



ORDINARY COUNCIL MEETING

Held on Wednesday 17 May, 2023

at 9:15am

Council Chambers, 56 Chanter Street, Berrigan



Minutes



Ordinary Council Meeting

Wednesday 17 May, 2023

MINUTES

The Ordinary Council Meeting of the Shire of Berrigan held in the Council Chambers, 56 Chanter Street, Berrigan, on Wednesday 17 May, 2023 when the following business was considered:-

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Present:

Councillors:

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

The following staff were also in attendance:

Karina Ewer (Chief Executive Officer), Matthew Hansen (Deputy CEO/Director Corporate Services), Rohit Srivastava (Director Infrastructure), Keelan McDonald (Executive Assistant)

1 OPENING OF MEETING

The Council opened its meeting at 9:15pm.

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 John Taylor

3.2 Applications for Leave of Absence

Cr Roger Renyldson – leave of absence for 24 May 2023.

Cr Sarah McNaught – leave of absence for 24 May 2023.

3.3 Attendance Via Audio-Visual Link

Cr Julia Cornwell McKean

Joanne Ruffin (Director Strategic Planning and Development)

Tahlia Fry (Acting Director Corporate Service)

4 CONFIRMATION OF PREVIOUS MINUTES

Resolved OCM 096/23

Moved: Cr Roger Reynoldson

Seconded: Cr Edward (Ted) Hatty

That the minutes of the Ordinary Council Meeting held in the Council Chambers Tuesday 16 May, 2023 be confirmed.

CARRIED

5 DISCLOSURES OF INTERESTS

6 MAYORAL MINUTE(S)

Nil

7 REPORTS OF COMMITTEES

Nil

8 REPORTS TO COUNCIL

8.1 Cemetery Masterplans

Resolved OCM 097/23

Moved: Deputy Mayor Carly Marriott

Seconded: Cr Edward (Ted) Hatty

That Council adopt the Cemetery Masterplans attached to this report and incorporate the actions from the masterplan into its suite of integrated planning and reporting documents.

CARRIED

8.2 Social Media Policy

Resolved OCM 098/23

Moved: Deputy Mayor Carly Marriott

Seconded: Cr Edward (Ted) Hatty

That Council

1. revoke the Social Media Policy adopted on 19 October 2022, and
2. adopt the Social Medial Policy attached to this report

CARRIED

8.3 Tocumwal Sewer Treatment Plant_New Drying Beds

Resolved OCM 099/23

Moved: Deputy Mayor Carly Marriott

Seconded: Cr Sarah McNaught

That Council award the Tender, Tocumwal Sewer Treatment Plant_New Drying Beds to Deniliquin Irrigation Pty Ltd for a total Contract value of \$256,000 (excluding GST)

CARRIED

8.4 Mayor and Councillor allowances - 2023-24

Resolved OCM 100/23

Moved: Deputy Mayor Carly Marriott

Seconded: Cr Renee Paine

That the Council

1. adopt the following Mayoral and Councillor allowances effective from 1 July 2023
 - (a) Councillor allowance \$13,030
 - (b) Mayoral allowance \$28,430
2. write to the Minister of Local Government urging the NSW Government to undertake a comprehensive review of the framework for Mayor and Councillor remuneration in line with the advice from the Local Government Remuneration Tribunal.

CARRIED

8.5 Council Annual Calendar

Resolved OCM 101/23

Moved: Cr Roger Reynoldson

Seconded: Cr Edward (Ted) Hatty

That Council adopt the Council Annual Calendar as presented, noting it will be updated every six months.

CARRIED

8.6 CEO Annual Performance Review

Resolved OCM 102/23

Moved: Cr Roger Reynoldson

Seconded: Cr Renee Paine

That Council elect the following members to the CEO Performance Review Panel:

- Mayor Matthew Hannan;
- Deputy Mayor Carly Marriott;
- Cr Sarah McNaught; and
- Cr Renee Paine

With a view to finalising the CEO Performance Review at the June Ordinary Council meeting

CARRIED

Action

Provide elected members with the relevant documents, including 360 feedback prior to the meeting.

8.7 Barooga Pedestrian and Traffic Management Concerns

Resolved OCM 103/23

Moved: Mayor Matthew Hannan

Seconded: Deputy Mayor Carly Marriott

That Council:

1. engage a suitably qualified consultant to assess appropriate design and placement of pedestrian crossings for Vermont Street, Golf Course Road and between the Botanical Gardens and where the new EV Stations will be installed; and
2. engage a consultant to review and update our Pedestrian Access and Mobility Plans for all townships, noting the need for Council to fund the outcomes through annual budgets, Operational and Delivery Plans.

CARRIED

Resolved OCM 104/23

Moved: Cr Julia Cornwell McKean

Seconded: Deputy Mayor Carly Marriott

1. engage a suitably qualified consultant to assess appropriate design and placement of pedestrian crossings for Vermont Street, Golf Course Road and between the Botanical Gardens and where the new EV Stations will be installed; and
2. engage a suitably qualified consultant to assess the need for and appropriate options for speed management devices, heavy vehicle management and pedestrian management for:
 - Lawson Drive
 - Banker Street
 - Snell Road
 - Hughes Street
 - Golf Course Road

- Takari Street
- Burkinshaw Street
- Nangunia Street
- Vermont Street
- Golf Course Road

in Barooga; and

3. engage a consultant to review and update our Pedestrian Access and Mobility Plans for all townships, noting the need for Council to fund the outcomes through annual budgets, Operational and Delivery Plans.

CARRIED

The amendment becomes the motion and the motion was carried.

8.8 Emergency Services Levy Increase

Resolved OCM 105/23

Moved: Mayor Matthew Hannan

That Council

1. note the incoming government has, in its first major decision regarding local government, chosen to act without consultation with local government and without providing notice;
2. note that as a consequence of the unannounced 73% increase in the State Emergency Service budget, and an increase in the Fire and Rescue NSW budget, Council's 3.7% rate increase to provide essential community services and infrastructure has been completely wiped out; and
3. advise the community that the State Government's decision will lead to a reduction in important local services and the possible cancellation of necessary infrastructure projects;
4. immediately publish the prepared media release; and
5. write to the Treasurer, Minister for Emergency Services, the Minister for Local Government and our Local State Member, voicing Council's frustration at the lack of understanding these matters have on local communities; and
6. writes to the Chair of the Independent Pricing and Regulatory Tribunal (IPART) advising that Council's forced ESL contribution is manifestly disproportionate to the 2023/24 rate cap, which has resulted in additional financial stress to Council;

7. coordinate with LGNSW, RAMJO and CMA on any campaigns those organisations may put in place to force the NSW Government to reverse this decision to impose a hidden tax on all NSW residents;
8. call on the NSW Government to take immediate action to:
 - i. restore the ESL subsidy for the 2023/24 financial year;
 - ii. urgently introduce legislation to decouple the ESL from the rate peg to enable Councils to recover the full cost; and
 - iii. develop a fairer, more transparent and financially sustainable method of funding critically important emergency services without the need for local government involvement which essentially hides this tax from the community.

CARRIED

8.9 Development Determinations for Month of April 2023

Resolved OCM 106/23

Moved: Cr Edward (Ted) Hatty

Seconded: Cr Sarah McNaught

That Council receive and note this report.

CARRIED

9 CONFIDENTIAL MATTERS

Resolved OCM 107/23

Moved: Deputy Mayor Carly Marriott

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 Tocumwal Sewer Treatment Plant_New Drying Beds

This matter is considered to be confidential under Section 10A(2) - (d)(ii) 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 competitor of the council.

10.2 Finley Saleyards - Call for Proposals

This matter is considered to be confidential under Section 10A(2) - (c) and (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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

CARRIED

Resolved OCM 108/23

Moved: Deputy Mayor Carly Marriott

Seconded: Cr Sarah McNaught

That Council re-open the meeting to the public at 10:34am.

CARRIED

The meeting was adjourned at 10:35am for morning tea.

The meeting reconvened at 10:55am.

8.12 Acquisition of 12-14 Hayes St, Berrigan

Resolved OCM 109/23

Moved: Cr Edward (Ted) Hatty

Seconded: Cr Renee Paine

That the Council proceed with the acquisition of 12-14 Hayes St, including refunding of \$31,000 of rates paid by the mortgagee between 1998 and 2014.

CARRIED

8.14 Finance - Accounts

Resolved OCM 110/23

Moved: Deputy Mayor Carly Marriott

Seconded: Cr Sarah McNaught

- a) Receive the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 30 April 2023,
- b) Confirm the accounts paid as per Warrant No. 04/23 totaling \$2,117,589.76 and
- c) Note the report on investments attached

CARRIED

8.15 Council Action List Report

Resolved OCM 111/23

Moved: Cr Sarah McNaught

Seconded: Cr Renee Paine

That Council receive and note the Council Action List Report.

CARRIED

8.13 153 Sepplets Road, Barooga

Resolved OCM 112/23

Moved: Deputy Mayor Carly Marriott

Seconded: Cr Julia Cornwell McKean

That Council review the deferred commencement condition 2B;

A revised site plan showing the proposed replacement dwelling being setback 100m from the nearest billabong top of bank.

CARRIED

10 NOTICES OF MOTION/QUESTIONS WITH NOTICE

Nil

11 MOTIONS WITHOUT NOTICE/QUESTIONS WITHOUT NOTICE

Cr Sarah McNaught

- Finley Walking Track – request to put back onto the projects schedule.

Mayor Matthew Hannan

- Requests to find out if the lane between Denison St Finley and Con Carr Betta Electrical is Council owned, as there are many potholes.

- Request Tocumwal Foreshore Building update.
- Request Town Beach Caretaker update.
- Certificate of Occupancy issues at 134 Racecourse Road, Tocumwal

11.1 134 Racecourse Road, Tocumwal

- Action

Cr Matthew Hannan requests that Joanne Ruffin (Director Strategic Planning and Development) supply the owners of 134 Racecourse Road, Tocumwal with names of private certifiers.

Cr Carly Marriott

- Barooga Recreation Reserve, request for the defibrillator to be moved to outside the building.
- Toilet block at the Barooga Recreation Reserve are going to be cleaned up by the Barooga Football Netball Club.
- Lions Bus Stop, Barooga.
- Womens Mentoring has begun.

Matthew Hansen (Deputy Chief Executive Officer)

- Awaiting concept drawings for the Tocumwal Carpark.

Karina Ewer (Chief Executive Officer)

- Country Universities Centres
- Shared services working group with RAMJO
- Drought Resilience Plan
- Essential Energy meeting
- Rural Fire Services meeting
- VLINE Tocumwal Interchange

Tahlia Fry left the Council Chambers at 11:50am and did not return.

12 COUNCILLOR REPORTS

12.1 Mayor's Report

- 19.04.23: Business Awards
- 20.04.23: RAMJO CEO Meeting
- 22.04.23: Opening of Barooga Netball Courts
- 23.04.23: Book Launch
- 24.04.23: Meeting with coordinator of Workspace in Finley
- 25.05.23: Dawn Service & ANZAC Service in Finley
- 26.04.23: Listening Post Finley
- 26.04.23: Meeting in regards to electric vehicle charging
- 01.05.23: Tocumwal PGA Dinner
- 10.05.23: Albury Wodonga Health and RAMJO meeting
- 11.05.23: RAMJO Dinner at the Finley Returned Soldiers Club
- 12.05.23: RAMJO Meeting in Tocumwal

Resolved OCM 113/23

Moved: Cr Roger Reynoldson

Seconded: Deputy Mayor Carly Marriott

That the Mayor's Report be received.

CARRIED

12.2 Verbal Reports from Delegates

Cr Carly Marriott

- Library Update
- Traffic Committee Update
- Tom Street Finley Doctors Surgery – issue with parking

Cr Ted Hatty

- 19.04.2023: Business Awards
- Tocumwal Memorial Hall opening

- 26.04.2023: Talking Posts in Tocumwal
- 11.05.2023: RAMJO Dinner in Finley

Cr Carly Marriott left the Council Chambers at 11:31am

Cr Carly Marriott returned to the Council Chambers at 11:32am

Cr Julia Cornwell McKean

- 19.04.2023: Business Awards
- 25.04.2023: ANZAC Day – Cobram and Barooga Ceremony
- Cobram Barooga Soroptimist Brunch
- 01.05.2023: PGA Associates dinner in Tocumwal
- 02.05.2023: Awarded the trophy to the winner of the PGA Tournament
- Barooga Advancement Group meeting
- 11.05.2023: RAMJO Dinner at Finley Returned Soldiers Club

Resolved **OCM 114/23**

Moved: **Mayor Matthew Hannan**

That the Councillors' Reports be received.

CARRIED

13 **CONCLUSION OF MEETING**

The next Ordinary Council Meeting will be held on 21 June 2023 from 9:15am in the Council Chambers, 56 Chanter Street, Berrigan.

There being no further business the Mayor, closed the meeting at 12:03pm.