

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF
BREWARRINA HELD AT THE BREWARRINA SHIRE COUNCIL CHAMBERS ON
FRIDAY 24TH FEBRUARY 2023**

Meeting commenced at 10.01am

1: PRESENT:

Councillors

**Vivian SLACK-SMITH
Angelo PIPPOS
Noel SHERIDAN
Trish FRAIL
Isaac GORDON
Thomas STANTON
Donna JEFFRIES
Douglas GORDON
Mark BROWN**

General Manager

David KIRBY

Executive Assistant

Laura GORDON

2: APOLOGIES

- NIL

4. DECLARATION OF PECUNIARY OR NON-PECUNIARY CONFLICT OF INTEREST:

- Councillor Vivian SLACK-SMITH declared a Non-Pecuniary Interest to Item: 10.3 – Geoff New Oval Walking Path.

5: CONFIRMATION OF MINUTES:

Confirmation of the Minutes of the Ordinary Meeting of Friday 28th October 2022

1/23

RESOLVED on MOTION by Councillor SHERIDAN ; Seconded by Councillor PIPPOS; that the Minutes of the Ordinary Meeting of Friday 25th November 2022 covered by resolutions 146/22 to 162/22 action request be adopted.

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

6: MAYORAL MINUTE:

- NIL

7: REPORTS OF COMMITTEES:

AGED CARE UNITS

PURPOSE:

The purpose of this report is to update Council on the proposed changes to rental charges at the Aged Care Units Doyle Street.

RECOMMENDATION:

1. That Council resolve to accept the minutes of the Aged Care Committee Meeting 15th February 2023
2. Single person to only pay the single unit price of \$280.00 instead of \$390.00 but if there is a couple to move into the 2 bedroom unit the price of \$390.00 is to resume.
3. This will also be applied to current single tenant of two bedroom unit.
4. The new application for Unit 4/17 – Mr Peter Beetson was accepted. A letter of acceptance to be sent to Mr Peter Beetson

2/23 **RESOLVED on MOTION by Councillor PIPPOS, Seconded by Councillor D GORDON;**
That;

1. That Council resolve to accept the minutes of the Aged Care Committee Meeting 15th February 2023
2. Single person to only pay the single unit price of \$280.00 instead of \$390.00 but if there is a couple to move into the 2 bedroom unit the price of \$390.00 is to resume.
3. This will also be applied to current single tenant of two bedroom unit.
4. The new application for Unit 4/17 – Mr Peter Beetson was accepted. A letter of acceptance to be sent to Mr Peter Beetson

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

8: REPORTS FOR ACTION TO COUNCIL:

ITEM 1: DELIVERY PLAN HALF YEARLY REVIEW

PURPOSE:

The purpose of this report is to provide Council with a copy of the General Managers Delivery Plan Half Yearly Report on CSP activity.

RECOMMENDATION:

That;

Council receive the General Managers mandatory report to the Community on the progress of Brewarrinas Community Strategic Plan Delivery Plan.

3/23 **RESOLVED on MOTION by Councillor JEFFRIES, Seconded by Councillor BROWN;**

That;

Council receive the General Managers mandatory report to the Community on the

progress of Brewarrinas Community Strategic Plan Delivery Plan.

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

ITEM 2: NSW LOCAL GOVERNMENT ELECTIONS 2024

PURPOSE:

The purpose of this report is to inform Council of information pertaining to the NSW Local Council Elections scheduled for September 2024 and to make a decision concerning the appointment of a Returning officer for the election.

RECOMMENDATION:

That Council resolves:

1. Pursuant to s. 296(2) and (3) of the Local Government Act 1993 (NSW) (“the Act”) that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
2. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
3. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

4/23

RESOLVED on MOTION by Councillor JEFFRIES, Seconded by Councillor FRAIL;

That Council resolves:

1. Pursuant to s. 296(2) and (3) of the Local Government Act 1993 (NSW) (“the Act”) that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
2. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
3. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

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

ITEM 3: NOTICE OF MOTION Councillor Frail Brewarrina Weir Fish Ladder Relocation

PURPOSE:

The purpose of this report is to inform Council of the Notice of Motion lodged by Councillor Frail regarding the relocation of the Brewarrina Weir Fish Ladder.

RECOMMENDATION:

That Council, write to the NSW Department of Fisheries to undertake an investigation to determine the functioning capacity of the Brewarrina Weir Fish way.

5/23

RESOLVED on MOTION by Councillor FRAIL, Seconded by Councillor

JEFFRIES;

That Council;

Write to the NSW Department of Fisheries to undertake an investigation to determine the functioning capacity of the Brewarrina Weir Fish way.

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

ITEM 4: IPART DETERMINATION OF RATE PEG FOR 2023/24

PURPOSE:

The purpose of this report is to inform Council of the change in the allowable percentage increase to its General Rate Income for the 2023-24.

RECOMMENDATION:

That;

- 1. The Rate Pegging report is received as information.**
- 2. That Council apply the maximum allowable percentage increase of 3.7% to its General Rate Income for the 2023/24 rating year.**

6/23

RESOLVED on MOTION by Councillor JEFFRIES, Seconded by Councillor PIPPOS;

That;

- 1. The Rate Pegging report is received as information.**
- 2. The Council apply the maximum allowable percentage increase of 2.7% to its General Rate Income for the 2023/24 rating year.**

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

ITEM 5: PROJECT ALLOCATION FOR REPAIR PROGRAM 23-24

PURPOSE:

The purpose of this report is for Council to endorse the project allocation for the REPAIR Program 23-24.

RECOMMENDATION:

- 1. That Council receive the report**
- 2. That Council endorse the project put forward for the funding**

7/23

RESOLVED on MOTION by Councillor FRAIL, Seconded by Councillor JEFFRIES;

That;

- 1. That Council receive the report**
- 2. That Council endorse the project put forward for the funding**

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

ITEM 6: REPAIR FUND ALLOCATION

PURPOSE:

The purpose of this report is for Council to understand the funding received from the NSW Government for repairing council's road network.

RECOMMENDATION:

1. That Council receive and acknowledge the report.

8/23

RESOLVED on MOTION by Councillor PIPPOS, Seconded by Councillor D GORDON;

That;

1. That Council receive and acknowledge the report.

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

ITEM 7: QUARTERLY BUDGET REVIEW STATEMENT 2nd QUARTER

PURPOSE:

The purpose of this report is to submit to Council a report detailing the variances to the budget for the 2022/2023 financial year as presented in the Quarterly Budget Review Statement for the quarter ended 31 December 2022.

RECOMMENDATION:

1. The Quarterly Budget Review Statement for the quarter ended 31 December 2022 be received and accepted and authorisation be given for the adjustments indicated therein.

9/23

RESOLVED on MOTION by Councillor JEFFRIES, Seconded by Councillor PIPPOS;

That;

1. The Quarterly Budget Review Statement for the quarter ended 31 December 2022 be received and accepted and authorisation be given for the adjustments indicated therein.

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

ITEM 8: ENVIRONMENT, HEALTH AND BUILDING

PURPOSE:

The purpose of this report is for Council to accept the Report and adopt the recommendations.

RECOMMENDATION:

1. That Council note the change of options relating to issues of orders under the Local Government Act, carrying out work and recovery of costs.
2. That Council approve the attached Draft Development Control Plan and Annexures for Public Exhibition seeking comment and suggestions or objections.

3. That a report on the outcome of that process, be made back to Council after statutory exhibition and public consultation is completed, with recommendations.

10/23

RESOLVED on MOTION by Councillor JEFFRIES, Seconded by Councillor D GORDON;

That;

1. That Council note the change of options relating to issues of orders under the Local Government Act, carrying out work and recovery of costs.
2. That Council approve the attached Draft Development Control Plan and Annexures for Public Exhibition seeking comment and suggestions or objections.
3. That a report on the outcome of that process, be made back to Council after statutory exhibition and public consultation is completed, with recommendations.

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

Phil Denniston excused himself from the Chambers at 10:30am

ITEM 9: BANK RECONCILIATION & INVESTMENTS

PURPOSE:

The purpose of this report is to present the reconciliation of Council's cashbook and bank statement as at 31st December 2022. The presentation of this information is not a requirement of any Act, however it 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.

11/23

RESOLVED on MOTION by Councillor PIPPOS, Seconded by Councillor BROWN

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.

ITEM 10: BANK RECONCILIATION & INVESTMENTS

PURPOSE:

The purpose of this report is to present the reconciliation of Council's cashbook and bank statement as at 31st January 2023. The presentation of this information is not a requirement of any Act, however it 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.

12/23

RESOLVED on MOTION by Councillor PIPPOS, Seconded by Councillor BROWN
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.

Councillors agreed to a 10 minute adjournment of the Meeting at 10:32am.

Council meeting resumed at 10:43am.

REPORTS FOR INFORMATION:

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.

9: REPORTS FOR INFORMATION

- a) Status Report, General Manager and Mayors Diary
- b) Roads
- c) Plant
- g) Library
- h) Human Services
- m) Human Resources

13/23

RESOLVED on MOTION by Councillor SHERIDAN Seconded by Councillor BROWN;
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.

10: NOTICE OF MOTION/ QUESTIONS WITHOUT NOTICE

- NIL

11: CLOSED SESSION

14/23

RESOLVED on MOTION by Councillor BROWN, 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 10.44am

EA - L Gordon excused herself from the Chambers at 10:53am

V Slack-Smith excused herself from the Chambers at 10:59am.

V Slack-Smith returned to the chambers at 11:01am.

T Frail excused herself from the Chambers at 11:07am.

EA - L Gordon returned to the chambers at 11:16am.

20/23

RESOLVED on MOTION by Councillor PIPPOS, Seconded by Councillor I GORDON;

That Council move into open session.

Council resumed open session at 11:15am

D Gordon excused himself from the chambers at 11:18am.

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D Gordon returned to the chambers at 11:23am.

12: OPEN SESSION

- The Acting General Manager reported to the OPEN session of the Council meeting that the following resolutions were moved in CLOSED session:

CONF D 1. – AUSTRALIA DAY FLAG RAISING

- That Council receive this report and amend the flag policy to include the raising of the Flags at half-mast on Australia Day.

**CONF D 2. – DESIGN AND CONSTRUCTION GOODOOGA SPLASH PAD
TENDER: 2023-02**

- That Council accept the preferred tender for the design and construction of Goodooga Splash Park be awarded to Beau Corp Projects for total \$713,260 ex GST.

CONF D 3. – GEOFF NEW OVAL WALKING PATH

- That Council accept the proposed Tender by Lukas Building and Excavation for total \$290,880 ex GST.

CONF D 4. – CONSTRUCTION OF CONCRETE SHARED PATH

- That Council receive and acknowledge the report.
- That Council award the Project to Lukas Building & Excavation to the value of \$327,365.50 GST Included.

CONF D 5. – GOODOOGA SKATE PARK

- That Council approves the tender received from Grind Skate Parks Pty Ltd for constructing Goodooga Skate Park with a total cost of \$345,500 + GST.

Meeting concluded at 11.30am