



ORDINARY COUNCIL MEETING

Held on Wednesday 19 July, 2023

at 9:15am

Council Chambers, 56 Chanter Street, Berrigan



Minutes



Ordinary Council Meeting

Wednesday 19 July, 2023

MINUTES

The Ordinary Council Meeting of the Shire of Berrigan held in the Council Chambers, 56 Chanter Street, Berrigan, on Wednesday 19 July, 2023 when the following business was considered:-

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Present:

Councillors:

Matthew Hannan (Mayor), Julia Cornwell McKean, Sarah McNaught, Renee Paine, Roger Reynoldson and John Taylor

The following staff were also in attendance:

Karina Ewer (Chief Executive Officer), Tim Flynn (Acting Deputy CEO), Rohit Srivastava (Director Infrastructure), Keelan McDonald (Executive Assistant) and Isobel Egan (Administration Officer – Governance).

Question Time: Daryll Bowden entered the Council Chambers at 9:00am.

Rohit Srivastava entered Council Chambers at 9:05am.

1 OPENING OF MEETING

The Council opened its meeting at 9:22am.

Mayor, Matthew Hannan 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, Matthew Hannan made an Acknowledgement of Country with the following statement:

“We acknowledge the Traditional Owners 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

Cr Carly Marriott – Apology

Cr Ted Hatty – Apology

Matthew Hansen (Deputy Chief Executive Officer) – Leave of Absence

Tahlia Fry (Acting Director Corporate Services) – Leave of Absence

3.2 Applications for Leave of Absence

Karina Ewer (Chief Executive Officer) August Council Meeting – Leave of Absence

3.3 Attendance Via Audio-Visual Link

Nil

4 CONFIRMATION OF PREVIOUS MINUTES

Resolved OCM 152/23

Moved: Cr John Taylor

Seconded: Cr Sarah McNaught

That the minutes of the Ordinary Council Meeting held in the Council Chambers Wednesday 21 June, 2023 be confirmed.

CARRIED

Resolved **OCM 153/23**

Moved: Cr Julia Cornwell McKean

Seconded: Cr Roger Reynoldson

That the minutes of the Extraordinary Council Meeting held in the Council Chambers Wednesday 28 June, 2023 be confirmed.

CARRIED

5 **DISCLOSURES OF INTERESTS**

Nil

6 **MAYORAL MINUTE(S)**

Nil

7 **REPORTS OF COMMITTEES**

Nil

8 **REPORTS TO COUNCIL**

8.1 **Update on Previous Council Action Items**

Resolved **OCM 154/23**

Moved: Cr Julia Cornwell McKean

Seconded: Cr John Taylor

That Council receive and note the updates as provided.

CARRIED

8.2 Local Government NSW Annual Conference

Resolved OCM 155/23

Moved: Cr John Taylor

Seconded: Cr Sarah McNaught

That Council nominate the following to attend the LGNSW Annual Conference:

- Mayor Matthew Hannan;
- Cr Julia Cornwell McKean; and
- CEO, Karina Ewer

CARRIED

8.3 Cemeteries Service Review

Resolved OCM 156/23

Moved: Cr Renee Paine

Seconded: Cr Sarah McNaught

That Council endorse:

1. a review of cemetery support service fees and direct staff to:
 - a. bring any recommended changes to fees to be brought to Council for consideration and public exhibition, prior to implementation; and
 - b. software implementation is subject to Council's normal procurement requirements with a roll out project plan provided to Council prior to implementation.
2. A review of current cemetery management practices and direct staff to:
 - a. provide a full project plan for each cemetery to implement all recommendations, including estimated budget requirements to Council;
 - b. engage an appropriately qualified consultant to consider possible alternatives for a new Tocumwal cemetery site and bring findings to Council for future consideration;
 - c. develop management plans including weed, pest and maintenance schedules for each cemetery with the relevant committees and provide report to Council regarding their implementation;
 - d. engage an appropriately qualified supplier to undertake ground penetrating radar inspections of areas noted in this report to identify if unmarked graves exist within relevant cemetery areas, with a report to be provided to Council for future consideration;
3. undertake community engagement as outlined in the report below to ensure community impacts of service changes are understood and to ensure the roles of committees of management and Council are clearly understood and managed through appropriate Service Delivery Agreements
4. all plans and engagement should be completed no later than December 2023 Ordinary Council meeting.

CARRIED

8.4 Contaminated Land Policy

Resolved OCM 157/23

Moved: Cr Julia Cornwell McKean

Seconded: Cr Sarah McNaught

That Council:

1. revoke the Contaminated Land Policy No.86 2016; and
2. endorse the updated Contaminated Land Policy as presented.

CARRIED

8.5 Finance - Accounts

Resolved OCM 158/23

Moved: Cr John Taylor

Seconded: Cr Sarah McNaught

- a) Receive the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 30 June 2023,
- b) Confirm the accounts paid as per Warrant No. 06/23 totaling \$4,192,973.81 and
- c) Note the report on investments attached

CARRIED

8.6 Berrigan Tennis Club - Request for Assistance

Resolved OCM 159/23

Moved: Cr John Taylor

Seconded: Cr Julia Cornwell McKean

1. Council resolved to loan the Berrigan Tennis Club in a 1/3, 1/3, 1/3 agreement and provide assistance to the Berrigan Tennis Club in obtaining a grant.

CARRIED

8.7 Tennis Court Facilities

Resolved OCM 160/23

Moved: Mayor Matthew Hannan

Seconded: Cr John Taylor

That Council direct staff to liaise with each group to determine the best way to manage fee structure and signage (access to keys) for the facilities moving forward.

CARRIED

Action:

Christie Watkins (Recreation Officer) to liaise with groups who run facilities to work out fee structure and signage for where keys can be found.

8.8 Development Determinations for Month of June 2023

Resolved OCM 161/23

Moved: Cr Julia Cornwell McKean

Seconded: Cr Renee Paine

That Council receive and note this report.

CARRIED

Action:

Karina Ewer (Chief Executive Officer) to provide information to Council on determinations over 100 days.

Action:

Cr Julia Cornwell McKean requested audit of Building and Planning Service Review.

8.9 National Local Roads_Transport and Infrastructue Congress

Resolved OCM 162/23

Moved: Cr Sarah McNaught

Seconded: Cr John Taylor

That Council resolve participation of:

- Mayor and Director Infrastructure at National Local Roads_Transport and Infrastructue Congress, Canberra on 6-7 September 2023

CARRIED

Action:

Karina Ewer (Chief Executive Officer) to prepare information on Murray Irrigation Bridges

8.10 Management of Council's Obligations under New Modern Slavery Legislation

Resolved OCM 163/23

Moved: Cr Julia Cornwell McKean

Seconded: Cr John Taylor

That Council receive this report and note that:

1. modifications to a number of policies will be tabled at the next extraordinary meeting; and
2. the Modern Slavery Statement as presented will be included in Council's Annual Report as required.

CARRIED

Isobel Egan (Administration Officer – Governance) left Council Chambers at 9:48am

Isobel Egan (Administration Officer – Governance) returned to Council Chambers at 9:53am

8.11 Flood Assessment, Claim and Works Management

Resolved OCM 164/23

Moved: Cr John Taylor

Seconded: Cr Julia Cornwell McKean

That Council:

1. award the project management of the two approved projects to Shepherd Services; and
2. tender the project management of the claim to engage a consultant using LG Procurement.

CARRIED

8.12 HR Scan April 2023

Resolved OCM 165/23

Moved: Cr Julia Cornwell McKean

Seconded: Cr Sarah McNaught

That Council receive and note the report

CARRIED

8.13 Unsolicited Proposals Policy

Resolved OCM 166/23

Moved: Cr Sarah McNaught

Seconded: Cr Renee Paine

That Council the Unsolicited Proposal Policy be redrafted and presented at the next Ordinary Council Meeting.

CARRIED

Action:

Staff to redraft the policy before adoption.

8.14 Policy for Waiver of Fees and Charges

Resolved OCM 167/23

Moved: Cr Sarah McNaught

Seconded: Cr Renee Paine

That Council authorise public exhibition of the tabled policy regarding waiving of fees and charges, once the draft policy has been amended.

CARRIED

Action:

Page 1 - amend the definition to Services Australia rather than the Department of Services.

Action:

Page 76 - amend the Latin prior to the document going on public exhibition.

8.15 Affordable Housing (Key Worker) Draft Policy

Resolved OCM 168/23

Moved: Cr Julia Cornwell McKean

Seconded: Cr Renee Paine

That Council receive the draft policy for discussion, prior to submission at the next Ordinary Council meeting.

CARRIED

Action:

Staff to revise the policy before adoption.

8.16 Council Action List Report

Resolved OCM 169/23

Moved: Cr Julia Cornwell McKean

Seconded: Cr John Taylor

That Council receive and note the Council Action List Report.

CARRIED

At 10:10am, the meeting adjourned for morning tea.

At 10:27am, the meeting reconvened.

8.17 Berrigan Shire Caravan and Camping Parks Project - Revised Brief

Resolved OCM 170/23

Moved: Cr Julia Cornwell McKean

Seconded: Cr John Taylor

That Council accept the revised quotation and revised terms of reference for a scoping and feasibility project.

CARRIED

9 NOTICES OF MOTION/QUESTIONS WITH NOTICE

Nil

10 CONFIDENTIAL MATTERS

Recommendation

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 CEO Annual Performance Review

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).

10.2 Unsolicited Proposal Construction and Leaseback or Key Worker Housing

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 11 Barooga St 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.

10.4 Finley saleyards Update

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.

The Council meeting entered closed Council at 11:15am.

The public meeting resumed at 12:01pm.

During closed Council, the following recommendations were resolved.

10.2 Unsolicited Proposal Construction and Leaseback or Key Worker Housing

Resolved OCM 172/23

Moved: Cr John Taylor

Seconded: Cr Julia Cornwell McKean

That Council direct the A/DCEO write to the proponents and explain their proposal does not meet the criteria to justify progressing with an unsolicited proposal; however, in the event that Council decides to call for expressions of interests the proponents would be welcome to respond.

CARRIED

10.3 11 Barooga St Tocumwal

Resolved OCM 173/23

Moved: Cr Sarah McNaught

Seconded: Cr Renee Paine

That Council renovate the property, mainly using spare internal capacity within Council over the next three months, to bring it up to a rentable standard.

CARRIED

11 MOTIONS WITHOUT NOTICE/QUESTIONS WITHOUT NOTICE

Cr Renee Paine

- Bike rack at APEX Park Berrigan
- Truck Route and Town Entrance Sign Cobram Rd – with Darron Freund
- Flood conduction studies behind the cemetery and tank paddock
- Berrigan Sportsground roof – Plumber has been on site
- Berrigan Race Club – un-responded email

Cr John Taylor

- Drain issue in Finley raised by resident
- Finley War Memorial Hall – very happy with the work and special thanks to Arbind

12 COUNCILLOR REPORTS

12.1 Mayor's Report

- 22.06: Youth Futures Event at Finley High School
- 26.06: Heritage Rail Finley
- 27.06: EO RAMJO meeting
- 28.06: Extraordinary Meeting RAMJO
- 29.06: Joint Organisations Forum
- 04.07: Country Mayors meeting with Minister Steph Cooke
- 04.07: Finley Saleyard meeting
- 12.07: RAMJO Probation meeting
- 18.07: Administrators AMAROO meeting

Resolved **OCM 171/23**

Moved: Cr John Taylor

Seconded: Cr Roger Reynoldson

That the Mayor's Report be received.

CARRIED

12.2 Verbal Reports from Delegates

Motion

Moved: Cr John Taylor

Seconded: Cr Roger Reynoldson

That the Councillors' Reports be received.

Cr John Taylor

Listening post

Cr Renee Paine

Listening post

Cr Roger Reynoldson

Listening post

Cr Julia Cornwell McKean

Barooga Recreation Reserve meeting

Cr Sarah McNaught

Meeting with Finley Saleyards Agents

13 CONCLUSION OF MEETING

The next Ordinary Council Meeting will be held on 16 August 2023 from 9:15am in the Council Chambers, 56 Chanter Street, Berrigan.

There being no further business the Mayor, closed the meeting at 12:21pm.