



# EXTRAORDINARY COUNCIL MEETING CONFIDENTIAL

Wednesday 20 September, 2023

at 9:00am

Council Chambers, 56 Chanter Street, Berrigan



# Agenda

## Our Vision

*In 2032 we will be recognised as a Shire that builds on and promotes our natural assets and advantages to create employment and economic activity to attract residents, families and tourists.*

## COMMUNITY STRATEGIC PLAN

Berrigan Shire Council's Community Strategic Plan Berrigan Shire 2032 is a common framework for measuring the achievement of Berrigan Shire 2032 strategic outcomes of:

1. Sustainable natural and built landscapes
2. Good government
3. Supported and engaged communities
4. Diverse and resilient business

*The Community Strategic Plan can be found here:*

<https://www.berriganshire.nsw.gov.au/council-governance/management-plans-codes-reports>

## RISK MANAGEMENT POLICY & FRAMEWORK

Berrigan Shire Council is committed to managing its risks strategically and systematically in order to benefit the community and manage the adverse effects to Council.

Risk Management is everyone's responsibility. It is an activity that begins at the highest level and is applied consistently through all levels of Council. All workers are required to integrate risk management procedures and practices into their daily activities and must be competent and accountable for adequately managing risk within their area of responsibility.

*The Risk Management Policy & Framework can be found here:*

[Risk Management Policy and Framework](#)



## Extraordinary Council Meeting Confidential

Wednesday 20 September, 2023

### BUSINESS PAPER

The Extraordinary Council Meeting Confidential of the Shire of Berrigan will be held in the Council Chambers, 56 Chanter Street, Berrigan, on Wednesday 20 September, 2023 when the following business will be considered:-

#### ITEMS OF BUSINESS

<b>1</b>	<b>OPENING OF MEETING .....</b>	<b>5</b>
<b>2</b>	<b>ACKNOWLEDGEMENT OF COUNTRY .....</b>	<b>5</b>
<b>3</b>	<b>APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE OR ATTENDANCE VIA AUDIO-VISUAL LINK BY COUNCILLORS.....</b>	<b>5</b>
3.1	Apologies/Leave of Absence .....	5
3.2	Attendance Via Audio-Visual Link .....	5
<b>4</b>	<b>DISCLOSURES OF INTERESTS.....</b>	<b>5</b>
<b>5</b>	<b>REPORTS TO COUNCIL.....</b>	<b>6</b>
5.1	Mayor's report .....	6
5.2	Chief Executive Officer's report .....	8
5.3	Returning Officer's report .....	11
5.4	Election of Mayor.....	13
5.5	Election of Deputy Mayor .....	14
5.6	Delegates to committees .....	15
<b>6</b>	<b>CONCLUSION OF MEETING.....</b>	<b>17</b>

No business, other than that on the Agenda, may be dealt with at this meeting unless admitted by the Mayor.



KARINA EWER  
CHIEF EXECUTIVE OFFICER

## **1 OPENING OF MEETING**

In the spirit of open, accessible and transparent government, Berrigan Shire's Council 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. 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 only and is provided to the public for listening purposes to support Council's statutory obligations.

## **2 ACKNOWLEDGEMENT OF COUNTRY**

"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**

### **3.1 Apologies/Leave of Absence**

Nil

### **3.2 Attendance Via Audio-Visual Link**

Nil

## **4 DISCLOSURES OF INTERESTS**

## 5 REPORTS TO COUNCIL

### 5.1 Mayor's report

<b>Author:</b>	<b>Mayor, Matthew Hannan</b>
<b>Strategic Outcome:</b>	2. Good government
<b>Strategic Objective:</b>	2.1. Berrigan Shire 2032 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting
<b>Delivery Program:</b>	2.1.2. Meet legislative requirements for Council elections, local government and integrated planning and reporting
<b>Council's Role:</b>	<b>Service Provider:</b> The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council
<b>Appendices:</b>	Nil

### Recommendation

That the Mayor's report for the period January 2022 to September 2023 be received and noted

---

### Report

I am proud to lead a dynamic council with all towns having a voice at the table. We work collaboratively together and have robust debate that leads to beneficial outcomes for the residents of the Berrigan Shire Council. The annual report from January 2022 to September 2023 details how the council continue to provide infrastructure, advocacy, and service delivery throughout the Shire.

Many projects have been completed throughout our Shire including sealing of the aerodrome carpark which allows locals and tourists safe access to the cafés, museums, and aerodrome facilities.

The Barooga Recreation Reserve Masterplan resulted in the Netball courts being relocated and resurfaced to a standard that will attract finals in the future. It brings the netballers and their families closer to the main oval and allows better access to amenities and hospitality. Furthermore, the resurfacing of the Barooga tennis courts has given the tennis club and recreational users first class courts to play on.

The reflooring of the memorial hall in Finley will bring more events and sporting activities to the region resulting in widespread communal benefits.

The Tocumwal Memorial Hall underwent enhancement works to the historic aspects of the hall including renovations to features that pay homage to those who served our country during the wars.

We have had our challenges through floods over the past 12 months including the closure of our beaches and cancelation of events which impacted many of our tourism businesses. This was disappointing, however the optimism throughout the shire for the coming 12 months is evident in



the events that are already scheduled and the new and existing business - especially in hospitality - being ready for the visitors to return.

My fellow councillors and I continue to advocate to all levels of government around the issues, services, and funding required for the council and the community to prosper.

As the Chair of RAMJO, I advocate for better outcomes for the whole region. This is done through representation at Country Mayors, the Local Government NSW, and Australian Local Government conferences and meeting with ministers at both State and federal level.

Finally, I'd like to thank all councillors, staff and especially the community for your ongoing support. I will continue to put Berrigan Shire front and centre and promote our area as a great place to reside, visit and invest in.

## 5.2 Chief Executive Officer's report

<b>Author:</b>	<b>Chief Executive Officer, Karina Ewer</b>
<b>Strategic Outcome:</b>	2. Good government
<b>Strategic Objective:</b>	2.1. Berrigan Shire 2032 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting
<b>Delivery Program:</b>	2.1.1. Council operations, partnerships and coordination of resources contribute toward the implementation of Berrigan Shire 2032
<b>Council's Role:</b>	<b>Service Provider:</b> The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council
<b>Appendices:</b>	Nil

### Recommendation

That the Chief Executive Officer's report for the period January 2022 to September 2023 be received and noted.

---

### Purpose

I am pleased to present that Annual Report highlighting the significant accomplishments and milestones achieved during the period from January 2022 to September 2023. This report service to provide a comprehensive overview of Council's activities, initiatives and achievements across various service delivery areas, reflecting our commitment to enhancing the quality of life for our residents and promoting sustainable growth within our community.

### Sustainable Natural and Built Landscapes

During this period, the Council continued to invest in the development and maintenance of essential infrastructure projects. Noteworthy achievements include:

- the completion of the Shared Pathways in both Barooga and Tocumwal, enhancing connectivity and accessibility for residents and businesses;
- successful completion of the Finley Water Treatment Plant Upgrade project and continuing works on the Barooga Water Treatment Plant Upgrade Project, ensuring a safe and reliable water supply for those communities for at least the next 15 years; and
- commencement of the significant and full review of Council's Local Environmental Plan and associated instruments which will ensure the development of our communities are well considered and provided for now and into the future

### Supported and Engaged Communities

The Council remained dedicated to fostering a sense of community belonging and ensuring the well-being of our residents through:



- supporting the development of the Southern Riverina Wellbeing Collaborative, which aligns with Council's strategies of promoting community health and wellbeing;
- expansion of our digital services including the upgrade of our website to provide residents with more convenient access to Council information, payments and applications;
- active engagement with the regional waste management tender process which will see an increase in recycling rates and reduce waste to landfill for the Shire; and
- taking a lead role gaining funding for the development of a Regional Drought Resilience Plan and actively chairing the Project Control Group associated with that project

### **Diverse and Resilient Businesses**

The Council continued to support local business and promote economic growth through:

- the facilitation of our Memorandums of Understanding with various businesses which assist Council to deliver on such outcomes as youth engagement, diversification of our tourism market and increasing economic activity in the community;
- hosting the bi-annual Business Awards, which saw record attendance and showcased the depth and breadth of innovation and talent and celebrated the resilience of our business community;
- implementation of the Accredited Visitor Information Centre, increasing Council's presence in the tourism sector and actively supporting the growth of tourism product in the region; and
- engagement with entities such as Essential Energy to ensure the needs of our communities are well understood and their project plans and timelines align adequately with the needs and growth pressures of our community.

### **Good Government**

The Council has demonstrated prudent financial management and accountability by:

- successfully completing our schedule of internal and external audits, affirming the Council's commitment to fiscal responsibility and transparency;
- engaging a contractor to undertake a Cultural Audit of Council to ensure efforts already implemented in the area of cultural improvement are recognised and to provide Council with a clear direction with regards to future improvements and initiatives;
- the undertaking of a wage harmonisation project which has led to the undertaking of a full review of Council's Salary Policy and Workforce Strategy to ensure adequate measures are in place to attract and retain suitably qualified staff and remunerate them in a responsible and transparent way; and
- commencing a comprehensive program of Service Delivery Reviews aimed at ensuring Council's service delivery is efficient across its spectrum of services, is charged appropriately and that the community understands the value proposition of the services Council delivers.

### **Conclusion**

The accomplishments and initiatives outlined in this report underscore the dedication and collaborative efforts of the Berrigan Shire Council in creating a vibrant, sustainable and inclusive community. The Council remains committed to serving the needs of its residents and looks forward to further enhancing the quality of life in the coming years.



I extend my gratitude to our Councillors, staff, residents, community organisations and partners for their ongoing support and contributions to these achievements.

---

### 5.3 Returning Officer's report

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	2. Good government
Strategic Objective:	2.1. Berrigan Shire 2032 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting
Delivery Program:	2.1.1. Council operations, partnerships and coordination of resources contribute toward the implementation of Berrigan Shire 2032
Council's Role:	<b>Service Provider:</b> The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council
Appendices:	1. Mayoral Election 2023 Nomination Paper

#### Recommendation

That any ballot required to fill the position of Mayor or Deputy Mayor be held by secret ballot under a preferential voting system.

---

#### Report

As per [s290\(1\)\(b\) of the Local Government Act 1993](#), the Council is required to hold an election for a Mayor for the period until the next Council elections in September 2024.

[Schedule 7 of the Local Government \(General\) Regulation 2021](#) provides the basis of the election of Mayor by Councillors, including the appointment of the Chief Executive Officer as Returning Officer.

A Nomination Form as required by the Regulations is attached with this report as Appendix 1. This is required to be completed and submitted to the Returning Officer before the Extraordinary Meeting starts.

The election of the Mayor, if more than one Councillor is nominated, may be by preferential ballot or ordinary ballot or by open voting (show of hands).

No mention is made of the election of Deputy Mayor, however, if two or more candidates nominate I suggest a similar process take place to that of the Mayor.



**MAYORAL ELECTION 2023**  
**NOMINATION PAPER**

We, the undersigned persons, do hereby propose for nomination

.....

as a candidate for the office of:

- Mayor
- Deputy Mayor

of the Council of Berrigan.

Proposer: .....

Seconder: .....

I hereby consent to the above nomination for the office of:

- Mayor
- Deputy Mayor

Nominee: .....  
(Signature of person proposed for nomination)

*Nominations to be returned before 9:00am Wednesday, 20 September 2023.*

## 5.4 Election of Mayor

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	2. Good government
Strategic Objective:	2.1. Berrigan Shire 2032 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting
Delivery Program:	2.1.1. Council operations, partnerships and coordination of resources contribute toward the implementation of Berrigan Shire 2032
Council's Role:	<b>Service Provider:</b> The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council
Appendices:	Nil

### Recommendation

That the election for the position of Mayor for Berrigan Shire for the period ending on 14 September 2024 be conducted.

---

### Report

It would be appropriate to here conduct the Mayoral election in accordance with the Returning Officer's Report.

**Note** that the position of Mayor is for a one-year period as a result of the delayed 2020 Council elections. The position will fall vacant on 14 September 2024 when the next Council election will be held.

---

## 5.5 Election of Deputy Mayor

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	2. Good government
Strategic Objective:	2.1. Berrigan Shire 2032 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting
Delivery Program:	2.1.1. Council operations, partnerships and coordination of resources contribute toward the implementation of Berrigan Shire 2032
Council's Role:	<b>Service Provider:</b> The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council
Appendices:	Nil

### Recommendation

That the election for the position of Deputy Mayor for Berrigan Shire for the period ending 14 September 2024 be conducted.

---

### Report

It would be appropriate to conduct the Deputy Mayoral election in accordance with the Returning Officer's Report.

There is no obligation for the Council to elect a Deputy Mayor, however the position provides practical support to the Mayor, either because of absence or duplication.

[Section 231 of the Local Government Act 1993](#) states:

- 1. The councillors may elect a person from among their number to be the deputy mayor.*
- 2. The person may be elected for the mayoral term or a shorter term.*
- 3. The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.*
- 4. The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.*

The above recommendation reflects the status quo whereby the Deputy Mayor has been elected for the same term as the Mayor.

The Council can, of course, elect the Deputy Mayor for a shorter period or elect not to have a Deputy Mayor.

## 5.6 Delegates to committees

<b>Author:</b>	<b>Chief Executive Officer, Karina Ewer</b>
<b>Strategic Outcome:</b>	2. Good government
<b>Strategic Objective:</b>	2.1. Berrigan Shire 2032 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting
<b>Delivery Program:</b>	2.1.1. Council operations, partnerships and coordination of resources contribute toward the implementation of Berrigan Shire 2032
<b>Council's Role:</b>	<b>Service Provider:</b> The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council
<b>Appendices:</b>	Nil

### Recommendation

That Council:

1. delegate the following Councillors to attend the meetings of each of the following Section 355 Committees:
  - Cr xx to attend the Barooga Recreation Reserve;
  - Cr xx to attend the Tocumwal Swimming Pool Committee of Management;
  - Cr xx to attend the Tocumwal War Memorial Hall Committee of Management;
  - Cr xx to attend the Tocumwal Foreshore Committee;
  - Cr xx to attend the Finley Recreation Reserve Committee of Management;
  - Cr xx to attend the Finley Showground and Sporting Complex Committee of Management;
  - Cr xx to attend the Finley Tidy Towns Committee of Management;
  - Cr xx to attend the Finley War Memorial Swimming Pool Committee of Management; and
  - Cr xx to attend the Audit, Risk and Improvement Committee
2. delegate Cr xx to attend the meetings of the Barooga ARC consultative committee as part of Council's commitment to the Memorandum of Understanding with Sporties;
3. delegate the following Councillors to attend the meetings of each of the following external bodies:
  - Cr XX to attend the Traffic Committee;
  - Cr XX to attend the Rural Fire Service District Liaison Committee;
  - Cr XX to attend the Bush Fire Management Committee;
  - The Mayor and CEO to attend the RAMJO meetings with the Deputy Mayor to be nominated as proxy for the Mayor;
  - Cr XX to attend the Public Libraries New South Wales;

- Cr XX to attend the Western Joint Regional Planning Panel; and
- Cr XX to attend the Yarrawonga to Torrumbarry River Reach Stakeholder Group

## Report

Councillors are involved in several Committees, including internal committees, volunteer committees established under s355 of the *Local Government Act 1993* and regional committees.

Council may choose to send delegates to these committees should they wish. Not all volunteer committees include a Council delegate.

Existing delegates appointed to volunteer committees of Council include:

Committee	Delegate
Barooga Recreation Reserve	Cr Cornwell McKean
Tocumwal Swimming Pool	Cr Hatty
Tocumwal War Memorial Hall	Cr Hatty
Tocumwal Foreshore	Cr Hatty
Finley Recreation Reserve	Cr Taylor
Finley Showgrounds and Sporting Complex	Cr McNaught
Finley Tidy Towns	Cr Hannan
Finley War Memorial Swimming Pool	Cr McNaught
Audit Risk and Improvement Committee	Cr Cornwell McKean

Existing delegates appointed to external and regional committees and boards include:

Committee	Delegate
Traffic Committee	Cr Marriott
RFS District Liaison Committee	Cr Reynoldson
RFS Bush Fire Management Committee	Cr Reynoldson
RAMJO	Mayor ex officio with Deputy Mayor as proxy
Public Libraries NSW	Cr Marriott
Western Region Joint Regional Planning Panel	Cr McNaught with Cr Reynoldson alternate
Yarrawonga to Torrumbarry River Reach Group	Cr Hatty
Barooga ARC	Cr Cornwell McKean





## 6 CONCLUSION OF MEETING

The next Extraordinary Council Meeting Confidential will be held on Wednesday 20 September 2023 from 9:15am in the Council Chambers, 56 Chanter Street, Berrigan.

There being no further business the Mayor, closed the meeting at [type time](#).