



BERRIGAN SHIRE

BAROOGA • BERRIGAN • FINLEY • TOCUMWAL



ORDINARY COUNCIL MEETING

Held on Wednesday 4 December, 2024

at 1:00pm

Council Chambers, 56 Chanter Street, Berrigan



Minutes



Ordinary Council Meeting
Wednesday 4 December, 2024
MINUTES

The Ordinary Council Meeting of the Shire of Berrigan held in the Council Chambers, 56 Chanter Street, Berrigan, on Wednesday 4 December, 2024 when the following business was considered:-

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Present:

Councillors:

Matthew Hannan, Julia Cornwell McKean, Renee Paine, Catherine Healy, Katie Ngatoko, John Stringer and Renee Brooker

The following staff were also in attendance:

Matthew Hansen (Acting CEO) Andrew Fletcher (Director Community and Development), Keelan McDonald (Executive Assistant) and Chanalee Nicosia (Compliance Information Management Officer).

1 OPENING OF MEETING

Brad Lane and Graham Burns (LY Dynamics) attended Question Time to speak to *item 8.1 32-25-DA-DM - Manufactured Home Estate - 74 Quicks Road Barooga*

The Council opened its meeting at 1:15pm.

Mayor Julia Cornwell McKean read the following statement:

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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

Mayor 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 266/24

Moved: Cr John Stringer

Seconded: Cr Renee Brooker

That the minutes of the Ordinary Council Meeting held in the Council Chambers Wednesday 20 November, 2024 be confirmed.

CARRIED

5 DISCLOSURES OF INTERESTS

Mayor, Cr Julia Cornwell McKean declared the following conflict of interest in relation to *Item 8.4 Albury Wodonga Health Advocacy*

Cr Cornwell McKean has applied for a position on the board of Albury Wodonga Health. She will manage the conflict by removing herself from the discussion and all deliberation. She will vacate the chair to Cr Paine while the item is under discussion.

6 MAYORAL MINUTE(S)

Nil



7 **REPORTS OF COMMITTEES**

Nil

8 **REPORTS TO COUNCIL**

8.1 **32-25-DA-DM - Manufactured Home Estate - 74 Quicks Road Barooga**

Resolved OCM 267/24

Moved: Cr Katie Ngatokoa

Seconded: Cr Renee Brooker

That Council resolves to REFUSE Development Application No 32-25-DA-DM which proposes a Manufactured Home Estate (MHE), with 383 dwellings and associated roads, recreational areas, community buildings and a swimming pool at 74 Quicks Road, Barooga.

The development application is recommended for refusal, based on the following reasons:

- 1- The proposed development does not comply with section 4.15(1)(c)(e) of the Environmental Planning and Assessment Act 1979 in terms of the suitability of the site for the proposed development and site location.
- 2- The proposed development does not meet the principles 1(d), (e) and (f) and aims (1)(d) or (e) of State Environmental Planning Policy (Housing) 2021.
- 3- The proposed development does not comply with the aims of the Berrigan Local Environment Plan 2013 as it will provide a high-density residential development which does not compliment the unique character on the periphery of Barooga and will place strain on local infrastructure and services.

The proposed development includes dwellings that will be constructed on-site, which does not comply with section 41 of Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.

THE MAYOR CALLED FOR A DIVISION, ALL COUNCILLORS WERE IN FAVOUR

8.2 **Councillor Expenses and Facilities Policy**

LAPSED OCM 268/24

Moved: Cr Renee Paine

Seconded: Cr Catherine Healy

That Council

1. revoke the Councillor Expenses and Facilities Policy adopted 15 June 2022, and
2. adopt the Councillor Expenses and Facilities Policy attached as an appendix to this report



LAPSED

During debate Councillor Catherine Healy foreshadowed the following motion.

That Council:

1. amend the proposed Councillor Expenses and Facilities Policy, to allow for reimbursement of payments made by councillors to family members providing childcare, subject to a formal agreement being in place.
2. place the amended policy on public exhibition for 28 days, with the council to consider any submissions made at a subsequent meeting prior to adoption.

On the initial motion lapsing, the foreshadowed motion was put:

MOTION

Resolved **OCM 269/24**

Moved: Cr Catherine Healy

Seconded: Cr Katie Ngatoko

That Council:

3. amend the proposed Councillor Expenses and Facilities Policy, to allow for reimbursement of payments made by councillors to family members providing childcare, subject to a formal agreement being in place.
4. place the amended policy on public exhibition for 28 days, with the council to consider any submissions made at a subsequent meeting prior to adoption.

CARRIED

8.3 Local Government Remuneration Tribunal

Resolved **OCM 270/24**

Moved: Cr Katie Ngatoko

Seconded: Cr Renee Brooker

That Council adopt the submission to the Local Government Remuneration Tribunal 2025 Review as presented and instruct the Acting CEO to submit the document prior to the closing date of 20 December 2024.

CARRIED

Mayor, Cr Julia Cornwell McKean declared the following conflict of interest in relation to Item 8.4.



Cr Cornwell McKean has applied for a position on the board of Albury Wodonga Health. She will manage the conflict by removing herself from the discussion and all deliberation. She will vacate the chair to Cr Paine while the item is under discussion.

Mayor Julia left the meeting at 1:40pm

Cr Paine assumed the chair

8.4 Albury Wodonga Health Advocacy

Moved: Cr Matthew Hannan

Seconded: Cr Katie Ngatoko

That Council supports the ongoing advocacy of Albury City for the implementation of all recommendations and outputs of Albury Wodonga Health's *2021 Clinical Services Plan*.

LAPSED

Councillor Matthew Hannan called for an Amendment to the Motion, to include Wodonga City, as outlined below.

8.4.1 Albury Wodonga Health Advocacy

Moved: Cr Matthew Hannan

Seconded: Cr Katie Ngatoko

That Council amend the motion to include Wodonga Council as set out below.

That Council supports the ongoing advocacy of Albury City and Wodonga Council for the implementation of all recommendations and outputs of Albury Wodonga Health's 2021 Clinical Services Plan.

CARRIED

The Amendment became the motion and the motion was put to the meeting

8.4 Albury Wodonga Health Advocacy

Resolved OCM 271/24

Moved: Cr Matthew Hannan

Seconded: Cr Katie Ngatoko

That Council supports the ongoing advocacy of Albury City and Wodonga Council for the implementation of all recommendations and outputs of Albury Wodonga Health's *2021 Clinical Services Plan*.



CARRIED

Mayor Julia returned at 1:46pm and assumed the chair.

8.5 RFS costs update

Resolved OCM 272/24

Moved: Cr John Stringer

Seconded: Cr Renee Paine

That Council receive and note this report.

CARRIED

8.5.1 Payment Plan for RFS costs

Action

Matt Hansen to provide Council with details of the payment plan arrangement between Berrigan Shire Council and Federation Council for the repayments regarding RFS costs over the last 5 years.

8.6 Finley Recreation Reserve Committee of Management

Resolved OCM 273/24

Moved: Cr Renee Brooker

Seconded: Cr Matthew Hannan

- a) Revoke existing members of the Section 355 Committee of Management
- b) Pursuant to Section 355 of the Local Government Act 1993, appoint the persons defined in this report to the Section 355 Committee

CARRIED

8.7 Tocumwal Football Netball Club

Recommendation

That Council considers the renewal of the expired lease for the Tocumwal Football Netball Club (TFNC).



MOVE INTO COMMITTEE OF THE WHOLE

Resolved **OCM 274/24**

Moved: Cr Renee Brooker

Seconded: Cr Catherine Healy

That the Council move out of Council and into a Committee of the Whole at 1:53pm.

CARRIED

While in committee, the committee discussed the operation and history of the lease of the Tocumwal Football Rooms to Tocumwal Football Netball Club.

The committee made the following recommendation to the council

That the Council:

- note the existing lease with Tocumwal Football Netball Club (TFNC) for the Tocumwal Football Rooms has expired and TFNC did not exercise their option to renew the lease within the required time frame.
- maintain the existing lease under the lease's "holdover" clause while consulting with the community and Tocumwal Recreation Reserve user group on a new non-exclusive licence agreement to come into effect from September 2025.
- direct the Chief Executive Officer to report back to council with a proposed licence at the March ordinary council meeting.

MOVE OUT OF COMMITTEE OF THE WHOLE

Resolved **OCM 276/24**

Moved: Cr Renee Paine

Seconded: Cr Katie Ngatokoa

That Councillors move out of the Committee of the Whole and into Council at 2:21pm.

CARRIED

8.7 Tocumwal Football Netball Club

Resolved **OCM 275/24**

Moved: Cr John Stringer

Seconded: Cr Renee Brooker



That the Council:

- note the existing lease with Tocumwal Football Netball Club (TFNC) for the Tocumwal Football Rooms has expired and TFNC did not exercise their option to renew the lease within the required time frame.
- maintain the existing lease under the lease's "holdover" clause while consulting with the community and Tocumwal Recreation Reserve user group on a new non-exclusive licence agreement to come into effect from September 2025.
- direct the Chief Executive Officer to report back to council with a proposed licence at the March ordinary council meeting

CARRIED

8.8 Vermont St and Golf Course Rd intersection - traffic calming

Resolved OCM 276/24

Moved: Cr Katie Ngatokoa

Seconded: Cr Renee Paine

That Council

1. Place on hold the Vermont Street traffic calming project to allow for community consultation and the development of an infrastructure strategy catering for the future growth of Barooga.
2. Approve the reallocation of Local Roads and Community Infrastructure funding to the Snell Road Pavement and Drainage Repairs project, subject to approval by the Grants Funding Authority.

CARRIED

8.8.1 Vermont St Footpath

Action

A report come to Council with the impacts of the Vermont Street Footpath.

8.9 Tocumwal and Barooga Flood Study

Resolved OCM 277/24

Moved: Cr John Stringer



Seconded: Cr Renee Paine

That Council resolve to place the Tocumwal Barooga Flood Study on Public Exhibition for a period of 28 days.

CARRIED

8.10 2023-24 Annual Financial Statements

Resolved OCM 278/24

Moved: Cr Katie Ngatoko

Seconded: Cr Renee Brooker

That Council, not having received any submissions in relation to its 2023/24 Annual Financial Statements and having considered the reports presented by the Audit Office of New South Wales, adopt the 2023/24 Annual Statements and the Report on the conduct of the Audit

CARRIED

8.11 Renaming of Tocumwal WAAAF Creek Walk

Resolved OCM 279/24

Moved: Cr John Stringer

Seconded: Cr Katie Ngatoko

That Council, regarding the proposed name change of the Tocumwal WAAAF Creek Walk to the National WAAAF Memorial Creek Walk

1. engage with the Tocumwal community on the proposed name change, and
2. provide a report with the results of the engagement to a future meeting, for consideration.

CARRIED

9 NOTICES OF MOTION/QUESTIONS WITH NOTICE

Nil

10 CONFIDENTIAL MATTERS

Nil



11 MOTIONS WITHOUT NOTICE/QUESTIONS WITHOUT NOTICE

11.1 By-Election 2024

- **Action**

Cr Hannan requests a letter be drafted for the NSW Electoral Commission asking questions in regards to election timing and counting period. The draft letter be tabled at the January 2025 Meeting

12 COUNCILLOR REPORTS

12.1 Mayor's Report

Resolved **OCM 280/24**

Moved: Cr Katie Ngatoko

Seconded: Cr Renee Paine

That the Mayor's Report be received.

CARRIED

- Business Case for Dialysis Chairs in both Moira and Berrigan Shire
 - Purple House (truck) in Alice Springs.
 - Meeting with Department of Health
- NSW Tourism Awards in Sydney
- Movember Function at Finley RSC
- Barooga Advancement Group
- Digital connectivity forum online
- Murrumbidgee Local Health District CEO Meeting
- Tocumwal Ambulance Committee Meeting

12.2 Verbal Reports from Delegates

Cr Paine

- Albury Wodonga Health Meeting

Cr Stinger

- Tocumwal Primary School Awards Night

Cr Brooker



- Murray Regional Strategic Group Workshop

13 CONCLUSION OF MEETING

The next Ordinary Council Meeting will be held on 22 January 2025 from 4:30pm in the Council Chambers, 56 Chanter Street, Berrigan.

There being no further business the Mayor, Mayor Julia Cornwell McKean closed the meeting at 2:51pm.