



BERRIGAN SHIRE

BAROOGA • BERRIGAN • FINLEY • TOCUMWAL



ORDINARY COUNCIL MEETING

Held on Wednesday 15 November, 2023

at 9:15am

Council Chambers, 56 Chanter Street, Berrigan



Minutes



Ordinary Council Meeting
Wednesday 15 November, 2023

MINUTES

The Ordinary Council Meeting of the Shire of Berrigan held in the Council Chambers, 56 Chanter Street, Berrigan, on Wednesday 15 November, 2023 when the following business was considered:-

ITEMS OF BUSINESS

1	OPENING OF MEETING	5
2	ACKNOWLEDGEMENT OF COUNTRY	5
3	APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE OR ATTENDANCE VIA AUDIO-VISUAL LINK BY COUNCILLORS.....	6
3.1	Apologies/Leave of Absence	6
3.2	Applications for Leave of Absence	6
3.3	Attendance Via Audio-Visual Link	6
4	CONFIRMATION OF PREVIOUS MINUTES	6
5	DISCLOSURES OF INTERESTS.....	6
6	MAYORAL MINUTE(S).....	7
	Nil	
7	REPORTS OF COMMITTEES.....	7
	Nil	
8	REPORTS TO COUNCIL.....	7
8.1	2022-2023 Annual Report.....	7
8.2	Climate Change Risk Assessment and Adaptation Plan.....	8

8.3	Tocumwal Town Meeting - Tocumwal Ambulance Station.....	8
8.4	Code of Conduct Complaints Report.....	9
8.5	Approved Flood Affected Works - Project Management.....	9
8.6	GIPA Compliance Report - Returns of Interest.....	9
8.7	Mural - Foundry Park	9
8.8	Local Government Remuneration Tribunal 2024 Review Submission	10
8.9	Information Guide 2023-24	10
8.10	Memorandum of Understanding - Barooga Aquatic and Recreation Centre.....	10
8.11	Rural Doctors Network NSW - Bush Bursary	11
8.12	Public Art Policy.....	11
8.13	Investment Policy.....	11
8.14	Public Interest Disclosures Policy.....	12
8.15	Continuous Improvement Plan - monthly update.....	12
8.16	2023 Christmas Function	12
8.17	Barooga Carols by Candlelight	13
8.18	Correspondence Incoming and Outgoing October - November 2023	13
8.19	Finance - Accounts	13
8.20	5 Year Wage Report	14
8.21	Financial Review - July - September 2023.....	14
8.22	2022-23 Annual Financial Statements	14
8.23	Review of Executive Remuneration Payments - 2022-23	15
8.24	September Quarter Operational Plan Progress Report.....	15
8.25	Corporate Workshop Outcomes	15
8.26	Joint Select Committee on Protecting Local Water Utilities from Privatisation - Submission	16
8.27	Fraud and Corruption Training through the Independent Commission Against Corruption	17
8.28	2024 Local Government Elections - Update.....	17
8.29	Travel to the Murray Region - Year ended June 2023.....	17
8.30	Cobram Barooga Business and Toursim Annual Event Program.....	17
8.31	Council Action List Report	18
9	NOTICES OF MOTION/QUESTIONS WITH NOTICE.....	18
	Nil	
10	CONFIDENTIAL MATTERS.....	18
10.1	Occupancy licences - surplus land.....	Error! Bookmark not defined.

10.3 Executive Team Review of Salary Payments - Quotes. **Error! Bookmark not defined.**

11 MOTIONS WITHOUT NOTICE/QUESTIONS WITHOUT NOTICE..... 19

12 COUNCILLOR REPORTS 19

12.1 Mayor’s Report 19

12.2 Verbal Reports from Delegates 20

13 CONCLUSION OF MEETING..... 20



Present:

Councillors:

Julia Cornwell McKean (Mayor), Edward (Ted) Hatty, Matthew Hannan, 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), Keelan McDonald (Executive Assistant) and Tahlia Fry (Director Corporate Services)

1 OPENING OF MEETING

The Council opened its meeting at 9:15am.

Mayor 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.

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 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 Cornwell McKean 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.”

Brad Bohun (Crowe Auditors) entered the Council Chambers (via MSTeams) at 9:15am.

3 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE OR ATTENDANCE VIA AUDIO-VISUAL LINK BY COUNCILLORS

3.1 Apologies/Leave of Absence

Deputy Mayor Carly Marriott

Andrew Fletcher (Director Strategic Planning and Development)

3.2 Applications for Leave of Absence

3.3 Attendance Via Audio-Visual Link

Nil

4 CONFIRMATION OF PREVIOUS MINUTES

Resolved OCM 315/23

Moved: Cr John Taylor

Seconded: Cr Renee Paine

That the minutes of the Ordinary Council Meeting held in the Council Chambers Wednesday 18 October, 2023 be confirmed.

CARRIED

5 DISCLOSURE



5 DISCLOSURE

Resolved OCM 316/23

Moved: Cr John Taylor

Seconded: Cr Renee Paine

item 8.10 – non-pecuniary, non-significant: Mayor Cornwell McKean was chair of the former BARC Advisory Group and instrumental in lobbying Councils to fund the pool.

Item 8.17 – perceived non-pecuniary, significant: Mayor Cornwell McKean is the President of BAG and as the matter relates to a request for funding.

CARRIED

6 MAYORAL MINUTE(S)

Nil

7 REPORTS OF COMMITTEES

Nil

Genevieve Taylor (Finance Manager) entered the Council Chambers at 9:18am.

8 REPORTS TO COUNCIL

8.1 2022-2023 Annual Report

Resolved OCM 317/23

Moved: Cr John Taylor

Seconded: Cr Roger Reynoldson

That Council adopt the draft Annual Report for publication, noting the 30 November 2023 deadline.

CARRIED

Mayor, Julia Cornwell McKean congratulated staff on all of the work that has gone into the completion of the Annual Report.

Brad Bohun (Crowe Auditors) left the Council Chambers (via MSTeams) at 9:25am and did not return. Genevieve Taylor (Finance Manager) entered the Council Chambers at 9:26am.



8.2 Climate Change Risk Assessment and Adaptation Plan

Resolved OCM 318/23

Moved: Cr Edward (Ted) Hatty

Seconded: Cr Renee Paine

That Council:

- Adopt the Climate Change Risk Assessment and Adaptation Plan.
- Actively pursue grant funding to assist with initiatives.
- Establish partnerships with other stakeholders to identify opportunities that are out of our scope but beneficial for the community.
- Direct the Chief Executive Officer to bring a report to March SPW outlining what we are currently doing in the space.

CARRIED

8.3 Tocumwal Town Meeting - Tocumwal Ambulance Station

Resolved OCM 319/23

Moved: Cr Edward (Ted) Hatty

Seconded: Cr John Taylor

That Council:

1. continue to advocate strongly for the review of the *Tocumwal – Emergency Response Assessment* June 2020 to be updated in line with information provided to Minister Park and the NSW Ambulance
2. continue to advocate strongly for the establishment of an ambulance station in Tocumwal within the next five years and
3. engage a consultant (invest \$2,000 with co-funding to come from Tocumwal Ambulance Committee) to develop a business case for the delivery of an ambulance station to Tocumwal to underpin the need for a fully operational ambulance station in Tocumwal.
4. endorse the Mayor to write to the Premier regarding the need to establish an ambulance station in Tocumwal.

CARRIED



8.4 Code of Conduct Complaints Report

This report was for information only.

8.5 Approved Flood Affected Works - Project Management

Recommendation

The report is for information only for Council to update on the approved flood funded project.

8.6 GIPA Compliance Report - Returns of Interest

This report was for information only.

8.7 Mural - Foundry Park

Resolved OCM 320/23

Moved: Cr John Taylor

Seconded: Cr Sarah McNaught

That the Council:

1. approve the installation of a vinyl mural at Foundry Park based on a photograph of the old blacksmith shop on that site taken in 1894.
2. contribute up to \$10,000 towards the project from its own funds.
3. manage the project directly, including commissioning the artwork and arranging for installation.

CARRIED



8.8 Local Government Remuneration Tribunal 2024 Review Submission

Resolved OCM 321/23

Moved: Cr John Taylor

Seconded: Cr Matthew Hannan

That Council adopt the submission to the Local Government Remuneration Tribunal 2024 Review as presented and instruct the CEO to submit the document prior to the closing date of 21 December 2023.

CARRIED

8.9 Information Guide 2023-24

Resolved OCM 322/23

Moved: Cr John Taylor

Seconded: Cr Sarah McNaught

That the Council, pursuant to Section 21 of the *Government Information (Public Access) Act 2009*, adopt the Berrigan Shire Council Information Guide attached as Appendix 1

CARRIED

8.10 Memorandum of Understanding - Barooga Aquatic and Recreation Centre

Resolved OCM 323/23

Moved: Cr Roger Reynoldson

Seconded: Cr Matthew Hannan

That Council direct the Mayor and CEO to sign the Memorandum of Understanding (MOU) with Moira Shire Council's Administrators and Interim CEO and Sporties, to provide funding for the Barooga Aquatic and Recreation Centre pool for the next three financial years commencing 1 July 2024. It is noted the MOU provides for reporting to both Councils and Council will be provided those reports as they are received in line with the requirements of the MOU.

CARRIED



8.11 Rural Doctors Network NSW - Bush Bursary

Resolved OCM 324/23

Moved: Cr Edward (Ted) Hatty

Seconded: Cr John Taylor

That Council

1. Participate in the NSW Rural Doctors Network (RDN) Bush Bursary program for 2024 at a cost of \$3,000.
2. Direct the CEO to monitor the indirect cost to Council in relation to staff time and other expenses and report back to Council following the 2024 placement.

CARRIED

8.12 Public Art Policy

Resolved OCM 325/23

Moved: Cr John Taylor

Seconded: Cr Roger Reynoldson

That the Council adopt the Public Art Policy attached as Appendix 1 to this report

CARRIED

Genevieve Taylor (Finance Manager) entered the Council Chambers at 10:30am.

The meeting adjourned for morning tea at 10:33am.

The meeting reconvened at 10:46am.

8.13 Investment Policy

Resolved OCM 326/23

Moved: Cr John Taylor

Seconded: Cr Sarah McNaught

That the Council:

1. revoke its Investment Policy adopted on 15 November 2022;
2. adopt the Investment Policy attached; and
3. note the Investment Guidelines attached.

CARRIED



Genevieve Taylor left the Council Chambers at 10:40am and did not return.

8.14 Public Interest Disclosures Policy

Resolved OCM 327/23

Moved: Cr John Taylor

Seconded: Cr Roger Reynoldson

That Council:

1. revoke the Public Interest Disclosures Policy adopted on 18 October 2023 and
2. adopt the Public Interest Disclosures Policy attached to this report.

CARRIED

8.15 Continuous Improvement Plan - monthly update

Resolved OCM 328/23

Moved: Cr Matthew Hannan

Seconded: Cr Sarah McNaught

That Council note the monthly progress report on the Continuous Improvement Plan resulting from the Cultural Review and Compliance Audit, attached as Appendix 1.

CARRIED

8.16 2023 Christmas Function

Resolved OCM 329/23

Moved: Cr Renee Paine

Seconded: Cr John Taylor

That Council:

1. hold an informal Christmas function at the Barooga Sporties on Friday 1 December for Councillors and Council Staff and
2. pursuant to the provisions of its Drug and Alcohol-Free Workplace Policy designate the following function as an “approved event” at which alcohol may be provided and consumed in accordance with the Policy.

CARRIED



Mayor Cornwell McKean left the Council Chambers at 10:51am due to a perceived interest in item 8.17

Perceived non-pecuniary, significant: Mayor Cornwell McKean is the President of BAG and as the matter relates to a request for funding.

Cr Roger Reynoldson chaired the discussion on item 8.17 Barooga Carols by Candlelight.

8.17 Barooga Carols by Candlelight

Resolved OCM 330/23

Moved: Cr Sarah McNaught

Seconded: Cr Renee Paine

That Council provide a \$2,000 (ex GST) grant to each community group (Barooga Advancement Group, Berrigan & District Development Association, Finley Chamber of Commerce Industry and Business and Tocumwal and Tocumwal & District Development Group) to support their 2023 Christmas Event. Each group are to provide a report to Council on the event and how the funding has been used.

CARRIED

8.18 Correspondence Incoming and Outgoing October - November 2023

This report was for information only.

8.19 Finance - Accounts

Resolved OCM 331/23

Moved: Cr John Taylor

Seconded: Cr Roger Reynoldson

That Council:

- a) Receive the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 October 2023,
- b) Confirm the accounts paid as per Warrant No. 10/23 totaling \$7,727,614.26

CARRIED



8.20 5 Year Wage Report

Resolved OCM 332/23

Moved: Cr John Taylor

Seconded: Cr Sarah McNaught

That Council receive and note this report.

CARRIED

8.21 Financial Review - July - September 2023

Resolved OCM 333/23

Moved: Cr Renee Paine

Seconded: Cr John Taylor

1. Note the first quarterly review of the 2023/24 budget and vote the funds contained therein as shown in "Appendix 1"
2. Note the September Quarterly Budget Review Statement attached also as "Appendix 2"

CARRIED

8.22 2022-23 Annual Financial Statements

Resolved OCM 334/23

Moved: Cr John Taylor

Seconded: Cr Renee Paine

That Council, not having received any submissions in relation to its 2022/23 Annual Financial Statements and having considered the reports presented by the Audit Office of New South Wales, adopt the 2022/23 Annual Statements and the Report on the conduct of the Audit

CARRIED



8.23 Review of Executive Remuneration Payments - 2022-23

Resolved OCM 335/23

Moved: Cr John Taylor

Seconded: Cr Roger Reynoldson

That Council, noting the quotes received for the review of payments of executive remuneration payments:

1. not proceed with the review for the 2022/23 financial year and
2. direct the CEO to investigate other methods of delivering this review in a cost-effective manner, as per the recommendation of the Audit, Risk and Improvement Committee.

CARRIED

8.24 September Quarter Operational Plan Progress Report

Resolved OCM 336/23

Moved: Cr John Taylor

Seconded: Cr Edward (Ted) Hatty

That Council adopt the appended September Quarter Review of the Council's Annual Operational Plan 2023-2024

CARRIED

8.25 Corporate Workshop Outcomes

Recommendation

That Council:

1. acknowledge the report to RAMJO requesting interest to under take a Regional Rural Land Use Strategy,
2. request staff bring the outcome of the RAMJO meeting decision to the December Ordinary meeting for consideration.
3. confirm the collateral to be used for the review of the Community Strategic Plan,
4. request Council staff to provide regular updates as to the Cyber Security Service Review with a finalised review document to be provided to Council no later than the February 2024 Ordinary Council meeting,
5. request Council staff to provide a draft Digital Transformation Strategy to Council no later than the June 2024 Ordinary Council meeting,



6. direct Council staff to commence works to extend the Tocumwal cemetery onto the adjacent available land. Council is to be kept updated on the progress of this matter as the matter progresses, understanding there may be extended periods where little appears to be happening.
7. direct the CEO to write to Moira Shire Council to advise of Council's support for the Thompson's Beach Development Proposal,
8. under take the following projects under the Local Roads and Community Infrastructure – Round 4 grant: Berrigan Sportsground, Berrigan CWA Hall, Tocumwal CWA Hall, Finley School of Arts Hall and Berrigan War Memorial Hall,
9. request Council staff bring back a report outlining the costs that would be associated with hiring another employee to directly assist Council's section 355 committees to the February 2024 Council meeting,
10. note the information provided by Shepherd Services regarding the project to identify current conditions of all roads in the Shire and
11. direct staff to provide a report to the January Council meeting regarding the selected road infrastructure projects along with suggestions as to which funding options should be accessed for each project.

8.26 Joint Select Committee on Protecting Local Water Utilities from Privatisation - Submission

Resolved OCM 337/23

Moved: Cr John Taylor

Seconded: Cr Sarah McNaught

That Council receive and note this report.

CARRIED



8.27 Fraud and Corruption Training through the Independent Commission Against Corruption

Resolved OCM 338/23

Moved: Cr John Taylor

Seconded: Cr Renee Paine

That Council receive and note this report and request the CEO remind Council of the March 2024 training at the January 2024 Council meeting.

CARRIED

8.28 2024 Local Government Elections - Update

Resolved OCM 339/23

Moved: Cr John Taylor

Seconded: Cr Roger Reynoldson

That Council receive and note this report.

CARRIED

8.29 Travel to the Murray Region - Year ended June 2023

Resolved OCM 340/23

Moved: Cr John Taylor

Seconded: Cr Edward (Ted) Hatty

That Council receive and note this report.

CARRIED

8.30 Cobram Barooga Business and Tourism Annual Event Program

Resolved OCM 341/23

Moved: Cr John Taylor

Seconded: Cr Sarah McNaught

That Council increase their contribution to the Cobram Barooga Business and Tourism Program to \$30,000 for the 2023/24 financial year.

CARRIED



8.31 Council Action List Report

Resolved OCM 342/23

Moved: Cr Edward (Ted) Hatty

Seconded: Cr John Taylor

That Council receive and note the Council Action List Report.

CARRIED

9 NOTICES OF MOTION/QUESTIONS WITH NOTICE

Nil

10 CONFIDENTIAL MATTERS

Resolved OCM 343/23

Moved: Cr Renee Paine

Seconded: Cr Roger Reynoldson

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 Occupancy licences - surplus land

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 Executive Team Review of Salary Payments - Quotes

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



Resolved **OCM 344/23**

Moved: Cr Renee Paine

Seconded: Cr John Taylor

That Council re-open the meeting to the public at 12:10pm.

CARRIED

11 MOTIONS WITHOUT NOTICE/QUESTIONS WITHOUT NOTICE

Cr Matthew Hannan

- Tocumwal Lions/Mens Shed
- Cultural Audit Report

12 COUNCILLOR REPORTS

12.1 Mayor's Report

Resolved **OCM 345/23**

Moved: Cr John Taylor

Seconded: Cr Roger Reynoldson

That the Mayor's Report be received.

CARRIED

Mayor Cornwell McKean

- Australian Rural Leadership Program
- Council Magazine Interview
- Barooga PGA Championships
- CBBT Event
- Finley Saleyards Meeting
- Remembrance Day
- LGNSW Annual Conference
- RAMJO



12.2 Verbal Reports from Delegates

Motion

That the Councillor's Reports be received.

Cr Sarah McNaught

- Mentorship progressing well.

Cr Matthew Hannan

- Tocumwal Ambulance Meeting
- Safeguarding Children Workshop
- Finley Hospital Development

Cr John Taylor

- PGA Championship
- Finley Hospital Development

13 CONCLUSION OF MEETING

The next Ordinary Council Meeting will be held on 6 December 2023 from 9:15am in the Council Chambers, 56 Chanter Street, Berrigan.

There being no further business the Mayor, closed the meeting at 12:29pm.