



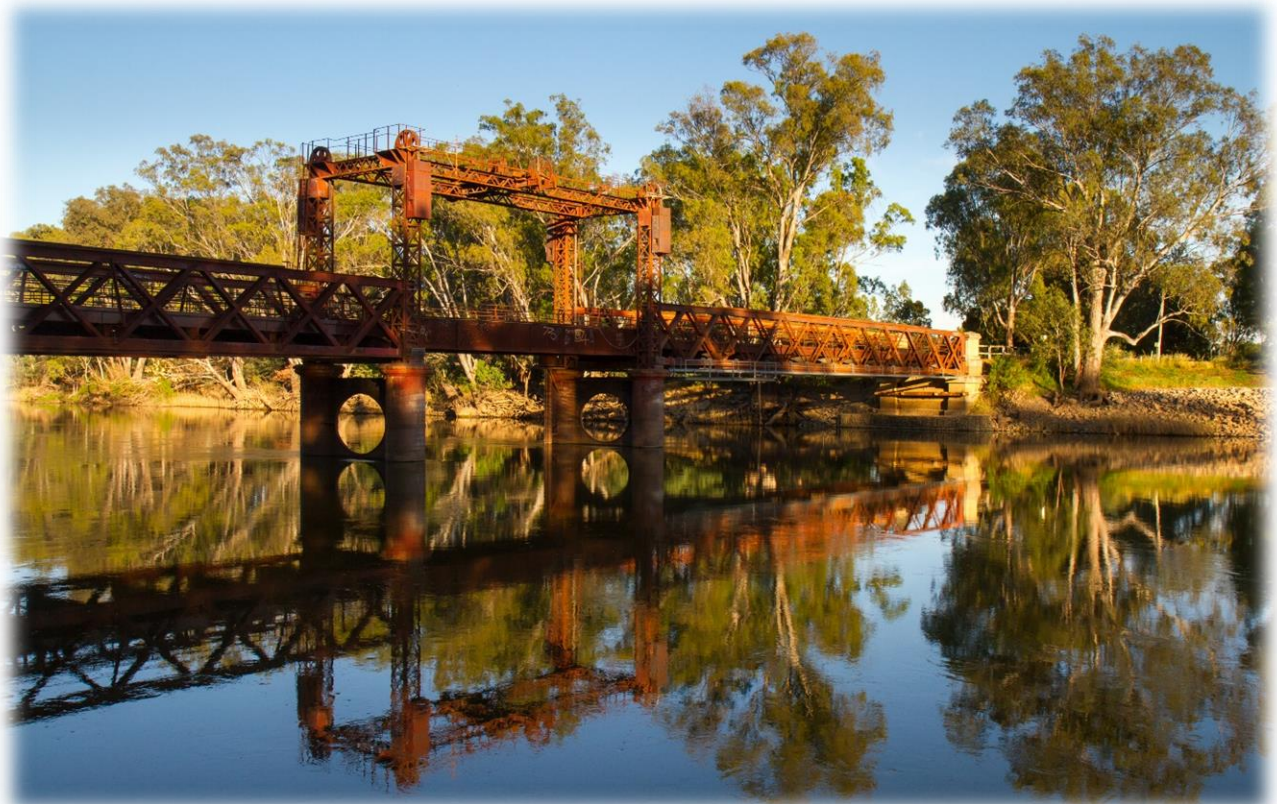
ORDINARY MEETING OF COUNCIL

Held on Wednesday 19 February 2020

at 11:00am

Council Chambers

56 Chanter Street, Berrigan



Minutes



Minutes of the Ordinary Council Meeting held
on Wednesday 19th February, 2020 commencing at 11:00am

Min. No.

PRESENT:

Crs: Daryll Morris (Deputy Mayor), John Bruce, Denis Glanville, Ross Bodey, John Taylor and Roger Reynoldson

The following staff were also in attendance:

Rowan Perkins (General Manager), Matthew Hansen (Director Corporate Services), Matthew Clarke (Director Technical Services), Fred Exton (Engineering Services Manager) and Laurie Stevens (Development Manager)

In the absence of the Mayor, the Deputy Mayor Cr Daryll Morris assumed the chair.

1. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

14 RESOLVED Crs Glanville and Bruce that apologies for non-attendance be received from Crs Matthew Hannan and Colin Jones.

2. DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTERESTS

Cr Roger Reynoldson declared to have non-significant non-pecuniary interest in item 8.16 as he is a board member of the Berrigan Golf and Bowls Club and his wife is a director for Berrigan Aged Care Association.

Matthew Hansen declared significant non-pecuniary interest in item 8.6 as he is a director of Berrigan Aged Care Association.

3. VISITORS

Sergio Redegalli – new Tocumwal Foreshore building (Question Time)
Marion Dickins & Andrea O'Neill (Question Time)
Steve Lloyd (Question Time)

4. CONFIRMATION OF MINUTES

- 15 **RESOLVED** Crs Taylor and Bodey that the Minutes of the meeting held in the Council Chambers on Wednesday 15th January, 2020 be confirmed.

5. MAYORAL MINUTES

Nil

6.1 NOTICE OF MOTION – SUPPLY OF WATER

- 16 **RESOLVED** Crs Taylor and Bruce that the Council rescind its decision made on 15th January 2020 as set out below and recorded as minute number 2:

RESOLVED Crs Bodey and Bruce That the Council, having considered the social and economic value of the continued operation of a high quality attraction at the Cobram Barooga Golf Club and subject to the following:

- Receipt of the required Ministerial approval;
- The Sporties Group maintaining an open membership policy;
- The Sporties Group not trading any water out for the next twelve months; and
- The water provision being a one off event

Agree to transfer 50ml from its Barooga Town water Supply allocation to the Sporties Group at a 20% discount from the monthly average sale price indicated by the Murray Irrigation Ltd Water Exchange.

And further,

That the Council, having considered the social and economic value of the continued operation of a high quality attraction at the Cobram Barooga Golf Club and subject to the following:

- Receipt of the required Ministerial approval;
- The Sporties Group maintaining an open membership policy;
- The Sporties Group not trading any water out for the next twelve months; and
- The water provision being a one off event

Give notice of its intention to agree to transfer 150ml from its Barooga Town water Supply allocation to the Sporties Group at 50% discount from the monthly average sale price indicated by the Murray Irrigation Ltd Water Exchange and invite public submission in relation to its intention with

such submissions to be considered by the Council at its meeting to be held on 18th March 2020.

6.2 NOTICE OF MOTION – SUPPLY OF WATER

17 **RESOLVED** Crs Taylor and Bruce that the Council, having considered the social and economic value of the continued operation of a high quality attraction at the Cobram Barooga Golf Club and subject to the following:

- Receipt of the required Ministerial approval;
- The Sporties Group maintaining an open membership policy;
- The Sporties Group not trading any water out for the next twelve months; and
- The water provision being a one off event

agrees to transfer 200ml from its Barooga Town water Supply allocation to the Sporties Group at a cost of \$50 per megalitre for use on the Cobram Barooga Golf Club, and further that the Council give notice of its intention to agree to transfer 200ml from its Barooga Town water Supply allocation to the Sporties Group at a cost of \$50 per megalitre and invite public submission in relation to it intention with such submissions to be considered by the Council at its meeting to be held on 18th March 2020.

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.

7.1 GENERAL MANAGER'S MID YEAR PERFORMANCE REVIEW

This item is classified CONFIDENTIAL under section 10A(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 the personal information relating to individual staff members.

- 18** **RESOLVED** Crs Reynoldson and Bruce 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 GENERAL MANAGER'S MID YEAR PERFORMANCE REVIEW

Council closed its meeting at 11:05am. The public and media and all staff left the Chamber.

Open Council resumed at 11:43am.

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 Deputy Mayor:

RESOLVED Crs Glanville and Taylor that the Mayor issue a Memorandum to the General Manager with respect to his Mid Year Performance Review.

Matthew Clarke, Matthew Hansen and Laurie Stevens returned to the meeting at 11:45am.

8.1 FINANCE - ACCOUNTS

- 21 **RESOLVED** Crs Taylor and Reynoldson that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 January 2020, be received and that the accounts paid as per Warrant No. 01/20 totaling \$2,325,405.92 be confirmed.

Laurie Stevens entered the Council Chambers at 11:46am.

8.2 LGNSW PROFESSIONAL DEVELOPMENT TRAINING

- 22 **RESOLVED** Crs Taylor and Glanville that Councillor Matthew Hannan be authorised to attend the LGNSW Professional Development Training for Chairing & Effective Meeting Procedures for Councillors in Sydney on 11th Mach 2020.

8.3 TOCUMWAL FORESHORE COMMITTEE OF MANAGEMENT

- 23 **RESOLVED** Crs Bruce and Taylor that the Council:
1. Revoke the existing delegation for the Tocumwal Foreshore Committee of Management;
 2. Make the following delegation to the Tocumwal Foreshore Committee of Management:
care, control and management of the Tocumwal Foreshore Reserve, less those areas subject to direct Council control, to a committee comprising citizens appointed from time to time by the Council vide the

provisions of Section 355 of the Local Government Act 1993, subject to the exercise of such authority in conformity with the direction of Council and Council policies, procedures and guidelines

3. Set the committee complement as eleven (11) delegates – all representing the interests of Berrigan Shire residents and all with voting rights.
4. The Committee quorum to be 6
5. Direct the Tocumwal Foreshore Committee of Management to set a date in April 2020 for its Annual General Meeting and give at least 28 days' notice of the meeting to the public.
6. That the executive be elected by the Committee after they have been elected.

8.4 COMMITTEES OF MANAGEMENT - FINLEY WAR MEMORIAL HALL AND FINLEY SCHOOL OF ARTS

24 RESOLVED Crs Taylor and Reynoldson that the Council:

1. Give notice of its intent to, at its Ordinary Meeting of 18 March 2020:
 - a. Modify the delegation of the Finley War Memorial Hall and School of Arts Committee of Management to remove responsibility for the care, control and management of Finley War Memorial Hall.
 - b. Create a new committee to be called Finley War Memorial Hall Committee of Management – and delegate to this committee care, control and management of the Finley War Memorial Hall.
2. Set complements for these committees as follows:
 - a. Finley School of Arts Committee of Management
 - i. 2 delegates from Finley Amateur Dramatic and Musical Society Inc.
 - ii. 2 delegates from Finley Old-Time Dance
 - iii. 3 delegates representing the general interest of Berrigan Shire residents
 - iv. The quorum for the Committee being 4
 - v. All members to have voting rights
 - vi. That the executive be elected by the Committee after its election and appointment
 - b. Finley War Memorial Hall Committee of Management

- i. 2 delegates from Finley Basketball Association Inc.
 - ii. 3 delegates representing the general interest of Berrigan Shire residents.
 - iii. The quorum of the Committee being 3
 - iv. All members to have voting rights.
 - v. That the executive be elected by the Committee of Management
3. Hold Extraordinary General Meetings for these committees before Wednesday 11 March 2020 to elect committee members to allow for formal appointment at the Council's Ordinary Meeting of 18 March 2020.
4. That the committees divide the existing cash held by the existing Committee of Management 50/50 unless otherwise jointly agreed.

8.5 ADVERSE EVENTS PLAN

- 25 RESOLVED** Crs Glanville and Taylor that the Council request Riverina and Murray Joint Organisation of Councils (RAMJO) to develop an Adverse Events Plan template for use by all member Councils and as required under the Federal Government's Drought Communities Programme – Extension.

8.6 DROUGHT COMMUNITIES PROGRAMME- EXTENSION: TRANCHE 2

- 26 RESOLVED** Crs Reynoldson and Taylor that the Council include the following projects in its application for funding for Tranche 2 of the Drought Communities Programme – Extension:
1. Irrigation improvements – Finley Golf Club – \$200,000
 2. Irrigation improvements – Berrigan Community Golf and Bowls Club – \$60,000
 3. Refresh Finley CBD buildings – \$100,000
 4. Redevelopment of Lions Park, Barooga – \$94,000
 5. Enhancing Berrigan CBD – \$ 50,000
 6. Construct a museum at Tocumwal Aerodrome – \$400,000
 7. Uninterruptable power supply at Amaroo Hostel – \$66,000
 8. Development of an Adverse Events Plan – \$30,000

8.7 MANAGEMENT ACCOUNTANT

27 RESOLVED Crs Taylor and Bruce that the Council:

1. endorse the action of the General Manager in amending the staff structure to include a permanent part-time (0.6 of a Full Time Equivalent) position of Management Accountant, and
2. include a budget provision for this position in the 2019/20 financial year and beyond.

**8.8 SUSPENSION OF ALCOHOL FREE ZONE – “TASTE IT”
FOOD FESTIVAL - MARCH 2020**

28 RESOLVED Crs Glanville and Taylor that the Council, subject to Police approval and development and other consent being given, suspend the Alcohol Free Zone for the area closed to traffic on Deniliquin Street, Tocumwal from 5:00pm to 11:00pm on Saturday 7 March 2020 in accordance with Section 645 of the *Local Government Act 1993*.

**8.9 BERRIGAN SHIRE COUNCIL - LOCAL HERITAGE FUND
2019/2020**

29 RESOLVED Crs Taylor and Reynoldson that Council offer grants of:

1. \$5,000 to Holy Trinity Anglican Church located at 42 Pinnuck Street, Finley for the replacement of the roof;
2. \$1,072.50 to Finley Opportunity Shop located at 179 Murray Street, Finley for painting of the façade of the building;
3. \$1,420 to Becroft Aircraft Hangar located at Burma Road, Tocumwal for repair and painting the façade of the building; and
4. \$2,271 to St John’s Church located at 130-132 Chanter Street, Berrigan for painting and maintenance internal and external sections of the building.

8.10 CATEGORISATION OF LAND – RENEWABLE ENERGY

30 RESOLVED Crs Reynoldson and Taylor that the Council, having reviewed its categorisation of land for the purposes of ordinary rates as per s523(1) of the *Local Government Act 1993* (the Act):

1. Create a new category of land for ordinary rating purposes – “Business – Alternative Energy”
2. Re-categorise the following lots from Farmland to Business - Alternative Energy effective from 1 July 2020 and provide notice to the owners as per s520 of the Act:
 - a. Lot 133 DP 752299
 - b. Lot 1362 DP 1246165
 - c. Lot 1341 DP 1247098

8.11 TOCUMWAL FORESHORE BUILDING

- 31 **RESOLVED** Crs Bruce and Taylor that the report regarding the Tocumwal Foreshore building be noted.

MOVED Cr Bruce moved the motion that the Council go out to tender with the current design with a budget of \$1.6m, subject to clearly identify the internal operations of the upstairs level and incorporating 3 viable commercial spaces downstairs once of which to accommodate the Visitor Information Centre.

The motion was lost.

- 32 **RESOLVED** Taylor and Glanville that:
1. Council staff prepare a report outlining the options and issues for conducting a design and construct tender process for the Tocumwal Foreshore building or using existing design, timeframes and current architect.
 2. That the Council convene an extraordinary Council meeting to be held on Wednesday 4th March 2020 and commencing at 9:00am in the Council Chambers to consider and order upon the report referred to in part (1) of this resolution.

8.12 TOCUMWAL AERODROME INDUSTRIAL SUBDIVISION

- 33 **RESOLVED** Crs Bruce and Taylor that the Council authorise the General Manager to give owners consent for the subdivision and development application for 10 Hectares of industrial land currently owned by the Council, situated at the Tocumwal Aerodrome and furthermore sell said 10

Hectares of land in question to the purchaser for the total amount of \$50,000 plus GST.

8.13 HALF COST SCHEMES FOR THE JERSEY STREET BUILDING BETTER REGIONS GRANT FUNDED PROJECT

- 34 RESOLVED** Crs Bruce and Bodey that the Council proceed with a half cost scheme for kerb and gutter and footpath as part of the *Building Better Regions* funded project for Jersey Street, Tocumwal.

8.14 FINANCIAL REVIEW

- 35 RESOLVED** Crs Reynoldson and Glanville that the Council:
1. Note the second quarterly review of the 2019/20 budget and vote the funds contained therein as shown in **Appendix "I"**
 2. Note the Quarterly Budget Review Statement attached also as **Appendix "J"**

8.15 DELIVERY PROGRAM PROGRESS REPORT AND QUARTERLY REVIEW

- 36 RESOLVED** Crs Reynoldson and Bodey that the Council note and adopt the appended Delivery Program Progress Report and December Quarter Review of the Council's Annual Operational Plan 2019/20

8.16 CORPORATE WORKSHOP OUTCOMES

- 37 RESOLVED** Crs Taylor and Bodey that the Council:
1. Discuss with future direction and application of the Finley TAFE Student Support Package with Finley TAFE and consider increasing the value of the package;
 2. Not continue the Charles Sturt University Accommodation Scholarship after 2020;
 3. Continue supporting the Bush Bursary program for 2021 and then review continued support of the program;
 4. Review future options for the Youth Futures Expo and consider increasing financial support for the program;

5. Continue to provide the Professional Scholarship;
6. Develop guidelines for all scholarship and support programs;
7. Request that RAMJO develop an Adverse Events Plan template for all member Council;
8. Prepare a draft Public Access and Mobility Plan for consideration and public consultation;
9. Conduct a climate risk assessment;
10. Develop business cases for the following possible waste projects:
 - Tip shop
 - Emoluments recycling
 - Recycling mattresses
 - Wood, building waste etc.
11. Implement a recycling education program;
12. Prioritise the following projects for development to a shovel ready stage:
 - Denison Street median in accordance with Town Plan
 - THAM – ensure adequate funding provided
 - Improvement of the Jerilderie Street, Berrigan (North of Chanter Street)
 - Mary Lawson Wayside Rest master plan
 - Finley stormwater retention expansion
 - Indoor Play Centre attraction or similar at Finley
13. Considered the following strategic projects in partnership with the community:
 - o Tocumwal Ambulance Station
 - o Purchase/develop industrial land
 - o Expanded pre-school and Child care at Tocumwal
 - o Expanded pre-school at Finley
14. Review its Investment Strategy to better reflect its current actions;
15. Develop a strategic land purchase plan including options to fund such purchases;
16. Consider the employment of a social support project officer for three years (subject to external funding) and that a report in relation to the matter be presented to the March 2020 Council meeting;
17. Determine that land used for alternative energy production be categorized, for rating purposes, as Business – Alternative energy and attract a rate charge equivalent to 50% of the appropriate town business rate and that any rates generated not be included in the town rate averaging process;

18. Review its current water trading policy to possibly include dealing with exceptional circumstances;
19. Request a report regarding half cost scheme legislation be presented to the March 2020 Council meeting; and
20. Consider a potential future community survey after staff have obtained quotes for such a survey.

8.17 REQUEST FOR FINANCIAL ASSISTANCE – SPORTIES BAROOGA

38 RESOLVED Crs Taylor and Bodey that the Council:

1. Support the Sporties Group golf driving range project;
2. Pursuant to s356 of the Local Government Act' and not having received any submissions, agree in principle to grant \$150,000 to the Sporties Group to develop a golf driving range
3. Such funding only be provided where State grant funding is not available or only \$450,000 is granted under the Murray Darling Basin Authority Economic Development Grant;
4. That if required the \$150,000 grant be provided from the Council Economic Development and Works Reserve.

9. ITEMS FOR NOTHING

39 RESOLVED Crs Bruce and Glanville that Items for Noting numbered 9.1 to 9.4 inclusive be received and noted.

- 9.1 OUTSTANDING LEADERSHIP AWARD
- 9.2 COUNCIL CONTRIBUTION TO CHAMBERS OF COMMERCE ETC.
- 9.3 AMENDMENTS TO THE ELECTORAL PROVISIONS OF THE LOCAL GOVERNMENT (GENERAL) REGULATION 2005
- 9.4 DEVELOPMENT DETERMINATIONS FOR MONTH OF JANUARY 2020

10. COMMITTEES

Nil

11. MAYOR'S REPORT

There was no Mayors report as the Mayor was absent from the meeting.

12. DELEGATES REPORT

Cr Ross Bodey

- Corporate Workshop
- Tocumwal Town meeting

Cr John Taylor

- Nil

Cr Roger Reynoldson

- Murray Darling Association meeting

Cr Denis Glanville

- Finley School of Arts opening
- Corporate Workshop
- Tocumwal Town meeting

Cr John Bruce

- Corporate Workshop
- School of Arts opening
- Tocumwal Town meeting

Cr Daryll Morris

- Tocumwal Town meeting
- Corporate Workshop
- Finley RSL Annual General Meeting

13. BUSINESS ARISING

Cr John Bruce

- Barooga Advancement Group wants to form a working group in relation fire prevention works in National and Regional Parks, notified public etc.

Cr Denis Glanville

- Nil

Cr Roger Reynoldson

- Nil

Cr John Taylor

- Corporate Workshop good

Cr Ross Bodey

- Murray Darling Association meeting

Cr Daryll Morris

- Bindies along rail track at Finley

Development Manager

- Nil

Director Corporate Services

- Nil

Director Technical Services

- Nil

General Manager

- Robyn Jones funeral

There being no further business the meeting closed at 12:58.