consultation process related to the proposed dissolution of the Central Murray County Council.

5.4 2020 COUNCIL ELECTION

AUTHOR: General Manager

STRATEGIC OUTCOME: Supported and engaged communities

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

FILE NO: 13.055.1

5 RESOLVED Crs Taylor and Jones

That the Council resolves:

1. pursuant to s. 296(2) and (3) of the Local Government Act 1993 that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
2. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
3. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

5.5 SOUTHERN LIGHTS PROJECT

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: 28.101.5

6 RESOLVED Crs Glanville and Taylor that the Council:

1. Support the business case for funding of the smart street lighting program by the NSW Government at a cost of \$61.4M and seek support for the project from the local member
2. Support the rollout of LED lighting with smart technology capability for all street lights in the local government area

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5.6 DELIVERY PROGRAM PROGRESS REPORT & DECEMBER 2018 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

7 RESOLVED Crs Morris and Taylor that the Council:

1. Note the December 2018 Delivery Program Progress Report and December 2018 Quarter Review of the Annual Operational Plan 2018/19 circulated as **Appendix "C"**

5.7 FINANCIAL REVIEW

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

8 RESOLVED Crs Glanville and Morris that the Council:

- Note the second quarterly review of the 2018/19 budget and vote the funds contained therein as shown in **Appendix "D"**
- Note the Quarterly Budget Review Statement attached also as **Appendix "E"**

Merran Socha entered the Council Chambers at 10:00am.

5.8 EVENT FUNDING

AUTHOR: Economic & Industry Development Liaison

STRATEGIC OUTCOME: Diverse and resilient business

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STRATEGIC OBJECTIVE: 4.2 Diversify and promote local tourism

FILE NO: 08.063.3

- 9 RESOLVED** Crs Reynoldson and Taylor that the Council not approve the funding request for the Barooga Rodeo.

Merran Socha left the Council Chambers at 10:04am.

5.9 STRATEGIC RELATIONSHIP WITH THE SPORTIES GROUP

AUTHOR: General Manager

STRATEGIC OUTCOME: Diverse and resilient business
STRATEGIC OBJECTIVE: 4.1 Strengthen and diversify the local economy and invest in local job creation and innovation

FILE NO: 08.094.1

- 10 RESOLVED** Crs Morris and Glanville that the Council advise the Sporties Group that it is prepared to develop a strategic partnership with it to advance the local economy and community.

Cr John Taylor left the Chambers at 10:05am as he has a non-pecuniary interest in item 5.10.

5.10 LAND ACQUISITION – REALIGNMENT OF STRATHVALE ROAD (BARRETT)

AUTHOR: Director Technical Services

STRATEGIC OUTCOME: Sustainable natural and built landscapes
STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities

FILE NO: 05.005.9

- 11 RESOLVED** Crs Morris and Bruce that the Council agree to sign and seal the agreement “Purchase of Land for Road Realignment between Berrigan Shire Council and Mr PF Barrett and Mrs HW

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Barrett” (**Appendix “I”**) and pay compensation as set out in the agreement totaling \$4,057.00

Cr John Taylor returned to the Council Chambers at 10:06am.

Cr Denis Glanville left the Council Chambers at 10:07am.

5.11 LAND ACQUISITION – REALIGNMENT OF STRATHVALE ROAD (NAMARANG NOMINEES PTY LTD)

AUTHOR: Director Technical Services

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities

FILE NO: 05.005.9

- 12 RESOLVED** Crs Bruce and Morris that the Council agree to sign and seal the agreement “Purchase of Land for Road Realignment between Berrigan Shire Council and Namarang Nominees Pty Ltd” (**Appendix “J”**) and pay compensation as set out in the agreement totaling \$4012.00

Cr Denis Glanville returned to the Council Chambers at 10:10am.

6. ITEMS FOR NOTING

- 6.1 OUTSTANDING LEADERSHIP AWARD – BAROOGA PUBLIC SCHOOL
- 6.2 DROUGHT RESPONSE PROJECT
- 6.3 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION NSW CONFERENCE
- 6.4 2018 COUNCIL BY ELECTION
- 6.5 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL ASSEMBLY – NOTICES OF MOTIONS
- 6.6 RATES AND CHARGES – 2018/2019 RATES COLLECTIONS AND OUTSTANDING DEBTORS BALANCES – 2ND QUARTER
- 6.7 GENERAL MANAGER'S HALF YEARLY PERFORMANCE REVIEW

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- 6.8 SPECIAL COMMISSION OF INQUIRY INTO THE DRUG
"ICE"
- 6.9 NSW COUNCIL OBLIGATIONS
- 6.10 LOCAL GOVERNMENT REMUNERATION TRIBUNAL –
2019 DETERMINATION
- 6.11 DEVELOPMENT DETERMINATIONS FOR MONTH OF
DECEMBER 2018

- 13** **RESOLVED** Crs Morris and Jones that Items for Noting numbered
6.1 to 6.11 inclusive be received and noted.

The meeting adjourned at 10:24am for morning tea.

The meeting reconvened at 10:44am with Fred Exton and Matthew
Clarke absent at that time.

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

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- (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 TECHNICAL SERVICES SUCCESSION PLANNING

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:

- (a) personnel matters concerning particular individuals (other than councillors)

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

- 14 RESOLVED** Crs Glanville and Morris 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 TECHNICAL SERVICES SUCCESSION PLANNING

Council closed its meeting at 10:45am. The public and media left the Chamber.

Open Council resumed at 11:10am.

Fred Exton and Matthew Clarke entered the Council Chambers at 11:10am.

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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:

RESOLVED Crs Morris and Glanville that the Council internally advertise the positions of Director of Technical Services and Engineering Services Manager (part time) with the General Manager to determine the successful applicants and the terms of appointment in consultation with the Mayor and Deputy Mayor.

8. MAYORS REPORT

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

- SpeakUp Rally
- Splash Park opening
- Finley Extravaganza
- Tocumwal Carols by Candlelight
- Splash Park interview
- Resident meeting – noise complaint

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

9. DELEGATES REPORTS

Cr John Bruce

- Presentation night Cobram Secondary College

Cr Colin Jones

- St Joseph's Primary School presentation night
- Splash Park opening
- Tocumwal Chamber of Commerce and Tourism meeting

Cr Denis Glanville

- Tocumwal Public School presentation night

Cr Roger Reynoldson

- Berrigan Public School and St Columba's Primary School presentation nights
- Finley Extravaganza

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Cr Daryll Morris

- Nil

Cr John Taylor

- Finley High School presentation night

Cr Ross Bodey

- Splash Park opening

10. GENERAL BUSINESS

Cr Ross Bodey

- Foreshore Committee very satisfied to contribute to the Splash Park
- Plans for new building

Cr John Taylor

- Finley Rodeo – require Development Consent?

Cr Daryll Morris

- Extra seat outside Tocumwal IGA

Cr Roger Reynoldson

- Nil

Cr Denis Glanville

- Nil

Cr Colin Jones

- Nil

Cr John Bruce

- Meeting with Local Land Services

Cr Daryll Morris

- Noise complaint at Berrigan
- Berrigan trees

Director Corporate Services

- Nil

Engineering Services Manager

- Nil

Director Technical Services

- IPWEA forum 1st April, 2019 – host
- Water Treatment Plan funding

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Cr Matthew Hannan

- Solar farm
- Splash Park official opening
- Drug controls at festivals
- Berrigan and Finley projects

General Manager

- Tocumwal Swimming Pool
- Corporate Workshop
- Business Awards

There being no further business the meeting closed at 11:45am.