



BERRIGAN SHIRE

BAROOGA • BERRIGAN • FINLEY • TOCUMWAL



## ORDINARY COUNCIL MEETING

Held on Wednesday 19 February, 2025

at 9:00am

Council Chambers, 56 Chanter Street, Berrigan



# Minutes



Ordinary Council Meeting  
Wednesday 19 February, 2025  
**MINUTES**

The Ordinary Council Meeting of the Shire of Berrigan held in the Council Chambers, 56 Chanter Street, Berrigan, on Wednesday 19 February, 2025 when the following business was considered:-

**ITEMS OF BUSINESS**

|          |   |          |
|----------|---|----------|
| <b>1</b> | <b>OPENING OF MEETING</b> .....   | <b>4</b> |
| <b>2</b> | <b>ACKNOWLEDGEMENT OF COUNTRY</b> .....   | <b>5</b> |
| <b>3</b> | <b>APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE OR ATTENDANCE VIA AUDIO-VISUAL LINK BY COUNCILLORS</b> ..... | <b>5</b> |
| 3.1      | Apologies/Leave of Absence .....  | 5        |
| 3.2      | Applications for Leave of Absence .....   | 5        |
| 3.3      | Attendance Via Audio-Visual Link .....  | 5        |
| <b>4</b> | <b>CONFIRMATION OF PREVIOUS MINUTES</b> .....   | <b>5</b> |
| <b>5</b> | <b>DISCLOSURES OF INTERESTS</b> .....   | <b>5</b> |
| <b>6</b> | <b>MAYORAL MINUTE(S)</b> .....  | <b>5</b> |
|          | Nil   |          |
| <b>7</b> | <b>REPORTS OF COMMITTEES</b> .....  | <b>5</b> |
|          | Nil   |          |
| <b>8</b> | <b>REPORTS TO COUNCIL</b> .....   | <b>6</b> |
| 8.1      | Correspondence December 2024 to February 2025 .....   | 6        |
| 8.2      | Councillor requests January 2025 .....  | 6        |

|           |   |           |
|-----------|---|-----------|
| 8.3       | Councillor expenses reporting .....                                     | 6         |
| 8.4       | Development Determinations for Month of Jan 2025 .....                  | 6         |
| 8.5       | Actions from previous meetings .....                                    | 6         |
| 8.6       | Finance Accounts January .....  | 7         |
| 8.7       | Operational Plan review Q2 2024 25 .....                                | 7         |
| 8.8       | Financial Quarterly Business Review Statement 2 FY 24 25 Q2 .....       | 7         |
| 8.9       | Consultation draft amendments to the code of meeting practice.....      | 8         |
| 8.10      | Classification of land 12 14 Hayes St Berrigan .....                    | 8         |
| 8.11      | Terms of Reference CEO performance review panel .....                   | 8         |
| 8.12      | Event Funding application Mild to Wild Rod Run.....                     | 9         |
| 8.12.1    | Action Spendmap Data .....  | 9         |
| 8.13      | Tocumwal and Barooga Flood Study .....                                  | 9         |
| 8.15      | Policy Grants and Works Community Facilities.....                       | 9         |
| 8.16      | Planning Proposal 2024 989 1 Bruton Street Tocumwal.....                | 10        |
| 8.17      | Planning Proposal Berrigan LEP review .....                             | 10        |
| 8.18      | Sustainability Report .....   | 11        |
| 8.18.1    | Sustainability Report .....   | 11        |
| <b>9</b>  | <b>NOTICES OF MOTION/QUESTIONS WITH NOTICE.....</b>                     | <b>11</b> |
|           | Nil   |           |
| <b>10</b> | <b>CONFIDENTIAL MATTERS.....</b>  | <b>11</b> |
| 10.1      | <i>Berrigan Caravan Park lease .....</i>                                | 12        |
| 10.2      | <i>T10-24-25 Haynes Court, Tocumwal .....</i>                           | 13        |
| 10.3      | <i>T07-24-25 - Alexander Avenue Berrigan .....</i>                      | 13        |
| 10.4      | <i>T11-24-25 - National Memorial Creek Walk Bridge Replacement.....</i> | 14        |
| <b>11</b> | <b>MOTIONS WITHOUT NOTICE/QUESTIONS WITHOUT NOTICE.....</b>             | <b>14</b> |
| 11.1      | Community Consultation – Future Tocumwal .....                          | 14        |
| 11.2      | Information on Work Schedule .....                                      | 15        |
| <b>12</b> | <b>COUNCILLOR REPORTS .....</b>   | <b>16</b> |
| 12.1      | Mayor’s Report .....  | 16        |
| 12.2      | Verbal Reports from Delegates .....                                     | 17        |
| <b>13</b> | <b>CONCLUSION OF MEETING.....</b>                                       | <b>18</b> |



## Present:

Councillors:

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

The following staff were also in attendance:

Karina Ewer (Chief Executive Officer), Matthew Hansen (Deputy CEO) and Simon Walsh (Acting Director Corporate Services), Andrew Fletcher (Director Community and Development), Keelan McDonald (Communications, Marketing and Engagement Officer) and Emma McNamara (Executive Assistant).

## 1 OPENING OF MEETING

The Council opened its meeting at 9:15am.

Mayor Julia Cornwell McKean read the following statement:

In the spirit of open, accessible and transparent government, Berrigan Shire Council's meetings are 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.

Confidential matters of Council will not be recorded.

Recordings are protected by copyright and owned by Berrigan Shire Council. No part may be copied, recorded, reproduced or transmitted without the prior written consent of the Chief Executive Officer. Any recording is not, and shall not, be taken to be an official record of Berrigan Shire Council meetings or the discussion depicted therein. Only the official minutes may be relied upon as an official record of the meeting.

An 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:

Berrigan Shire Council acknowledges the Traditional Custodians of the lands on which we live and thrive. We pay our respects to their elders; past, present and emerging. The peoples of these great Nations, their spirits and ancestors will always remain with our waterways and lands.

## 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

Nil

### 3.3 Attendance Via Audio-Visual Link

Cr Renee Paine

## 4 CONFIRMATION OF PREVIOUS MINUTES

Resolved OCM 030/25

Moved: Cr Katie Ngatokoa

Seconded: Cr Renee Brooker

That the minutes of the Ordinary Council Meeting held in the Council Chambers Wednesday 22 January, 2025 be confirmed with the amendment of item OCM 015/25 to stipulate equitable study policy that applies to both staff and CEO.

CARRIED

## 5 DISCLOSURES OF INTERESTS

Nil

## 6 MAYORAL MINUTE(S)

Nil

## 7 REPORTS OF COMMITTEES

Nil



## 8 REPORTS TO COUNCIL

### 8.1 Correspondence December 2024 to February 2025

This report was for information only.

### 8.2 Councillor requests January 2025

This report was for information only.

### 8.3 Councillor expenses reporting

This report was for information only.

### 8.4 Development Determinations for Month of Jan 2025

Resolved OCM 031/25

Moved: Cr Renee Paine

Seconded: Cr Catherine Healy

That Council receive and note this report.

CARRIED

### 8.5 Actions from previous meetings

Resolved OCM 032/25

Moved: Cr Renee Paine

Seconded: Cr Catherine Healy

That Council receive and note this report.

CARRIED



## 8.6 Finance Accounts January

Resolved OCM 033/25

Moved: Cr John Stringer

Seconded: Cr Katie Ngatokoa

That Council:

- a) receive the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 January 2025,
- b) confirm the accounts paid as per Warrant No. 01/25 totaling \$1,998,183.84 and
- c) note the report on investments attached.

CARRIED

## 8.7 Operational Plan review Q2 2024 25

Resolved OCM 034/25

Moved: Cr Katie Ngatokoa

Seconded: Cr Renee Paine

That Council receive and note the Q2 report on actions identified in the 2024/25 Operational Plan.

CARRIED

## 8.8 Financial Quarterly Business Review Statement 2 FY 24 25 Q2

Resolved OCM 035/25

Moved: Cr Catherine Healy

Seconded: Cr John Stringer

1. Note the December 2024 Quarterly Budget Review Statement attached as "Appendix 1"
2. Note the second quarterly review of the 2024/25 budget and vote the funds contained therein as shown in "Appendix 1"
3. Council request that a report be provided to Council by the April Council meeting on the resolution OCM 030/24 relating to Lewis Cres housing project in Finley.

CARRIED



8.9 Consultation draft amendments to the code of meeting practice

Resolved OCM 036/25

Moved: Cr Katie Ngatoko

Seconded: Cr Sharon Dennis

That Council, regarding the consultation draft for the revised model code of meeting practice,

1. endorse the submission, as amended, attached to this report
2. direct the Chief Executive Officer to lodge this submission with the Office of Local Government.

CARRIED

8.10 Classification of land 12 14 Hayes St Berrigan

Resolved OCM 037/25

Moved: Cr Katie Ngatoko

Seconded: Cr Renee Brooker

That Council formally classify Lots 19 and 20, Section 3 DP 3329 (12-14 Hayes St, Berrigan) as operational land for the purposes of s31 of the *Local Government Act 1993*.

CARRIED

8.11 Terms of Reference CEO performance review panel

Resolved OCM 038/25

Moved: Cr Katie Ngatoko

Seconded: Cr Renee Paine

That Council endorse and adopt the terms of reference for the Chief Executive Officer Performance Review Panel.

CARRIED





## 8.12 Event Funding application Mild to Wild Rod Run

Resolved OCM 039/25

Moved: Cr John Stringer

Seconded: Cr Sharon Dennis

That Council provide \$5,510 from council's event funding budget to Mild2Wild Rod and Custom Club to support the Murray River Rod Run 2025, subject to:

1. Mild2Wild Rod and Custom Club acknowledging council's support in marketing and collateral, as well as during the event
2. Mild2Wild Rod and Custom Club acquitting all funds spent in a matter acceptable to council

CARRIED

### 8.12.1 Action Spendmapp Data

#### Action

That the CEO provide Spendmapp data relating to past Mild2Wild events in Tocumwal to councillors via circular.

## 8.13 Tocumwal and Barooga Flood Study

Resolved OCM 040/25

Moved: Cr John Stringer

Seconded: Cr Katie Ngatokoa

That Council adopt the Tocumwal Barooga Flood Study attached to this report.

CARRIED

## 8.15 Policy Grants and Works Community Facilities

Resolved OCM 041/25

Moved: Cr Katie Ngatokoa

Seconded: Cr Matthew Hannan

That Council adopt the version 2.0 of the Grant and Works - Community Facilities Policy.

CARRIED



**8.16 Planning Proposal 2024 989 1 Bruton Street Tocumwal**

**Resolved OCM 042/25**

**Moved: Cr Katie Ngatoko**

**Seconded: Cr Renee Paine**

**That Council support the recommendation and submit the Planning Proposal to the Department of Planning and Environment for finalisation.**

In Favour: Cr Matthew Hannan, Cr Julia Cornwell McKean, Cr Renee Paine, Cr Catherine Healy, Cr Katie Ngatoko, Cr Renee Brooker and Cr Sharon Dennis

Against: Cr John Stringer

**CARRIED 7/1**

**8.17 Planning Proposal Berrigan LEP review**

**Resolved OCM 043/25**

**Moved: Cr Katie Ngatoko**

**Seconded: Cr Matthew Hannan**

**That Council support the Recommendation and submit the Planning Proposal to the Department of Planning and Environment (the Department) for Gateway Determination.**

In Favour: Cr Matthew Hannan, Cr Julia Cornwell McKean, Cr Renee Paine, Cr Catherine Healy, Cr Katie Ngatoko, Cr Renee Brooker and Cr Sharon Dennis

Against: Cr John Stringer

**CARRIED 7/1**



## 8.18 Sustainability Report

Resolved OCM 044/25

Moved: Cr Sharon Dennis

Seconded: Cr Katie Ngatokoa

That Council:

1. acknowledge the preliminary draft of the Sustainability Report,
2. request the CEO to create a schedule through the Councillor Professional Development Sessions to discuss and understand each chapter and to provide feedback and consider the relevant recommendations.

CARRIED

### 8.18.1 Sustainability Report

#### Action

Restructure recommendations into clear actions. Implement a traffic light system for prioritisation and compile actions into a standalone document.

## 9 NOTICES OF MOTION/QUESTIONS WITH NOTICE

Nil

## 10 CONFIDENTIAL MATTERS

Resolved OCM 045/25

Moved: Cr Renee Paine

Seconded: Cr Katie Ngatokoa

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 Berrigan Caravan Park lease

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.

### 10.2 T10-24-25 Haynes Court, Tocumwal



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.

**10.3 T07-24-25 - Alexander Avenue Berrigan**

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.

**10.4 T11-24-25 - National Memorial Creek Walk Bridge Replacement**

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.

CARRIED

The Council adjourned its meeting for morning tea at 10:10am.

The Council meeting reconvened at 10:24am.

**Resolved OCM 046/25**

Moved: Cr Matthew Hannan

Seconded: Cr Renee Paine

That Council re-open the meeting to the public at 10:52am.

CARRIED

*During closed Council, the following resolutions were made:*

**10.1 Berrigan Caravan Park lease**

**Resolved OCM 047/25**

Moved: Cr Katie Ngatokoa

Seconded: Cr Renee Paine

***Not read in open council as the matter is confidential under Section 10A(2) - (c) of the Local Government Act 1993***

CARRIED



10.2 T10-24-25 Haynes Court, Tocumwal

Resolved OCM 048/25

Moved: Cr Katie Ngatoko

Seconded: Cr Sharon Dennis

That Council

1. Award the tender submitted by Crawford Civil Pty Ltd for Contract T10-24-25 Haynes Court, Tocumwal – Pavement and Drainage Repairs and Resurfacing for the contract value of \$140,800.91 Excl GST, subject to the CEO reviewing the scope and negotiation with the preferred supplier if any changes are required;
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 Michael Eddie as the contract Authorised Person;
4. Authorise the Authorised Person to approve variations on the Contract up to a maximum value of 10% of the contract sum.

CARRIED

10.3 T07-24-25 - Alexander Avenue Berrigan

Resolved OCM 049/25

Moved: Cr Katie Ngatoko

Seconded: Cr Renee Paine

That Council

1. Award the tender submitted by O'Loughlin Excavation Pty Ltd for Contract T07-24-25 Alexander Avenue, Berrigan- Pavement Repairs, Drainages Repairs for the contract value of \$264,254.15 Excl GST.
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 Michael Eddie as the contract Authorised Person;
4. Authorise the Authorised Person to approve variations on the Contract up to a maximum value of 10% of the contract sum.

CARRIED



#### 10.4 T11-24-25 - National Memorial Creek Walk Bridge Replacement

**Resolved** OCM 050/25

**Moved:** Cr John Stringer

**Seconded:** Cr Katie Ngatokoa

*That Council*

- 1. Award the tender submitted by Central Industries Pty Ltd for Contract T11-24-25 Tocumwal WAAF Creek Walk – replacement of pedestrian bridges for the contract value of \$250,318.18 Excl GST, subject to the CEO reviewing the scope and negotiation with the preferred supplier if any changes are required;*
- 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 Michael Eddie as the contract Authorised Person;*
- 4. Authorise the Authorised Person to approve variations on the Contract up to a maximum value of 10% of the contract sum.*

**CARRIED**

### 11 MOTIONS WITHOUT NOTICE/QUESTIONS WITHOUT NOTICE

Cr Ngatokoa

- Finley raw water

Cr Stringer

- Community Meeting
- National Memorial WAAF Creek Walk – Weed/undergrowth problem - perceived fire hazard

Mayor Julia

- Future Tocumwal: Community Meeting
- In person ‘pop ups’ relating to Future Tocumwal

#### 11.1 Community Consultation – Future Tocumwal

**Resolved** OCM 051/25

**Moved:** Mayor Julia Cornwell McKean

**Seconded:** Cr John Stringer

**That the council:**



1. direct the CEO to arrange for in-person community consultation activities regarding the *Future Tocumwal* options, targeting a diverse range of the Tocumwal community.
2. Provide an additional \$1,500 to facilitate these activities.

CARRIED

## 11.2 Information on Work Schedule

### Action

That staff inform councillors of the next proposed slashing works at the National Memorial WAAAF Creek Walk.

Cr Stringer left the Council Chambers at 11:14am.

Cr Stringer returned to the Council Chambers at 11:20am.



## 12 COUNCILLOR REPORTS

### 12.1 Mayor's Report

**Resolved** OCM 052/25

**Moved:** Cr Katie Ngatoko

**Seconded:** Cr Sharon Dennis

**That the Mayor's Report be received.**

Mayor Julia reported that she had attended the following during the period:

- 23/1 ANU researcher - Barooga
- 26/1 Australia Day – Barooga
- 30/1 RDA Murray CEO and Chair
- 30/1 TPS Murray golf luncheon
- 4/2 University of Canberra researcher
- 5/2 MLHD Briefing
- 5/2 Professional development session
- 6/2 RAMJO water committee
- 7/2 RAMJO meeting
- 10/2 Foreshore projects – Tocumwal
- 11/2 Barooga Advancement Group – Barooga
- 12/2 A/CEO pre council agenda discussion
- 18/2 Listening Post – Tocumwal
- 19/2 Council Meeting – Berrigan

**CARRIED**

Cr Hannan left the Council Chambers at 11:22am.

Cr Hannan returned to the Council Chambers at 11:26am.





## 12.2 Verbal Reports from Delegates

### Cr Stringer

- Tocumwal and Barooga Listening Posts
- Meeting with Rotary

### Cr Healy

- Webex Golf Luncheon
- Finley Showgrounds Meeting
- Finley and Berrigan Listening Posts
- Commending Australia Day event

### Cr Brooker

- Australia Day 2024
- Barooga Rec Reserve Meeting
- Webex Golf Luncheon
- BAG
- Barooga Listening Posts

### Cr Paine

- Greenfield Hospital Meeting
- ARIC Meeting

### Cr Ngatoko

- Webex Golf Luncheon
- Berrigan and Tocumwal Listening Posts

### Cr Dennis

- Finley and Berrigan Listening Posts
- Tocumwal Rotary Meeting
- Foreshore Meeting

### Cr Hannan

- Berrigan and Tocumwal Listening Posts



13

## CONCLUSION OF MEETING

The next Ordinary Council Meeting will be held on 19 March 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 11:38am.