

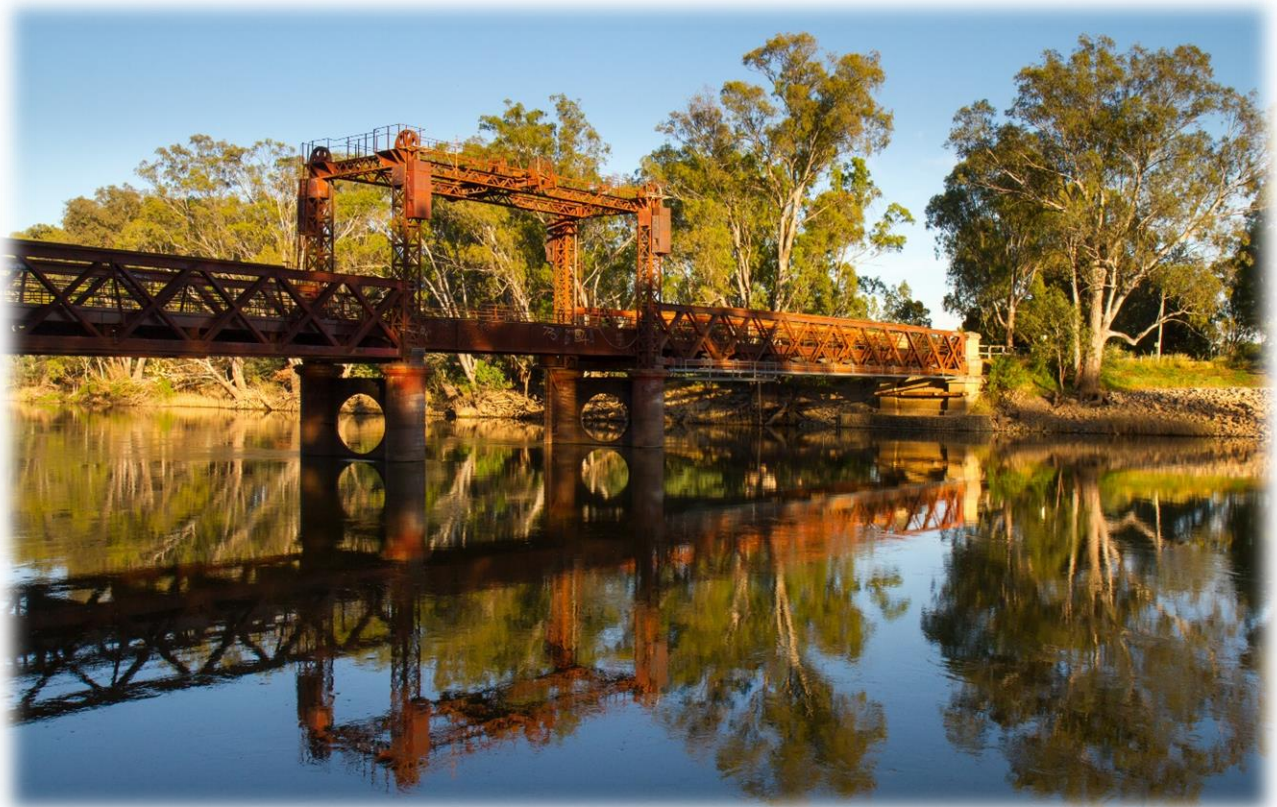


ORDINARY MEETING OF COUNCIL

Held on Wednesday 15 January 2020

at 11:00am

Council Chambers
56 Chanter Street, Berrigan



Minutes



Minutes of the Ordinary Council Meeting held
on Wednesday 15th January, 2020 commencing at 11.14am

Min. No.

PRESENT:

Crs: Matthew Hannan (Mayor), Daryll Morris (Deputy 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

Nil

2. DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTERESTS

Nil

3. VISITORS

10.15am Kathleen McPhie
(NSW Rural Doctors Network Bush Bursary student)

4. CONFIRMATION OF MINUTES

1 **RESOLVED** Crs Morris and Taylor that the Minutes of the meeting held in the Council Chambers on Wednesday 18th December, 2019 be confirmed.

5. MAYORAL MINUTES

Nil

6. NOTICE OF MOTION

Nil

BUSINESS WITHOUT NOTICE

MOVED Crs Bodey and Taylor that the Council consider the request from the Barooga Sporties Group for the provision of water for use on the Cobram Barooga Golf Club from the Council's Barooga town water allocation.

The Mayor ruled the above item of business to be of great urgency on the grounds that it requires a decision by the Council before the next Council meeting.

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

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

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

And further,

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

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

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

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

7.1 FINANCE – ACCOUNTS

- 3 RESOLVED** Crs Jones and Taylor that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 December 2019, be received and that the accounts paid as per Warrant No. 12/19 totaling \$1,940,116.42 be confirmed.

7.2 LGNSW TOURISM CONFERENCE

- 4 RESOLVED** Crs Glanville and Morris that Councillor Bodey be authorised to attend the LGNSW Tourism Conference at Jindabyne from 16th to 18th March, 2020.

7.3 CONDUCT OF QUESTION TIME

- 5 RESOLVED** Crs Glanville and Bodey that the Council retain the status quo for the members of the public to address the Council on matters that are and are not on the Council Agenda.

Nathan O’Connell entered the Council Chamber at 11:25am.

7.4 ROAD NAMING

- 6 RESOLVED** Crs Taylor & Reynoldson and that the road extending from Tuppal Road to the Newell Highway along the western side of the rail line in Tocumwal be named ‘Sixth Company Road’ and the formal road naming process, under the provisions of the *Roads Act 1993* and the *Roads Regulation 2008*, be implemented to achieve this outcome.

7.5 TENDER T09/19/20 DESIGN & CONSTRUCTION TO UPGRADE THE ANCILLARY FACILITIES AT THE FINLEY WAR MEMORIAL SWIMMING POOL

- 7 RESOLVED** Crs Reynoldson and Taylor that the Council:
1. accepts the tender submission from MS Constructions;
 2. sign the contract documents on behalf of Council in relation to 1 above; and

3. appoint the Director of Technical Services as the Contract Superintendent

7.6 CONSTRUCTION OF RESTAURANT BUILDING AND TOWN SQUARE

8 RESOLVED Crs Reynoldson and Morris that the Council:

1. Accept the plans from GPG Architecture and Design as the approved concept plan for the new building at the Tocumwal Foreshore; and
2. Seek expressions of interest for the commercial spaces of the new building at the Tocumwal Foreshore.

AMENDMENT Crs Jones and Taylor that the Council make changes to plan to show the deck area to have access to the main dining room and extend the eastern wall, increasing the floor space area over the breeze way.

The amendment became the motion and when put as the motion was again carried.

Cr Bodey voted against the motion.

Nathan O'Connell here left the meeting.

8. ITEMS FOR NOTING

9 RESOLVED Cr Morris and Taylor that Items for Noting numbered 8.1 to 8.9 inclusive be received and noted.

- 8.1 RIVERINA ENVIRONMENTAL HEALTH AND BUILDING PROFESSIONALS GROUP
- 8.2 LETTER OF THANKS
- 8.3 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – NATIONAL GENERAL ASSEMBLY
- 8.4 TOCUMWAL WAAAF CREEK WALK – PUBLIC ART INSTALLATION
- 8.5 DROUGHT COMMUNITIES PROGRAMME- EXTENSION: TRANCHE 2
- 8.6 POPULATION PROJECTIONS
- 8.7 RATES AND CHARGES - 2019/2020 RATES COLLECTIONS AND OUTSTANDING DEBTORS BALANCES – 2nd QUARTER
- 8.8 GENERAL MANAGER'S HALF YEARLY PERFORMANCE REVIEW

8.9 DEVELOPMENT DETERMINATIONS FOR MONTH OF DECEMBER 2019

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.

9.1 TENDER T09/19/20 DESIGN & CONSTRUCTION TO UPGRADE THE ANCILLARY FACILITIES AT THE FINLEY WAR MEMORIAL SWIMMING POOL

This item is classified CONFIDENTIAL under section 10A(d) 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 provided by the consultant.

- 10** **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 11:35am. The public and media left the Chamber.

Open Council resumed at 11:39am.

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 Morris and Glanville that the Council note the following report in relation to Tender T09/19/20 Design & Construction to Upgrade the Ancillary Facilities at the Finley War Memorial Swimming Pool

10. COMMITTEES

Nil

11. MAYOR'S REPORT

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

- Finley Extravaganza
- Tocumwal Carols by Candlelight

13 **RESOLVED** Crs Taylor and Reynoldson that the Mayor's Report be received.

12. DELEGATES REPORT

Cr Ross Bodey

- Nil

Cr John Taylor

- Nil

Cr Daryll Morris

- Nil

Cr Roger Reynoldson

- Nil

Cr Denis Glanville

- Nil

Cr Colin Jones

- Nil

Cr John Bruce

- Nil

13. BUSINESS ARISING

Cr Matthew Hannan

- Street name changes
 - Essential Energy
 - write again to advise of street name changes

Cr Ross Bodey

- Nil

Cr John Taylor

- Nil

Cr Daryll Morris

- Nil

Cr Roger Reynoldson

- Nil

Cr Denis Glanville

- Nil

Cr Colin Jones

- Nil

Cr John Bruce

- Nil

Development Manager

- Nil

Director Corporate Services

- Nil

Direction Technical Services

- Nil

General Manager

- Corporate Workshop items
 - advise as soon as possible
 - 6th & 7th February in Beechworth

There being no further business the meeting closed at 11:41pm.