



## ORDINARY MEETING OF COUNCIL

Held on Wednesday 19 May, 2021

at 11:00am

Council Chambers

56 Chanter Street, Berrigan



# Minutes



Minutes of the Ordinary Council Meeting held  
on Wednesday 19 May, 2021 commencing at 11:00am

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Min. No.

**PRESENT:**

Crs: Matthew Hannan (Mayor), John Bruce, Denis Glanville, John Taylor and Roger Reynoldson

The following staff were also in attendance:

Matthew Hansen (Acting General Manager), Matthew Clarke (Director Technical Services) and Matthew Miller (Acting Development Manager)

**1. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE**

101 **Resolved** Crs Taylor and Reynoldson that an apology for non-attendance be received from Crs Colin Jones, Ross Bodey and Daryll Morris.

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

Cr Reynoldson declared a non-significant, non-Pecuniary Interest in Item 7.11 as he is a Director of the Berrigan Community Golf and Bowls Club.

**3. VISITORS**

Nil

**4. CONFIRMATION OF MINUTES**

102 **Resolved** Crs Glanville and Bruce that the Minutes of the Ordinary Council Meeting held in the Council Chambers on Wednesday 21 April, 2021 and the Minutes of the Extraordinary Council Meeting held in the Council Chambers on Wednesday 28 April, 2021 be confirmed.

**5. MAYORAL MINUTES**

Nil

## 6. NOTICE OF MOTION

Nil

## 7. ITEMS FOR RESOLUTION

### 7.1 Finance - Accounts

**103 Resolved** Crs Reynoldson and Taylor that the Council:

- a) Receive the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 30 April 2021,
- b) Confirm the accounts paid as per Warrant No. 04/21 totaling \$2,267,011.11, and
- c) Note the report on investments attached as **"Appendix 7.1-A"**

### 7.2 149/21/DA/D5 – Residential Storage Shed and Rainwater Tank

**104 Resolved** Crs Bruce and Taylor that Development Application 149/21/DA/D5 for a Residential Storage Shed and Rainwater Tank be approved subject to the following:

#### 1. Approved Plans

The development shall be implemented substantially in accordance with the details set out on the approved plans Amended Site Plan and Ranbuild Shed Structuralists dated 16.02.2021 and on the application form and on any supporting information received with the application except as amended by the conditions specified hereunder.

#### 2. 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
- 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)

3. 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 6.3 and 6.18 EP&A Act 1979)

4. 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].

5. Use

This approval is granted for the shed to be used for storage purposes normally associated with a residence. No other use is permitted for the shed unless prior approval is obtained from Council.

6. 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 6.5 EP&A Act 1979)

7. 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.

8. Stormwater

Roofwater from the structure is to be retained on site and should be collected and stored for recycling and reuse.

9. Water and Sewer Connections

All water supply and sewer work must be carried out by a NSW Licenced Plumber and Drainer. All plumbing and drainage works must be carried out in accordance with AS3500 (National Plumbing and Drainage Code) and any conditions applied to

the approval to do water and sewer work issued under Section 68 of the Local Government Act 1993.

Such conditions may include the necessity for the Council to undertake inspections of all drains and pipework before they are covered or provision of Compliance Certificates or works as executed drawings prior to issue of an Occupation or Subdivision Certificate.

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

13. Roofwater

Roofwater from the structure is to be piped underground to the street gutter or alternatively collected and retained on site for recycling and reuse. Stormwater from the structure must not discharge over ground to cause a nuisance to any neighbours.

14. Erosion & Sediment Control

Prior to the commencement of any site works appropriate erosion and sediment control measures are to be implemented to prevent any sediment from leaving the site, these measures are to be maintained during the construction phase and can only be removed once appropriate stabilisation has been completed.

15. Driveway/Access

An all weather access driveway must be provided and designed to Australian Standards prior to issue of an Occupation Certificate. This is to ensure safe vehicular movements on the site.

**Division:**

In Favour: All

Against: Nil

7.3 ALGA National General Assembly and Regional Forum

- 105 **Resolved** Crs Glanville and Taylor that the Mayor and Chief Executive Officer attend the ALGA National Assembly and Regional Forum in Canberra from 20 June to 23 June, 2021.

7.4 Good Times in Tocumwal Street Festival Temporary Road Closure – Application 58/21/RA/R14

- 106 **Resolved** Crs Reynoldson and Taylor that the Council approve Application 58/21/RA/R14 for the Temporary Road Closure submitted by Strawberry Music Group Pty Ltd to hold the 'Good Times in Tocumwal Street Festival' on Saturday 19 June, 2021. The festival will be held in Deniliquin Street, between the Murray Street roundabout and Morris Street, Tocumwal during the hours of 12:30pm to 2:00am, subject to Transport NSW, NSW Police and Berrigan Shire Council being listed as interested parties on the organiser's Certificate of Currency.

7.5 Lifting of Alcohol-Free Zone restrictions - Good Times Festival

- 107 **Resolved** Crs Reynoldson and Glanville that the Council, subject to Police approval and development consent being given, suspend the Alcohol Free Zone for the area closed to traffic on Deniliquin St from 3.00pm to 11.59pm on Saturday, 19 June 2021 in accordance with Section 645 of *the Local Government Act 1993*.

7.6 163/21/DA/DM – Good Times In Tocumwal Street Festival

- 108 **Resolved** Crs Reynoldson and Bruce that Development Application 163/21/DA/DM for the Good Times In Tocumwal Street Festival be approved subject to the following:



1. Approved Plan

The development shall be implemented substantially in accordance with the details set out on the approved Site Plan and any supporting information received with the application except as amended by the conditions specified hereunder.

2. Approval limitations

This application is for one event only during 2021 with no subsequent events approved by this application.

3. Temporary event signage

All signage proposed must comply with the requirements of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

The standards specified for that development are that the development must—

- a) not have a surface area of more than 6m<sup>2</sup>, and
- b) not be higher than 5m above ground level (existing), and
- c) not be permanently fixed to a building, fence or wall, and
- d) not be illuminated, and
- e) not be displayed earlier than 1 day before the event, and
- f) be removed within 1 day of the event.

4. Other approvals

*Traffic Management Plan*

Prior to the event a Traffic Management Plan must be submitted and endorsed by Council's Local Traffic Committee.

*Temporary Road Closure Application*

Prior to the event a Temporary Road Closure Application must be approved by Council.

5. Staff and contractors requirements

All Staff and Contractors must;

- Provide SWMS (where available)
- Provide Public Liability Insurance and any other insurance legally required.
- Adhere to all site policies and rules outlined by promoters

6. Waterways Pollution

All necessary precautions must be taken to ensure that pollution of waterways does not occur in accordance with the provisions of section 120 of the Protection of the Environment Operations Act 1997.

7. Food Stall Holders

All food stall holders must operate in accordance with the NSW Food Act 2003 to ensure that the health and well-being of patrons is maintained.

Temporary food stalls must be:

- located in a dust free area
- away from toilets and garbage bins
- supplied with sufficient potable water
- suitably constructed, including floor, walls and ceiling
- fitted with food handling facilities for storage, cooking, hot/cold holding, preparation, serving and handwashing.

Mobile food vendors need to ensure the construction and operation of the vehicle is appropriate for the preparation and sale of food. This includes:

- surfaces that are easy to clean
- handwashing facilities
- Satisfactory waste disposal.

Ensure food counters are accessible to attendees using wheelchairs.

#### 8. Public Health

All toilets and drinking water management systems must comply with NSW Health Requirements and the Public Health Act 2012 and Regulation 2012. This also includes meeting the Australian Drinking Water Guidelines 2011 and any subsequent amendments.

#### 9. Communications with Murrumbidgee Local Health District

A direct line of contact to the event medial team must be provided to the on-call Murrumbidgee Local Health District's HSFAC to enable early coordination of health resources if a mass casualty incident occurs. The number should be provided prior to the event by email to [MLHD-HSFAC@health.nsw.gov.au](mailto:MLHD-HSFAC@health.nsw.gov.au). Should there be any questions regarding this request, the Public Health Unit can be contacted on 02 6080 8900.

#### 10. Emergency Services

All emergency service organisations in the locality must be notified at least two weeks prior to the event to ensure that all resources will be available in case of emergency.

- Police Schedule 1 form may be required- Notice of Intention to Hold a Public Assembly. Please liaise with the local Police to organise this documentation.
- Any conditions or instructions Police place on this event are to be met.

All instructions given by the Police and/or other Authorities are to be followed.

#### 11. First Aid and Medical Services

First aid and medical services must be provided. The provision of adequate facilities and qualified personnel to administer first aid and medical treatment are



to be provided. The location of the first aid and medical services must be clearly identifiable to attendees.

12. Security Personnel

All security personnel must be licensed and sufficient security presence must be maintained from throughout the entirety of the event.

13. Waste Removal

Sufficient waste facilities are to be provided onsite to ensure all waste is contained appropriately onsite during the event. All waste must be appropriately managed throughout the event being removed and disposed of appropriately as required during the event to ensure all waste is contained appropriately. All waste is to be removed and disposed of appropriately at the completion of the event with no waste from the event being permitted onsite. A site inspection must be carried out with Council officers on the completion of the event to ensure that all waste has been removed and the site has been remediated to its former condition.

14. Human Waste

That no human waste (blackwater, solids or the like) be disposed of onsite (composting included). An authorised human waste collection contractor is to be engaged to collect and dispose of all human waste to an approved sewerage treatment facility. A written statement prepared by the human waste collection contractor is to be submitted to Council upon disposal of all human waste to this facility. Further details of effluent disposal are to be provided to Council prior to commencement of the event.

15. Trade Waste

Onsite amenities must be provided to adequately cater for all employees and attendees at the event. Any Contractor awarded the contract to remove wastewater for offsite disposal, is required to apply to Council for a trade waste approval. This is to ensure there is adequate amenity for all employees /visitors and to ensure that waste from the development is affectively managed. Council's Trade Waste Officer can be contacted on 03 5888 5100 to assist with all approvals as required.

16. Toilets

Prior to the event, the applicant shall provide definitive details of the number of toilet facilities proposed in relation to the estimated number of patrons and evidence that the number of toilet facilities will be adequate. Council reserves the right to require additional toilet facilities if not satisfied with this justification.

- All portable toilet facilities be located on a flat surface and at least 100m away from any watercourse.

- Toilet facilities within existing business premises may be utilised in the offsetting the calculation of the number of required toilets.

Refer to: <https://www.dpc.nsw.gov.au/tools-and-resources/event-starter-guide/health/> to assist in calculating the required number of toilets needed.

#### 17. Site Inspection

An inspection by Council officers prior to the event must be arranged and undertaken to ensure all conditions of consent have been met and the proposal has been implemented in accordance with the submitted documents.

#### 18. Traffic Management

All recommendations of the endorsed Traffic Management Plan must be in place and complied with.

#### 19. Liquor Licensing

A valid liquor license issued by the NSW Liquor and Gaming Authority must be in place for the event and all persons responsible for the sale of alcohol must possess accredited Responsible Service of Alcohol certificates. Evidence of this must be provided to Council prior to commencement of the event.

#### 20. Fire Pits

All fire pits must be fenced to ensure appropriate standard of occupational health and safety for the festival participants.

Any fuel/wood used in the designated fires, be controlled by the festival staff, with access to all fuel and wood restricted from festival patrons. No other fires will be permitted during the festival other than designated camp fires.

Appropriate fire safety equipment must be located in a readily identifiable and accessible area for use in the case of an emergency.

#### 21. Compliance with Protection of the Environment Operations Act 1997

Operations on the site must comply with relevant environmental legislation including *Protection of the Environment Operations Act 1997*.

#### 22. Damage to Council property

That prior to the event the applicant arrange inspections with Council's Asset's and Operations Manager to establish the existing condition of Deniliquin Street (within events approved extent). Once the event has been completed, any damage evident on Deniliquin Street is to be rectified at full cost to the applicant, with any works to be undertaken to be in correlation to advice and the supervision of Council's Asset's and Operations Manager.

#### 23. Structures

Stage structures, stalls, marquees and any other temporary structures are to be erected and maintained in accordance with the manufacturer's specifications OR

approved details prepared by a practising structural engineer. Upon erection and prior to use, stages and the like are to be inspected by Council.

#### 24. Post Event Requirements

All temporary structures, portable toilets, waste (and waste receptacles), signage and other items used as part of the festival must be clear or removed as required by the conditions of consent prior to the opening of Deniliquin Street to the public and through traffic.

#### 25. Incident reports

You should have a system in place at your event to record any incidents, accidents or near misses that occur.

All staff, volunteers and contractors working at the event must have a clear understanding of how to record incidents and what to do with this record at the end of the event. This should be done during site inductions and briefings.

#### 26. Emergency Management Plan (EMP)

An Emergency Management Plan (EMP) must be prepared and be in place prior to the start of the event. When completed, copies of your EMP should be provided to:

- Relevant emergency services
- Berrigan Council
- any agencies providing services in support of the event
- staff, volunteers, contractors and performers (during a pre-event briefing)
- suppliers who will be present at the event.

#### 27. Notification to surrounding property owners

Notification to surrounding property owners in Deniliquin Street and any surrounding affected streets must be notified at least two weeks prior to the event. The notification at a minimum must outline how they will be effected including the proposed traffic changes.

#### 28. Child-safe and child-friendly events

A procedure implementing effective child-safe policies and practices must protect the children involved in or present at an event.

A designated area must be set up where lost children can be looked after and where carers can find them. This area must be communicated to event attendees before and during the event.

Briefing staff and volunteers on the procedures to be followed for lost children, such as incident report forms, use of public announcements, and circumstances under which the police should be contacted.

The lost children's area should be staffed by appropriately qualified employees or volunteers. All volunteers or employees that have contact or are working in a child related position must hold a valid Working with Children's Check.

#### 29. Drones

Flying remotely piloted aircraft (RPA) are regulated in Australia by the Civil Aviation Safety Regulations 1998. A Remote Pilot Licence (RePL) allows individuals to fly for commercial operators, who in turn must hold an RPA Operator's Certificate (ReOC).

While RPAs less than two kilograms do not require a ReOC, you must notify the Civil Aviation Safety Authority (CASA) five business days prior to your event. Operators must also adhere to CASA's standard operating conditions (or apply for approvals or exemptions). Note that the event is proposed to be held in an area in proximity to the Tocumwal Aerodrome. You must ensure you comply with all relevant legislation, Federal and State Government Agency requirements.

#### **Division:**

In Favour: All

Against: Nil

#### 7.7 Stronger Country Communities Fund - Round 4

**109 Resolved** Crs Bruce and Taylor that the Council under the Stronger Country Communities Fund Round 4:

1. Submit an application for Finley War Memorial Hall renovations;
2. Support an application from Barooga Aquatic and Recreation Centre for remediation works on their indoor pool; and
3. Support an application from Finley Returned Soldiers Club to refurbish their squash courts and associated facilities

#### 7.8 Low Cost Loans Initiative Funding Agreement for Barooga Water Treatment Plant

**110 Resolved** Crs Reynoldson and Glanville that the Council sign and seal the documents for the Low Cost Loans Initiative Funding Agreement for the Barooga Water Treatment Plant.

## 7.9 Barooga Recreation Reserve Committee of Management

**111 Resolved** Crs Bruce and Taylor that the Council:

- a) revoke existing members of the Barooga Recreation Reserve Committee of Management.
- b) pursuant to Section 355 of the Local Government Act, 1993, appoint the following persons to the Barooga Recreation Reserve Committee of Management:

President:	Max Steward
Vice President:	Wes Sutton
Secretary:	Marcia Nolan
Treasurer:	Natasha Bignell
Committee:	
	Darrell Bowden
	Gabe Florence
	Stacey Ware
	Sheila Keamy
	Dave Stevens
	Jackie Vogel
	Craig Adkins
	Paula Kerr

## 7.10 Communication Strategy

**112 Resolved** Crs Glanville and Taylor that the Council adopt the Communication Strategy attached as "**Appendix 7.10-A**".

## 7.11 Berrigan Community Golf and Bowls Club – Water

**113 Resolved** Crs Taylor and Bruce that the Council volumetrically bill Berrigan Community Golf and Bowls Club for the usage of unchlorinated irrigation water at a rate of \$0.15 / kilolitre on a quarterly basis.

## 7.12 Draft Integrated Plans

**114 Resolved** Crs Reynoldson and Glanville that the Council:

1. Adopt the following draft plans and strategies and policy for public exhibition:
  - Review of the Long Term Financial Management Plan 2021 - 2031 (“Appendix 7.12-A”);
  - Review of the Asset Management Strategy 2021 – 2031 (“Appendix 7.12-B”);
  - Review of Workforce Development Plan 2021 – 2025 (“Appendix 7.12-C”);
  - Review of Delivery Program 2017 – 2022 (“Appendix 7.12-D”);
  - Draft Annual Operation Plan 2021/22 (“Appendix 7.12-E”); and
  - Draft Revenue Policy included in the Draft Operational Plan 2021/22
2. Re-adopt the Financial Strategy 2021 included in review of the Long Term Financial Plan
3. Resolves that it convene an extraordinary meeting to be held on Wednesday 23 June, 2021 commencing at 9:00am to consider and order upon the submissions received in relation to its suites of draft Integrated Plans and to fully adopt with any amendments to such Plans.
4. Place the suite of Integrated Plans on public exhibition for 28 days closing at 5:00pm on 17 June, 2021.

## 7.13 Naming Finley Park

**115 Resolved** Crs Reynoldson and Bruce that the Council, taking into consideration the results of its survey, select ‘Foundry Park’ as its preferred name and forward to NSW Geographic Names Board for approval.

## 7.14 179/21/DA/D5 – Commercial Storage Shed and Signage

**116 Resolved** Crs Reynoldson and Bruce that Development Application 179/21/DA/D5 for a Commercial Storage Shed and signage be approved subject to the following:

### 1. Approved Plans

The development shall be implemented substantially in accordance with the details set out on the approved plans Entegra Signature Structures Pages GO1 To GO8 Entegra Signature Structures Drawing NO: ENT Sheet AO1 and on the



application form and on any supporting information received with the application except as amended by the conditions specified hereunder.

2. Appointment of Principal Certifying Authority 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,
- 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)

3. 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 6.3 and 6.18 EP&A Act 1979)

4. 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].

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 6.5 EP&A Act 1979)

6. 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.

7. Stormwater

Roofwater from the structure is to be retained on site and should be collected and stored for recycling and reuse and any overflow from onsite storage is to be directed to the James Court Kerb.

8. Water and Sewer Connections

All water supply and sewer work must be carried out by a NSW Licenced Plumber and Drainer. All plumbing and drainage works must be carried out in accordance with AS3500 (National Plumbing and Drainage Code) and any conditions applied to the approval to do water and sewer work issued under Section 68 of the Local Government Act 1993.

Such conditions may include the necessity for the Council to undertake inspections of all drains and pipework before they are covered or provision of Compliance Certificates or works as executed drawings prior to issue of an Occupation or Subdivision Certificate.

9. Compliance with Building Code of Australia

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

10. 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.

11. 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:
  - (iii) stating that unauthorised entry to the work site is prohibited, and
  - (iv) 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).

15. Erosion & Sediment Control

Prior to the commencement of any site works appropriate erosion and sediment control measures are to be implemented to prevent any sediment from leaving the site, these measures are to be maintained during the construction phase and can only be removed once appropriate stabilisation has been completed.

16. Roof Cladding

The cladding on the roof will need to be clad in a non-reflective colour type the colour will need to be confirmed prior to the issue of the Construction Certificate this is to ensure that any potential glare from the roof will be mitigated.

17. 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 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.

18. Comply with Noise Control Act

Operations on the site must comply with relevant environmental legislation (including Noise Control Act).

19. 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) the 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

20. 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.

21. Landscaping

Landscaping is required to be provided along the eastern boundary that fronts the Newell Highway and the northern boundary to the rear of the subject Lot. The landscaping must be provided a width of 2m (minimum) along the length of these boundaries.

The landscaping must:

- Be protected from vehicle movement areas to prevent damage to these vegetated areas,
- Be designed to ensure low maintenance
- Where possible native plant species are to be utilised in landscaping with the preference given to drought tolerant species
- A range of plant species of various heights are to be used in the landscaping to create interest, improve visual amenity and to help screen the development.
- Provide irrigation where required for the maintenance and establishment of the landscaping

This condition has been included to improve the visual quality and amenity of industrial development through the provision of effective, low maintenance landscaping. To ensure appropriate screening of outdoor areas from adjoining properties and from public places (including roads) and provide a buffer between industrial developments and adjoining or nearby non-industrial land uses.

22. Landscaping Completion

Landscaping must be established (i.e. planted) prior to the issuance of an occupation certificate.

23 Maintenance of landscaping

Landscaping must be maintained at all times throughout the life of the development.

**Division:**

In Favour: All

Against: Nil

### 7.15 Tocumwal Glider

**117 Resolved** Crs Taylor and Glanville that the Council:

1. Note the Engagement Report relating to the future location of the Tocumwal Glider attached as **“Appendix 7.15-A”**
2. undertake further investigation on alternate sites to display the glider and reconsider the matter at a future meeting

### 7.16 T14/20/21 – Civil Works Jersey Street, Tocumwal

**118 Resolved** Crs Glanville and Reynoldson that the Council:

1. accept the tender submission from Crawford Civil Pty Ltd for the civil works at Jersey Street, Tocumwal for the contract sum of \$420,936.60 including GST;
2. sign the contract documents on behalf of Council in relation to 1 above; and
3. appoint the Director of Technical Services as the Contract Superintendent.

### 7.17 Mayoral and Councillor Allowances

**119 Resolved** Crs Taylor and Bruce that the Council adopt the following Mayoral and Councillor allowances effective from September, 2021:

Mayoral allowance:	\$27,060
Councillor allowance:	\$12,400

## 8. ITEMS FOR NOTING

**120 Resolved** Crs Bruce and Reynoldson that Items for Noting numbered 8.1 to 8.5 inclusive be received and noted.

- 8.1 Caretaker Period
- 8.2 Tocumwal RSL Sub-Branch
- 8.3 Local Government Amendment Bill 2021
- 8.4 Development Determinations for Month of April 2021
- 8.5 Local Roads and Community Infrastructure (LRCl) Program

## 9. 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.
- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

### 9.1 T14-20-21 Civil Works, Jersey Street, Tocumwal

This item is classified CONFIDENTIAL under section 10A(2) 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, or

It is not in the public interest to reveal the commercial information provided by the consultant.



**121**      **Resolved** Crs Taylor 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*.

#### **9.1    T14-20-21 Civil Works, Jersey Street, Tocumwal**

Council closed its meeting at 11:45am. The public and media left the Chamber.

Open Council resumed at 11:47am.

### **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 Bruce and Glanville that the Council note this report for Tender 14/20/21 Civil Works, Jersey Street, Tocumwal

## **10. COMMITTEES**

Nil

## **11. MAYOR'S REPORT**

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

- Business Awards
- Open Working Space
- Extraordinary meeting – Final CEO interviews
- PGA dinner at Tocumwal
- Finley Probus meeting
- Barooga Recreation Reserve meeting
- PGA Trophy Presentation

- RAMJO Board meeting in Deniliquin
- Presentation to Finley High School students

124 **Resolved** Crs Glanville and Taylor that the Mayor's Report be received.

## 12. DELEGATES REPORT

### Cr John Taylor

- Nil

### Cr Roger Reynoldson

- Murray Darling Basin Association Pilot Program
- Business Awards
- PGA Dinner

### Cr Denis Glanville

- Business Awards
- PGA Dinner

### Cr John Bruce

- Business Awards
- Barooga Recreation Reserve meeting

## 13. BUSINESS ARISING

125 **Resolved** Crs Bruce and Taylor that the Council write to Barooga Recreation Reserve Committee of Management and Barooga Netball Club to inform both organisations on the process for renewal of the Barooga netball courts including:

- the development of a precinct masterplan for the entire reserve, to be prepared as soon as practicable;
- the Council's commitment to use funding available to the Council under Round 3 of the Local Roads and Community Infrastructure Program to undertake these works

### Cr Denis Glanville

- Nil

### Cr Roger Reynoldson

- What is the value of the Council's sponsorship of VIC/TAS Associates Golf event?  
- Mayor: '\$10,000'

**Cr John Taylor**

- Tocumwal Carpark proposal
  - there is need to consider commercial space in any development
  - Matthew Hansen: 'The Council has committed to a precinct plan and this can be identified in that plan'

**Cr Matthew Hannan**

- Cobram Barooga RSL
  - seek a Council representative for this function
  - none available

**Matthew Miller (Acting Development Manager)**

- Nil

**Matthew Clarke (Director Technical Services)**

- Nil

**Matthew Hansen (Acting General Manager)**

- Nil

**Cr John Bruce**

- Foreshadowed that he might not be able to attend the next Council meeting

**14. CLOSE OF MEETING**

There being no further business the meeting closed at 12:05pm.