



**Minutes of the Council Meeting held in the Council Chambers on
Wednesday, 19th July, 2017 commencing at 9:40am**

Min. No. **Present** Cr. Matthew Hannan (Mayor)
Crs: Ross Bodey, Denis Glanville, Colin Jones, Daryll Morris,
Bernard Curtin, John Taylor, Director of Corporate Services
(Matthew Hansen), Development Manager (Laurie Stevens),
Engineering Services Manager (Matthew Clarke) and General
Manager (Rowan Perkins).

108 **Apology**
RESOLVED Crs: Glanville and Taylor that an apology for non-
attendance be received from Cr John Bruce.

Declaration of Items of Pecuniary and other Interests
Nil

4. CONFIRMATION OF MINUTES
109 **RESOLVED** Crs Jones and Morris that the Minutes of the meeting
held in the Council Chambers on Wednesday 21st June, 2017 be
confirmed.

5.1 FINANCE - ACCOUNTS
AUTHOR: Finance Manager
STRATEGIC OUTCOME: Diverse and resilient business
STRATEGIC OBJECTIVE: 2.1 Berrigan Shire 2027 objectives
and strategic actions facilitate the
effective governance by Council of
Council operations and reporting

110 **RESOLVED** Crs Taylor and Jones that the Financial Statement,
Bank Reconciliation Certificate and Petty Cash Book made up to 30
June 2017, be received and that the accounts paid as per Warrant
No. 06/17 totaling \$2,826,633.89 be confirmed.

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5.2 DESIGNATED PERSONS

AUTHOR: General Manager

STRATEGIC OUTCOME: Good government

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

FILE NO:

111 RESOLVED Crs Morris and Glanville that the Council:

1. Revoke all previously identified positions as Designated Persons; and
2. Pursuant to S441 of the Local Government Act designated the holder(s) of the following positions as Designated Persons:

Director of Corporate Services
Director of Technical Services
Finance Manager
Development Manager
Engineering Services Manager
Town Planner
Building Surveyor/Asset Maintenance Officer
Assets and Operation Manager
Industry and Economic Development Officer

5.3 CROWN LANDS – LAND NEGOTIATION PROGRAM

AUTHOR: General Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 1.1 Support sustainable use of our natural resources and built landscapes

FILE NO:

112 RESOLVED Crs Glanville and Jones that the Council participate in the Dept of Industry – Lands and Forests Land Negotiation Program 2017 – 2019.

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5.4 REGIONAL GROWTH FUND AND OTHER GRANTS

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO:

- 113 RESOLVED** Crs Bodey and Taylor that consideration of this matter be deferred until later in the meeting.

5.5 TREE MANAGEMENT

AUTHOR: Enterprise Risk Manager

STRATEGIC OUTCOME: Good government

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

FILE NO: 27.121.2

- 114 RESOLVED** Crs Morris and Jones that the Council:

1. revoke the existing Tree Management Policy.
2. adopt the Tree Management Policy as follows:
3. revoke the existing Preferred Tree Species List,
4. adopt the Preferred Tree Species List included as appendix "A".

71. TREE MANAGEMENT Policy

Version 02

File Reference No: 11.151.1

Strategic Outcome: Good government

Date of Adoption: 19/07/2017

Date for Review: 21/07/2021

Responsible Officer: Enterprise and Risk Manager

1. POLICY STATEMENT

Berrigan Shire Council is committed to the maintenance and improvement of its surrounding flora by effectively managing trees and vegetation within urban areas, road reserves and other lands over which Council has control.

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This policy seeks to provide a practical and balanced approach to tree management. Whilst the health, safety and welfare of Council staff and the community, and the protection of public property and private property where Council trees may encroach, is paramount, Council is also committed to preserving trees, improving the aesthetic urban landscape, and effectively managing the environment. Whilst these objectives can be conflicting, responsible risk management shall take precedence in any determination regarding existing or future plantings.

2. PURPOSE

The purpose of this policy is to formalise the Berrigan Shire Council's management of trees including:

- Tree selection and planting
- Risk assessment
- Maintenance and tree removal
- Preservation

3. SCOPE

This policy applies to all trees and shrubs that are growing on any property under Council's control including operational land, community land, nature strips, road reserves and public reserves.

4. OBJECTIVE

This policy is designed to assist the Council to meet the following Community Strategic Plan objectives:

1.2 Retain the diversity and preserve the health of our natural landscapes and wildlife;

2.2 Ensure effective governance by Council of Council operations and reporting.

5. DEFINITIONS

Preferred species: Are the trees that Council would select for planting after considering various factors including environmental, proximity to infrastructure, and ongoing maintenance.

6. POLICY IMPLEMENTATION

6.1 New Tree Selection and Placement

1. Council will provide suitable trees to plant on nature strips, but will also authorize resident to plant trees, provided that:-
 - a. A written application is made for such planting containing an undertaking from the applicant that the trees, once planted, will be watered and otherwise maintained by the applicant;

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- b. The trees will be of a type that is listed in Council's Preferred Species List;
 - c. The total number of trees on any section of nature strip (including existing trees) does not exceed two (2) for each property frontage, except where the General Manager may determine that additional trees are warranted, where the property frontage is significantly longer than normal or other unusual circumstances exist.
2. Residents or land owners may provide and plant additional trees on nature strips at their own cost provided that such trees are of a type listed on Council's Preferred Species List and provided that such plantings are located so as to minimise future problems in regard to Council infrastructure, other services and the safety of pedestrians and traffic.
 3. A resident or land owner may be required to remove or relocate any nature strip tree planted without prior approval, if the location or type of tree may cause problems in the future.

6.1.2 Tree Planting and Maintenance in New Subdivision Developments

Where a developer is required to plant trees as part of the planning permit process for new developments, Council will oversee the planting and establishment.

Approved landscape plans must conform to site assessments and Council's Preferred Species List.

6.1.3 Tree Planting – Council

To ensure the long term success of tree planting, a detailed analysis of site conditions and design constraints is required. The objective is to minimise risk associated with trees by selecting trees that will have minimal impact on, and have minimal impact by, their new environment.

6.2 Existing Trees

A map of tree types within Council's urban areas will be progressively developed. This will provide a general overview of trees that currently exist on Council's nature strips, within parks and reserves and surrounding Council controlled areas.

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Council will also progressively build a register of trees under Council control within urban areas. The Tree Register will identify:

- Tree species and common name
- Location
- Approximate height of the tree
- Approximate width of the tree
- Approximate age of the tree
- Assessed vitality of the tree
- Other information including surrounding infrastructure, risk assessment and recommendations.

As trees are replaced, or new plantings occur, the new tree is added to the Tree Register and the existing tree is noted as removed or other relevant comment.

6.2.1 Tree Risk Assessments

All trees under Council control located in urban areas will gradually, and as resources permit, undergo a risk assessment and will be included on the Tree Register with follow up inspections scheduled in accordance with the results of the risk assessment. Priority will be given to those trees where:

- Complaints have been received;
- There are obvious declines in tree health;
- The tree has been damaged;
- The tree or its roots are affecting Council services or infrastructure;
- Planned Council works are in the vicinity.

When assessing trees, factors used in the analysis include:

- The likelihood of limb or whole tree failure;
- The location and the activity occurring at that location where the tree/limb may fail;
- The maximum size of the tree or limb identified as having the potential to fail.

This information is then used to determine the risk rating and actions required, in accordance with Council's Risk Management Policy and Framework.

Recommendations for mitigation works or tree removal are usually made where the risks are very high or high, and there is minimal environmental or historical value in retaining the tree. Where doubt exists, or where further assessment is required, Council will enlist the services of a qualified arborist.

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Further assessment and development consent will be required where the tree or vegetation is or forms part of a heritage conservation area.

6.2.2 Pest and Disease Management

When pest and disease outbreaks compromise the health or increase the risks associated with trees, Council will only intervene where the trees in question have been planted by Council.

In these circumstances the efficacy and cost effectiveness of available treatments will be assessed and, if justified, the appropriate integrated pest management techniques will be undertaken.

Where affected trees are privately owned, and Council has been made aware, they will advise the owner so that the owner may take the appropriate action.

6.2.2.1 Termite Activity

The presence of pests in trees is not always apparent, and this is the case with termite activity. Council will treat Council planted trees where it has knowledge or has been advised of termite activity within those trees.

Due to the nomadic nature of termites, the place of origin of termites cannot be attributed to any particular tree and therefore Council will not be held responsible for any third party property damage.

6.2.4 Road Reserve Trees and Vegetation

Council, as the Road Authority under the Roads Act 1993, has a duty of care to the travelling public to, as far as reasonably practicable, ensure that trees and vegetation in the road reserve does not present a risk to life or property. In order to fulfil its duty of care it will be necessary for staff involved in road construction, maintenance and road inspections to be aware of trees and other vegetation that may present a risk to road users. This will be especially important following high wind or storm events.

Council has established guidelines under the Roadside Vegetation Management Plan to:

- o Maintain, and where necessary, enhance roadside conservation value roadsides;
- o Increase public awareness of the importance of roadside vegetation;

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- Encourage community involvement in roadside conservation projects;
- Provide management guidelines for roadside vegetation.

7. RELATED LEGISLATION POLICIES OR STRATEGIES

7.1 Legislation

- *Roads Act 1993*

7.2 Policies and strategies

- Berrigan Shire Council Preferred Species List
- Berrigan Shire Council Roadside Vegetation Management Plan
- Berrigan Shire Council LEP
- Berrigan Shire Council Risk Management Policy and Framework

5.6 ASBESTOS MANAGEMENT PLAN

AUTHOR: Enterprise Risk Manager

STRATEGIC OUTCOME: Good government

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

FILE NO: 05.101.9

115 RESOLVED Crs Curtin and Taylor that the Council:

1. revoke the existing Asbestos Management Plan;
2. adopt the Asbestos Management Plan included as appendix "B".

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5.7 LEGISLATIVE COMPLIANCE POLICY

AUTHOR: Enterprise Risk Manager

STRATEGIC OUTCOME: Good government

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

FILE NO: 27.121.2

116 RESOLVED Crs Bodey and Taylor that the Council:

1. that the Council revoke the existing Legislative Compliance Policy;
2. that the Council adopt the Legislative Compliance Policy as outlined below:

71. LEGISLATIVE COMPLIANCE POLICY

Version: 02

File Reference No: 27.121.2

Strategic Outcome: Good government

Date of Adoption: 19/07/2017

Date for Review: 21/07/2021

Responsible Officer: Enterprise and Risk Manager

1. POLICY STATEMENT

The activities of Local Government are affected by more than 100 State Acts, the main two being the *Local Government Act (NSW) 1993*, administered by the Department of Local Government, and the *Environmental Planning and Assessment Act (NSW) 1979*, overseen by the Department of Planning and Environment, and subsequent amendments thereto. In an environment of continuous legislative change, creating a risk of non-compliance, it is important for the Council to develop strategies to ensure conformity with applicable laws.

2. PURPOSE

This policy demonstrates a clear commitment by the Council to ensuring compliance with all applicable legislation. To facilitate this, the policy provides guidance on:

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1. The obligations of staff members in ensuring legislative compliance;
2. The consequences of non-compliance;
3. The application of legal requirements;
4. Moral and ethical objections, and
5. Strategies for ensuring compliance.

3. SCOPE

This policy applies to all staff of the Berrigan Shire Council including volunteers and contractors.

4. OBJECTIVE

This policy is designed to assist the Council to meet the following Community Strategic Plan objectives:

2.2 Ensure effective governance by Council of Council operations and reporting.

5. DEFINITIONS

Legislation - Laws that are made by Parliament, or under the authority of Parliament are called legislation, or statues. "Acts" are primary legislation. Acts may authorise the making of Regulations, Orders and Notices and there are referred to as subordinate legislation.

Legislation compels or directs the action of individuals, industry and other groups in specified circumstances and also outlines actions that are not to be taken, in order to achieve certain policy objectives.

Delegation Register – Councils have certain duties which they must perform, and certain powers which they must exercise, pursuant to the Local Government Act 1993, as well as a number of other Acts. Under the Local Government Act 1993, Council is able to delegate those duties to staff and Committees of Council.

The Delegation Register is a listing of those functions which Council has delegated to appropriate staff and Committees of Council.

6. POLICY IMPLEMENTATION

6.1 Staff Obligations

All Council staff are responsible for ensuring the Council complies with all relevant legislation. These responsibilities however differ across the organisation, based on the position requirements of the individual and their direct involvement in statutory functions.

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6.1.1. General Responsibilities

While the Council does not expect staff to be fully conversant with every State and Federal law, all staff members are expected to be aware of the common areas of legislation that affect their day to day work.

In addition, staff member are expected to be aware of a range of employment related laws (for example legislation relating to work, health and safety, equal opportunity, bullying and harassment), and are expected to be aware that certain actions may be subject to the criminal code (such as theft, assault, etc.).

Staff members should also be aware of any Council policies, codes, Australian Standards or statements that re relevant to their areas of responsibility.

6.1.2. Delegated Responsibilities

Staff members with delegated authority for carrying out statutory requirements (in accordance with the Delegation Register) are expected to develop a clear understanding of the relevant provisions as they relate to their responsibilities, and make themselves aware of changes to legislation and its impact on Council activities.

6.1.3 Management Responsibilities

Any staff member responsible for the management or supervision of staff must ensure appropriate information is disseminated to all workers under their responsibility. They are responsible for ensuring that risk due to non-compliance is minimised and workers under their responsibility are kept fully informed, briefed and/or trained about the key legal requirements relevant to their work.

They are also required to ensure that information relating to legislative changes is disseminated to appropriate staff members, and that recordkeeping systems and practices that capture evidence of compliance are in place.

6.2 Consequences of Non-Compliance

Staff should be aware that any failure to comply with the law could be a criminal act, or result in a breach of the law or a breach of discipline.

Failure to comply with legal requirements could result in:

1. Disciplinary proceedings;
2. A hearing by the Pecuniary Interest Tribunal into complaints concerning alleged failures by Councillors, staff, delegates and advisors to disclose pecuniary interests;

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3. Dismissal of the Mayor and Councillors and the appointment of an Administrator;
4. Removal of a Council's planning powers and the appointment of an Administrator;
5. The appointment of an Environmental Administrator (under relevant environmental legislation);
6. Legal proceedings against the Council for orders to remedy or restrain breaches of certain Acts, or for other legal challenges relating to such things as acting beyond the scope of authority of power, or failing to provide natural justice, possibly resulting in costly litigation and awards of damages;
7. Complaints about the conduct of the Council or staff members being referred to the Ombudsman, ICAC, Audit Office, Office of Local Government, or other relevant bodies;
8. Criminal proceedings;
9. Disruption to management, staff morale problems and bad publicity resulting from any of the above.

6.3 Application of Legal Requirements

The obligation to comply with legal requirements does not relieve the Council or individual staff members of the moral or ethical obligation to mitigate the effects of rigid adherence to the letter of the law where that results in, or would result in, unintended or manifestly inequitable or unreasonable treatment of an individual or organisation. For example:

1. If the law gives the Council discretion, it should be exercised in a fair and reasonable way;
2. If the law does not give the Council discretion, fairness may involve adopting a broad interpretation in certain circumstances rather than a rigid adherence to legality;
3. Other options may be available to the Council to mitigate any unreasonable or inequitable effects of compliance with the law. These could include, for example, waiving debts, refunding fees or charges, offering an expression of regret or an apology, deferring regulatory action to allow for an authorization to be obtained, fast tracking an assessment and determination of an application, etc.

In a similar manner, policies, codes, standards, etc. should not be applied inflexibly but on the basis of merit, with proper consideration being given to the particular circumstances of each individual case.

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Staff members should have regard to circulars, practice notes, codes, guidelines, etc. issued by government or relevant central agencies. They should comply with their terms unless there are justifiable grounds for taking another course of action within the scope of the discretion available to the decision-maker.

6.4 Dealing with Moral or Ethical Objections

There can be limited occasions where a staff member believes on moral or ethical grounds, that he or she cannot give effect to a lawful policy.

Where such objection is based on a *bona fide* belief that is honestly and strongly held (as opposed to a mere personal or political preference), the staff member concerned should be relieved of responsibility for the implementation or enforcement of that policy. As well as recognising moral objections, such an approach helps to ensure the actual and perceived impartiality and fairness of the Council.

6.5 Strategies for Ensuring Compliance

The General Manager will ensure a range of methods are adopted for use by Council staff to ensure compliance with key legislative changes.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Policies and Strategies

- Berrigan Shire Council Community Strategic Plan
- Berrigan Shire Council Local Environmental Plan
- Delegation Register
- All Council policies and plans developed in accordance with legislation

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5.8 POLICIES FOR READOPTION

AUTHOR: Enterprise Risk Manager

STRATEGIC OUTCOME: Good government

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

FILE NO: 22.112.2, 05.101.9

117 RESOLVED Crs Glanville and Morris that the Council:

1. note that it has reviewed the following policies:
 - Asset Management
 - Contaminated Lands
 - Workplace Rehabilitation
 - Event Management
 - Heat Stress
 - Asbestos Policy
2. set the date for their next scheduled review as July 2021.

**5.9 SWIMMING POOLS ACT 1992 – AUTHORISATION OF
STAFF**

AUTHOR: General Manager

STRATEGIC OUTCOME: Good government

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

FILE NO:

118 RESOLVED Crs Morris and Curtin that the Council:

in accordance with S27 of the Swimming Pools Act 1992 authorize
the holders of the following positions as inspectors:

- Development Manager
- Building Surveyor/Asset Maintenance Officer
- Building Surveyor Trainee

and

Sign and seal Certificates of Identification for holders of the
following positions:

- Development Manager
- Building Surveyor/Asset Maintenance Officer
- Building Surveyor Trainee

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5.10 LGNSW ANNUAL CONFERENCE

AUTHOR: General Manager

STRATEGIC OUTCOME: Good government

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

FILE NO:

- 119 RESOLVED** Crs Glanville and Taylor that the Council authorise the Mayor, Deputy Mayor, Cr Bodey and the General Manager to attend the 2017 LGNSW Annual Conference from 3rd December until 6th December 2017.

Camillus O’Kane (Town Planner) entered the Chambers at 9:50am.

5.11 DEVELOPMENT APPLICATION 138/17/DA/DM

AUTHOR: TOWN PLANNER

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 1.1 Support sustainable use of our natural resources and built landscapes

FILE NO: 138/17/DA/DM

- 120 RESOLVED** Crs Morris and Curtin that the Development Application 108/17/DA/DM for a Change of Use: Transportable Dwellings to Backpackers Accommodation be approved subject to the following conditions:

1. Approved Plans

The development shall be implemented in accordance with the details set out on the plans (BSC-001-BSC-009), the application form and on any supporting information received with the application except as amended by the conditions specified hereunder.

2. Maximum number of Residents

In order to ensure compliance with Fire Safety Standards as per the requirements of the Building Code of Australia, the maximum number of residents for the dwelling is to be no more 4 residents per dwelling. Should the number of residents exceed these limits a Fire Safety Schedule, incorporating the essential fire safety measures that are required under the provisions of the *Environmental Planning and Assessment Regulation 2000* (NSW), will need to be obtained from Council and include the

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provision of a Fire Safety Certificate indicating that the essential fire safety measures have been implemented.

3. Water Supply

It must be ensured that there is a sufficient water supply available at all times for domestic and firefighting purposes. Evidence of the storage capacity of the water supply must be provided to Council prior to the occupation of the building.

Division:

In Favour: Cr Matthew Hannan (Mayor), Crs: Ross Bodey, Denis Glanville, Colin Jones, Daryll Morris, Bernard Curtin, John Taylor,

Against: Nil

Camillus O’Kane left the Chambers at 10:00am.

**5.12 EARLY CHILDHOOD INTERVENTION SERVICE –
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: 03.160.3

121 RESOLVED Crs Glanville and Jones that the Council, noting the Expressions of Interest received:

- Select Kurrajong Waratah as its preferred supplier for Early Childhood Intervention services in the area covered by Berrigan Shire and the former Jerilderie and Urana Shires;
- Recommend to the NSW Department of Family and Children’s Services (FACS) that the Council’s current funding arrangements be passed onto Kurrajong Waratah from 1 August 2017.

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ITEMS FOR NOTING

- 6.1 2016 CENSUS RESULTS
- 6.2 2017 NSW LOCAL ROADS CONGRESS
- 6.3 PGA TRAINEE CHAMPIONSHIP
- 6.4 LGNSW REGIONAL PLANNING LUNCH
- 6.5 NOTICE OF WITHDRAWAL FROM RAMROC
- 6.6 LOCAL EMERGENCY MANAGEMENT COMMITTEE
MEETING
- 6.7 DEVELOPMENT DETERMINATIONS FOR MONTH OF
JUNE 2017

122 **RESOLVED** Crs Curtin and Morris that Items for Noting numbered 6.1 to 6.7 inclusive be received and noted.

123 **RESOLVED** Crs Bodey and Taylor that Council request the Department of Planning reconcile its population projection with Australian Bureau of Statistics (ABS) 2016 population count for the Berrigan Shire Council area.

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

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- (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 EARLY CHILDHOOD INTERVENTION SERVICE –
EXPRESSIONS OF INTEREST**

This item is classified CONFIDENTIAL under section 10A(d)(i) 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.

7.2 ORGANISATIONAL RESTRUCTURE

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 details of personnel.

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7.3 TOCUMWAL TO NARRANDERA RAILWAY LINE

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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

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

- 124 RESOLVED** Crs Curtin and Jones 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 EARLY CHILDHOOD INTERVENTION SERVICE –
EXPRESSIONS OF INTEREST
- 7.2 ORGANISATIONAL RESTRUCTURE
- 7.3 TOCUMWAL TO NARRANDERA RAILWAY LINE

Council closed its meeting at 10:20am. The public and media left the Chamber.

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7.3 TOCUMWAL TO NARRANDERA RAILWAY LINE

AUTHOR: General Manager

STRATEGIC OUTCOME: Diverse and resilient business

STRATEGIC OBJECTIVE: 4.3 Connect local, regional and national road, rail, and aviation infrastructure

FILE NO:

“that the Council not support the application for funding to be made by the Foodbowl Inland Rail Association under the Fixing Country Rail Program for a feasibility study for the re-opening of the Tocumwal – Narrandera railway at this time.”

8. MINUTES OF THE LOCAL TRAFFIC COMMITTEE

129 RESOLVED Crs Morris and Taylor that recommendations numbered 1 to 6 inclusive of the Local Traffic Committee Meeting held on 4th July, 2017 be adopted as amended.

1. REQUEST FOR LINE MARKING TOCUMWAL LIONS HOSTEL, 21-23 JERILDERIE ST TOCUMWAL

RECOMMENDATION NO.1- that

That Berrigan Shire Council installs line marking indicating that the area at the pedestrian ramp is a no parking zone at the Tocumwal Lions Hostel Tocumwal and two minute drop off zone signs be installed 2 meters left and right of said pedestrian ramp.

2. REQUEST FOR REDUCED SPEED LIMIT VERMONT STREET BAROOGA

RECOMMENDATION NO.2- that

- Berrigan Shire Council permanently block third median opening travelling north east along Vermont Street Barooga.

3. REQUEST FOR SIGNAGE YARRAWONGA ROAD

RECOMMENDATION NO.3- that

That Berrigan Shire Council install reduce speed signs on Yarrowonga Road near the intersection of the Riverina Highway to warn drivers of the upcoming intersection.

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**4. FINLEY PEDESTRIAN CROSSING – MURRAY
STREET/NEWELL HWY**

RECOMMENDATION NO.4- that
RMS Conduct a speed zone review of Murray Street around the
CBD area in Finley and also examine the implementation of
suggested treatment options made by the Finley Chamber of
Commerce for improving the safety around the pedestrian crossing
on Murray Street Finley.

**5. REQUEST FOR SCHOOL BUS SIGNAGE FULLERS AND
ADCOCKS ROADS**

RECOMMENDATION NO.5- that
Berrigan Shire Council relocates the existing school bus stop at the
intersection of Old Adcocks Road and Fullers Road to a more
suitable safer location.

**6 REQUEST FOR TIMED PARKING FOR SET DOWN AREA AT
THE BERRIGAN HOSIPAL ON MEMORIAL PLACE BERRIGAN**

RECOMMENDATION NO.6 - that
That Berrigan Shire Council installs line marking indicating that the
area at the pedestrian ramp is a no parking zone at the Berrigan
Hospital on Memorial Place Berrigan and two minute drop off zone
signs be installed 2 meters left and right of said pedestrian ramp.

The meeting adjourned at 10:40am

The meeting reconvened at 11:00am.

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MAYOR'S REPORT

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

- Tocumwal Recreation Reserve – Certificate of Appreciation
- Finley War Memorial Hall & School of Arts Committee of Management meeting – no quorum
- Finley Probus birthday party
- Finley Rotary change over

130 **RESOLVED** Crs Glanville and Taylor that the Mayors report be received.

DELEGATES REPORTS

Cr Jones

- Murray Darling Association meeting next Monday
- Central Murray County Council dinner for the retiring General manager next Friday

Cr Glanville

- Finley Rotary change over
- Berrigan Lions Club change over
- Tocumwal Lions Club change over
- PGA presentation at Tocumwal Golf and Bowls Club

Cr Curtin

- Inland Rail meeting
- Berrigan Banking Group meetings
- Berrigan Multi-Purpose Services

Cr Morris

- Tocumwal Rotary change over
- RFS meeting zone liaison

Cr Taylor

- Finley Local Health Area Committee meeting – local dialysis not available

Cr Bodey

- Tocumwal Probus meeting
- Tocumwal Lions Club change over
-

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GENERAL BUSINESS

Cr Bodey

- Nil

Cr Taylor

- Cleaning of footpath at Tocumwal
- Finley Football and Netball Club – mentors for thirds

Cr Morris

- Local Tenders

Cr Glanville

- Nil

Cr Jones

- Tocumwal resident – roots under roads
- Fine for cattle on roads
- Direct debit payments
- Overhanging tree on Quirks Road
- Tocumwal footpath cleaning

Cr Hannan

- Tree at Finley
- Solar farm meeting

Engineering Services Manager

- Nil

Development Manager

- Inspect house at Finley – organize meeting Wednesday 26/07 at 8:30am
- Finley cemetery toilets

Director Corporate Services

- Nil

General Manager

- Aerodrome meeting
- Tocumwal IGA site

Cr Taylor declared a Pecuniary Interest as he has an interest in a property affected by the above item and left the Chambers at 11:45am.

Min. No.

- 131** **RESOLVED** Crs Bodey and Glanville that the Council attempt to negotiate purchase of Lot 1 DP313441.

Cr Taylor returned to the Chambers at 11:53am.

5.4 REGIONAL GROWTH FUND AND OTHER GRANTS

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO:

- 132** **RESOLVED** Crs Bodey and Taylor that the Council apply for the following projects under the Regional Growth Fund (RGF):
- **Berrigan Netball Courts**
 - **Tocumwal Library Extension**
 - **Finely Skate Park**
 - **Barooga Foreshore Playground**
 - **Finley Showgrounds Rugby Building**
 - **Barooga Botanical Gardens Stage/Sound Shell**
 - **Tocumwal Path way**
 - **Berrigan ½ Court Basket Ball**

There being no further business the meeting closed at 12:50pm.