



ORDINARY MEETING OF COUNCIL

Held on Wednesday 18 May, 2022

Council Chambers

56 Chanter Street, Berrigan



Minutes



Council Meeting

Wednesday 18 May, 2022

MINUTES

Min. No.

Present:

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

The following staff were also in attendance:

Karina Ewer (Chief Executive Officer), Matthew Hansen (Deputy Chief Executive Officer), Rohit Srivastava (Director Infrastructure) and Matthew Miller (Manger, Building and Planning)

1. OPENING OF MEETING

The Council opened its meeting at 9:11am.

Cr Matthew Hannan read the following statement:

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

Recordings are protected by copyright and owner 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 or discussion depicted therein. Only the official minutes may be relied upon as an official record of the meeting.

An audio recording of the Council Meeting will be taken for administrative and minute preparation purposes.

2. ACKNOWLEDGEMENT OF COUNTRY

Cr Matthew Hannan 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

123 **Resolved** Cr Reynoldson and Cr Hatty that an apology for Joanne Ruffin (Director Strategic Development & Planning) for this meeting be accepted.

4. CONFIRMATION OF PREVIOUS MINUTES

124 **Resolved** Cr Paine and Cr Cornwell McKean. that the Minutes of the meeting held in the Council Chambers on Wednesday 20 April, 2022 be confirmed.

5. DISCLOSURES OF INTEREST

Nil

6. MAYORAL MINUTE(S)

6.1 Australian Local Government Association – Federal Campaign

- 125 **Resolved** that the Council support the Australian Local Government’s *Don’t Leave our Communities Behind* Federal election campaign.

7. REPORTS OF COMMITTEES

Nil

8. REPORTS TO COUNCIL

8.1 Council Action List Report

- 126 **Resolved** Cr Cornwell McKean and Cr Taylor that the Council receive and note the Council Action List Report.

8.2 Finance - Accounts

- 127 **Resolved** Cr McNaught and Cr Paine that the Council:
- a) Receive the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 30 April 2022,
 - b) Confirm the accounts paid as per Warrant No. 04/22 totaling \$2,474,132.78 and
 - c) Note the report on investments attached as “**Appendix 8.2-A**”

8.3 Southern Riverina Gliding Club Inc.

- 128 **Resolved** Cr Reynoldson and Cr Cornwell McKean that the Council waive the Southern Riverina Gliding Club Inc. 2019/2020 Aerodrome User Charges.

8.4 Khaki Weed Management and Control

- 129 **Resolved** Cr Marriott and Cr Hatty that the Council receive and note report 8.4 Khaki Weed Management Control.

8.5 March Quarter Review and Delivery Program Progress Report

- 130 **Resolved** Cr Marriott and Cr McNaught that the Council note and adopt the appended December Quarter Review of the Council's Annual Operational Plan 2021/22 and 6-monthly Delivery Program Progress Report 2022.

8.6 Town Beach Survey Results

- 131 **Resolved** Cr Hatty and Cr Reynoldson that the Council:
1. Adopt the results of this poll, including the publishing of the survey results as outlined in the report;
 2. Direct Council Officers to commence a review of the Tocumwal Foreshore Plan of Management with Crown Lands and the Tocumwal Foreshore Committee of Management;
 3. Direct this review investigate options for the retention of Town Beach as an affordable camp site while ensuring that approved camp sites do not encroach or limit beach access, nor negatively impact native animals and or the natural environment; and
 4. Direct staff to undertake public consultation once proposed options for the site are prepared

8.7 LGNSW Annual Conference

- 132 **Resolved** Cr Reynoldson and Cr Paine that the Council:
1. register the Mayor, Deputy Mayor, Cr Cornwell McKean and the CEO to attend the LGNSW Annual Conference from 23-25 October 2022;
 2. request possible motions for the LGNSW Annual Conference be presented for consideration at the June Ordinary Council meeting.

8.8 Delegations to the Mayor and Chief Executive Officer

- 133 **Resolved** Cr Marriott and Cr Cornwell McKean that the Council:
1. adopt the Delegations to the Mayor and Chief Executive Officer as set out in the Delegation Schedule provided as "**Appendix 8.8-A**";
 2. confirm Delegation DEG002 is restricted to \$250,000;
 3. confirm Delegation DEG011 is restricted to \$20,000;

4. confirm Delegation DEG024 is restricted to \$20,000;
5. confirm Delegation DEG025 is restricted to \$10,000;
6. confirm Delegation DEG097 is restricted to \$50; and
7. direct the CEO to review Council's current policy framework and recommend any policies required to ensure sufficient governance is provided to support the delegations provided to the CEO and sub-delegations provided to staff.

8.9 Councillor Induction and Professional Development Policy

134 Resolved Cr Paine and Cr Marriott that the Council adopt the Councillor Inductions and Professional Development Policy as set out below:



Policy

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Councillor Induction and Professional Development Policy

Strategic Outcome:	Good government		
Policy type	Strategic		
Date of Adoption:	18 May 2022	Minute Number:	
Date for Review:	21 May 2025		
Responsible Officer:	Chief Executive Officer		
Document Control:	New Policy		
Delivery Program Link:	2.1.2.1 Provide facilities and support including financial to elected Council		

1. POLICY STATEMENT

The Berrigan Shire Council (**Council**) is committed to developing an induction and ongoing professional development program for the Mayor and Councillors to ensure they can fulfil their statutory roles and responsibilities. As part of this program, the Mayor and each Councillor will have a professional development plan that identifies specific gaps in their capabilities (i.e. their knowledge, skills and attributes) and identify professional development activities to build these capabilities.

2. PURPOSE

The purpose of this policy is to demonstrate Council's commitment to ensuring the Mayor and Councillors have access to induction and ongoing professional development which will assist them to develop and maintain the skills and knowledge required to effectively perform their civic role and responsibilities under the *Local Government Act 1993* (the Act).

3. SCOPE

This policy applies to all Councillor of the Berrigan Shire, including the Mayor.



Policy

4. INDUCTION PROGRAM

Council will develop an induction program for new and returning Councillors as well as a supplementary program for the Mayor to ensure they are provided all the information they need to effectively fulfil their roles in the first few months of Council's term and feel confident in their ability to do so. The induction program will cover:

- an orientation to Council facilities and the local government area;
- an overview of the key issues and tasks for the new Council including Council's Community Strategic Plan, delivery program, Operational Plan, Resourcing Strategy and Community Engagement Plan;
- the legislation, rules, principles and political context under which Council operates;
- the roles and responsibilities of Councillors and the Mayor
- Council's organisational structure, Workforce Management Strategy and the roles and responsibilities of the Chief Executive Officer and Council staff;
- what Council does and how it operates, including an overview of integrated planning and reporting, land-use planning, natural resource management, financial management and asset management by Council;
- key Council policies and procedures Councillors must comply with including the Code of Conduct;
- the role of Council meetings and how to participate effectively in them;
- the support available to the Mayor and Councillors and where they can go to get more information or assistance; and
- information on the process for taking the oath of office and electing the Mayor at the first Council meeting.

In the case of the Mayor, the program will also cover:

- how to be an effective leader of the governing body and the Council;
- the role of the Chair and how to chair Council meetings;
- the Mayor's role in integrated planning and reporting;
- the Mayor's role and responsibilities under the Code of Conduct;
- the Mayor's role and responsibilities in relation to the Chief Executive Officer's employment;
- the Mayor's role at regional and other representative bodies; and
- the Mayor's civic and ceremonial role.

The Mayor and Councillors must have a working knowledge and understanding of these areas by the end of the induction program.



Policy

The induction program will also include team building activities to help the governing body establish itself as a cohesive and collaborative team focused on a common purpose with shared values and goals. Activities will aim to ensure Mayors and Councillors:

- identify how they would like to work together as a team and identify a common vision for the governing body;
- build relationships with each other based on trust and mutual respect that facilitate collaboration;
- contribute to a positive and ethical culture within the governing body;
- work towards consensus as members of the governing body for the benefit of the community;
- develop respectful negotiation skills and manage alternative views within the governing body without damaging relationships;
- understand what supports or undermines the effective functioning of the governing body;
- respect the diversity of skills and experiences on the governing body; and
- communicate and uphold the decision of Council in a respectful way, even if their own position was not adopted.

Activities should also help the Mayor, as the leader of the governing body, to:

- act as a stabilizing influence and show leadership; and
- promote a culture of integrity and accountability within Council and when representing Council in the community and elsewhere.

The Mayor and Councillors, including those re-elected to office, must attend all induction sessions.

Council will evaluate the induction program at the end of each Council term to determine whether it has achieved this outcome and to identify and address areas for improvement.

5. ONGOING PROFESSIONAL DEVELOPMENT PROGRAM

An individual ongoing professional development plan will be developed for the Mayor and each Councillor to address any gaps in the capabilities (i.e. the knowledge, skills and attributes) need to effectively fulfil their role.

Each professional development plan will span the Council's term, and identify professional development activities that the Mayor or Councillor will participate in. Professional development activities will be prioritised according to need and approved by the Chief Executive Officer where Council funds are required in accordance with Council's Councillor and Expenses and Facilities Policy. The Mayor and Councillors are expected to complete all the activities included in their professional development plan.



Policy

Professional development activities will, wherever possible, follow the 70/20/10 principle. The 70/20/10 principle requires:

- 70% of learning activities are provided via learning and developing from experience – for example, on-the-job training, self-directed learning, developmental roles, problem solving, exposure and practice;
- 20% of learning activities are provided via learning and training through others – for example, personal or professional networks, coaching, mentoring, feedback, memberships and professional associations; and
- 10% of learning activities are provided via learning and developing through structured programs – for example, training courses, external or in-house workshops, seminars, webinars and other e-learning and briefing sessions conducted by the Council, external training providers or industry bodies.

The timing of professional development activities for the Mayor and Councillors will be designed in such a way so as to not overload Councillors with learning activities in the early part of Council's term. The timing will reflect what knowledge and skills Councillors and the Mayor need at various points in Council's term to undertake their roles.

The Mayor and Councillors will be provided with as much notice as possible for upcoming induction and professional development activities.

6. RESPONSIBILITIES

The Mayor and each Councillor are responsible for making themselves available to attend any development activities identified in the professional development plan. The Mayor and all Councillors must make all reasonable endeavours to attend and participate in the induction sessions and professional development activities arranged for them during the term of Council.

The Deputy Chief Executive Officer is responsible for planning, scheduling and facilitating induction and professional development activities for the Mayor and Councillors in consultation with the Chief Executive Officer.

The Chief Executive Officer has overall responsibility for Council's induction and professional development program.

7. BUDGET

An annual budget allocation will be provided to support the induction and professional development activities undertaken by the Mayor and Councillors. Expenditure will be monitored and reported quarterly.



Policy

8. APPROVAL OF TRAINING AND/OR EXPENSES

Professional development activities that require Council funds are to be approved by the Chief Executive Officer in accordance with Council's Councillor Expenses and Facilities Policy.

9. EVALUATION

Council will evaluate the professional development program at the end of each Council term to assess whether it was effective in assisting the Mayor and Councillors to develop the capabilities required to fulfil their civic roles.

10. REPORTING

The Chief Executive Officer will publically report each year in Council's Annual Report:

- the name of the Mayor and each individual Councillor who completed Council's induction program (where an induction program has been delivered during the relevant year);
- the name of the Mayor and each individual Councillor who participated in any ongoing professional development program during the year
- the number of training and other activities provided to the Mayor and Councillors during the year as part of a professional development program; and
- the total cost of induction and professional development activities and any other training provided to the Mayor and Councillors during the relevant year.

11. RELATED LEGISLATION, POLICIES AND STRATEGIES

11.1 Legislation and external guidelines

- [Local Government Act 1993](#)
- [Local Government \(General\) Regulation 2005](#)

11.2 Council policies and guidelines

- [Code of Conduct](#)
- [Policy for the Payment of Expenses and the Provision of Facilities for Mayors and Councillors](#)
- [Training and Development Policy](#)



Policy

12. RECORDS MANAGEMENT

Vaccination records are health records and will be managed according to the *Health Records and Information Privacy Act 2002*. Specifically, Council will not collect health information unless:

Recording of all information relating to this policy is the responsibility of the Chief Executive Officer or delegate.

All Records must be kept in accordance with Council's Records Management Policy (currently under development) and destroyed as per the General Retention and Disposal Authority: Local Government Records (GA39).

13. REVIEW AND EVALUATION

This policy (procedure) will be evaluated and reviewed at least once every four (4) years as per Council's Governance Policy (currently under development) or as required.

14. DOCUMENT AVAILABILITY

This policy will be available for inspection at Council's principal office during ordinary business hours as per the requirements of section 18 (c) of the *Government Information (Public Access) Act 2009* and section 167 of the *Local Government Act 1993*.

Access to the policy in digital format is free and is available on Council's website <https://www.berriganshire.nsw.gov.au/>

Printed copies of the document are available at Council's principal office (address noted below) and are subject to Council's Fees and Charges.

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Berrigan NSW 2712*

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Email: mail@berriganshire.nsw.gov.au

15. VERSION CONTROL

Version Number	Date	Summary	Responsible Officer
1.0	18.05.2022	New Policy	Chief Executive Officer

8.10 Memorandum of Understanding – Sporties Barooga

- 135 **Resolved** Cr Hatty and Cr Paine that the Council adopt the Memorandum of Understanding between the Berrigan Shire Council and Sporties Barooga as presented and instruct the CEO to sign and execute the document as required.

8.11 Uluru Statement from the Heart

Moved Cr Cornwell McKean and Cr Marriott that the Council support the requests for reform as outlined in the Uluru Statement from the Heart attached as “**Appendix 8.11-A**”.

The motion was withdrawn.

- 136 **Resolved** Cr Marriott and Taylor that the Council defer its decision on this item and hold a future discussion on this item at a future Strategic & Policy Workshop and invite a representative to speak on this topic at that meeting.

- 137 **Resolved** Cr Cornwell McKean and Cr Marriott that Council prepare a Reconciliation Action Plan for Berrigan Shire.

8.12 Murray Local Health District – Excellence Awards – Request for Sponsorship

- 138 **Resolved** Cr Reynoldson and Cr Cornwell McKean that the Council does not support the request for Sponsorship from Murray Local Health District.

8.13 Integrated Planning Reports

- 139 **Resolved** Cr Reynoldson and Cr Hatty that the Council:
1. note the Community Strategic Plan: Berrigan Shire 2032 that was on public exhibition for 28 days (23 March 2022–20 April 2022) and submissions sought;
 2. note that no submissions were received with respect to the Council’s review of the Community Strategic Plan: Berrigan Shire 2032;
 3. endorse on behalf of the community, the Community Strategic Plan: Berrigan Shire 2032 (“**Appendix 8.13-A**”);
 4. adopt the following draft plans and strategies and policy for public exhibition:
 - The Long Term Financial Management Plan 2022-2032 (“**Appendix 8.13-B**”);

- The Asset Management Strategy 2022–2032 (“Appendix 8.13-C”);
 - The Workforce Development Plan 2022–2026 (“Appendix 8.13-D”);
 - The Delivery Program 2022–2026 (“Appendix 8.13-E”);
 - The Annual Operational Plan 2022/23 (“Appendix 8.13-F”); and
 - The Revenue Policy included in the Draft Operational Plan 2022/23;
5. re-adopt the Financial Policy 2021 included in review of the Long Term Financial Plan
6. place the suite of Integrated Plans on public exhibition for 28 days closing at 5:00pm on 15 June 2022.
7. resolve to convene an Extraordinary Council Meeting to be held on Wednesday 22 June, 2022 commencing at 9:00am, to:
- a. consider and order the submissions received in relation to its suite of draft Integrated Plans and to fully adopt with any amendments such Plans; and
 - b. make and levy the rates and charges for 2022/23

8.14 Development Determinations for Month of April 2022

140 Resolved Cr Taylor and Cr Marriott that the Council receive and note this report.

8.15 Tocumwal Pre-School, Car Park Design

141 Resolved Cr Reynoldson and Cr Hatty that the Council:

1. transfer \$60,000 from the existing budget of Levee (Budget ID 1418-0510-000) towards Tocumwal pre-school car park project; and
2. fund the construction of the car park with the maximum Council contribution being \$60,000;

8.16 Finley School of Arts – Request for Assistance

142 Resolved Cr McNaught and Cr Paine that, as per the Council’s Community Assistance Policy, the Council provide the Finley School of Arts Committee of Management with financial assistance for the repair of the Finley School of Arts floor as set out below and subject to a contribution from the School of Arts of \$3,500:

- A grant of \$3,500, and
- A loan of \$3,500 to be repaid over three years

The meeting adjourned for morning tea at 10:19am.

The meeting reconvened at 10:38am.

8.17 HR Environmental Scan

- 143 **Resolved** Cr Cornwell McKean and Cr Paine that the Council receive and note this report.

8.18 CEO Leave Request

- 144 **Resolved** Cr McNaught and Cr Paine that the Council:
1. approve the CEO's Bereavement and Annual Leave from Wednesday 18 May 2022 to Friday 27 May, 2022; and
 2. approve Mathew Hansen as Acting CEO whilst Karina is on Bereavement and Annual Leave.

8.19 Berrigan Shire Strategy for the Visitor Economy 2022-2026

- 145 **Resolved** Cr Cornwell McKean and Cr Paine that the Council adopt the draft Strategy for the Visitor Economy 2022–2026 attached as **"Appendix 8.19-A"**.

8.20 Financial Review - January - March 2022

- 146 **Resolved** Cr Hatty and Cr Marriott that the Council:
1. Note the third quarterly review of the 2021/22 budget and vote the funds contained therein as shown in **"Appendix 8.20-A"**
 2. Note the December Quarterly Budget Review Statement attached also as **"Appendix 8.20-B"**

9. NOTICES OF MOTION / QUESTIONS WITH NOTICE

Nil

10. CONFIDENTIAL MATTERS

Nil

11. MOTIONS WITHOUT NOTICE / QUESTIONS WITHOUT NOTICE

Cr Carly Marriott

- Winters Road
 - unsuccessful with funding
 - What is the plan of logistics of produce and opportunity for packing shed in Berrigan?
Logistics is business responsibility / packing shed, yet to have discussion but will look at that space when reviewing LEP
 - Preliminary meeting to take place with Mowbray?
Yes
- Saleyards update
 - Agents wanting to know what's happening? Received letter from Scanclear re: fee increase
Corresponding with agent to organise a meeting
 - Response on consultation?
 1. *Project Manager has been liaising on new ramps*
 2. *Request from current lessee to exercise current option / talking to solicitors on process*
 3. *Saleyards consultant – operation – waiting on staff to provide scope of works for report*
- Recreation Reserve water – can we tap onto Cemetery water?
 - not a big job, can we pair the two projects?

Cr John Taylor

- Fundraiser (Jamie Haynes) location – Recreation Reserve

Cr Renee Paine

- Carpark / carport at Apex Park – 2 hourly sign?
Council doesn't enforce parking restrictions. Will look to do some line marking
- Toilets at Hayes Park cleaning process and pooling of water. The baby change in the toilet at Apex Park is also rusting, needs replacing or rust treated
- Berrigan Cemetery Maintenance List – chemical spraying (weed spraying) trying to understand what they can use
Ask them to arrange a meeting with Operations Manager to better explain Councils position
- Cemetery is a late-night activity with traffic from 7:30pm to 1am. Are the Lions Club able to padlock access to stop?
Lions Club to write to CEO and formally request
- Who manages the National Heavy Vehicle Register (NHVR) - recent permit approved – overusing and causing issues

Photos to be sent to Rohit for follow up

Cr Roger Reynoldson

- Nil

Cr Julia Cornwell McKean

- Nil

Cr Sarah McNaught

- Nil

Cr Ted Hatty

- Update on application for Aerodrome Award (LG Professionals)
Council are a finalist and the awards are being held next week

Matthew Miller (Manager Building & Planning)

- Update on LEP process
 - EOI steering committee - received 10 applicants - broad mix
 - looking to finalise to 8 with first meeting mid-June

Rohit Srivastava (Director Infrastructure)

- Solid waste service delivery to Strategic and Policy Workshop

Matthew Hansen (Deputy Chief Executive Officer)

- Nil

Karina Ewer (Chief Executive Officer)

- Foreshore Building update
 - lease being finalized with tenants to open 22 September and once lease is signed will make announcement
- Service Delivery review
 - Workshop with staff
- Car theft incident
 - investigation taking place and looking at CCTV Policy
- CEO performance review
 - June Council meeting
 - Councillors should have receive an email
- Freight Working Group
 - first meeting late June
- E-planning portal
 - presentation made to RAMJO re: system issues and pressures on staff

Cr Matthew Hannan (Mayor)

- CEO performance review
 - Councillors need to complete in next week
- \$10k budget for mental health redirect to Southern Riverina Community Action Group
 - invite group to come and present to Council

- Tocumwal and District Lions Changeover – Mayor unable to attend
 - Cr Paine will attend
- Brumbys Opening Day art exhibition
 - Cr Paine will attend

12. COUNCILLOR REPORTS

12.1 Mayors Report

Cr Hannan reported that he had attended the following during the period:

- 21/4 Murrumbidgee Local Health District consultants - redevelopment Finley Hospital
- 27/4 Southern Riverina Community Action Group
- 27/4 ex Councillor John Bruce's Farewell dinner
- 28/4 Reconnecting NSW Community Event – events funding
- 2/5 PGA Pro-Am dinner with Cr Cornwell McKean, Matt Miller and Mick Millar
- 3/5 Murrumbidgee Local Health District consultants - input into Clinical Service Plan (CSP)
- 3/5 Zoom Meeting with Murrumbidgee Local Health District - constraints
- 3/5 Cross Border Zoom meeting – regional issues on border closure issues
- 5/5 Chamber President meeting – event funding
- 6/5 Presentation PGA Pro-Am
- 13/5 RAMJO meeting, attended with CEO
- 14/5 Opening Day at Tocumwal Fire & Rescue

147 **Resolved** Cr Marriot and Cr Taylor that the Mayor's Report be received.

12.2 Verbal Reports from Delegates

Cr Carly Marriott

- NSW Public Libraries – clash of dates today - Anne Nevins attending
- Barooga Advancement Group

Cr John Taylor

- Meeting at Finley hospital

Cr Renee Pain

- Nil

Cr Roger Reynoldson

- Ex Councillor John Bruce's farewell dinner

Cr Julia Cornwell McKean

- Ex Councill John Bruce's farewell dinner



- PGA Pro-Am dinner
- South West Arts Annual General Meeting
- Barooga Advancement Group

Cr Sarah McNaught

- Nil

Cr Ted Hatty

- Little Tornados Premiere

13. CONCLUSION OF MEETING

There being no further business, the meeting closed at 11:58am.