



**Minutes of the Council Meeting held in the Council Chambers on
Wednesday, 16th August, 2017 commencing at 8:35am.**

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) and General Manager (Rowan Perkins).

Apology

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

Declaration of Items of Pecuniary and other Interests

Cr John Taylor declared a Pecuniary Interest in Item 6.13 as he has an interest in the property.

4. CONFIRMATION OF MINUTES

134 **RESOLVED** Crs Morris and Taylor that the Minutes of the meeting held in the Council Chambers on Wednesday 19th July, 2017 be confirmed.

5. 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

Min. No.

- (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.

5.1 GENERAL MANAGER'S END OF 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 matters concerning individual staff.

5.2 CODE OF CONDUCT INVESTIGATION

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

- (f) matters affecting the security of the council, councillors, council staff or council property

It is not in the public interest to reveal matters affecting councilor/s.

Min. No.

- 135** **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*.

**5.1 GENERAL MANAGER'S END OF YEAR
PERFORMANCE REVIEW**

5.2 CODE OF CONDUCT INVESTIGATION

Council closed its meeting at 9:35am. The staff, public and media left the Chamber.

Open Council resumed at 12:21pm.

**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:

**5.1 GENERAL MANAGER'S END OF YEAR
PERFORMANCE REVIEW**

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: PF

“that the Council, having considered the General Manager's Total Remuneration Package, not increase its value, and further that the Mayor advise the General Manager of the results of his performance and salary review by memo.”

Min. No.

5.2 CODE OF CONDUCT INVESTIGATION

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:

“that the Council receive the report from the Conduct Reviewer and implement the recommendations made in the report as amended.”

6.1 FINANCE – ACCOUNTS

AUTHOR: Finance 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

139 RESOLVED Crs Jones and Bodey that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 July 2017, be received and that the accounts paid as per Warrant No. 07/17 totaling \$4,222,109.67 be confirmed.

Development Manager (Laurie Stevens) and Engineering Services Manager (Matthew Clarke) entered the Chamber at 12:23pm.

6.2 2016/17 RATES AND CHARGES AND INTEREST WRITTEN OFF

AUTHOR: Revenue Officer

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: 25.138.1

Min. No.

140 **RESOLVED** Crs Glanville and Morris that the Council under section 607 of the Local Government Act, 1993, and clause 131 (1-6) of the Local Government (General) Regulation 2005, write off the following amounts as recorded in the 2016/17 Write Offs – Rates and Charges document for the period 1st July, 2016, to 30th June, 2017:

Ordinary/General Rates/Interest	\$268.54
Annual Water Charges/Interest	\$114.50
Water Consumption/Charges/Interest	\$197.76
Annual Sewer/Pedestal Charges/Interest	\$107.41
Garbage/Domestic Waste Charges/Interest	\$139.27
Storm water/Drainage Charges/Interest	<u>\$287.55</u>
	\$1,115.03

6.3 LEGAL DOCUMENTS TO BE SIGNED UNDER SEAL OF COUNCIL

AUTHOR: Revenue Officer

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: 25.138.1

141 **RESOLVED** Crs Taylor and Jones that the Council sign and seal the following documents:

1. Certificate of 2016/17 Rates and Charges brought to account, as at 30 June, 2017.
2. Certificate of 2017/18 Rates and Charges levied, as at 10 July, 2017.

6.4 FINANCIAL REVIEW

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: 12.066.1

Min. No.

- 142** **RESOLVED** Crs Jones and Morris that the Council note the fourth quarterly review of the 2016/17 budget and vote the funds contained therein as shown in appendix "G".

6.5 UPGRADING BRUNKER STREET TO AN ALL WEATHER ROAD

AUTHOR: Engineering Services Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities

FILE NO: 28.051.4

- 143** **RESOLVED** Crs Morris and Taylor that the Council proceed with the upgrade of Brunker Street, Berrigan subject to a \$25,000 contribution being received in advance of construction from Croker Grain and that the outstanding amount of the Council contribution is taken from the budget for the proposed works on Tocumwal Street, Finley that are programmed for this financial year.

6.6 OVERGROWN AND UNTIDY PROPERTY

AUTHOR: Development Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO: 11.094.1

- 144** **RESOLVED** Crs Morris and Taylor that the Council clean up the property in accordance with Order and seek to recover costs from the property owner.

6.7 DELIVERY PROGRAM PROGRESS REPORT

AUTHOR: Strategic & Social Planning Coordinator

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:

Min. No.

- 145** **RESOLVED** Crs Taylor and Morris that the Council note the second Delivery Program Progress Report 2016/17 and June 2017 Quarterly Report reviewing Annual Operational Plan 2016/17 circulated as appendix "J".

6.8 TIP FEES

AUTHOR: General Manager

STRATEGIC OUTCOME: Diverse and resilient business

STRATEGIC OBJECTIVE: 4.1 Strengthen and diversify the local economy and invest in local job creation and innovation

FILE NO: 31.160.3

- 146** **RESOLVED** Crs Jones and Curtin that the Council advise the applicant that it will not waive tipping charges related to building demolition at Lots 1 & 2 Section 1 DP17183 and Lots 1 & 2 Section 24 DP 758412.

6.9 LIONS CLUB OF TOCUMWAL – REQUEST FOR RATE ASSISTANCE

AUTHOR: General Manager

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO: 25.138.1

- 147** **RESOLVED** Crs Jones and Bodey that the Council in future waive the ordinary rates of the Tocumwal Hostel.

6.10 LGNSW ANNUAL CONFERENCE – SUBMISSION OF MOTIONS

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:

Min. No.

- 148** **RESOLVED** Crs Morris and Glanville that the Council submit a motion for consideration at the 2017 LGNSW Annual Conference to the effect of requesting the NSW State Government to put in place a process to allow Councils declared to be unfit for the future, because they failed IPART's scale and capacity test, to be declared as fit for the future.

6.11 QUEENSLAND FRUIT FLY PROGRAM

AUTHOR: Economic Development Officer

STRATEGIC OUTCOME: **Diverse and resilient business**

STRATEGIC OBJECTIVE: **4.1 Strengthen and diversify the local economy and invest in local job creation and innovation**

FILE NO: 3.160.15

- 149** **RESOLVED** Crs Morris and Curtin that the Council survey the community with an "expression of interest" form to gauge the support for a free or subsidised *Unwanted fruit tree removal program*.

6.12 BENDIGO BANK AGENCY

AUTHOR: General Manager

STRATEGIC OUTCOME: **Supported and engaged communities**

STRATEGIC OBJECTIVE: **3.1 Create safe, friendly and accessible communities**

FILE NO: 12.024.1

- 150** **RESOLVED** Crs Glanville and Taylor that the Council agree in principle to operate a Bendigo Bank agency at its Shire Office subject to:
1. review of an official agency agreement;
 2. the agency being auspiced by the Coleambally Community Bank;
 3. the receipt of a wages subsidy until the agency covers operational costs; and
 4. receipt of \$5,000 contribution to required office modifications.

Min. No.

Cr John Taylor left the Chamber at 12:52pm as he has a Pecuniary Interest in the Deniliquin Street property.

6.13 DENILIQVIN STREET TOCUMWAL

AUTHOR: General Manager

STRATEGIC OUTCOME: Diverse and resilient business

STRATEGIC OBJECTIVE: 4.1 Strengthen and diversify the local economy and invest in local job creation and innovation

FILE NO:

- 151 RESOLVED** Crs Glanville and Bodey that the Council negotiate a “first option” for the potential purchase of Lot 1 DP 313441.

Cr John Taylor returned to the Chamber at 12:52pm.

6.14 STRONGER COUNTRY COMMUNITIES FUND

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO: 15.128.33

- 152 RESOLVED** Crs Morris and Curtin that the Council, having considered the results of the survey and the Council’s strategic priorities, submit the following projects for funding under the Stronger Country Communities Program:

1. Netball Courts, Berrigan
2. Skate Park, Finley
3. Library extension, Tocumwal
4. Challenge playground, Barooga
5. Change rooms and kiosk, Finley Showgrounds
6. Walking paths, Tocumwal
7. Half-court basketball facility, Berrigan

Min. No.

6.15 FINLEY SCHOOL OF ARTS

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO: 05.101.3

- 153 RESOLVED** Crs Bodey and Taylor that the Council defer consideration of this request until such time as final plans for concept 3 have been adopted by the Council.

The meeting adjourned at 1:05pm. and reconvened at 1:25pm.

ITEMS FOR NOTING

- 7.1 EARLY CHILDHOOD INTERVENTION SERVICES ANNUAL REPORT - 2017
- 7.2 INNOVATION FUND
- 7.3 OUTSTANDING RATES AND DEBTORS BALANCES
- 7.4 DEVELOPMENT DETERMINATIONS FOR THE MONTH OF JULY 2017

- 154 RESOLVED** Crs Curtin and Glanville that Items for Noting numbered 7.1 to 7.4 inclusive be received and noted.

8.1 MINUTES OF THE CORPORATE SERVICES COMMITTEE MEETING

- 155 RESOLVED** Crs Glanville and Bodey that recommendation number 1 of the Corporate Services Committee Meeting held on 2nd August, 2017 be adopted.

5. AUSTRALIAN PRIMARY SCHOOLS NATIONAL CRICKET CHAMPIONSHIPS

AUTHOR: Strategic & Social Planning Coordinator

STRATEGIC OUTCOME: Diverse and resilient business

STRATEGIC OBJECTIVE: 4.2 Diversify and promote local tourism

FILE NO:

Min. No.

RECOMMENDATION NO. 1 - that the Council, further to Mr Michael O'Dwyer's of Barooga Sporties presentation to Council at its Committee Meeting held 2nd August 2017,

1. Allocate up to \$20,000 to be drawn from its Economic Development Tourism and Event Budgets for the express purpose of reimbursing approved costs incurred by Australian Primary Schools National Cricket Championship volunteers and facility upgrades.
2. Facilitate and support the project proponent's subsequent development of the detail of this proposal.
3. Facilitate and support the project proponent's liaison with Destination NSW.

8.2 MINUTES OF THE TECHNICAL SERVICES COMMITTEE MEETING

156 RESOLVED Crs Glanville and Taylor that recommendations numbered 2 and 3 of the Technical Services Committee Meeting held on 2nd August, 2017 be adopted.

5. REQUEST FOR UPGRADE OF BRUNKER STREET, BERRIGAN

AUTHOR: Engineering Services Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities

FILE NO:

6. FINLEY PEDESTRIAN CROSSING

AUTHOR: Engineering Services Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities

FILE NO: 28.101.1

RECOMMENDATION NO. 2 - that Council accepts Roads and Maritime Services (RMS) proposal of upgrading the pedestrian crossing in Murray Street, Finley by the installation of a wombat crossing and upgraded signage.

Min. No.

7. ABORIGINAL LAND CLAIMS

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:

RECOMMENDATION NO. 3 - that Council respond to the Aboriginal Land Claims Investigation Unit indicating that it would be in Councils interest to retain control of the identified parcels of land the subject of the Aboriginal Land Claims as they either have a lawful use or occupation and/or are needed for an essential public purpose.

MAYOR'S REPORT

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

- Finley Solar meeting
- Meet with Rev Stephen Davis
- Barooga Trikki Kids
- Finley War Memorial Swimming Pool Annual General Meeting
- Community Engagement Summit, Sydney
- Chamber Presidents meeting
- Finley School of Arts and War Memorial Hall
- Finley Recreation Reserve
- Early Childhood Intervention Services farewell
- Onsite meeting at cemeteries
- Finely Chamber of Commerce, Industry and Agriculture meeting
- Council meeting briefing

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

Min. No.

DELEGATES REPORTS

Cr Bodey

- Finley Solar meeting
- MDA R2 meeting
- House meeting at Finley
- Tocumwal Foreshore Committee of Management Annual General Meeting

Cr Taylor

- Finley Solar meeting

Cr Morris

- House meeting at Finley
- RAMROC

Cr Curtin

- Finley Solar meeting
- Central Murray County Council send off for Barry Barlow, retiring General Manager
- Berrigan Multi-Purpose Service
- Bank Committee meeting
- Bendigo Bank meeting

Cr Glanville

- Finley Solar meeting
- Lions District change over at Barooga
- House meeting at Finley
- Liz McLaurin Rose Bowl Award presentation

Cr Jones

- Finley Solar meeting
- MDA R2 meeting
- Aerodrome Users meeting
- Central Murray County Council send off for Barry Barlow, retiring General Manager

Min. No.

GENERAL BUSINESS

Cr Jones

- Odour – Ingo Renner Drive, Tocumwal
- Resident Bruce Birrell Drive

Cr Glanville

- Nil

Cr Curtin

- Nil

Cr Morris

- Nil

Cr Taylor

- Four Corners – Murray Darling Basin Authority

Cr Bodey

- Damage to road outside 89 Bruton Street – garbage truck
- Truck parking restrictions
- Skate Park sign

Cr Hannan

- Bus stop at Berrigan
- Caravan parking at Finley
- Town entry signs
- New trees

Development Manager

- Nil

Director Corporate Services

- Grant update

Engineering Services Manager

- Nil

Min. No.

General Manager

- Community Cabinet
- SES presentation

There being no further business the meeting closed at 2:20pm.