



## EXTRAORDINARY MEETING OF COUNCIL

Held on Wednesday 23 June, 2021

at 4:00pm

Council Chambers

56 Chanter Street, Berrigan



# Minutes



Minutes of the Extraordinary Council Meeting held  
on Wednesday 23 June, 2021 commencing at 4:00pm.

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Min. No.

**PRESENT:**

Crs: Matthew Hannan (Mayor), Colin Jones, Denis Glanville, Ross Bodey, John Taylor and Roger Reynoldson

The following staff were also in attendance:

Karina Ewer (Chief Executive Officer), Matthew Hansen (Director Corporate Services), Matthew Clarke (Director Technical Services) and Matthew Miller (Acting Development Manager)

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

**149 Resolved** Crs Glanville and Taylor that apologies for non-attendance be received from Crs John Bruce, Daryll Morris and Cr Reynoldson.

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

Nil

**3. ITEMS FOR RESOLUTION**

### 3.1 Integrated Plans

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

1. Adopt the following:

- Reviewed Long Term Financial Management Plan 2021 – 2031 (“**Appendix 3.1-A**”);
- Reviewed Asset Management Strategy 2021 – 2031 (“**Appendix 3.1-B**”);
- Reviewed Workforce Development Plan 2021 – 2025 (“**Appendix 3.1-C**”);
- Reviewed Delivery Program 2017 – 2022 (“**Appendix 3.1-D**”);
- Annual Operation Plan 2021 – 2022 (“**Appendix 3.1-E**”)

2. Resolve that Cobram Barooga Sports Tourism Program 2021/22 proposal is referred for consideration as part of the September Quarter Business Review.

### 3.2 Operational Plan 2020/21 June Quarter Report

151 **Resolved** Crs Jones and Bodey that the Council note and adopt the June Quarter Review of the Council’s Annual Operational Plan 2020/21.

### 3.3 Rates and Charges 2021 - 2022

152 **Resolved** Crs Glanville and Taylor that Berrigan Shire Council will make and levy the following Ad Valorem amounts as the ordinary rate for the period 1 July 2021 to 30 June 2022 as presented and in accordance with Sections 534, 535, 536, 537 and 543 of the Local Government Act 1993.

Category -Sub Category	Name of the Rate	Ad Valorem
<b>Farmland</b>		
Farmland - Barooga	Farmland - Barooga	0.0040024
Farmland - Berrigan	Farmland - Berrigan	0.0040024
Farmland - Finley	Farmland - Finley	0.0040024
Farmland - Tocumwal	Farmland - Tocumwal	0.0040024
Farmland – Gravel Pits	Farmland – Gravel Pits	0.0040024
<b>Residential</b>		
Residential - Barooga	Residential - Barooga	0.009574
Residential - Berrigan	Residential - Berrigan	0.032136

Category -Sub Category	Name of the Rate	Ad Valorem
Residential - Finley	Residential - Finley	0.025493
Residential - Tocumwal	Residential - Tocumwal	0.010445
Residential Riverland - Barooga	Residential Riverland - Barooga	0.0095156
Residential Riverland - Tocumwal	Residential Riverland - Tocumwal	0.0095156
Residential Rural - Barooga	Res Rural - Barooga	0.005239
Residential Rural - Berrigan	Res Rural - Berrigan	0.005239
Residential Rural - Finley	Res Rural - Finley	0.005239
Residential Rural - Tocumwal	Res Rural - Tocumwal	0.005239
<b>Business</b>		
Business Hospitality - Barooga	Business Hosp - Barooga	0.009574
Business Hospitality - Berrigan	Business Hosp - Berrigan	0.032136
Business Hospitality - Finley	Business Hosp - Finley	0.025493
Business Hospitality - Tocumwal	Business Hosp - Tocumwal	0.010445
Business Industrial - Barooga	Business Ind - Barooga	0.009574
Business Industrial - Berrigan	Business Ind - Berrigan	0.032136
Business Industrial - Finley	Business Ind - Finley	0.025493
Business Industrial - Tocumwal	Business Ind - Tocumwal	0.010445
Business Ordinary - Barooga	Business Ord - Barooga	0.009574
Business Ordinary - Berrigan	Business Ord - Berrigan	0.032136
Business Ordinary - Finley	Business Ord - Finley	0.025493
Business Ordinary - Tocumwal	Business Ord - Tocumwal	0.010445
Business Rural - Barooga	Business Rural - Barooga	0.009574
Business Rural - Berrigan	Business Rural - Berrigan	0.032136
Business Rural - Finley	Business Rural - Finley	0.025493
Business Rural - Tocumwal	Business Rural - Tocumwal	0.010445
Business Alt Energy - Barooga	Business Alt Energy - Barooga	0.0124779
Business Alt Energy - Berrigan	Business Alt Energy - Berrigan	0.0124779
Business Alt Energy - Finley	Business Alt Energy - Finley	0.0124779
Business Alt Energy - Tocumwal	Business Alt Energy - Tocumwal	0.0124779
<b>Mining</b>		
Mining - Barooga	Mining - Barooga	0.009574
Mining – Berrigan	Mining – Berrigan	0.032136
Mining – Finley	Mining – Finley	0.025493
Mining – Tocumwal	Mining – Tocumwal	0.010445

- 153 **Resolved** Crs Bodey and Taylor that Berrigan Shire Council will make and levy the following charges for the period 1 July 2021 to 30 June 2022 to meet the costs associated with the collection, disposal and recycling of waste in accordance with Sections 496, 501, 504 and 543 of the Local Government Act 1993.

Waste collection service type	Name of the Charge	Charge per standard service \$
<b>Domestic Waste Management (s496)</b>		
Domestic Waste - Collected	Domestic Waste – Collected - Charge	328.00
Domestic Waste - Uncollected	Domestic Waste – Uncollected - Charge	61.00
Domestic Waste – Collected – Additional	Domestic Waste – Collected Charge – Add	206.00
<b>Non-Residential Waste Management (s501)</b>		
Business Garbage	Garbage Charge	288.00
Business Garbage and Recycling	Garbage and Recycling Charge	445.00
Additional Recycling/Recycling Collected Charge	Recycling Collected - Add	158.00

- 154 **Resolved** Crs Jones and Taylor that Berrigan Shire Council will make and levy the following water charges for the period 1 July 2021 to 30 June 2022 in accordance with Sections 501, 502, 543, 552 of the Local Government Act 1993, as well as reflecting the requirements of the Council of Australian Governments through NSW Water, Supply Sewerage and Trade Waste Pricing Guidelines.

Water Access Charge (s501)	Name of the Charge	Annual Access Charge \$
Access Charge – Rateable	Water Access Charge	562.00
Access Charge – Non-rateable	Water Access Charge	562.00
Water Restriction Relief	Water Restriction Relief	10.00

Water Consumption Charge (s502)	Name of the Charge	Per kilolitre \$		
		Restriction Level 4	Other restrictions	No Restrictions
<b>Barooga, Berrigan and Finley</b>				
Treated	Water Consumption Barooga Berrigan Finley - Treated	1.55	1.10	1.00
Unfiltered	Water Consumption Barooga Berrigan Finley - Unfiltered	0.77	0.55	0.50
<b>Tocumwal</b>				
Treated	Water Consumption Tocumwal - Treated	1.03	0.73	0.66

Sewer Charges	Name of the Charge	Annual Charge \$
<b>Sewer Supply Charge (s501)</b>		
Sewer Supply Charge - Barooga	Sewer Supply Charge	579.00
Sewer Supply Charge - Berrigan	Sewer Supply Charge	579.00
Sewer Supply Charge - Finley	Sewer Supply Charge	579.00
Sewer Supply Charge – Tocumwal	Sewer Supply Charge	579.00
<b>Sewer Pedestal Charge (s502)</b>		
Sewer Pedestal Charge – Non-rateable	Sewer Pedestal Charge	123.00
Sewer Pedestal Charge –Rateable	Sewer Pedestal Charge	123.00
<b>Sewer Maintenance Charge</b>		
On-site Sewer Maintenance Charge	On-site Sewer Maintenance Charge	161.00

155 **Resolved** Crs Jones and Glanville that Berrigan Shire Council will make and levy the following stormwater management service charges for the period 1 July 2021 to 30 June 2022 in accordance with Sections 496A and 543 of the *Local Government Act 1993* and clauses 125A and 125AA of the Local Government (General) Regulation 2005.

Stormwater Management Service Charge (s496A and s501)	Name of the Charge	Annual Charge
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		\$
Stormwater Management Service Charge – Urban Property	Stormwater Management Service	25.00
Stormwater Management Service Charge – Urban Strata Property	Stormwater Management Service	12.50

156 **Resolved** Crs Taylor and Bodey that land in the table below will be exempt from annual water and sewer charges for the period 1 July 2021 to 30 June 2022 or until sold, leased, rented or otherwise occupied during this period

Assessment No.	Address	Description
01305-00000000-000	84 Bruton Street, Tocumwal	L4 DP1250358
01313-00000000-000	33 Hadley Street, Tocumwal	L12 DP1250358
01315-00000000-000	29 Hadley Street, Tocumwal	L14 DP1250358
01316-00000000-000	27 Hadley Street, Tocumwal	L15 DP1250358
01320-00000000-000	22 Hadley Street, Tocumwal	L19 DP1250358
01321-00000000-000	24 Hadley Street, Tocumwal	L20 DP1250358
01328-00000000-000	66 Tessier Drive, Tocumwal	L27 DP1250358
01330-00000000-000	62 Tessier Drive, Tocumwal	L29 DP1250358
01331-00000000-000	60 Tessier Drive, Tocumwal	L30 DP1250358
01332-00000000-000	58 Tessier Drive, Tocumwal	L31 DP1250358
01376-00000000-000	1 Hamilton Street Finley	L1 DP1262202
01377-00000000-000	9 Hamilton Street Finley	L2 DP1262202
01378-00000000-000	13 Hamilton Street Finley	L3 DP1262202
01379-00000000-000	17 Hamilton Street Finley	L4 DP1262202
01382-00000000-000	25 Hamilton Street Finley	L7 DP1262202
01384-00000000-000	29 Hamilton Street Finley	L9 DP1262202
01385-00000000-000	35 Hamilton Street Finley	L10 DP1262202
01386-00000000-000	33 Hamilton Street Finley	L11 DP1262202
12969-00000000-000	31 Hamilton Street Finley	L12 DP 1262202

### 3.4 Establishment of a Regional Panel of Conduct Reviewers

157 **Resolved** Crs Bodey and Glanville that the Council agree to the establishment of a regional panel of conduct reviewers and appoint reviewers as selected by Riverina and Murray Joint Organisation through an Expression of Interest (EOI) process:

1. Local Government Legal
2. Moray & Agnew Lawyers

3. BAL Lawyers
4. Sinc Solutions
5. Centium
6. Wise Workplace

#### 4. 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.

##### 4.1 Establishment of a Regional Panel of Conduct Reviewers



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.

**158 Resolved** Crs Glanville and Taylor 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*.

#### 4.1 Establishment of a Regional Panel of Conduct Reviewers

Council closed its meeting at 4:20pm.

Open Council resumed at 4.23pm

#### 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 Taylor and Glanville that the Council note the report on the RAMJO Conduct Review Panel

#### 5. CLOSE OF MEETING

There being no further business the meeting closed at 4:24pm.