

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF  
BREWARRINA HELD AT THE BREWARRINA SHIRE COUNCIL CHAMBERS ON  
FRIDAY 24TH FEBRUARY 2022**

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Meeting commenced at 10.00am.

**1: PRESENT:**

**Councillors**

**Vivian SLACK-SMITH  
Angelo PIPPOS  
Noel SHERIDAN  
Thomas STANTON  
Mark BROWN  
Donna JEFFRIES  
Patricia FRAIL – Via Teleconference**

**General Manager**

**Jeff SOWIAK**

**Executive Assistant**

**Olivia HECKSHER**

**2: APOLOGIES**

06/22

**RESOLVED on MOTION by Councillor Pippos, Seconded by Councillor Jeffries; that Council grant the leave of absences for Councillor Douglas GORDON and Councillor Isaac GORDON for the 25th February 2022 Ordinary Business Meeting.**

The MOTION upon being PUT to the MEETING was declared CARRIED.

**3. DECLARATION OF PECUNIARY OR NON-PECUNIARY CONFLICT OF INTEREST:**

- Nil.

**4: CONFIRMATION OF MINUTES:**

Confirmation of the Minutes of the Ordinary Meeting of Monday 10th January 2022

07/22

**RESOLVED on MOTION by Councillor Stanton; Seconded by Councillor Frail; that the Minutes of the Ordinary Meeting of Monday 10 January 2022 covered by resolutions 01/22 to 05/22 action request be adopted.**

The MOTION upon being PUT to the MEETING was declared CARRIED.

**5: MAYORAL MINUTE: GENERAL MANAGER ANNUAL PERFORMANCE REVIEW**

**PURPOSE:**

The purpose of this report is to advise Councillors of the regulatory requirements, invite comments from Councillors, arrange the composition of the Performance Review Panel and authorise the Mayor to complete the review process.

**RECOMMENDATION:**

That Council resolve to;

1. Nominate an additional Councillor, along with the Mayor, Deputy Mayor and a Councillor nominated by the General Manager to comprise the Performance Review Panel.
2. The Council delegate all tasks necessary for the completion of the Performance Review to the Performance Review Panel.
3. That the Mayor be delegated authority to finalise all arrangements for the Performance Review Panel to convene and that all Councillors be provided with an opportunity for input and feedback.

08/22

**RESOLVED on MOTION by Mayor Slack-Smith, Seconded by Councillor Brown; that;**

1. **Councillor Jeffries, along with the Mayor, Deputy Mayor and Councillor Stanton, nominated by the General Manager, to comprise the Performance Review Panel.**
2. **The Council delegate all tasks necessary for the completion of the Performance Review to the Performance Review Panel.**
3. **That the Mayor be delegated authority to finalise all arrangements for the Performance Review Panel to convene and that all Councillors be provided with an opportunity for input and feedback.**

The MOTION upon being PUT to the MEETING was declared CARRIED.

**6: REPORTS OF COMMITTEES:**

09/22

**RESOLVED on MOTION by Councillor Jeffries, Seconded by Councillor Pippos; that Council accept the Traffic Committee Meeting Minutes from 17 November 2021.**

The MOTION upon being PUT to the MEETING was declared CARRIED.

**7: REPORTS FOR ACTION TO COUNCIL:**

**ITEM 1: GENERAL MANAGERS SIX MONTHLY REPORT TO THE COMMUNITY ON  
CSP PROGRESS**

**PURPOSE:**

The purpose of this report is to provide Council with a copy of the General Managers six monthly progress report on CSP activity.

**RECOMMENDATION:**

That Council receive the General Managers mandatory report to the Community on the progress of Brewarrina's Community Strategic Plan.

10/22

**RESOLVED on MOTION by Councillor Jeffries, Seconded by Councillor Pippos; that Council receive the General Managers mandatory report to the Community on the progress of Brewarrinas Community Strategic Plan.**

The MOTION upon being PUT to the MEETING was declared CARRIED.

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**ITEM 2: AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC)**

**PURPOSE:**

The purpose of this report is to provide a report to Council on establishing and implementing an Audit, Risk and Improvement Committee (ARIC) for Brewarrina Shire Council in accordance with the guidelines for management and internal audit for Local Councils in New South Wales.

**RECOMMENDATION:**

That Council note the report and that the General Manager continue to examine options to enable Council to comply with ARIC guidelines once the review is completed.

11/22

**RESOLVED on MOTION by Councillor Pippos, Seconded by Councillor Stanton; that Council note the report and approve the General Manager to continue to examine options to enable Council to comply with ARIC guidelines once the review is completed.**

The MOTION on being PUT to the MEETING was declared CARRIED.

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**ITEM 3: LOCAL ROADS AND COMMUNITY INFRASTRUCTURE FUND**

**PURPOSE:**

The purpose of this report is decide on priority projects for the Local Roads and Community Infrastructure Fund round 3.

**RECOMMENDATION:**

That:

1. Council endorse the proposal for the Council to utilise funding from the Local Roads and Community Infrastructure Fund Round 3 for programs as selected.

12/22

**RESOLVED on MOTION by Councillor Brown, Seconded by Councillor Jeffries; that the following projects are identified as priority for submission under the Local Roads and Community Infrastructure Fund Round 3;**

1. Splash Park and Revamp of Park in Goodooga.
  2. Footpath and Kerb and Channel Upgrades.
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The MOTION on being PUT to the MEETING was declared CARRIED.

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**ITEM 4: PROPOSED NAMING OF GOODOOGA ROAD – RON MASON HIGHWAY**

**PURPOSE:**

The purpose of this report is to consider a submission from Desley Mason to rename the Goodooga Road “Ron Mason Highway”.

**RECOMMENDATION:**

That Council seek community and relevant agency views on the proposed renaming of Goodooga Road to the “Ron Mason Highway” in honour of Mr. Ron Mason of Goodooga.

13/22

**RESOLVED on MOTION by Councillor Pippos, Seconded by Councillor Jeffries; that Council seek community and relevant agency views on the proposed renaming of Goodooga Road to the “Ron Mason Highway” in honour of Mr. Ron Mason of Goodooga.**

The MOTION on being PUT to the MEETING was declared CARRIED.

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**ITEM 5: COMMUNITY STRATEGIC PLAN REVIEW**

**PURPOSE:**

The purpose of this report is to recommend a strategy for review and adoption of the Community Strategic Plan in accordance with the Integrated Planning and Reporting Requirements (IP&R).

**RECOMMENDATION:**

That Council endorse the Draft Revision of the Community Strategic Plan 2026 for public exhibition and consider any submissions received prior to adoption by Council.

14/22

**RESOLVED on MOTION by Councillor Jeffries, Seconded by Councillor Sheridan; that Council conduct a workshop, prior to the March Council Meeting, to discuss the Draft Revision of the Community Strategic Plan 2026 before public exhibition.**

The MOTION on being PUT to the MEETING was declared CARRIED.

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**ITEM 6: ANNUAL COUNCIL MEETING SCHEDULE**

**PURPOSE:**

The purpose of this report is for Council to determine the dates of the Council meetings from March 2022 to September 2022.

**RECOMMENDATION:**

That Council:

1. Approve the attached Meeting Schedule Calendar of proposed Ordinary Council Meeting Dates;
2. Approve the meeting start time for Ordinary Council Meetings dates as 10am, and;
3. Determine to publically advertise Council's Meeting Schedule Dates with locations for the period March 2022 – September 2022 in the following manner;
  - a. Website.
  - b. Newspaper.
  - c. Main Council Office.

15/22

**RESOLVED on MOTION by Councillor Pippos, Seconded by Councillor Brown; that Council:**

1. Approve the attached Meeting Schedule Calendar of proposed Ordinary Council Meeting Dates;
2. Approve the meeting start time for Ordinary Council Meetings dates as 10am, and;
3. Determine to publically advertise Council's Meeting Schedule Dates with locations for the period March 2022 – September 2022 in the following manner;
  - a. Website.
  - b. Newspaper.
  - c. Main Council Office.

The MOTION on being PUT to the MEETING was declared CARRIED.

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**ITEM 7: LOCAL GOVERNMENT SPECIAL CONFERENCE NSW 2022**

**PURPOSE:**

The purpose of this report is to provide for the approval of voting delegates and attendance at the Local Government NSW (LGNSW) Special Annual Conference 2022.

**RECOMMENDATION:**

That Council endorse the attendance of the Mayor, Deputy Mayor and General Manager to the LGNSW Annual Special Conference in Sydney and that the voting delegates and alternate for the Local Government Conference be the Mayor and Deputy Mayor.

16/22

**RESOLVED on MOTION by Councillor Jeffries, Seconded by Councillor Stanton; that Council endorse the attendance of the Mayor, Deputy Mayor and General Manager to the LGNSW Annual Special Conference in Sydney and that the voting delegates and alternate for the Local Government Conference be the Mayor and Deputy Mayor.**

The MOTION on being PUT to the MEETING was declared CARRIED.

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Councillors agreed to a 5 minute adjournment of the Meeting at 11.04am.

Council Meeting resumed at 11.11am.

**ITEM 8: COMMUNITY POLICING QUARTERLY REPORT TO COUNCIL**

**PURPOSE:**

The purpose of this report is to permit the local Police to report on crime statistics and answer questions concerning community policing.

**RECOMMENDATION:**

That Council suspend standing orders to permit Senior Sergeant Chris Woods to address Council concerning community policing activities and initiatives.

17/22

**RESOLVED on MOTION by Councillor Pippas, Seconded by Councillor Stanton; that Council suspend standing orders to permit Senior Sergeant Chris Woods to address Council concerning community policing activities and initiatives.**

The MOTION on being PUT to the MEETING was declared CARRIED.

- Senior Sergeant Chris Woods addressed Council, presenting a report concerning community policing activities and initiatives. Senior Sergeant Woods concluded and left the meeting at 11.50am.

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**ITEM 9: CODE OF MEETING PRACTICE:**

**PURPOSE:**

The purpose of this report is to consider and adopt an amended Code of Meeting Practice that incorporates the mandatory provisions of the Model Code of Meeting Practice released by the Office of Local Government in October 2021 – Circular 21-35.

**RECOMMENDATION:**

1. Exhibit the Proposed Code of Meeting Practice for Brewarrina Shire Council, based on the Model Code of Practice as prescribed for 28 days allowing 42 days for public comment and;
2. Review any comments received in relation to the proposed Code of Meeting Practice and to consider the adoption of the new code at the April 2022 Council Meeting.

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BREWARRINA HELD AT THE BREWARRINA SHIRE COUNCIL CHAMBERS ON  
FRIDAY 24TH FEBRUARY 2022**

---

18/22

**RESOLVED on MOTION by Councillor Pippos, Seconded by Councillor Sheridan; that Council;**

1. **Exhibit the Proposed Code of Meeting Practice for Brewarrina Shire Council, based on the Model Code of Practice as prescribed for 28 days allowing 42 days for public comment and;**
2. **Review any comments received in relation to the proposed Code of Meeting Practice and to consider the adoption of the new code at the April 2022 Council Meeting.**

The MOTION on being PUT to the MEETING was declared CARRIED.

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**ITEM 10: QUARTERLY BUDGET REVIEW STATEMENT 2ND QUARTER 2021/2022**

**PURPOSE:**

The purpose of this report is to submit to Council a report detailing the variance to the budget for the 2021/2022 financial year as presented in the Quarterly Budget Review Statement for the quarter ended 31 December 2021.

**RECOMMENDATION:**

That:

1. The Quarterly Budget Review Statement for the quarter ended 31 December 2021 be received and accepted and authorisation be given for the adjustments indicated therein.

19/22

**RESOLVED on MOTION by Councillor Pippos, Seconded by Councillor Brown; that:**

1. **The Quarterly Budget Review Statement for the quarter ended 31 December 2021 be received and accepted and authorisation be given for the adjustments indicated therein.**

The MOTION on being PUT to the MEETING was declared CARRIED.

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**ITEM 11: BANK RECONCILIATION & INVESTMENTS – JANUARY & FEBRUARY 2022**

**PURPOSE:**

The purpose of this report is to present the reconciliation of Council's cashbook and bank statement as at 31st December 2021 and 31st January 2022. The presentation of this information is not a requirement of any Act, however has been provided historically for the information of Councillors.

**RECOMMENDATION:**

That:

1. The bank reconciliation report is received as information.
2. The Certification of the Responsible Accounting Officer for compliance with the Investment Policy and the Ministerial Investment Order dated 28 April 2017 be received and noted.

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BREWARRINA HELD AT THE BREWARRINA SHIRE COUNCIL CHAMBERS ON  
FRIDAY 24TH FEBRUARY 2022**

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20/22

- RESOLVED on MOTION by Councillor Pippos, Seconded by Councillor Jeffries; that;**
- 1. The bank reconciliation report is received as information.**
  - 2. The Certification of the Responsible Accounting Officer for compliance with the Investment Policy and the Ministerial Investment Order dated 28 April 2017 be received and noted.**

The MOTION on being PUT to the MEETING was declared CARRIED.

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**ITEM 12: IPART DETERMINATION OF RATE PEG FOR 2022/23**

**PURPOSE:**

The purpose of this report is to consider the maximum allowable IPART assessment of rate increase for 2022/ 23 year being 0.7%.

**RECOMMENDATION:**

That;

1. The Rate Pegging report is received as information.
2. That Council apply the maximum allowable percentage increase of 0.7% to its General Rate Income for the 2022/23 rating year.

21/22

- RESOLVED on MOTION by Councillor Pippos, Seconded by Councillor Brown; that;**
- 1. The Rate Pegging report is received as information.**
  - 2. That Council apply the maximum allowable percentage increase of 0.7% to its General Rate Income for the 2022/23 rating year.**

The MOTION on being PUT to the MEETING was declared CARRIED.

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**REPORTS FOR INFORMATION:**

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The purpose of this report is for Councillors to receive the Status Report, Councils Information Reports as well as the items for Correspondence.

**RECOMMENDATION:**

That the Status Report, Information Reports, which are listed from a-n, and the Items for Correspondence be received as information.

Councillor Stanton excused himself from the room at 11.59am.



**8: REPORTS FOR INFORMATION**

- a) Status Report, General Manager and Mayors Diary
- b) Roads
- c) Plant
- d) Utilities
- e) CHB
- f) CSM
- h) Human Services
- i) Tourism/ Newspaper
- k) Brewarrina Youth Centre
- m) Human Resources
- n) FAM

22/22

**RESOLVED on MOTION by Councillor Stanton, Seconded by Councillor Pippos; that the Status Report, Information Reports and Items of Correspondence be received and noted.**

The MOTION on being PUT to the MEETING was declared CARRIED.

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Councillors agreed to an adjournment of Council Meeting at 12.22pm.

Council Meeting resumed at 12.47pm.

**9: NOTICE OF MOTION/ QUESTIONS WITHOUT NOTICE**

**NOTICE OF MOTION TO COUNCIL FROM COUNCILLOR JEFFRIES**

**MOTION:**

Brewarrina Shire Council work with the NSW Office of Local Government to enlist the services of an independent assessor to conduct a 360 review of all Management positions on Council. This motion is to be acted upon without delay.

**BACKGROUND:**

Council is responsible for providing and maintaining a diverse range of assets for the essential infrastructure of roads, footpaths, parks, kerb and guttering, wastewater and waste management including playgrounds, community buildings and other public amenities

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BREWARRINA HELD AT THE BREWARRINA SHIRE COUNCIL CHAMBERS ON  
FRIDAY 24TH FEBRUARY 2022**

---

that enhance the quality of life for our residents and visitors to our Shire. The most valuable assets we have to ensure delivery of these essential services are our people.

Given that we are a newly elected Council it is our responsibility to ensure we do our due diligence to ensure we can nurture and support a professional workforce with the necessary skills to sustain and improve on the level of services we have been able to achieve thus far. An assessment of our organisational culture will place us in good stead to ensure a highly skilled and motivated workforce is available to meet future organisational and community needs during our term on Council. A 360-degree feedback review would provide this Council with an independent report to ensure we have an unbiased and balanced understanding of the current status of our Council.

**Report from General Manager:**

I refer to the notice of motion submitted by Councillor Jeffries and advise that I have confirmed with the Office of Local Government that they are not involved in providing advice to Council or the General Manager concerning consultancy relating to work for the Council.

I also note that the motion refers to the engagement of a consultant to undertake a 360 review of management and the organisational culture and to provide such advice to Council.

At the induction training for Councillors conducted on 10th January and in all the information that has been provided to Councillors concerning their role and responsibilities it has been clear that the employment and management of Council staff, other than that of the General Manager is a responsibility of the General Manager.

A 360 feedback review of management of the Council should not be undertaken by Councillors or reviewed by the Council. If any such review was to be conducted then it would be undertaken at the request of the General Manager and any report and findings of such review would remain confidential to the General Manager and the staff members involved. Councillors would not be involved in such a review and would not be able to view the outcomes of that review as Councillors do not have the right to access that information.

Councillors do have a role to play in adopting the organisational structure but only in so far as it relates to the appointment of senior staff. The General Manager is the only senior staff member employed by the Council.

In relation to the General Manager, the Council as the governing body and in particular the Mayor do have a role in relation to the employment and performance of the General Manager.

The General Manager is employed under a contract of employment for up to five years that is based on the model contract of employment for general managers and senior staff prepared by the Office of Local Government. The office of local government best practice guidelines for the conduct of performance reviews of the General Manager makes no reference to a 360 feedback review.

The Guidelines identify the appointment of a review committee who are required to undergo training prior to the conduct of the review and it is the role and responsibility of that committee under the direction of the Mayor to undertake the review. The council can engage an external consultant to assist in the performance of that role and have done so. The current contract for the general manager has a list of key performance indicators and the review committee is responsible for undertaking an assessment of the performance of the general manager against such key performance indicators and the Mayor reports

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF  
BREWARRINA HELD AT THE BREWARRINA SHIRE COUNCIL CHAMBERS ON  
FRIDAY 24TH FEBRUARY 2022**

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on the outcomes of the review to the Council.

The move to undertake a 360 feedback review of the General Manager would not be in accordance with the current contract of employment of the General Manager or consistent with the OLG requirements for undertaking performance reviews.

However, having considered the comments made by Cllr Jeffries, the General Manager who is responsible for the management and employment of staff can see some value in engaging a consultant to undertake a review of the roles, responsibilities and remuneration of management positions within the Brewarrina Shire. The review would be to provide advice to the General Manager on the current roles and responsibilities within the management group to ensure they are sufficient to cover the requirements of the Council and that the remuneration is consistent with the skills required to perform those functions. The consultant would also assess if the Management team are fairly remunerated for their skills in accordance with current market trends.

**RECOMMENDATION:**

That Council endorse the proposal by the General Manager to engage a consultant to review the roles, responsibilities and remuneration of the management positions within the Brewarrina Shire Council.

23/22

**RESOLVED on MOTION by Councillor Jeffries, Seconded by Councillor Sheridan; that Brewarrina Shire Council work with the NSW Office of Local Government to enlist the services of an independent assessor to conduct a 360 review of all Management positions on Council. This motion is to be acted upon without delay.**

The MOTION on being PUT to the MEETING was declared CARRIED.

**10: CLOSED SESSION**

24/22

**RESOLVED on MOTION by Councillor Stanton, Seconded by Councillor Jeffries; that Council move to close the Meeting to the public as per section of the Local Government Act 1993:  
Section 10B (2) (a) of the Local Government Act 1993, the discussion of personnel matters concerning particular individuals (other than Councillors).**

The MOTION on being PUT to the MEETING was declared CARRIED.

**Meeting moved into closed session at 1.11pm.**

27/22

RESOLVED on MOTION by Councillor Jeffries, Seconded by Councillor Sheridan;  
that Council move into open session.

Council resumed open session at 1.45pm.

## 11: OPEN SESSION

- The General Manager reported to the OPEN session of the Council meeting that the following resolutions were moved in CLOSED session:
  - **ITEM 1 – ENVIRONMENTAL HEALTH MATTERS**
    - Council received report as information.
  - **ITEM 2 – BAD DEBT WRITE-OFF**
    - Council resolved to write-off the amount of \$11,460.64 due from the former Brewarrina Gold Club Inc.
  - **ITEM 3 – LEGAL MATTER**
    - Council received report as information.
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Meeting concluded at 1.46pm.