



ORDINARY COUNCIL MEETING

Held on Wednesday 19 March, 2025

at 4:30pm

Council Chambers, 56 Chanter Street, Berrigan



Minutes



Ordinary Council Meeting
Wednesday 19 March, 2025

MINUTES

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

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Present:

Councillors:

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

The following staff were also in attendance:

Karina Ewer (Chief Executive Officer), Matthew Hansen (Deputy CEO) and Gary George (Director Infrastructure) Andrew Fletcher (Director Community and Development) Chanalee Nicosia (Compliance Information Management Officer)

1 OPENING OF MEETING

The Council opened its meeting at 4:44pm

Mayor 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.

Confidential matters of Council will not be audio recorded.

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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:

“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

Cr John Stringer – Leave of Absence

3.2 Applications for Leave of Absence

3.3 Attendance Via Audio-Visual Link

Cr Renee Paine – Attended via MSTeams

4 CONFIRMATION OF PREVIOUS MINUTES

Resolved OCM 053/25

Moved: Cr Renee Brooker

Seconded: Cr Renee Paine

That the minutes of the Ordinary Council Meeting held in the Council Chambers Wednesday 19 February, 2025 be confirmed.

CARRIED

5 DISCLOSURES OF INTERESTS

Cr Renee Brooker declared the following conflict of interest in relation to Item 9.1 *LIC Round 3 Funding Barooga Recreation Reserve funding*.

Cr Brooker is a member of the committee of management for the Barooga Recreation Reserve. She will manage the conflict by removing herself from the discussion and all deliberation.



6 MAYORAL MINUTE(S)

Nil

7 REPORTS OF COMMITTEES

Nil

7.1 Audit Risk and Improvement Committee - Minutes

Resolved OCM 054/25

Moved: Cr Katie Ngatoko

Seconded: Cr Renee Paine

That the council receive and note the minutes of the audit, risk and improvement committee held on 12 February 2025.

CARRIED

7.2 Local Traffic Committee Meeting

Resolved OCM 055/25

Moved: Cr Sharon Dennis

Seconded: Cr Renee Paine

That Council adopt the following recommendations from the Local Traffic Committee Meeting held on Thursday 20 February 2025.

- LTC1. Council approve the application made by the Berrigan Sub-Branch of the Returned Services League to hold their annual parade on ANZAC Day, Friday 25 April, 2025 and the temporary road closure of Chanter Street, Berrigan between the hours of 8.30am and 10.30am.
- LTC2. Council approve the application made by the Finley Sub-Branch of the Returned Services League to hold their annual parade on ANZAC Day, Friday 25 April, 2025 and the temporary road closure of Murray Street, Finley between the hours of 10.30am and 12.30pm.
- LTC3. Council approve the application made by the Tocumwal Sub-Branch of the Returned Services League to hold their dawn service on ANZAC Day, Friday 25 April, 2025 and the temporary road closure of Deniliquin Street, Tocumwal between the hours of 5.30am and 7.00am and their annual parade on ANZAC Day, Friday 25 April, 2025 and the temporary road closure of Deniliquin Street, Tocumwal between the hours of 10.30am and 12.30pm



- LTC4. Council approve the application made by the Barooga Police Station for dedicated police vehicle parking. Area to be marked with painted area and signage.
- LTC5. Council note request for 45 degree angle parking at 59-61 Jerilderie Street, Berrigan was rejected as it does not meet a variety of standards. Transport for NSW advised that as Jerilderie Street is a regional road, mixed parking options cannot be enacted.
- LTC6. Council note a request to review speed zone around area of Trikki Kids Barooga (Nangunia Street) has been rejected. All speed zone reviews are undertaken by Transport for NSW, previous review should it did not meet criteria for a reduction. Council will undertake an audit of signage.

CARRIED

During debate Cr Matthew Hannan foreshadowed the following motion.

That council direct the Chief Executive Officer seek further information from NSW Police Force and Transport NSW regarding the review of the speed zone adjacent to Trikki Kids Barooga and report back to council

Resolved **OCM 056/25**

Moved: Cr Matthew Hannan

Seconded: Cr Sharon Dennis

That council direct the Chief Executive Officer seek further information from NSW Police Force and Transport NSW regarding the review of the speed zone adjacent to Trikki Kids Barooga and report back to council

CARRIED

8 REPORTS TO COUNCIL

8.1 Councillor requests February 2025

This report was for information only.

8.2 Correspondence February 2025 to March 2025

This report was for information only.



8.3 Actions from previous meetings

Resolved OCM 057/25

Moved: Cr Katie Ngatoko

Seconded: Cr Renee Brooker

That Council receive and note this report.

CARRIED

8.4 Development Determinations - February 2025

Resolved OCM 058/25

Moved: Cr Katie Ngatoko

Seconded: Cr Renee Brooker

That Council receive and note this report.

CARRIED

8.5 Investment Report February 2025

Resolved OCM 059/25

Moved: Cr Katie Ngatoko

Seconded: Cr Renee Brooker

That Council note the report on investments.

CARRIED

8.6 Australia Day Committee

Resolved OCM 060/25

Moved: Cr Katie Ngatoko

Seconded: Cr Matthew Hannan



That Council:

- a) revoke existing members of the Section 355 Australia Day Committee of Management and
- b) pursuant to section 355 of the *Local Government Act 1993*, appoint the persons defined in this report to the Section 355 Australia Day Committee of Management.

Barooga Representative:	Mick O'Dwyer
Berrigan Representative:	Chris Nevins
Finley Representative:	Ashley Haynes
Tocumwal Representative:	Deborah White

CARRIED

8.7 Finley School of Arts Committee of Management

Resolved OCM 061/25

Moved: Cr Sharon Dennis

Seconded: Cr Renee Brooker

That Council:

- a) revoke existing members of the Finley School of Arts Committee of Management and
- b) pursuant to section 355 of the *Local Government Act 1993*, appoint the following persons to the Finley School of Arts Committee of Management:

President:	Ross Whittaker
Secretary	Tracy Anderson
Treasurer	Christine Lawlor
Bookings Officer	Jan Gray
Committee:	Noel A'Vard, Anne Freestone, Kerry-Anne Lawlor, Ted Gray

CARRIED



8.8 Insurance Renewals

Resolved OCM 062/25

Moved: Cr Katie Ngatoko

Seconded: Cr Renee Paine

That Council:

- note this report
- direct the Chief Executive Officer report to council on the total cost of the 2025-26 insurance renewals, once known.

CARRIED

8.9 Advocacy Plan

Resolved OCM 063/25

Moved: Cr Sharon Dennis

Seconded: Cr Katie Ngatoko

That Council adopt the designed Berrigan Shire Advocacy Plan attached as an appendix to this report.

CARRIED

8.9.1 Advocacy Plan

Action

Cr Julia Cornwell McKean request that the Advocacy plan is sent to each of the candidates that are already known for the upcoming federal election in the seat of Farrer and the specific emphasis is put on the requirements to have water buy backs not only stopped by wound back.



8.10 Procurement policies - revocation

Resolved OCM 064/25

Moved: Cr Katie Ngatoko

Seconded: Cr Catherine Healy

That Council

1. Revoke the following policies
 - a. Procurement and disposal policy adopted 15 May 2017
 - b. Disposal policy adopted 15 May 2017
 - c. Local Preference policy adopted 15 May 2017
 - d. Tender policy adopted 17 July 2019
2. Note the Procurement Policy and associated procedures endorsed by use by the Executive Leadership Team attached as appendix 1 and 2
3. Endorse the decision of the Chief Executive Officer to classify the Procurement Policy as administrative.

CARRIED

8.11 Policy - Related party disclosure

Resolved OCM 065/25

Moved: Cr Renee Paine

Seconded: Cr Matthew Hannan

That Council

1. revoke its Related Party Disclosure Policy adopted 15 July 2020 and
2. adopt the Related Party Disclosure Policy attached to this report.

CARRIED



8.12 CEO Study and Research Leave

Resolved OCM 066/25

Moved: Cr Renee Brooker

Seconded: Cr Sharon Dennis

That Council :

1. adopt the CEO Study and Examination Leave as presented,
2. direct the CEO to include the CEO Study and Examination Leave guidelines as schedule D of the CEO Contract,

CARRIED

8.13 Lewis Crescent, Finley - Workers Accommodation

Resolved OCM 067/25

Moved: Cr Katie Ngatoko

Seconded: Cr Renee Paine

That Council rescind resolution OCM 030/24 adopted 11 March 2024, as per the Berrigan Shire Council Code of Meeting Practice and the *Local Government Act 1993*

CARRIED

8.14 Strategic Planning Report - Water and Sewer

Resolved OCM 068/25

Moved: Cr Katie Ngatoko

Seconded: Cr Renee Brooker

That the Council:

1. accept the fee proposal submitted by NSW Public Works (NSWPW) to develop strategic plans for Berrigan Shire Council's water and sewer services to the value of \$740,700 (excl. GST), of which 60% is funded by the NSW Government's Department of Climate Change, Energy, the Environment and Water (DCCEE) and 40% (\$296,280) funded by Council,
2. note the total project budget, inclusive of additional allowances for contingency, provisional items, project management and services of \$960,170. As above, 60% to be funded by the DCCEE and 40% (\$384,068) to be funded by Council.



3. note the Request for Exemption from Procurement Process document seeking authorisation to contract directly with NSWPW and not call for tenders for the works, as permitted under s55(3)(b) of the *Local Government Act 1993*,
4. delegate the signing of the Request for Exemption from Procurement Process to the CEO,
5. 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 202,1*
6. appoint Gary George as the contract Authorised Person and
7. authorise the Authorised Person to approve variations on the Contract up to a maximum value of 10% of the contract sum.

CARRIED

9 NOTICES OF MOTION/QUESTIONS WITH NOTICE

At 5:17pm, Cr Renee Brooker left the meeting.

9.1 Notice of Motion - Barooga Recreation Reserve LRCI funding

Resolved OCM 069/25

Moved: Mayor Julia Cornwell McKean

Seconded: Cr Renee Paine

That Council direct the Chief Executive Officer table a report to the ordinary council meeting scheduled for April 2025, relating to Phase 3 of the Local Roads and Community Infrastructure (LRCI) program that:

1. provides details of the funds spent against Berrigan Shire's allocation, and
2. provides a detailed chronology of the processes undertaken to identify suitable projects, including interactions with s355 committees of council

CARRIED

At 5:18pm, Cr Renee Brooker returned to the meeting.



10 CONFIDENTIAL MATTERS

Resolved OCM 070/25

Moved: Cr Matthew Hannan

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 Update Gloury v Alkeen and Berrigan Shire Council

This matter is considered to be confidential under Section 10A(2) - (g) 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 advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

10.2 12-14 Hayes St Berrigan - options

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.

10.3 25045-PJ-Stormwater Pipeline Extension Jerilderie St, 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.

CARRIED

During closed Council, the following resolutions were made:

10.1 Update Gloury v Alkeen and Berrigan Shire Council

Recommendation

Information only.

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



10.2 12-14 Hayes St Berrigan - options

Recommendation

Information only.

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

10.3 25045-PJ-Stormwater Pipeline Extension Jerilderie St, Berrigan

Resolved OCM 071/25

Moved: Cr Catherine Healy

Seconded: Cr Renee Paine

That Council

1. *award the quotation submitted by O'Lex Civil Construction for Project 25-045-PJ – Supply and Install new HDPE Stormwater Pipeline at Jerilderie Street Berrigan - for the contract value of \$159,406.38 including GST,*
2. *authorise the transfer of the \$80,000 budget (Job code: 1417-0833-0000) allocated for drainage works at Wells Street, Finley, to the supply and installation of the stormwater pipeline project at Jerilderie Street, Berrigan,*
3. *authorises its Seal to be affixed to the above contracts in the presence of two signatories to affix the Seal pursuant to Regulation 400 of the Local Government (General) Regulation 2021,*
4. *appoint Gary George as the contract Authorised Person and*
5. *authorise the Authorised Person to approve variations on the Contract up to a maximum value of 10% of the contract sum.*

CARRIED

The Council adjourned its meeting for light refreshments at 5:51pm

Resolved OCM 072/25

Moved: Cr Katie Ngatokoa

Seconded: Cr Sharon Dennis

That Council re-open the meeting to the public at .6:00pm

CARRIED



11 MOTIONS WITHOUT NOTICE/QUESTIONS WITHOUT NOTICE

Resolved OCM 073/25

Moved: Mayor Julia Cornwell McKean

Seconded: Cr Renee Brooker

That council liaise with the family of Ray Nye in relation to an appropriate memorial for Mr Nye, either at Barooga cemetery ,where he volunteered in recent times, or Barooga Recreation Reserve

CARRIED

Resolved OCM 074/25

Moved: Cr Katie Ngatokoa

Seconded: Cr Matthew Hannan

That council , at its own cost, design, manufacture, and install a replacement for the sign on the Newell Highway at Finley recognising the achievements of Shane Crawford and Tom Hawkins in the AFL.

CARRIED



12 COUNCILLOR REPORTS

12.1 Mayor's Report

Date	Location	Type of Meeting
25 February	Shepparton	WIN News
26 February	Online	Telstra meeting
27 February	Online	RAMJO EO
28 February	Online	CEO midyear review feedback
1 March	Leeton	Roxy Theatre re-opening
2 March	Cobram	Volleyball championships
4 March	Tocumwal	Concept plan consult
5 March	Berrigan	Professional development session
7 March	Barooga	IWD lunch
8 March	Tocumwal	Concept plan consult
11 March	Cobram	Saputo IWD morning tea
11 March	Barooga	BAG meeting
12 March	telephone	pre-council agenda discussion with CEO
14 March	Online	Catch up Helen Dalton office
19 March	Tocumwal	Tourism breakfast
19 March	Berrigan	Council meeting

Resolved OCM 075/25

Moved: Cr Katie Ngatoko

Seconded: Cr Sharon Dennis

That the Mayor's Report be received.

CARRIED



12.2 Verbal Reports from Delegates

Cr Ngatokoia – Nil

Cr Dennis – Tocumwal Concept Plan , Tourism Breakfast

Cr Hannan – Nil

Cr Paine – Nil

Cr Healy – Tocumwal Public School Swimming Carnival relating to the Tocumwal Concept Plan

Cr Brooker – Murray Regional Strategy Group in Deniliquin, Barooga Advancement Group

13 CONCLUSION OF MEETING

The next Ordinary Council Meeting will be held on 16 April 2025 from 9:00am in the Council Chambers, 56 Chanter Street, Berrigan.

There being no further business the Mayor, Mayor Julia Cornwell McKean closed the meeting at 6.13pm