



Date: Tuesday, 29 October 2024

Time: 10:00 AM

**Location: Brewarrina Shire Council
57 Bathurst Street
Brewarrina NSW 2839**

MINUTES

Ordinary Council Meeting

29 October 2024

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**MINUTES OF BREWARRINA SHIRE COUNCIL
ORDINARY COUNCIL MEETING**

**HELD AT THE BREWARRINA SHIRE COUNCIL, 57 BATHURST STREET, BREWARRINA NSW
2839**

ON TUESDAY, 29 OCTOBER 2024 AT 10:00 AM

PRESENT: Cr Tommy Stanton (Mayor), Cr Vivian Slack-Smith (Deputy Mayor), Cr Mark Brown, Cr Angelo Pippos Cr, Cr Belinda Colless, Cr Jason Morton, Cr Michael Pederson

IN ATTENDANCE: David Kirby (General Manager), Tracy Pak (Executive Assistant to the Mayor & General Manager), Olivia Hecksher (Economic Development Coordinator), Harriet Gilmore (BSC Consultant), Fran Carter (Economic Development Manager), Angus Chan (Finance & Administration Manager), Randall Medd (BSC Consultant), Ajnesh Sharma (Transport Manager), Phillip Happ (Acting Utilities Manager).

1 OPENING PRAYER & ACKNOWLEDGEMENT OF COUNTRY

General Manager, David Kirby declared the meeting open at 10:06AM.

Cr Angelo Pippos opened the meeting with a prayer & Cr Mark Brown provided an Acknowledgement of Country.

2 APOLOGIES/LEAVE OF ABSENCE

APOLOGY

RESOLVED 112/24

Moved: Cr Angelo Pippos

Seconded: Cr Michael Pederson

That the apology received from Cr Dough Gordon and CR Trish Frail be accepted and leave of absence granted.

The MOTION upon being PUT to the MEETING was declared CARRIED

3 DECLARATION OF INTEREST

At 10:09am Cr Michael Pederson declared a 'Pecuniary' interest in relation to item 10.2 Billabong Redevelopment – Tender 2000740. Cr Michael Pederson completed and signed a 'Disclosure of Interest at Ordinary Council Meeting' form and provided it to Mayor Stanton.

RESOLVED 113/24

Moved: Cr Angelo Pippos

Seconded: Cr Mark Brown

That Council accept the 'Pecuniary' interest declared by Cr Michael Pederson to confidential item 10.2 Billabong Redevelopment – Tender 2000740.

The MOTION upon being PUT to the MEETING was declared CARRIED

4 CONFIRMATION OF MINUTES

RESOLVED 114/24

Moved: Cr Mark Brown

Seconded: Cr Vivian Slack-Smith

That the Minutes of the Ordinary Meeting of Tuesday 27th August 2024 covered by resolutions 099/24 to 104/24 and the Minutes of the Extraordinary Meeting of Wednesday 9th October 2024 covered by resolutions 105/24 to 111/24 action request be adopted.

The MOTION upon being PUT to the MEETING was declared CARRIED

At 10:15AM Mayor Stanton announced that agenda item 7.6 - 4 Mile Redevelopment, would be the first item for discussion due to a scheduled teleconference presentation with Projence Project Managers Randall Medd (in person) and Steve Young (online) and Moir architect David Moir. Presentation concluded at 10:53AM.

7.6 4 MILE REDEVELOPMENT (PARCELS – LOT 1 DP 92650)

PURPOSE

To seek Council endorsement to progress to detailed design and preparation of tender documentation for the Four Mile Project

RESOLVED 115/24

Moved: Cr Vivian Slack-Smith

Seconded: Cr Angelo Pippas

1. That Council endorse the concept design for the Four Mile Project and proceed to detailed design including the preparation of Tender Documents.
2. That council note the positive feedback from the community and the success of the engagement process and look to replicate for future projects.

The MOTION upon being PUT to the MEETING was declared CARRIED

5 MAYORAL MINUTE

NIL.

6 REPORTS OF COMMITTEES

NIL.

At 10:57AM, Randall Medd left the meeting.

At 10:59AM, Randall Medd returned to the meeting.

7 REPORTS TO COUNCIL FOR ACTION**7.1 BANK RECONCILIATION & INVESTMENT REPORT****RECOMMENDATION**

1. The bank reconciliation and Investment report are 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.

RESOLVED 116/24**Moved: Cr Michael Pederson
Seconded: Cr Mark Brown**

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

The MOTION upon being PUT to the MEETING was declared CARRIED

7.2 DOMESTIC VIOLENCE LEAVE POLICY - POLICY NUMBER:HR1/2 VERSION 1**PURPOSE**

The purpose of this report is to present the Domestic Violence Leave Policy for Council's approval. The policy is designed to support employees who are affected by domestic violence by providing clear guidance on leave entitlements as per the Local Government (State) Award 2023.

RESOLVED 117/24**Moved: Cr Angelo Pippos
Seconded: Cr Belinda Colless****That Council adopt the Domestic Violence Leave Policy.**

The MOTION upon being PUT to the MEETING was declared CARRIED

7.3 CHRISTMAS CLOSURE 2024

PURPOSE

To provide Council with a report relating to the proposed Christmas/New Year shutdown period.

RESOLVED 118/24

Moved: Cr Angelo Pippos

Seconded: Cr Vivian Slack-Smith

- 1. That Council allocates to Indoor Staff 7 Concessional Leave Days for the Christmas and New Year 2024/2025 closure period; and**
- 2. Council supports the closure of Council offices from 12noon Friday 20th December 2024 to 9.00am Monday 6th January 2025**

The MOTION upon being PUT to the MEETING was declared CARRIED

Cr Belinda Colless recorded her objection and voted against the recommendation due to insufficient financial information provided.

At 11:16AM, Cr Michael Pederson left the meeting.

At 11:18AM, Cr Michael Pederson returned to the meeting.

7.4 DELEGATIONS - MAYOR, DEPUTY MAYOR & GENERAL MANAGER**PURPOSE**

To implement formal delegations to the Mayor, Deputy Mayor and General Manager as of the 29th October 2024.

RESOLVED 119/24

Moved: Cr Michael Pederson

Seconded: Cr Mark Brown

- 1. That Policy No HR1/28 being Mayoral, Deputy Mayor & General Manager Delegations be adopted.**
- 2. That Council delegates to the Mayor, Deputy Mayor & General Manager the delegations as detailed in attached Policy document numbered HR1/28.**

The MOTION upon being PUT to the MEETING was declared CARRIED

7.5 COUNCIL COMMITTEES

PURPOSE

To provide Council with the updated changes to the Plant Committee and Tourism Committee with respective name changes to Technical Committee, Economic Development Committee & Cultural Committee.

RESOLVED 120/24**Moved: Cr Michael Pederson****Seconded: Cr Angelo Pippas**

- 1. The name of the "Plant Committee" be changed to the "Technical Services Committee."**
- 2. The name of the "Tourism & Cultural Committee" be changed to the "Economic Development and Culture Committee."**
- 3. The Committee Constitutions be tabled at the first meeting of committees for approval.**
- 4. All necessary administrative changes be made to reflect these name changes in accordance with Section 355 of the NSW Local Government Act.**

The MOTION upon being PUT to the MEETING was declared CARRIED

Cr Belinda Colless suggested changes to the wording of the Economic Development and Cultural Committee Terms of Reference and the Technical Services Committee Terms of Reference. General Manager David Kirby acknowledged and agreed to implement the changes.

At 10:45AM, Cr Angelo Pippas left the meeting.

At 10:59AM, Cr Angelo Pippas returned to the meeting.

Item - 7.6 4 Mile Redevelopment - has been moved to another part of the document.

At 11:52AM, Fran Carter left the meeting.

At 11:56AM, Fran Carter returned to the meeting.

7.8 DRAFT ANNUAL REPORT - 2023-2024**PURPOSE**

The purpose of this report is to present Councillors with the Annual Report 2023-2024, for review and adoption by Council.

RESOLVED 121/24**Moved: Cr Vivian Slack-Smith****Seconded: Cr Belinda Colless**

That Council resolve to adopt, and place on public display, the Draft Brewarrina Shire Council Annual Report 2023-2024.

The MOTION upon being PUT to the MEETING was declared CARRIED

At 12:06PM, Cr Belinda Colless left the meeting.

At 12:08PM, Cr Belinda Colless returned to the meeting.

7.9 BREWARRINA MAINSTREET REDEVELOPMENT - PROJECT UPDATE

PURPOSE

To Provide Council a Status update of the Brewarrina Main Street Project.

RESOLVED 122/24

Moved: Cr Angelo Pippas

Seconded: Cr Mark Brown

1. That Council note the status update.
2. The scope variation of the project be endorsed.

The MOTION upon being PUT to the MEETING was declared CARRIED

8 REPORTS FOR INFORMATION

7.7 GENERAL MANAGER DIARY

PURPOSE

To provide Council with an update of activities and meetings from the office of the General Manager.

8.1 HUMAN RESOURCES AND WORK HEALTH AND SAFETY

PURPOSE

The purpose of this report is to inform Council on Human Resources current positions vacant, Work Health and Safety and scheduled training that will be ongoing throughout 2024.

8.2 TRANSPORT - INFORMATION REPORT

PURPOSE

The purpose of this report is to update Council on various road maintenance, construction activities within the Shire and general Transport Department news

8.3 STATUS REPORT**PURPOSE**

To provide Council with the latest update on activities and projects through the monthly Status Report

8.4 ECONOMIC DEVELOPMENT MANAGER**PURPOSE**

This report provides an overview of the key activities and initiatives undertaken by the Brewarrina Shire Council's Economic Development team for August/September 2024. The report serves to inform stakeholders about ongoing projects, achievements, and upcoming plans, with a focus on promoting tourism, economic growth, and community engagement within the Shire.

RESOLVED 123/24

Moved: Cr Vivian Slack-Smith

Seconded: Cr Angelo Pippos

That Councillors receive items 8.1 to 8.4, and item 7.7, in the Reports for Information section as information.

The MOTION upon being PUT to the MEETING was declared CARRIED

9 QUESTIONS NEXT MEETING

1. Cr Belinda Colless formally proposed the nomination of Isaac Gibbs for the 2025 Australia Day Ambassador position. General Manager David Kirby informed that a report noting the request will be presented at the next meeting.
2. Mayor Stanton highlighted the importance of Councillors getting to know the staff and suggested hosting an event for everyone to connect. The Mayor/staff Christmas party was proposed as a suitable occasion for this. A date will be set and shared with Councillors prior to the next meeting.

At 1: 10 pm Cr Pederson left the meeting before the discussion on 10.2

At 1: 30 pm Cr Pederson returned to the meeting.

Meeting moved into closed session at 12:46PM

10 CONFIDENTIAL MATTERS

RESOLVED 124/24

**Moved: Cr Angelo Pippos
Seconded: Cr Michael Pederson**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

10.1 TRANSPORT - VEHICLES FOR TENDER

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

10.2 Billabong Redevelopment - Tender 2000740

This matter is considered to be confidential under Section 10A(2) - c, d(i) and d(ii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business, commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and information that would, if disclosed, confer a commercial advantage on a competitor of the council.

10.3 Construction of Shared Path & Installation of Solar Lights at Weilmoringle Township Tender - T2024-02

This matter is considered to be confidential under Section 10A(2) - a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

The MOTION upon being PUT to the MEETING was declared CARRIED

RESOLVED 125/24

**Moved: Cr Angelo Pippos
Seconded: Cr Belinda Colless**

That Council moves into open session.

The MOTION upon being PUT to the MEETING was declared CARRIED

Meeting resumed open session at 1:42PM

11 OPEN SESSION

The General Manager reported in open session that;

1. 10.1 - TRANSPORT – VEHICLES FOR TENDER
Council resolved to offer vehicle sales to auction houses for the best price obtainable in this current round of sales.
2. 10.2 – BILLABONG REDEVELOPMENT – TENDER 2000740
Council resolved to authorise NSW Public Works in negotiating with the preferred tenderer Civil & Quarries Pty Ltd and that Council authorise NSW Public Works to negotiate a final price within 10% of the \$1.3million total project cost and, Council to approve the tender as per NSW Public Works recommendation.
3. 10.3 – CONSTRUCTION OF SHARED PATH & INSTALLATION OF SOLAR LIGHTS AT WEILMORINGLE TOWNSHIP TENDER – T2024-02
Council resolved to authorise the General Manager to negotiate the final tendered price with Civil and Quarries Pty Ltd and that a strict program of works and hold points be implemented into the contract for milestones which includes a 30% retention to ensure works are completed in a satisfactory and timely manner. Council also further authorise the General Manager to carry out variations to the contract to achieve funding objective within the grant funding provided if needed.

12 CONCLUSION OF MEETING

Meeting concluded at 1:45PM