



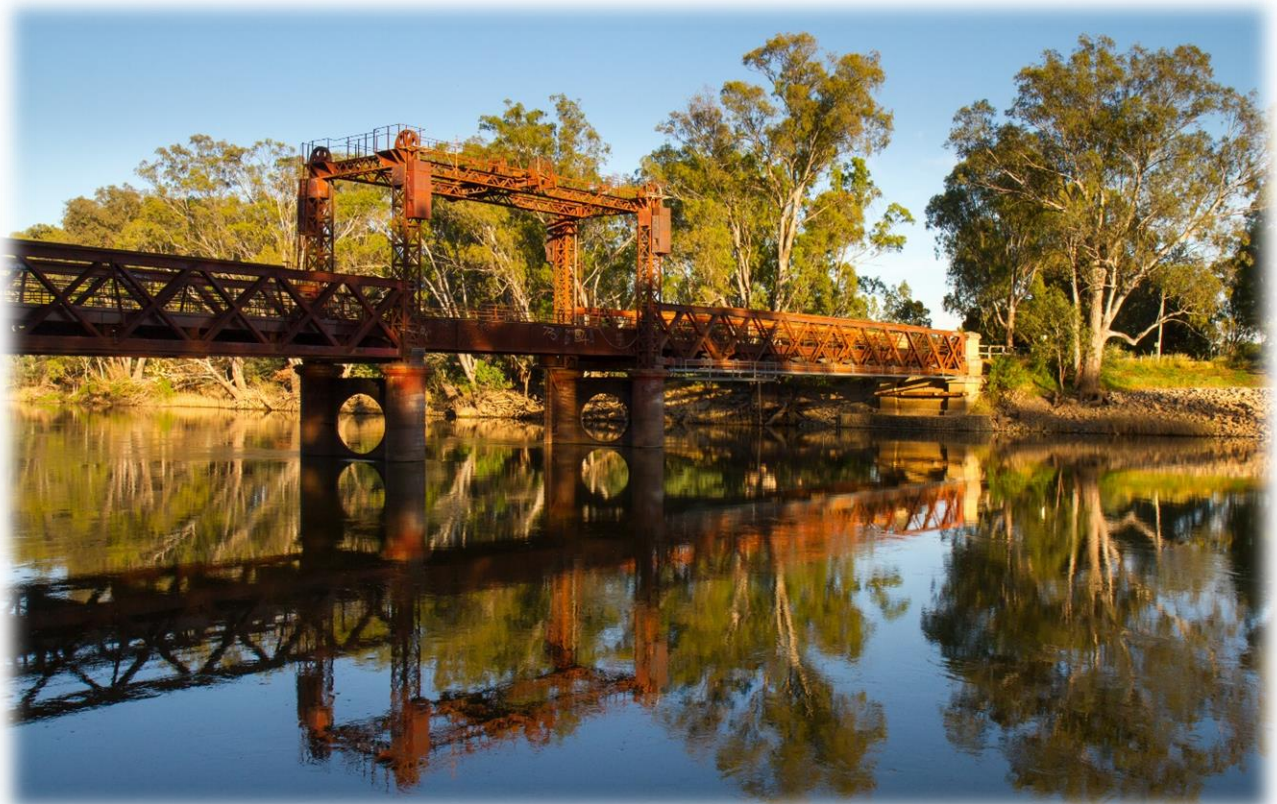
ORDINARY MEETING OF COUNCIL

Held on Wednesday 16 December, 2020

at 11:00am

Council Chambers

56 Chanter Street, Berrigan



Minutes



Minutes of the Ordinary Council Meeting held
on Wednesday 16 December, 2020 commencing at 11:00am

Min. No.

PRESENT:

Crs: Matthew Hannan (Mayor), John Bruce, Colin Jones, 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) and Laurie Stevens (Development Manager)

1. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

294 **Resolved** Crs Glanville and Jones that an apology for non-attendance be received from Cr Morris.

2. DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTERESTS

Nil

3. VISITORS

Nil

4. CONFIRMATION OF MINUTES

295 **Resolved** Crs Bodey and Taylor that the Minutes of the meeting held in the Council Chambers on Wednesday 18 November, 2020 be confirmed.

5. MAYORAL MINUTES

Nil

6. NOTICE OF MOTION

Nil

7. ITEMS FOR RESOLUTION

7.1 Finance - Accounts

296 **Resolved** Crs Taylor and Reynoldson that the Council:

- a) Receive the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 30 November 2020,
- b) Confirm the accounts paid as per Warrant No. 11/20 totaling \$2,146,473.90, and
- c) Note the report on investments attached as **"Appendix 7.14-A"**

7.2 Request to Purchase Land

297 **Resolved** Crs Glanville and Taylor that the Council agree in principle to sell land located at Tocumwal Aerodrome subject to any sale being at market value and purchaser to cover legal costs with the land required to be consolidated with the purchasers existing property of Lot 1 DP 856794.

7.3 Berrigan Shire Council Local Heritage Fund 2020

298 **Resolved** Crs Jones and Bruce that Council offer grants of:

- 1) \$5,000 to Union Bank Residence Berrigan located at 1-5 Chanter Street, Berrigan for works on the façade including fixing damaged brick work and moldings and painting windows;
- 2) \$3,000 to Presbytery Residence Tocumwal located at 47 Hennessy Street, Tocumwal for renewing existing front verandah; and
- 3) \$2,000 to Bruton Street Residence Tocumwal located at 32 Bruton Street, Tocumwal for painting the roof and external features such as chimneys.

7.4 Murray Darling Association Name Change Proposal

299 **Resolved** Crs Bruce and Reynoldson that the Council not support the name change for Murray Darling Association.

7.5 2019-20 Annual Financial Statements

- 300 **Resolved** Crs Taylor and Reynoldson that the Council having satisfied itself in relation to the preparation of its financial reports and special schedules:
1. note the draft Management Representation Letter;
 2. refer its financial statements to the Auditors for the audit report;
 3. subject to receipt of the audit report, at its meeting to be held on Wednesday 20 January 2021, the Council present its audited financial reports and audited reports to the public and that the Council's intention be publicly notified;
 4. sign the attached General Purpose Financial Report "Statement by Council" and the Special Purpose Financial Report "Statement by Council"; and
 5. adopt the valuation of assets prepared in accordance with recognised valuation procedures as a fair and reasonable value of those assets (see note 10);
 6. and further that the Council convey its congratulates to staff

7.6 Annual Report 2019 - 2020

- 301 **Resolved** Crs Bodey and Jones that the Council adopt the Annual Report 2019 – 2020 attached as "**Appendix 7.6-A**".

7.7 Development Application 59/21/DA/D9 - 2 Lot Subdivision/Boundary Realignment

- 302 **Resolved** Crs Bruce and Glanville that the Council give interim support to the concept Development Application 59/21/DA/D9 subject to guidelines being developed by Council at their forthcoming Corporate Workshop which will provide clear guidelines for this and future small lot developments and that the Development Application not be formally approved until Council has adopted these guidelines.

Division:

In Favour: Crs Hannan, Taylor, Glanville, Jones, Reynoldson and Bruce

Against: Cr Bodey

The Council did not support staff recommendation as the Council wants to support intensive agriculture in the Shire with the reduction of water allocations and there are a large number of lots like this that the Council are unsure how to deal and the policy position needs to be addressed

7.8 Adverse Events Plan 2020 - 2024

- 303 **Resolved** Crs Reynoldson and Glanville that the Council adopt the Berrigan Shire Council Adverse Events Plan 2020 – 2024 attached as “**Appendix 7.8-A**”.

8. ITEMS FOR NOTING

- 304 **Resolved** Crs Bruce and Reynoldson that Items for Noting numbered 8.1 to 8.3 inclusive be received and noted.

- 8.1 LGNSW Report on State Budget
- 8.2 Destination NSW – NSW Road Trips
- 8.3 Development Determinations for Month of November 2020

9. CLOSED COUNCIL

In accordance with the *Local Government Act 1993* and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

Set out below is section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in the closed part of a meeting.

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than councillors)
- (b) the personal hardship of any resident or ratepayer
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret
- (e) information that would, if disclosed, prejudice the maintenance of law
- (f) matters affecting the security of the council, councillors, council staff or council property

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

9.1 Legal Advice on Development Application 59/21/DA/D9 – Subdivision/Boundary Realignment

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

- (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 information provided by the consultant.

305 Resolved Crs Taylor 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*.

Council closed its meeting at 11:30am. The public and media left the Chamber.

Open Council resumed at 11:31am.

RESOLUTIONS FROM THE CLOSED COUNCIL MEETING

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

Resolved *Crs Taylor and Reynoldson that the Council note the response letter provided by the Council's solicitors regarding Development Application 59/21/DA/D9 – 2 Lot Subdivision/Boundary Realignment.*

10. COMMITTEES

Nil

11. MAYOR'S REPORT

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

- Cross Border Commissioner meeting x2
- Tourism gap analysis meeting
- Barooga Health and Fitness Centre tour

308 **Resolved** Crs Glanville and Reynoldson that the Mayor's Report be received.

12. DELEGATES REPORT

Cr Ross Bodey

- Murray Darling Association Region 2 meeting
- Tocumwal Chamber of Commerce meeting
- Capital Works tour
- Foreshore Market
- Barooga Health & Fitness Centre tour

Cr John Taylor

- Capital Works tour

Cr Roger Reynoldson

- Murray Darling Basin Association pilot meeting
- Capital Works tour

Cr Denis Glanville

- Tocumwal Public School Presentation
- Capital Works tour
- Greg Tunn book launch
- Barooga Health & Fitness Centre tour

Cr Colin Jones

- Murray Darling Association Region 2 meeting
- Capital Works tour
- Barooga Health & Fitness Centre tour
- Tocumwal Chamber of Commerce meeting

Cr John Bruce

- Barooga Health & Fitness Centre tour

- Saleyards briefing

13. BUSINESS ARISING

Cr John Bruce

- Shelter at Barooga Adventure Park

Cr Colin Jones

- Nil

Cr Denis Glanville

- Nil

Cr Roger Reynoldson

- Nil

Cr John Taylor

- Letter Finley Golf Club
- Staff vs Councillors bowls day

Cr Ross Bodey

- Nil

Cr Matthew Hannan

- Merry Christmas

Laurie Stevens (Development Manager)

- Nil

Matthew Hansen (Director Corporate Services)

- Saleyards update
- Grant guidelines

Matthew Clarke (Director Technical Services)

- Nil

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Council closed its meeting at 12:02pm. The public and media left the Chamber.

Open Council resumed at 12:10pm.

Rowan Perkins (General Manager)

- Land Purchase in Finley not settled
- shed has not been removed
- Merry Christmas
- No Strategy & Policy Workshop in January 2021
- Annual Leave next week
- Finley Golf Club letter

14. CLOSE OF MEETING

There being no further business the meeting closed at 12:10pm.