



BERRIGAN SHIRE

BAROOGA • BERRIGAN • FINLEY • TOCUMWAL



ORDINARY COUNCIL MEETING

Held on Wednesday 7 August, 2024

at 9:00am

Council Chambers, 56 Chanter Street, Berrigan



Minutes



Ordinary Council Meeting
 Wednesday 7 August, 2024

MINUTES

The Ordinary Council Meeting of the Shire of Berrigan held in the Council Chambers, 56 Chanter Street, Berrigan, on Wednesday 7 August, 2024 when the following business was considered:-

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Present:

Councillors:

Matthew Hannan, Carly Marriott (Deputy Mayor), Edward (Ted) Hatty, Julia Cornwell McKean, Sarah McNaught, Renee Paine, Roger Reynoldson and John Taylor

The following staff were also in attendance:

Karina Ewer (Chief Executive Officer), Andrew Fletcher (Director Strategic Planning and Development), Tahlia Fry (Director Corporate Services), Gary George (Director Infrastructure) and Bianca Bourke (Communications and Engagement Officer)

1 OPENING OF MEETING

The Council opened its meeting at 9:15pm.

Cr Julia Cornwell McKean read the following statement:

In the spirit of open, accessible and transparent government, Berrigan Shire Council's meetings are audio recorded. By speaking at a Council Meeting, members of the public agree to being recorded. Berrigan Shire Council accepts no liability for any defamatory, discriminatory or offensive remarks or gestures that are made during the course of the Council Meeting. Opinions expressed or statements made by individuals are the opinions or statements of those individuals and do not imply any form of endorsement by Berrigan Shire Council.

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An audio recording of the Council Meeting will be taken for administrative and minute preparation purposes only and is provided to the public for listening purposes to support Council's statutory obligations.

2 ACKNOWLEDGEMENT OF COUNTRY

Cr Julia Cornwell McKean made an Acknowledgement of Country with the following statement:



“We acknowledge the original inhabitants whose country we are gathered on, and we pay respect to the elders, past, present, and future and extend respect to all first nations people.”

3 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE OR ATTENDANCE VIA AUDIO-VISUAL LINK BY COUNCILLORS

3.1 Apologies/Leave of Absence

Nil

3.2 Applications for Leave of Absence

3.3 Attendance Via Audio-Visual Link

Nil

4 CONFIRMATION OF PREVIOUS MINUTES

Resolved OCM 178/24

Moved: Cr John Taylor

Seconded: Deputy Mayor Carly Marriott

That the minutes of the Ordinary Council Meeting held in the Council Chambers Wednesday 17 July, 2024 be confirmed.

CARRIED

AMENDMENT

Resolved OCM 179/24

Moved: Cr John Taylor

Seconded: Cr Roger Reynoldson

That the Agenda be amended to consider a late paper, Council Election Considerations in section 8 of the agenda.

CARRIED

CONSIDER ITEM AS CONFIDENTIAL

Resolved OCM 180/24



Moved: Cr John Taylor
Seconded: Cr Sarah McNaught

That Council considers the confidential report listed as 10.2 Completion of Staff Underpayment Matter be moved to the open meeting as item 8.14.

CARRIED

5 DISCLOSURES OF INTERESTS

6 MAYORAL MINUTE(S)

Nil

7 REPORTS OF COMMITTEES

Nil

8 REPORTS TO COUNCIL

8.1 Tocumwal Foreshore Committee of Management

Resolved OCM 181/24

Moved: Cr Edward (Ted) Hatty
Seconded: Cr Renee Paine

- a) Revoke existing members of the Tocumwal Foreshore Committee of Management
- b) Pursuant to section 355 of the Local Government Act 1993, appoint the following persons to the Tocumwal Foreshore Committee of Management.

President:	Jonathan Graham
Vice President:	Robert Conboy/Wayne Jansen
Secretary:	Judy Carlon
Treasurer:	Bill Greig
Committee:	Wendy Terry, Peter Terry, Betsy Bird, Peter Bird, Peter Lykassis, Paul Weltch, Paul Whittington, Geoff Terry, Ross Bodey

CARRIED



8.2 Tender Report - for Contract No. T04-24-25

Resolved OCM 182/24

Moved: Cr Edward (Ted) Hatty

Seconded: Deputy Mayor Carly Marriott

That Council:

1. Award tender number T04-24-25 Insitu Pavement Stabilization for 2024/2025 to Stabilco PTY LTD.
2. Authorise its Seal to be affixed to the relevant contracts in the presence of two signatories authorised to affix the seal, pursuant to Regulation 400 of the Local Government (General) Regulation 2021.
3. Appoint the Director of Infrastructure as the Contract Superintendent and Operations Manager - Transport as the Superintendents' Representative.

CARRIED

8.3 Tender Report for Contact No. T05-24-25

Resolved OCM 183/24

Moved: Deputy Mayor Carly Marriott

Seconded: Cr Roger Reynoldson

That Council:

1. Award tender number T05-24-25 Cutback Bitumen for 2024/2025 to Primal Surfacing PTY LTD.
2. Authorise its Seal to be affixed to the relevant contracts in the presence of two signatories authorised to affix the seal, pursuant to Regulation 400 of the Local Government (General) Regulation 2021.
3. Appoint the Director of Infrastructure as the Contract Superintendent and Operations Manager - Transport as the Superintendents' Representative.

CARRIED

8.4 Tender T02-24-25 Supply of Quarry Products for the 2024-25 Financial Year

Resolved OCM 184/24

Moved: Cr John Taylor

Seconded: Cr Roger Reynoldson



That Council:

1. Accepts all compliant tenders for T02-24-25 Supply of Quarry Products for 2024/2025.
2. Authorise its Seal to be affixed to the relevant contracts in the presence of two signatories authorised to affix the seal, pursuant to Regulation 400 of the Local Government (General) Regulation 2021.
3. Appoint the Director of Infrastructure as the Contract Superintendent and Operations Manager - Transport as the Superintendents' Representative.

CARRIED

8.5 National Housing Accord - Development Applications

Resolved OCM 185/24

Moved: Cr John Taylor

Seconded: Cr Sarah McNaught

That Council receive and note this report.

CARRIED

8.6 Interim Management Letter 2023-24 Audit

Resolved OCM 186/24

Moved: Cr John Taylor

Seconded: Cr Roger Reynoldson

That Council receive and note this report.

CARRIED

8.7 Award of contract for IT Managed Services

Recommendation

That Council: CONSIDER ITEM AS CONFIDENTIAL

Moved: Deputy Mayor Carly Marriott

Seconded: Cr John Taylor

That Council considers the confidential report listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.



1. Approve the negotiation and award of the contract to Logicalis Australia for the provision of Information Technology (IT) Current State Assessment and Managed Services for a period of five years.
2. Authorises its Seal to be affixed to the above contracts in the presence of two signatories authorised to affix the Seal pursuant to Regulation 400 of the Local Government (General) Regulation 2021.

8.8 Continuous Improvement Plan - quarterly update

This report was for information only.

8.9 HR Scan June 2024

Resolved OCM 187/24

Moved: Cr Edward (Ted) Hatty

Seconded: Cr Sarah McNaught

That Council receives and notes the report.

CARRIED

At 9:44am, Cr Renee Paine left the meeting.

At 9:53 am, Cr Renee Paine returned to the meeting.

8.10 Vermont St and Golf Course Rd Intersection Traffic Calming

Resolved OCM 188/24

Moved: Deputy Mayor Carly Marriott

Seconded: Cr John Taylor

That Council note the report.

CARRIED

8.11 Powerline Project Chanter Street, Berrigan



Resolved **OCM 189/24**

Moved: Cr Roger Reynoldson

Seconded: Cr Renee Paine

That Council note the report.

CARRIED

8.12 **Finance - Accounts**

Resolved **OCM 190/24**

Moved: Cr John Taylor

Seconded: Deputy Mayor Carly Marriott

That Council:

- a) receive the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 July 2024,
- b) confirm the accounts paid as per Warrant No. 07/24 totaling \$7,976,187.02 and note the report on investments attached.

CARRIED

8.13 **Council Action Report**

Resolved **OCM 191/24**

Moved: Cr John Taylor

Seconded: Deputy Mayor Carly Marriott

That Council note this report.

CARRIED

Andrew Fletcher, Tahlia Fry and Gary George left the Council Chambers at 10:08am.

8.14 **Completion of Staff Underpayment Matter**

Resolved **OCM 192/24**

Moved: Cr John Taylor

Seconded: Cr Renee Paine

That Council receive and note this report.



CARRIED

Andrew Fletcher, Tahlia Fry and Gary George returned to the Council Chambers at 10:13am.

8.15 Council Election Considerations

Resolved OCM 193/24

Moved: Cr John Taylor

Seconded: Deputy Mayor Carly Marriott

That Council:

1. delegate all delegable functions to the Chief Executive Officer position for the period commencing 16 August 2024 through to an including 30 September 2024,
2. authorise the Mayor to maintain all civic and ceremonial functions normally exercised by the Mayor during this period
3. authorise the CEO to undertake all civic and ceremonial functions normally exercised by the Mayor in the absence of the Mayor and
4. set the first meeting of the new Council as an Extra Ordinary meeting on 10 October, commencing at 9.00am and following the Agenda set out in this report.

CARRIED

9 NOTICES OF MOTION/QUESTIONS WITH NOTICE

Nil

At 10:15 AM, the meeting adjourned for morning tea.

At 10:29 AM, the meeting reconvened.

Michelle Koopman (Enterprise Risk Manager) and Harin Perera (IT Project Manager) entered the Chambers at 10:30 AM.

10 CONFIDENTIAL MATTERS

Resolved OCM 194/24

Moved: Deputy Mayor Carly Marriott

Seconded: Cr Renee Paine



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 Upgrade of Enterprise Resource Management System

This matter is considered to be confidential under Section 10A(2) - (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 competitor of the council.

10.3 Evaluation Report MQ18-23-24

This matter is considered to be confidential under Section 10A(2) - (c) 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.

10.4 2023-2024 Financial Year Consultant Expenditure

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).

10.5 Evaluation Report T04-24-25

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.

10.6 Evaluation Report T05-24-25

This matter is considered to be confidential under Section 10A(2) - (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 competitor of the council.

10.7 Evaluation Report T01-24-25

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.

10.8 Evaluation Report T02-24-25

This matter is considered to be confidential under Section 10A(2) - (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 competitor of the council.

10.9 CEO Performance Action Plan



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).

CARRIED

10.1 Upgrade of Enterprise Resource Management System

Resolved OCM 195/24

Moved: Cr John Taylor

Seconded: Deputy Mayor Carly Marriott

That Council:

1. Approve the negotiation and award of the contract to Civica Ltd for the upgrade of the current Practical software to the Altitude version, including hosting and support for five years, at a total contract cost of \$1,099,635.00.
2. Authorises its Seal to be affixed to the above contracts in the presence of two signatories authorised to affix the Seal pursuant to Regulation 400 of the Local Government (General) Regulation 2021.

CARRIED

At 10:57am, Cr Matthew Hannan left the meeting.

At 11:03am, Cr Matthew Hannan returned to the meeting.

Michelle Koopman (Enterprise Risk Manager) and Harin Perera (IT Project Manager) left the Chambers at 11:18am and did not return.

Resolved OCM 196/24

Moved: Deputy Mayor Carly Marriott

Seconded: Cr John Taylor

That Council re-open the meeting to the public at 11:31am.

CARRIED

During closed Council, the following recommendation was resolved:



10.3 Evaluation Report MQ18-23-24

Resolved OCM 196/24

Moved: Cr John Taylor

Seconded: Cr Renee Paine

That Council:

1. Approve the negotiation and award of the contract to Logicalis Australia for the provision of Information Technology (IT) Current State Assessment and Managed Services for a period of five years at a contract price of \$1,110,400.00.

CARRIED

11 MOTIONS WITHOUT NOTICE/QUESTIONS WITHOUT NOTICE

CR MARRIOT

Tocumwal CWA Park

Bus Shelter Barooga

CR PAINE

Pump Station in Finley

CR MCNAUGHT

Flipstarts Gymnastics – Looking for community support.

Cr Hannan left the Chambers at 11:31am and did not return.

12 COUNCILLOR REPORTS

12.1 Mayor's Report

Resolved OCM 197/24

Moved: Cr Renee Paine

Seconded: Cr John Taylor

That the Mayor's Report be received.

CARRIED



12.2 Verbal Reports from Delegates

13 CONCLUSION OF MEETING

The next Ordinary Council Meeting will be held on September 2024 from 9:00am in the Council Chambers, 56 Chanter Street, Berrigan.

There being no further business the Mayor, Cr Julia Cornwell McKean closed the meeting at 11:43am.