



BERRIGAN SHIRE COUNCIL

Minutes of the Council Meeting held in the Council Chambers on Wednesday 15th October, 2014 commencing at 9:15am.

Min. No. Present:

Crs: John Bruce, Matthew Hannan, Brian Hill, Denis Glanville, Darryl Morris, Andrea O'Neill, Director of Corporate Services (Matthew Hansen), Director Technical Services (Fred Exton), Development Manager (Laurie Stevens).

Apology

- 236 RESOLVED** that Crs Morris and O'Neill that an apology for non-attendance be received from Cr. Bernard Curtin (Mayor), General Manager (Rowan Perkins) and Cr Colin Jones.

Declaration of Items of Pecuniary and other Interests

Cr O'Neill declared a significant interest in Item 5.17. Cr O'Neill has an interest in a business that submitted an Expression of Interest.

Confirmation of Minutes

4. CONFIRMATION OF MINUTES

- 237 RESOLVED** Crs Morris and O'Neill that the Minutes of the meeting held in the Council Chambers on Wednesday 17th September, 2014 be confirmed.

5.1 FINANCE – ACCOUNTS

AUTHOR: Finance Manager

- 238 RESOLVED** Crs O'Neill and Glanville that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 30 September 2014, be received and that the accounts paid as per Warrant No. 09/14 totalling \$3,351,974.56 be confirmed.

- 239 RESOLVED** Crs O'Neill and C Bruce that Council suspend Standing Orders.

John Jameson addressed the meeting to discuss issues with the ducks on the Finley sewerage ponds.

Min. No.

5.2 SALE OF LAND AT TOCUMWAL AERODROME

AUTHOR: General Manager
STRATEGIC OUTCOME: Diverse and resilient business
STRATEGIC OBJECTIVE: 4.2 Strengthen and diversify the local economy
FILE NO: 05.005.9

240 RESOLVED Crs Bruce and Glanville that the Council sign and seal all documents relating to the sale of lots 31 and 32 DP 1190777, Liberator Place, Tocumwal.

5.3 PECUNIARY INTEREST RETURNS

AUTHOR: General Manager
STRATEGIC OUTCOME: Good government
STRATEGIC OBJECTIVE: 2.2 Ensure effective governance by Council of Council operations and reporting
FILE NO: 13.045.2

241 RESOLVED Crs Bruce and O'Neill that the Council note the tabling of Pecuniary Interest Returns received from Councillors and staff for the period 1st July, 2013 to 30th June, 2014.

242 RESOLVED Crs Glanville and Morris suspend Standing Orders move to item 5.5.

5.5 DRAFT LOCAL POLICY FOR THE RELOCATION OF PREVIOUSLY USED RESIDENCES

AUTHOR: Development Manager
STRATEGIC OUTCOME: Sustainable natural and built landscapes
STRATEGIC OBJECTIVE: 1.1 Support sustainable use of our natural resources and built landscapes
FILE NO:

243 RESOLVED Crs Bruce and O'Neill that the draft Local Policy for the Relocation of Previously Used Residences, as set out below, be placed on public exhibition for the statutory period under the provisions of the Local Government Act 1993.

Min. No.

1. POLICY STATEMENT

This policy is to ensure the following:

- A consistent style of dwelling within an area.
- Some certainty to owners of existing properties that there is a minimum acceptable standard of dwelling development within an established streetscape.
- To prevent low cost; poor quality and inappropriate development.
- That genuine developers have the opportunity to undertake alternative residential construction in appropriate locations by re-using existing resources.
- That such projects are completed in an appropriate period of time with minimal impact on adjoining residents.
- To minimize potential exposure to previously used building products now banned from sale or use in residential construction (such as asbestos cement or lead paint) in the interests of environmental health.
- The protection of public interest.

2. PURPOSE

The purpose of this policy is to ensure that previously used residences should only be relocated to areas where upon completion they will be compatible with surrounding structures and be of a satisfactory quality, design, size and appearance which will positively contribute to the built environment of the proposed locality.

3. SCOPE

This policy applies to the RU5 - Village Zones of Barooga, Berrigan, Finley and Tocumwal; and

to the R5 Large Lot Residential Zones throughout the Shire of Berrigan, under the provisions of Berrigan Local Environmental Plan 2013.

4. OBJECTIVE

This policy is developed to assist the Council with Delivery Plan Objective 1.1.1.3

In accordance with relevant legislation, codes and policies – process and approve / refuse development applications.

Min. No.

5. DEFINITIONS

Previously used residence– These are dwellings which have at some time been occupied. They may have been constructed as transportable buildings or conventionally constructed on a site with piers and platform floor.

Relocation - The physical moving of a residence from one site to another for the purposes of being used as a dwelling house.

6. POLICY IMPLEMENTATION

6.1 Application

Previously used residences must be compatible with the existing surroundings upon completion.

All residences must make a positive contribution to the built environment.

Previously used residences will generally only be considered appropriate as infill development in older established areas, not in newly established subdivisions or housing estates.

Where the proposed (previously used) residence is located on a site outside the Shire, the applicant must provide the Council with clear and current photographs of the structure and a written report from a suitably qualified and experienced building professional to state that the building is structurally sound and suitable for transportation by a competent person.

Any building which was constructed elsewhere more than five years previously will be carefully scrutinized by the Council and applicants will need to provide a compelling submission to support the proposal to relocate. Such buildings may not satisfy the present construction standards required by the Building Code of Australia (for water proofing; glazing; framing, etc); but must satisfy the performance requirements of the Code.

Any building constructed before 1987 may potentially contain asbestos building products. Work Health & Safety Regulations now prohibit the use of asbestos and lead based paint in residential construction work. The relocation of a previously used residence is considered to be construction work and may therefore require the safe treatment or removal of such products.

Developers will need to satisfy the Council that the project will be completed within an acceptable period of time. This will vary

Min. No.

depending upon the age, style and location of the building and may involve the payment of a ten thousand dollar (\$10,000) refundable cash bond or provision of a bank guarantee prior to commencement of any work. In any event, the Council will require the structure to have the external appearance of a new dwelling within three months of its relocation to any site.

6.2 Concessions

It is expected that all development should positively contribute to the public domain. Buildings should be attractive when viewed from public places.

In developing policies, the Council hopes to provide guidance to potential developers and the general community as well as to development assessment staff.

The Council may choose to vary this plan at any time without further community consultation upon assessment of an individual development application. All proposals will be given a merit based assessment by authorised staff and proposals which fail to satisfy the requirements of this policy will be referred to the Council for final determination.

Applicants must satisfy the Council that there will be a positive community benefit gained from varying this plan.

Examples of this may include:

Dwellings which were constructed more than five years previously, that are to be relocated and modified by substantial additions or by cosmetic modernization such as brick veneering, replacement of windows, re-pitching and replacement of roofing.

A concession for relocation of a manufactured home from an approved caravan park or manufactured home estate onto a single residential allotment as a separate dwelling, granny flat, or accommodation for an additional member of the family

A concession may also be granted by the Council on the grounds of genuine financial hardship, where alternative accommodation is unattainable and the proposal will be an improvement to existing circumstances. This may be seen to be in the public interest where it will result in an improvement to the neighbourhood.

Min. No.

6.3 Community Consultation

The relocation of previously used dwellings into residential areas of the Village zone can often be quite a sensitive matter to the existing residents. It is important for the Council to ensure that an informed assessment of the merits of each proposal is made in the public interest. In order to achieve this, every application for relocation of a used residence, which was constructed more than five years previously and is proposed within the Village zone, will be publicly advertised and adjoining landowners invited to make comment.

6.4 Council Requirements for submitting an Application

All development proposals for relocation of previously used residences are required to obtain development consent from the Council in accordance with the provisions of the *NSW Environmental Planning & Assessment Act 1979*.

If development consent is granted to the applicant, it will then be necessary to obtain a construction certificate and to appoint a Principle Certifying Authority, prior to the commencement of any work.

Failure to do so is an offence under the Act, for which substantial penalties apply.

6.5 Additional Requirements

Additional information to be submitted with application:

- Plans
- Photographs
- Professional building condition report
- Approximate age or year of original construction (Where a building is less than 5 years old a copy of the previous construction approval documents or occupation certificate must be provided).
- Detailed specification of materials used in construction (including linings and cladding materials)
- Details of any proposed modifications
- Expected time table for completion of specified work
- Written submission in support of the proposal

Council requirements for submitting a development application are specified on the back of the development application form.

Min. No.

7 RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *Local Government Act 1993*
- *Environmental Planning & Assessment Act 1979*
- *Berrigan Shire Council local Environmental Plan 2013*
- *Work Health and Safety Act 2011*

7.2 Council policies

- Berrigan Shire 2023 (Community Strategic Plan)
- Berrigan Shire Council Development Control Plan

**5.6 CHRISTMAS OFFICE CLOSURE AND
DECEMBER COUNCIL MEETING**

AUTHOR: General Manager

FILE NO: 13.044.1

244 RESOLVED Crs Glanville and Morris that the Council:

- Close the Shire Office from 4.00 pm on Wednesday 24th December, 2014 reopening on Monday 5th January, 2015 with those days not being public holidays or weekends being deducted from staff leave entitlements.
- Close the Shire Libraries from close of business on Wednesday 24th December, 2014 until Monday 5th January, 2015 with those days not being public holidays or weekends being deducted from staff leave entitlements.
- That the Council's December Council meeting be held on Wednesday 17th December, 2014.

**5.7 REVOCATION OF STOCK IMPOUNDING
POLICY AND DOG AND DOG
IMPOUNDING POLICY**

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.2 Ensure effective governance
by Council of Council operations
and reporting

FILE NO: 11.011.1, 11.011.3

245 RESOLVED Crs O'Neill and Glanville that the Council

- Revoke Policy 34 "Dog and Dog Impounding Policy" adopted on 16 January 1996.

Min. No.

- Revoke Policy 67 "Stock Impounding Policy" adopted on 16 January 1996.

5.8 BERRIGAN DEVELOPMENT CONTROL PLAN 2014

AUTHOR: Development Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO:

- 246 RESOLVED** Crs Bruce and Morris that Berrigan Development Control Plan 2014 be approved in accordance with the provisions of the Environmental Planning and Assessment Regulation 2000.

5.9 BAROOGA ADVANCEMENT GROUP COMMITTEE OF MANAGEMENT

AUTHOR: General Manager

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.2 Ensure effective governance by Council of Council operations and reporting

FILE NO: 02.036.1

- 247 RESOLVED** Crs Morris and O'Neill that the Council:

A) Revoke existing members of the Barooga Advancement Group Committee of Management.

B) pursuant to Section 355 of the Local Government Act, 1993, appoint the following persons to the BAROOGA ADVANCEMENT GROUP Committee of Management:

President Darrell Bowden

Secretary Karen Bruce

Treasurer Nikki Foster and Tash Bignell

Committee John Bruce, Bob Davis, Trevor Ellison, Barry Kennedy, Sue Kennedy, Lyn Thatcher, Denis Thatcher, Ian Yeoman.

Cr O'Neill left meeting at 9:55am

Cr O'Neill returned at 9:58am

Min. No.

**5.10 DEVELOPMENT APPLICATION
34/15/DA/DM STRAWBERRY FIELDS
CAMPING AND MUSIC EVENT 2014**

AUTHOR: Development Manager

STRATEGIC OUTCOME: Diverse and resilient business

STRATEGIC OBJECTIVE: 4.2 Strengthen and diversify the
local economy

FILE NO: 34/15/DA/DM

248 RESOLVED Crs Glanville and Morris that Development application
34/15/DA/DM 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 Strawberry Fields Site Map, Event Plan, Emergency Procedures Manual and on the application form and any supporting information received with the application except as amended by the conditions specified hereunder.

2. 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.

3. Impact on Adjoining Properties

Measures must be taken to minimise and control the emission of dust and noise from the property to ensure that there is minimal impact on adjoining properties.

4. Combustible Material

The event site and camping areas must be grazed and / or slashed prior to the event so as to reduce combustible material and reduce the risk of harm by fire.

5. Aboriginal Place or Objects

Activities on the site must not harm or desecrate any Aboriginal place or object in accordance with the National Parks and Wildlife Act 1974. Should any Aboriginal object be discovered and / or harmed in, on or under the land, the event organiser must notify the NSW Office of Environment and Heritage.

6. Mosquito Borne Diseases

Precautions must be undertaken prior to, and during, the event to reduce the potential for exposure to mosquito borne diseases given that there are large areas of stagnant water in close proximity to the site. The Murrumbidgee Local Health District of the NSW

Min. No.

Department of Health in Wagga Wagga can be contacted on (02) 69339100 for advice.

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.

8. 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. In addition, due to poor phone coverage in the area, you will be required to set up a communications centre that utilizes appropriate phone/satellite phone technology to enable liaison with emergency services in particular NSW Ambulance Service and NSW Rural Fire Service prior to the event.

9. Fencing

Appropriate fencing must be provided and maintained between the event site and adjoining properties throughout the event in order to contain patrons and prevent stock escaping.

10. Security

All security personnel must be licensed in New South Wales. Boundaries with adjoining properties are to be monitored at all times with patrons warned upon entry that penalties apply if caught trespassing. Sufficient security personnel must be employed to achieve the above requirement and a security presence must be maintained from Thursday until Tuesday noon. This condition is added to maintain site safety and ensure patrons do not encroach on adjoining properties.

11. Native Vegetation

Any destruction or injury to native vegetation is to be undertaken in accordance with the provisions of the Native Vegetation Act 2003 and where necessary an approval obtained from the Murray Local Land Services.

12. Litter

Garbage bins must be provided throughout the area and the site must be inspected following the event to ensure all litter is collected and disposed of appropriately. At the cessation of the event a site inspection must be arranged with Council officers to ensure that there is no refuse remaining on site.

13. Site Inspection

Min. No.

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.

14. Traffic Management

Provision must be made on site for extensive traffic queuing areas and a sufficient number of traffic management staff employed to direct traffic in an orderly manner to ensure that queuing on Lower River Road does not occur at peak times or in the event of access to the camping areas being obstructed.

15. Liquor Licensing

A valid liquor license issued by the NSW Independent 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.

Council called for a division in relation to the motion which resulted in the following:

Division

Voting In Favour: Crs. Bruce, Glanville, Hill, Morris, O'Neill

Voting Against: Cr Hannan

**5.11 NSW GRAIN HARVEST MANAGEMENT
SCHEME 2014/16**

AUTHOR: Director Technical Services

STRATEGIC OUTCOME: Sustainable natural and built
landscapes

STRATEGIC OBJECTIVE: 1.3 Connect and protect our
communities

FILE NO: 28.108.1

249 RESOLVED Crs Bruce and O'Neill that the Council participate in the NSW Grain Harvest Scheme 2014/16, subject to agreement from Murray Irrigation Pty Ltd that they support such participation in relation to increased loadings on their structures.

Min. No.

5.12 JOINT ORGANISATION PILOT - RAMROC

AUTHOR: Director Corporate Services
STRATEGIC OUTCOME: Good government
STRATEGIC OBJECTIVE: 2.2 Ensure effective governance by Council of Council operations and reporting
FILE NO: 13.010.1, 14.099.2

- 250 RESOLVED** Crs Morris and Glanville that Council advise RAMROC that it supports participation in the “Fit for the Future” Joint Organisation pilot program under a model that includes all existing RAMROC councils.

5.13 LIBRARY STRATEGIC PLAN

AUTHOR: Director Corporate Services
STRATEGIC OUTCOME: Supported and engaged communities
STRATEGIC OBJECTIVE: 3.2 Support community engagement through life-long learning, culture and recreation
FILE NO: 03.095.2

- 251 RESOLVED** Crs O’Neill and Morris that Council adopt the 2014 Library Services Strategic Plan as attached as Appendix “F”.

5.14 NATIONAL STRONGER REGIONS FUND

AUTHOR: Director Corporate Services
STRATEGIC OUTCOME: Good government
STRATEGIC OBJECTIVE: 4.2 Strengthen and diversify the local economy
FILE NO: 15.128.31

- 252 RESOLVED** Crs Bruce and O’Neill that Council:
- submit an application under the National Stronger Regions Fund for infrastructure works at the Tocumwal Intermodal
 - Commit up to \$1m to the project as its contribution

That Council staff prepare a report on the impact of borrowing \$1m for this project to the November Council meeting for consideration.

Min. No.

253 **RESOLVED** Crs Bruce and O'Neill that Council staff investigate and report to Council on a submission for a boardwalk at Tocumwal Foreshore under Round 2 National Stronger Regions Fund.

254 **RESOLVED** Crs Morris and Glanville that Council here suspend standing orders and move to item 5.4.

5.4 **2013/14 ANNUAL FINANCIAL STATEMENTS**

AUTHOR: Director Corporate Services
STRATEGIC OUTCOME: Good government
STRATEGIC OBJECTIVE: 2.2 Ensure effective governance by Council of Council operations and reporting

FILE NO: 12.066.1

The Finance Manager (Carla von Brockhusen) here entered the meeting.

Mr Phil Delahunty addressed the Council in relation to the Audit and preparation of the 2013/14 Annual Financial Statements and noting the following:

- First external audit of a NSW Council
- Role is to ensure accounts are true and fair
- A focus on ensuring internal controls and systems work
- Council is in a sound financial position.

255 **RESOLVED** Crs Bruce and Morris that the Council, having satisfied itself in relation to the preparation of its financial reports and special schedules:

1. refer its financial statements to the Auditors for the audit report.
2. at its meeting to be held on Wednesday 19^h November 2014, the Council present its audited financial reports and audited reports to the public and that the Council's intention be publicly notified.
3. sign the attached General Purpose Financial Report "Statement by Council" and the Special Purpose Financial Report "Statement by Council".
4. adopt the valuation of assets that Senior Officers have prepared in accordance with recognised valuation procedures as to a fair and reasonable value of those assets (see note 9).

Min. No.

The meeting adjourned at 10:55am.

The meeting reconvened at 11:25am.
The Finance Manager (Carla von Brockhusen) did not return to the meeting.

5.15 REQUEST FOR ASSISTANCE – CHARITY HAY RUN

AUTHOR: Director Corporate Services
STRATEGIC OUTCOME: Supported and engaged communities
STRATEGIC OBJECTIVE: 3.2 Support community engagement through life-long learning, culture and recreation
FILE NO: 02.163.1

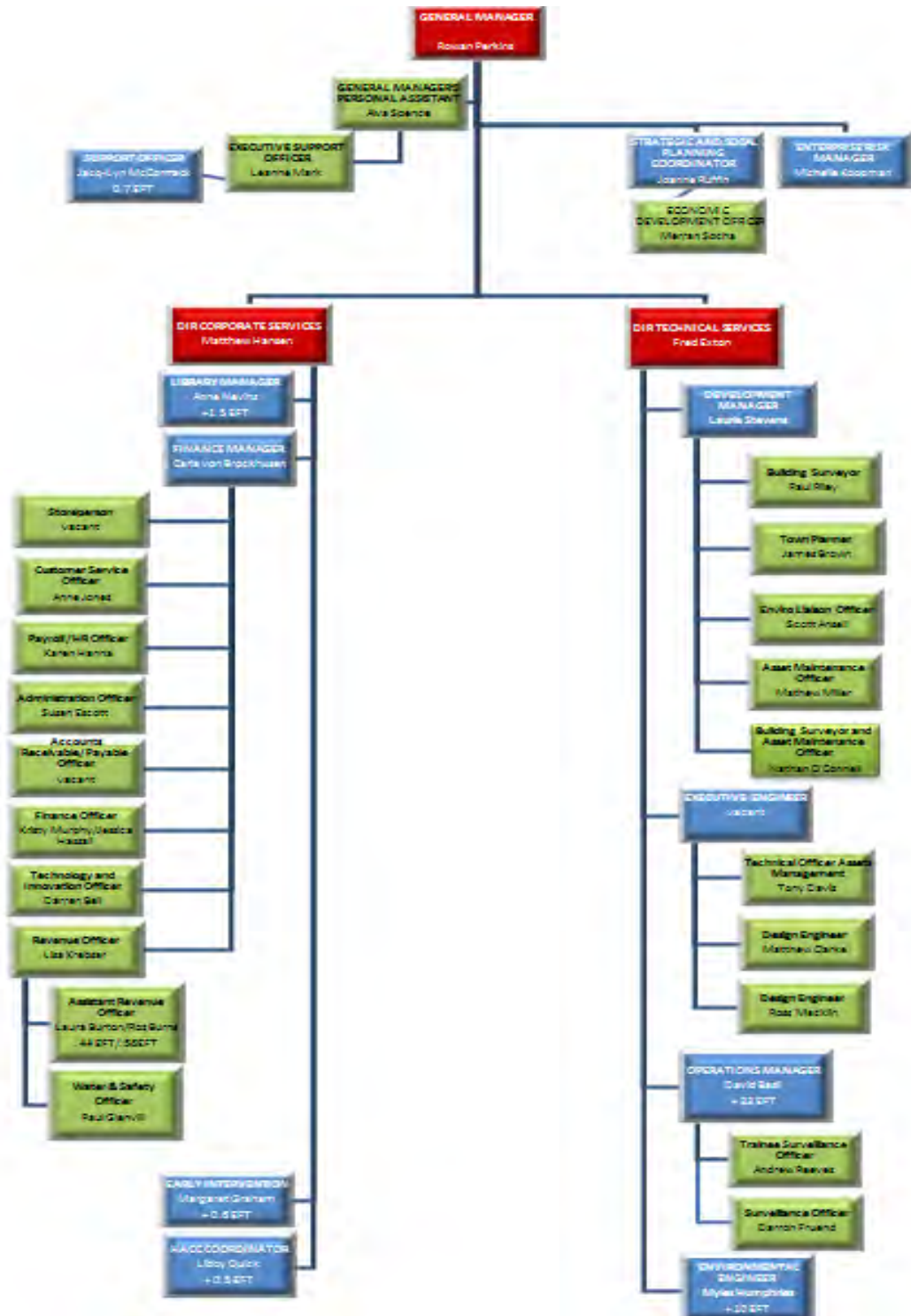
256 **RESOLVED** Crs O'Neill and Morris that the Council provide \$500 as its contribution to the RAMROC donation to the Charity Hay Run.

5.16 ORGANISATIONAL STRUCTURE – EARLY INTERVENTION SERVICE

AUTHOR: Director Corporate Services
STRATEGIC OUTCOME: Supported and engaged communities
STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities
FILE NO: 3.160.3

257 **RESOLVED** Crs O'Neill and Morris that the Council amend its organisational structure to include a part-time Early Intervention Officer position as shown.

Min. No.



Min. No.

Cr O'Neill having previously delivered a pecuniary interest in this issue, left meeting at 11:37pm

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.

7.2 HOME AND COMMUNITY CARE – EXPRESSIONS OF INTEREST

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:

Min. No.

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

It is not in the public interest to reveal the personal details of a particular individual.

258 **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*.

**7.2 HOME AND COMMUNITY CARE –
EXPRESSIONS OF INTEREST**

Council closed its meeting at 11:37am. The public and media left the Chamber.

Open Council resumed at 12:03pm

**RESOLUTIONS FROM THE CLOSED COUNCIL
MEETING**

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

**7.2 HOME AND COMMUNITY CARE – EXPRESSIONS OF
INTEREST**

that the Council note item 7.2 Home and Community Care – Expressions of Interest.

Min. No.

**5.17 HOME AND COMMUNITY CARE –
EXPRESSIONS OF INTEREST**

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged
communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and
accessible communities

FILE NO: 03.160.5

261 RESOLVED Crs Morris and Bruce that the Council, noting the
Expressions of Interest,:

- select Berrigan and District Aged Care Association Limited (Amaroo) as its preferred provider for Home and Community Care services in Berrigan and Jerilderie Shires. and
- recommend to ADHC NSW and the Department of Health and Aging that the Council's responsibilities and funding under the Council's current funding agreements be passed on to Berrigan and District Aged Care Association Limited (Amaroo) from a date to be set.

Cr O'Neill returned at 12:10pm

Late Item requiring Council Resolution
Admitted with the permission of the Mayor

5.18 SALARY PACKAGE REVIEW

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.2 Ensure effective governance
by Council of Council operations
and reporting

FILE NO: 12.019.1

262 RESOLVED Crs Bruce and Glanville that the Council note the
Salary Package Review for the year ended 30 June, 2014
conducted by RSD Chartered Accountants.

ITEMS FOR NOTING

- 6.1 QUARTERLY LIBRARY REPORT
- 6.2 DRAFT ANNUAL REPORT 2013- 2014
- 6.3 TENDER NO. T03/14/15 – INSITU PAVEMENT
STABILISATION FOR 2014/2017 CORRECTION
- 6.4 RATES COLLECTIONS AND OUTSTANDING DEBTORS
BALANCES – FIRST QUARTER 2014/2015

Min. No.

- 6.5 ROADS TO RECOVERY FUNDING
- 6.6 SPORT FACILITY PROGRAM
- 6.7 DEVELOPMENT DETERMINATIONS FOR MONTH OF
SEPTEMBER 2014

263 **RESOLVED** Crs Hill and Morris that Items for Noting numbered 6.1 to 6.6 Inclusive be received and noted.

264 **RESOLVED** Crs O'Neill and C Bruce that Council suspend Standing Orders.

MAYORS REPORT

- Cr. Curtin reported that he had attended the following during the period:
- RAMROC Coal Seam Gas meeting at Jerilderie
- Murray Darling Association with Michelle Koopman, Merran Socha and Colin Jones
- Jerilderie Mayor & GM re "Fit For the Future"
- Chamber Presidents
- RAMROC "Fit For the Future"
- Aunt Day Committee
- Amaroo opening of new wing
- "Fit For the Future" Discussion
- Welcome to new Anglican Bishop
- Health future needs for our area

265 **RESOLVED** Crs O'Neill and Glanville that the Mayors report be received.

DELEGATES REPORTS

Cr Hill

- Finley Showgrounds meeting
- RAMROC meeting
- Town Entry meeting
- Finley Recreation Reserve meeting

Cr O'Neill

- "Fit for the Future" meeting
- Barooga Advancement Group meeting

Cr Morris

- Nil

Cr Hannan

- Children's Games Youth Development Committee meeting
- Finley Town Entrance meeting
- Finley Recreation Reserve meeting

Min. No.

Cr Glanville

- Tocumwal Town Entrance meeting
- "Fit for the Future" meeting

Cr Bruce

- Barooga Advancement Group meeting

GENERAL BUSINESS

Cr Morris

- Hamilton Street property – applicant may seek a review

Cr Hannan

- Insurance at facilities
 - ERM to provide a response
 - DCS to discuss

Cr Glanville

- Nil

Cr Bruce

- Barooga Netball Club – soft fall & fenced area for children
- Murray darling Association conference
- Cemetery at Barooga is untidy and needs cleaning
- Warning signs on walking tracks - Michelle Koopman to work with Barooga Advancement Group
- Merran re Tourism Information Centre
- Water levels of Murray River – GM to reply when back
- Work for the Dole/Green Army

Director Technical Services

- Tuppal Food and Fibre Festival – Council to take on traffic management
- Walking and Cycling track to Cobram – part funding at People's Bridge
- Snell Road drainage on radar
- Broughans Road

266

RESOLVED Crs Morris and Hannan that as a result of opposition the Council advise affected property holders on Broughans Road that it proposed to withdraw funding to reconstruct the road and seek comment.

Director Corporate Services

- Tocumwal Narrandera rail line

Min. No.

- John Monash lecture
- Club Grants Category 3 – Tocumwal skate park
- Rural Council work shop
- Mid-Murray Joint Organistaion meeting
- Ducks – EDO to liaise with John Jameson about the role of Council

The meeting adjourned at 12:50am.

The meeting reconvened at 1:20am.

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 LEGAL ADVICE RECEIVED STREET RENAMING PROJECT

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

(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege

It is not in the public interest to reveal the legal advice provided to the Council.

267 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 Legal Advice Received Street Renaming Project

Council closed its meeting at 1:22pm. The public and media left the Chamber.

Min. No.

Open Council resumed at 2:35pm.

**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:

7.1 Legal Advice Received Street Renaming Project

That a notice of motion be placed for the next Council meeting as such,
“That Council rescind the notice of motion number 228 Recommendation No 1 adopted 21 August, 2013 regarding street names.”

Cr O'Neill

- Proposal for extension to squash courts at Berrigan Tennis Club.

There being no further business the meeting closed at 3:00pm.

