



**Minutes of the Council Meeting held in the Council Chambers on
Wednesday, 15th May, 2019 commencing at 9:15am**

Min. No.

PRESENT: Cr Matthew Hannan (Mayor)
Crs Daryll Morris, Colin Jones, Denis Glanville, Ross Bodey, John Taylor, Roger Reynoldson, Director Corporate Services (Matthew Hansen), Director Technical Services (Matthew Clarke), Development Manager (Laurie Stevens) and General Manager (Rowan Perkins).

1. APOLOGIES

Cr John Bruce

63 RESOLVED Crs Taylor and Glanville that an apology for non-attendance be received from Cr John Bruce.

2. DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTEREST

Nil

3. VISITORS ATTENDING MEETING

Nil

4. CONFIRMATION OF MINUTES

64 RESOLVED Crs Taylor and Morris that the Minutes of the meeting held in the Council Chambers on Wednesday 17th April, 2019 be confirmed.

5.0 MAYORAL MINUTE – EMERGENCY SERVICES LEVY INCREASE

Each year, the NSW Government collects payments from councils and insurers to fund emergency services agencies in NSW, with councils required to pay 11.7 per cent of the budget required by NSW Emergency Services. These charges are embedded in council rates and insurance premiums.

From 1 July 2019 the NSW Government plans to collect an additional \$160 million (in 2019/20) from NSW councils, communities and those paying insurance premiums to provide

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better workers' compensation coverage for volunteer and career firefighters who are diagnosed with one of 12 specific work-related cancers.

Councils were sent bills with a letter from Revenue NSW in May 2019, saying NSW council contributions will increase by \$19 million in 2019/20. The letter also foreshadowed increases in the following year, but not the amount.

Berrigan Shire Council received an invoice from Revenue NSW for \$214,144 for its emergency services levy contribution. This is \$36,748 more than last year's levy (a 20.5.%) increase. This will mean council will need to find additional funds and/or cut planned initiatives or services.

Council supports career and volunteer firefighters in NSW – as it does all emergency services workers and volunteers. Indeed, many NSW council staff and councillors are volunteers. We also support the Bill passed in November 2018 to address what was a workers' compensation shortfall.

However, the sector was at no point advised that it would be required to cover the cost via significant increases to the emergency services levy, or what this cost would be.

Proportional to Council revenue, the extra \$36,748 Berrigan Shire Council is being asked to pay is a large amount and the impact of this unplanned cost will certainly be felt by the community.

Local Government NSW is calling upon the NSW Government to fund the first 12 months of this extra cost and work with local governments to ensure the implementation of the funding mechanism is fairer into the future.

**65 MOVED Cr Matthew Hannan that the Council:
 A. Notes:**

- a. That last December, the NSW Government enacted laws to provide better workers compensation coverage for firefighters who are diagnosed with one of twelve specific work-related cancers;
- b. That in many areas of NSW, fire services are made up of elected and staff members of local government, and that local governments strongly support this expanded workers compensation scheme;
- c. That as a result of these changes, the State Government has decided to implement the new scheme by charging local governments an increased Emergency Services Levy, without consultation;
- d. That the expected increase in costs to local governments

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will be \$19m in the first year alone, and that there is little or no time to enshrine this charge in Council's 2019/2020 budgets; and

- e. That Local Government NSW has long advocated for the Emergency Services Levy to be significantly modified to ensure it is transparent, equitable and accountable.

B. That this Council supports Local Government NSW's calls for:

- a. the NSW Government to cover the initial additional \$19m increase to local governments for the first year; and
- b. the NSW Government to work with NSW local governments to redesign the funding mechanism for the scheme to ensure fairness into the future.

C. Requests that the General Manager liaise with Local Government NSW to provide information on:

- a. The impact on council budgets; and
- b. Council advocacy actions undertaken

D. Requests that the Mayor:

- a. write to the NSW Premier and NSW Interim Opposition Leader, NSW Minister for Customer Services, NSW Minister for Emergency Services, Minister for Local Government and Shadow Minister for Local Government, and local state member/s to:
 - i. call upon the NSW Government to fund the 12 months of this extra cost rather than requiring councils to find the funds at short notice when budgets have already been allocated;
 - ii. explain how this sudden increase will impact council services / the local community;
 - iii. highlight that councils were not warned of the increased cost until May 2019, despite the new laws being passed in November 2018;
 - iv. explain that the poor planning and implementation of the increase is inconsistent with the Government's commitment to work in partnership with the sector; and
 - vi. ask the Government to work with local governments to redesign the implementation of the scheme to ensure it is fairer for councils and communities into the future.

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- b. Copy the above letter to Local Government NSW.

The motion was carried

5.1 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

FILE NO: 12.066.1

- 66 **RESOLVED** Crs Jones and Morris that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 30 April 2019, be received and that the accounts paid as per Warrant No. 04/19 totaling \$3,514,783.70 be confirmed.

5.2 WATER AND SEWER OPERATOR TRAINEESHIP

AUTHOR: Director Technical Services

STRATEGIC OUTCOME: Sustainable natural and built
landscapes

STRATEGIC OBJECTIVE: 1.3 Connect and protect our
communities

FILE NO: 22.178.5

- 67 **RESOLVED** Crs Reynoldson and Taylor that the Council make the following adjustments to its Organisational Chart:

1. Remove one Water and Sewer Operator position, and
2. Add one Water and Sewer Trainee position

5.3 FINLEY RECREATION RESERVE

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: 21.101.7

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- 68** **RESOLVED** Crs Taylor and Reynoldson that the Council include in its 2019/20 Operational Plan and budget an offer to the Finley Recreation Reserve Committee of Management of a \$10,000 grant and a \$10,000 loan in line with the provisions of the Council's Requests for Donations and Financial Assistance Policy.

5.4 CODE OF MEETING PRACTICE

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: **13.044.1**

- 69** **RESOLVED** Crs Bodey and Taylor that the Council:
1. note that no submissions were received regarding the draft Berrigan Shire Code of Meeting Practice.
 2. adopt the Berrigan Shire Code of Meeting Practice attached as **Appendix "B"**
 3. that the General Manager convene a briefing session on the Code of Meeting Practice.

5.5 CODE OF CONDUCT

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: 13.045.3

- 70** **RESOLVED** Crs Morris and Reynoldson that the Council:
1. Revoke its existing Code of Conduct and Procedures for the Administration of the Code of Conduct;
 2. Adopt the Code of Conduct attached as **Appendix "C"**; and

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3. Adopt the Procedures for the Administration of the Code of Conduct attached as **Appendix “D”**

**5.6 RE-ESTABLISHMENT OF ALCOHOL-FREE ZONE -
FINLEY**

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged communities

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

FILE NO: 24.128.14

- 71 **RESOLVED** Crs Morris and Glanville that the Council establish the following Alcohol Free zone in accordance with Section 644B(4) of the *Local Government Act 1993* for the period 1 July 2019 – 30 June 2023

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5.7 RAILWAY PARK AND LEWIS CRESCENT, FINLEY

AUTHOR: Strategic & Social Planning Coordinator

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

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FILE NO: 21.101.16

72 RESOLVED Crs Morris and Bodey that the Council:

1. Endorse for community consultation the draft for Community Consultation Concept Plan for Finley's Railway Park and Lewis Crescent Residential Development.
2. In accordance with the community engagement strategy outlined in this report seek feedback from the Finley community on the draft Concept Plan for Finley's Railway Park and Lewis Crescent Residential Development.

**5.8 INFORMATION AND COMMUNICATION
TECHNOLOGY STRATEGY 2019-2024**

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: 17.048.1

73 RESOLVED Crs Bodey and Jones that the Council:

1. Revoke the Information and Communications Technology Strategy 2014-2018
2. Adopt the Information and Communications Technology Strategy 2019-2024 attached as **Appendix "F"**

5.9 OUTDOOR DINING AND FOOTPATH TRADING

AUTHOR: Director Corporate Services
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: 28.167.7

74 RESOLVED Crs Morris and Glanville that the Council:

1. adopt the Outdoor Dining and Footpath Trading as a draft attached as **Appendix "G"**;

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2. place the draft Policy on public exhibition and seek submissions from the public for a minimum of 28 days; and
3. consider the Policy, along with any submissions received, at its meeting on 17 July 2019.

5.10 DEBT MANAGEMENT AND HARDSHIP POLICY

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: 12.049.1

75 RESOLVED Crs Morris and Bodey that the Council:

- revoke its [Financial Hardship Policy adopted on 17 March 2017](#);
- revoke its [Financial Hardship – Loose Fill Asbestos Policy](#) adopted on 18 May 2016;
- adopt the Debt Management and Hardship policy below:

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Policy

96. DEBT MANAGEMENT AND HARDSHIP

Version 01

File Reference No: 12.049.1

Strategic Outcome: Good government

Date of Adoption: 17/04/2019

Date for Review: 21/07/2021

Responsible Officer: Director Corporate Services

1. POLICY STATEMENT

This Policy recognises that at times and due to exceptional circumstances, ratepayers may encounter difficulty in paying their rates and charges. *The Local Government Act 1993* (The Act) allows Council to provide a range of measures to assist ratepayers.

This policy prescribes the procedures to be followed in providing assistance to ratepayers and debtors who are failing to pay rate instalments or are suffering genuine financial hardship with the payment of their rates and/or charges.

2. PURPOSE

To provide guidance and processes for the provision of assistance to ratepayers who are experiencing genuine financial hardship with the payment of their rates and/or charges.

Council aim to:

- provide a decision making framework for the appropriate assessment of all arrangements and financial hardship applications;
- provide ratepayers with assistance and options to pay their accounts in a timely and acceptable manner;
- provide equitable treatment to all members of the community; and
- maintain legislative compliance

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Policy

3. SCOPE

This policy applies to all debts and claims owed to Berrigan Shire Council.

4. OBJECTIVE

This policy is developed to assist the Council with Delivery Plan Objective 2.2.2.3.

2.2.2.3 Coordinate Council Investments, financial management, financial operations and processing.

5. DEFINITIONS

Rates and charges: Those charges levied annually on a property, these include General Rate (based on unimproved value of land), Water Access, Sewer Access, Pedestal (if applicable), On Site Sewer Maintenance (if applicable), Waste Services and Storm water Management Service

Rate Instalment: The portion of the annual rates and charges due and payable on a quarterly basis, at the end of August, November, February and May respectively.

6. POLICY IMPLEMENTATION

6.1 Guidelines

Council must follow the guidelines below when considering all debt management and hardship matters

- Treat all people fairly and consistently under this policy.
- Consider all matters relating to this policy with complete confidentiality.
- Treat people with respect and compassion in considering their circumstances.

6.2 Support services

The Council will maintain a list of relevant support services and their contact details. It will actively make this list available to ratepayers and debtors subject to legal action under the Council's debt management and hardship procedures.

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Policy

The list of support services will contain at a minimum:

1. Financial advice and counselling
2. Legal aid
3. Community Legal Centres

6.3 Debt Recovery

Action 3.4 identified in the Council's [Financial Strategy 2016](#) states:

Continue to actively recover outstanding rates debt as identified in the Council's Revenue Policy.

Council rely significantly on funds generated from rates and charges to support its operations on behalf of its community. In the interests of fairness, all ratepayers and debtors are expected to pay levied rates and charges

To this end, there is a need for Council to have fair, flexible and efficient debt recovery processes in place, to ensure that it retains the financial capacity and freedom to continue to deliver a high quality service to its community.

Debt Recovery action is carried out in line with provisions of the *Local Government Act 1993* and Office of Local Government Debt Management Guidelines 2018.

6.3.1 Process – Rates and charges

It is recognized and accepted by Council that some ratepayers and debtors for a variety of reasons may fall behind in payment of their Rate Instalments. It is the preference of Council to make arrangements with ratepayers by either:

- By arrangement between Council and ratepayer to have outstanding balances paid up to date as soon as practicable
- By arrangement between Debt Recovery Specialist and ratepayer to have outstanding balances paid up to date as soon as practicable

Suitable arrangements negate the need to enter the formal debt recovery and subsequent court process. The court process can be costly and add significant fees to already overdue Rates and Charges balances.

Council outsource debt collection to a professional debt recovery specialist and work closely with the company to ensure only the minimal legal action is taken to recover outstanding balances.

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The process and timeframes followed by Council for debt recovery for rates and charges is shown as **Appendix 1** to this policy.

Council will have

6.3.2 Process – Other debts

Debts other than rates and charges will be payable to the Council from time to time. This may include payments to the Council in its regulatory role as well as payments to the Council for services provided on commercial terms.

Debts incurred for contributions to road, footpath and kerb and gutter works as per the *Roads Act 1993* – i.e. Half-cost schemes – will be managed in line with the Council's adopted Contributory Footpath and Kerb and Gutter Schemes Policy

With most other debts, Council will restrict the availability of credit as per its Commercial Credit Policy. Where credit terms are offered, recovery of these amounts from debtors will be largely consistent with the procedure followed for rates and charges debt.

Debt of this nature may be written off by Council staff in line with delegated authority if it is not commercially viable to collect.

6.3.3 Arrangements

At any stage in the debt collection process, the Council actively encourage ratepayers with outstanding balances to enter into payment arrangements.

On entering a payment agreement Council and the Ratepayer will agree a fair and reasonable amount which will pay outstanding monies owed in a timely manner.

Each arrangement will be individually tailored making allowances for ongoing living expenses and the Ratepayers personal circumstances.

Arrangements are contingent on the ratepayer communicating with Council and acting in good faith to meet the terms of the arrangement. If the Council does not consider the terms of the arrangement are being followed, the arrangement will be terminated and the standard debt recovery process will continue where it was left off.

6.4 Hardship

6.4.1 Hardship provisions in legislation

The *Local Government Act 1993* contains the following specific hardship provisions:

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Section 564 provides for Council to accept payment of rates and charges due and payable by a person in accordance with an agreement made with the person and also to write off or reduce interest accrued on Rates and Charges if the person complies with the agreement.

Section 567 provides for council to write off accrued interest on rates or charges payable by a person if, in Council's opinion the reasons that the person was unable to pay the rates or charges when they became due and payable were beyond the person's control, or that the person is unable to pay the accrued interest for reasons beyond their control, or that the payment of the accrued interest would cause the person hardship.

Section 582 as amended, provides for Council to waive or reduce rates, charges and interest due by any person prescribed by regulations who is in receipt of a pension, benefit or allowance under the Social Security Act 1991 of the Commonwealth.

Section 601 provides for ratepayers who incur a rate increase in the first year following a revaluation of land values to apply to Council for a rate relief if the increase in the amount of rates payable would cause them substantial hardship. In such circumstances Council has the discretion to defer payments or waive interest.

6.4.2 Applications

There are two types of financial hardship; ongoing and temporary. Depending on the type of hardship being experienced, individuals will have different needs which will require an amount of flexibility to reach a solution.

Consideration will be given to cases of hardship only on the following grounds;

1. **Death/Terminal Illness** – consideration will be given to waiving of interest on rate and water accounts for a specific term.
2. **Temporary Illness / Serious Accidents** – consideration will be given to waiving interest on rate and water accounts for a specific term.
3. **Financial Hardship** – (extenuating circumstances) beyond control of the ratepayer.
4. **Unemployment** – this policy does not deem unemployment and consequent loss of income as automatic or entirely sufficient to support a claim for hardship; it will however be a consideration in the context of structuring a hardship payment plan. The debt obligation plus interest remains with the debtor, however their situation is assisted by way of a plan which is structured through consultation to recognize the financial constraints exist.

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5. **Natural Disasters** – (bushfire, flooding, drought) – consideration will be given to waiving interest for rates and water accounts for a specific term.
6. **Valuation Changes** – Under s.601 of the Act which relates to Hardship resulting from certain valuation changes, Council has discretion to defer the payment of the whole or any part of the increase in the amount of the rate payable by the ratepayer, for such period and subject to such conditions as it thinks fit.

Ratepayers seeking assistance under this Policy are to submit an application using the attached form outlining their particular circumstances. The application will be reviewed by the Revenue Coordinator and Finance Manager with the final approval agreed by the Director of Corporate Services.

A final determination will be assessed in line with the financial information provided by the applicant. The applicant will be expected to submit sufficient financial information to allow the Council to make a determination on merit.

All applications for hardship caused through revaluation must be received within one (1) month of the due date for payment of the first instalment notice where the new valuation has taken effect.

6.4.3 Conditions

The following conditions apply to all financial hardship concessions

1. All mutually acceptable repayment schedules will have a maximum 24 month term. A further application for hardship consideration may be made after this period.
2. All repayment schedules are regularly reviewed particularly at end of each quarter and upon raising of further rates and charges.
3. All future rates and charges raised against the property are due and payable on the due dates.
4. Interest will be raised and then written off where a repayment schedule is adhered to and the arrangement provides for accrued interest to be waived.
5. Where a scheduled repayment default occurs, interest will be calculated and levied from the date of the last payment made in accordance with the repayment schedule. The ratepayer will be contacted in regard to the repayment default.

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6.4.4 Cancellation

A concession made under hardship may be cancelled for the following reasons;

1. Failure to comply with agreed payment plan
2. No longer own the land
3. Advice to Council that financial hardship no longer exists
4. Provision of false and misleading evidence of financial hardship to council.

6.4.5 Reporting

The Revenue Coordinator will maintain a register of all hardship applications received by Council, including their outcome

Reports to Council will be provided on a quarterly basis outlining the shortfall in Council income as a result of assistance provided under this policy.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation, Regulation and external standards

- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- *Privacy and Personal Information Act 1998*
- *Office of Local Government – Debt Management Guidelines 2018*

7.2 Council policies and procedures

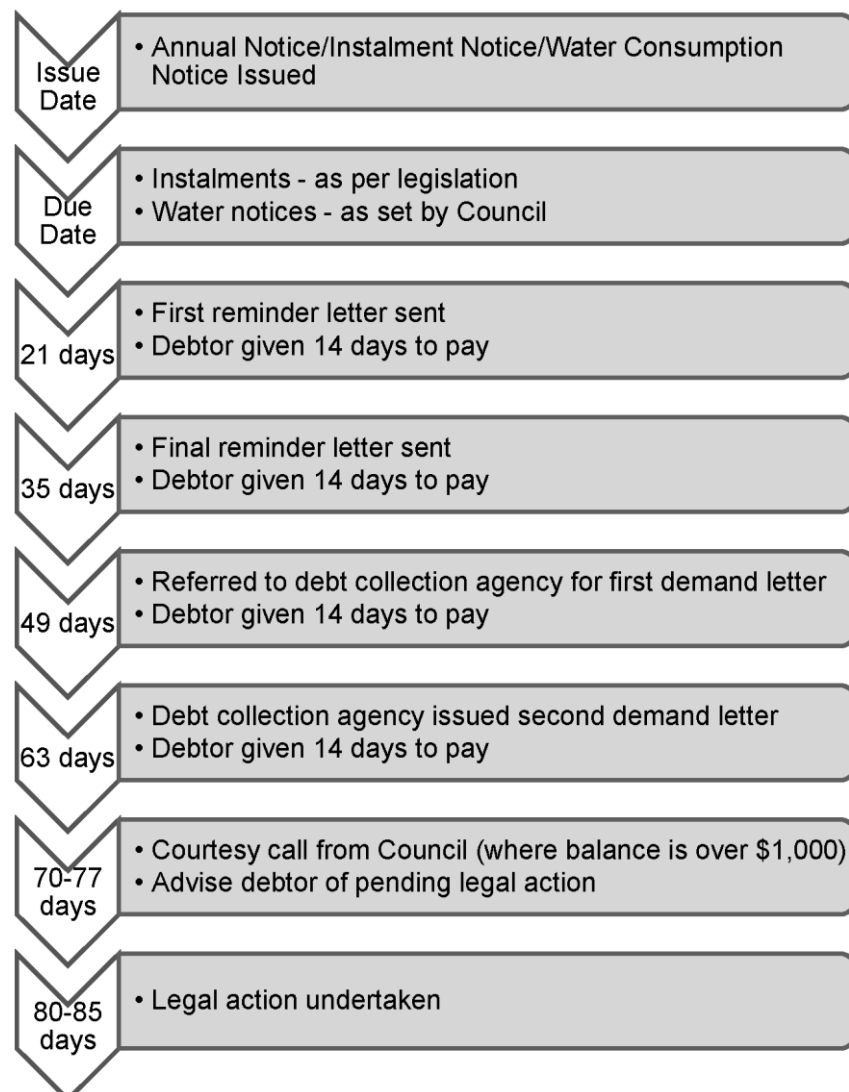
- Code of Conduct
- Financial Strategy
- Revenue Policy
- Privacy Management Plan
- Pensioner Concession Policy
- Financial Hardship – Loose Fill Asbestos Policy
- Contributory Footpath and Kerb and Gutter Schemes Policy
- Commercial Credit Policy

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Policy

APPENDIX 1 – DEBT COLLECTION TIMEFRAME – RATES AND CHARGES



5.11 MURRAY DARLING ASSOCIATION REQUEST FOR SUPPORT

AUTHOR: General Manager

Min. No.

**STRATEGIC OUTCOME: Sustainable natural and built
landscapes**

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

FILE NO: 11.106.2

- 76 **RESOLVED** Cs Reynoldson and Morris that the Council not support the request of the Murray Darling Association in seeking funding from the Commonwealth Government.

**5.12 T13/18/19 CONSTRUCTION OF TOCUMWAL
WALKING TRACK**

AUTHOR: Project Manager

**STRATEGIC OUTCOME: Sustainable natural and built
landscapes**

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

FILE NO: T13/18/19

- 77 **RESOLVED** Crs Jones and Glanville that the Council:
1. accept the tender submission from Fenhill Pty Ltd to construct the Tocumwal Walking Track for a contact sum of \$168,706.05;
 2. sign and seal all documents related to the contract; and
 3. appoint the Director of Technical Services as the Contract Superintendent.

**5.13 T16/18/19 DESIGN AND CONSTRUCTION OF
BAROOGA WATER PLAY AREA**

AUTHOR: Project Manager

**STRATEGIC OUTCOME: Sustainable natural and built
landscapes**

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

FILE NO: T16/18/19

- 78 **RESOLVED** Crs Glanville and Reynoldson that the Council:

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1. accept the tender submission from Water Feature by Design to construct the Water Play Area in accordance with the design specifications for a contact sum of \$242,660.00;
2. sign and seal all documents related to the contract; and
3. appoint the Director of Technical Services as the Contract Superintendent.

5.14 DRAFT INTEGRATED PLANS

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: 04.121.4

79 RESOLVED Crs Taylor and Morris that the Council review and endorse for public exhibition and comment for the period of 16 May 2019 to 13 June 2019 its:

- Review of the Long Term Financial Management Plan 2019 - 2029 (**Appendix “I”**)
- Review of Asset Management Strategy 2019 – 2029 (**Appendix “J”**)
- Review of Workforce Development Plan 2019 – 2023 (**Appendix “K”**)
- Review of Delivery Program 2017 – 2021 (**Appendix “L”**)
- Draft Annual Operation Plan 2019/20 (**Appendix “M”**)
- Draft Revenue Policy included in the Draft Operational Plan 2019/20 (**Appendix “M”**)

5.15 MARCH QUARTER REVIEW

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

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FILE NO: 04.121.6

- 80 RESOLVED** Crs Glanville and Jones that the Council note the March 2019 Quarterly Review of the Annual Operational Plan 2018/19 circulated as **Appendix "N"**

5.16 T14/18/19 CONSTRUCTION AND REFURBISHMENT OF THE FINLEY SCHOOL OF ARTS

AUTHOR: Director Corporate Services and Project Manager

STRATEGIC OUTCOME: Sustainable natural and built
landscapes

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

FILE NO: T14/18/19

- 81 RESOLVED** Crs Reynoldson and Glanville that the Council:
1. accept the tender submission from Ultra Project Services Pty Ltd for the construction and refurbishment of the Finley School of Arts for a contract sum of \$629,580.47 including GST;
 2. delegate the General Manager to sign the contract documents on behalf of Council in relation to 1. above;
 3. appoint the Director of Technical Services as the Contract Superintendent; and
 4. direct the General Manager to provide the Council a detailed report on options to fund the project.

5.17 MURRAY DARLING BASIN PLAN – IRRIGATION PLAN

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: 11.128.14

- 82 RESOLVED** Crs Morris and Reynoldson that the Council work with Murray Irrigation Limited, Goulburn Valley Water, West Corrugan and Department of Planning and Environment to develop a strategy on how to influence those making decisions around water planning

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controls and practices to prioritise this region as an irrigation priority area.

5.18 REQUEST FOR ANNUAL LEAVE

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: 22.017.1

- 83 RESOLVED** Crs Glanville and Jones that the General Manager be granted annual leave for the period 1st November 2019 to 18th November 2019 inclusive.

5.19 FINANCIAL REVIEW

AUTHOR: Director Corporate Services
STRATEGIC OUTCOME: Good government
STRATEGIC OBJECTIVE: 2.2 Strengthen strategic relationships and partnerships with community, business and government

FILE NO: 12.019.1

- 84 RESOLVED** Crs Morris and Taylor that the Council:
- Note the third quarterly review of the 2018/19 budget and vote the funds contained therein as shown in **Appendix “O”**
 - Note the Quarterly Budget Review Statement attached also as **Appendix “P”**

5.20 T15/18/19 TOCUMWAL FORESHORE STREETSCAPE INCLUDING PAVEMENT, KERB, FOOTPATH & DRAINAGE

AUTHOR: Project Manager
STRATEGIC OUTCOME: Sustainable natural and built landscapes
STRATEGIC OBJECTIVE: 1.1 Support sustainable use of our natural resources and built landscapes

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FILE NO: T15/18/19

85 RESOLVED Crs Taylor and Morris that the Council:

1. accept the tender submission from Fenhill Pty Ltd to construct the Tocumwal Foreshore Streetscape including the pavement, kerb, footpath & drainage for a contact sum of \$1,145,239.75;
2. sign and seal all documents related to the contract; and
3. appoint the Director of Technical Services as the Contract Superintendent.

5.21 DROUGHT COMMUNITIES PROGRAMME

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:

86 RESOLVED Crs Bodey and Taylor that the Council prioritise Drought Communities Programme projects as:

Upgrade Apex and Hayes Parks	\$525k
Scoullar Street construction	\$150k
Coree Street median	\$400k
Total	\$1.075m

The Council adjourned at 10.23am for morning tea.

The meeting reconvened at 10.55am.

6. ITEMS FOR NOTING

- 6.1 RENEW OUR LIBRARIES – CAMPAIGN REPORT
- 6.2 TELEPHONE RECEPTION
- 6.3 CONTRIBUTION – LEGAL EXPENSES
- 6.4 EMERGENCY SERVICES LEVY CONTRIBUTION
- 6.5 DEVELOPMENT DETERMINATIONS FOR MONTH OF APRIL 2019

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- 87** **RESOLVED** Crs Morris and Jones that Items for Noting numbered 6.1 to 6.5 inclusive be received and noted.

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.

**7.1 T13/18/19 CONSTRUCTION OF TOCUMWAL
WALKING TRACK**

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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

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

7.2 T16/18/19 DESIGN AND CONSTRUCTION OF BAROOGA WATER PLAY AREA

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

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

7.3 T14/18/19 CONSTRUCTION AND REFURBISHMENT OF THE FINLEY SCHOOL OF ARTS

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

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

7.4 T15/18/19 TOCUMWAL FORESHORE STREETSCAPE INCLUDING PAVEMENT, KERB, FOOTPATH & DRAINAGE

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:

Min. No.

(d) commercial information of a confidential nature that would, if disclosed:

(i) prejudice the commercial position of the person who supplied it

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

88 **RESOLVED** Crs Morris and Glanville 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 T13/18/19 CONSTRUCTION OF TOCUMWAL WALKING TRACK

7.2 T16/18/19 DESIGN AND CONSTRUCTION OF BAROOGA WATER PLAY AREA

7.3 T14/18/19 CONSTRUCTION AND REFURBISHMENT OF THE FINLEY SCHOOL OF ARTS

7.4 T15/18/19 TOCUMWAL FORESHORE STREETScape INCLUDING PAVEMENT, KERB, FOOTPATH & DRAINAGE

Council closed its meeting at 11.00am. The public and media left the Chamber.

Open Council resumed at 11.17am.

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:

89 **RESOLVED** Crs Morris and Bodey that the Council note the report regarding T13/18/19 Construction of Tocomwal Walking Track.

Min. No.

- 90 **RESOLVED** Crs Morris and Bodey that the Council note the report regarding T16/18/19 Design and Construction of Barooga Water Play Area.
- 91 **RESOLVED** Crs Morris and Bodey that the Council note the report regarding T14/18/19 Construction and Refurbishment of the Finley School of Arts.
- 92 **RESOLVED** Crs Morris and Bodey that the Council note the report regarding T15/18/19 Tocumwal Foreshore Streetscape including pavement, kerb, footpath & drainage.

8.1 MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING

- 94 **RESOLVED** Crs Glanville and Morris that recommendations numbered 1 to 2 inclusive of the Local Traffic Committee Meeting held on Tuesday 30th April 2019 be adopted.

LTC1 ANZAC AVENUE, TOCUMWAL - CONVERSION TO ONE WAY STREET

RECOMMENDATION NO.1

All parties agreed: that, Berrigan Shire Council, as part of the Tocumwal Foreshore Streetscape Project, alter the traffic movements on Anzac Avenue, Tocumwal. Anzac Avenue will merge from a two way street to a one-way street. Traffic flow will travel in the direction from Cowley Street towards Deniliquin Road (north east direction).

LTC 2 WEIGHBRIDGE – JAMES COURT, FINLEY

RECOMMENDATION NO.2

All parties agreed: that, Berrigan Shire Council approve the information provided to meet the Development Consent (9/19/DA/DM) for Premier Feed & Fibre for the installation of a weighbridge at 1-4 James Court, Finley NSW 2713.

9. MAYORS REPORT

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

- Business Awards
- Finley Sporting Complex and Showground Committee meeting
- Premier meeting at Finley
- Finley young leaders group

Min. No.

- Saleyards inspection
- Finley Regional Care and Finley Local Health Advisory Committee meeting
- Finley Skatepark opening
- Blues on the River
- PGA Trainee dinner
- CWA Finley meeting
- RAMJO

95 **RESOLVED** Crs Taylor and Jones that the Mayors report be received.

10. DELEGATES REPORTS

Cr Ross Bodey

- Business Awards
- ANZAC Day
- Saleyards inspection
- Blues on the River
- Tocumwal Probus Club
- Tocumwal Chamber of Commerce and Tourism meeting

Cr John Taylor

- Saleyards inspection
- Finley Regional Care and Finley Local Health Advisory Committee meeting
- PGA Trainee day

Cr Daryll Morris

- ANZAC Day
- Saleyard inspection
- Finley Regional Care and Finley Local Health Advisory Committee meeting

Cr Roger Reynoldson

- Business Awards
- ANZAC Day
- Saleyards inspection
- Finley Regional Care and Finley Local Health Advisory Committee meeting

Cr Denis Glanville

- Business Awards
- ANZAC Day
- Saleyards inspection
- Finley Regional Care and Finley Local Health Advisory Committee meeting

Min. No.

- Skatepark opening
- PGA Trainee day and dinner
- Charles Sturt University Scholarship ceremony
- PGA Trainees presentation

Cr Colin Jones

- Business Awards
- Saleyards inspection
- Finley Regional Care and Finley Local Health Advisory Committee meeting
- Skatepark opening
- Blues on the River
- Tocumwal Ambulance Steering Committee meeting

11. GENERAL BUSINESS

Cr Colin Jones

- Murray Darling Association meeting 31st May, 2019
- Visitor Information Centre alternative site

Cr Denis Glanville

- Nil

Cr Roger Reynoldson

- Building Better Regions
 - Scoreboard
 - by end of May

Cr Daryll Morris

- Supporting Small Business Press Release
 - support

Cr John Taylor

- Refugee contact
- Solar Farm employment

Cr Ross Bodey

- Visitor Information Centre concept plan
- Attraction of staff
 - workshop?

Director Technical Services

- Nil

Development Manager

- Nil

Director Corporate Services

- Investment rates

Min. No.

Cr Matthew Hannan

- Barooga Sporties
- Hilltop development

- 96 RESOLVED** Crs Glanville and Taylor that the Council contribute \$10,000 towards the Hilltop development.

General Manager

- Truck parking
- Murray Darling Basin Economic Program
- Staff issue at Tocumwal
- Central Murray County Council
- Lewis Crescent
- last lot sold

- 97 RESOLVED** Crs Morris and Glanville that the Council accept the offer from John Thurtell for the purchase of Lot 297 Newell Highway, Finley and delegate the General Manager to negotiate terms of sale.

There being no further business the meeting closed at 12.05pm.