



BERRIGAN SHIRE

BAROOGA • BERRIGAN • FINLEY • TOCUMWAL



ORDINARY COUNCIL MEETING

Held on Wednesday 17 April, 2024

at 9:00am

Council Chambers, 56 Chanter Street, Berrigan



Minutes



Ordinary Council Meeting
 Wednesday 17 April, 2024

MINUTES

The Ordinary Council Meeting of the Shire of Berrigan held in the Council Chambers, 56 Chanter Street, Berrigan, on Wednesday 17 April, 2024 when the following business was considered:-

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Present:

Councillors:

Carly Marriott (Deputy Mayor), Edward (Ted) Hatty, Sarah McNaught, Renee Paine, Roger Reynoldson and John Taylor

The following staff were also in attendance:

Karina Ewer (Chief Executive Officer), Andrew Fletcher (Director Strategic Planning and Development), Tahlia Fry (Director Corporate Services) and Keelan McDonald (Executive Assistant)

1 OPENING OF MEETING

The Council opened its meeting at 9:15am.

Deputy Mayor Marriott 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

Deputy Mayor Marriott 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.”

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

3.1 Apologies/Leave of Absence

Mayor Julia Cornwell McKean

3.2 Applications for Leave of Absence

Cr Sarah McNaught – Extraordinary Meeting, 24 April 2024.

3.3 Attendance Via Audio-Visual Link

Cr Matthew Hannan

4 CONFIRMATION OF PREVIOUS MINUTES

Resolved OCM 085/24

Moved: Cr Roger Reynoldson

Seconded: Cr John Taylor

That the minutes of the Ordinary Council Meeting held in the Council Chambers Wednesday 20 March, 2024 be confirmed.

CARRIED

5 DISCLOSURES OF INTERESTS

Cr Ted Hatty declared a significant pecuniary interest in item 8.10 *Rocks Road - Racecourse Road Intersection, Tocumwal*, due to being an adjoining land owner.

6 MAYORAL MINUTE(S)

6.1 Mayoral Minute - Interment Industry Levy

Resolved OCM 086/24

Moved: Deputy Mayor Carly Marriott

Seconded: Cr Roger Reynoldson



That Council authorise the Mayor to:

1. Write, expressing Council's objection to the Interment Industry Levy and calling for its abolition, to:
 - (a) the Hon Stephen Kamper MP, Minister for Small Business, Minister for Lands and Property, Minister for Multiculturalism, and Minister for Sport, and
 - (b) Andrew Mills, chair of Cemeteries and Crematoria NSW,
2. partner with Local Government NSW, Country Mayors Association and Riverina and Murray Joint Organisation in campaigns to oppose the introduction of the levy and
3. issue a media release stating Council's opposition to the levy and clarifying this is a NSW government tax and not a Council fee.

CARRIED

7 REPORTS OF COMMITTEES

7.1 Minutes of the Audit Risk and Improvement Committee - 29 February 2024

Resolved OCM 087/24

Moved: Cr Renee Paine

Seconded: Cr John Taylor

That Council

1. receive the minutes of the Audit Risk and Improvement Committee meetings held on
 - (a) 12 December 2023
 - (b) 28 February 2024 (draft)
2. endorse the recommendations of those meetings, specifically:
 - (a) *Defer Terms of Reference to the next Ordinary Council Meeting*
 - (b) *Defer the conversation on 355 Committees to the next Ordinary Council Meeting*
 - (c) *Defer the Internal Audit Charter to the next Ordinary Council Meeting*

CARRIED



8 REPORTS TO COUNCIL

8.1 Correspondence Incoming and Outgoing March to April 2024

This report was for information only.

8.2 Berrigan Shire estimated population June 2023

Resolved OCM 088/24

Moved: Cr Sarah McNaught

Seconded: Cr Edward (Ted) Hatty

That Council receive and note the report.

CARRIED

8.3 GIPA Response - Finley Hospital

Resolved OCM 089/24

Moved: Cr John Taylor

Seconded: Cr Roger Reynoldson

That Council receive and note the report.

CARRIED

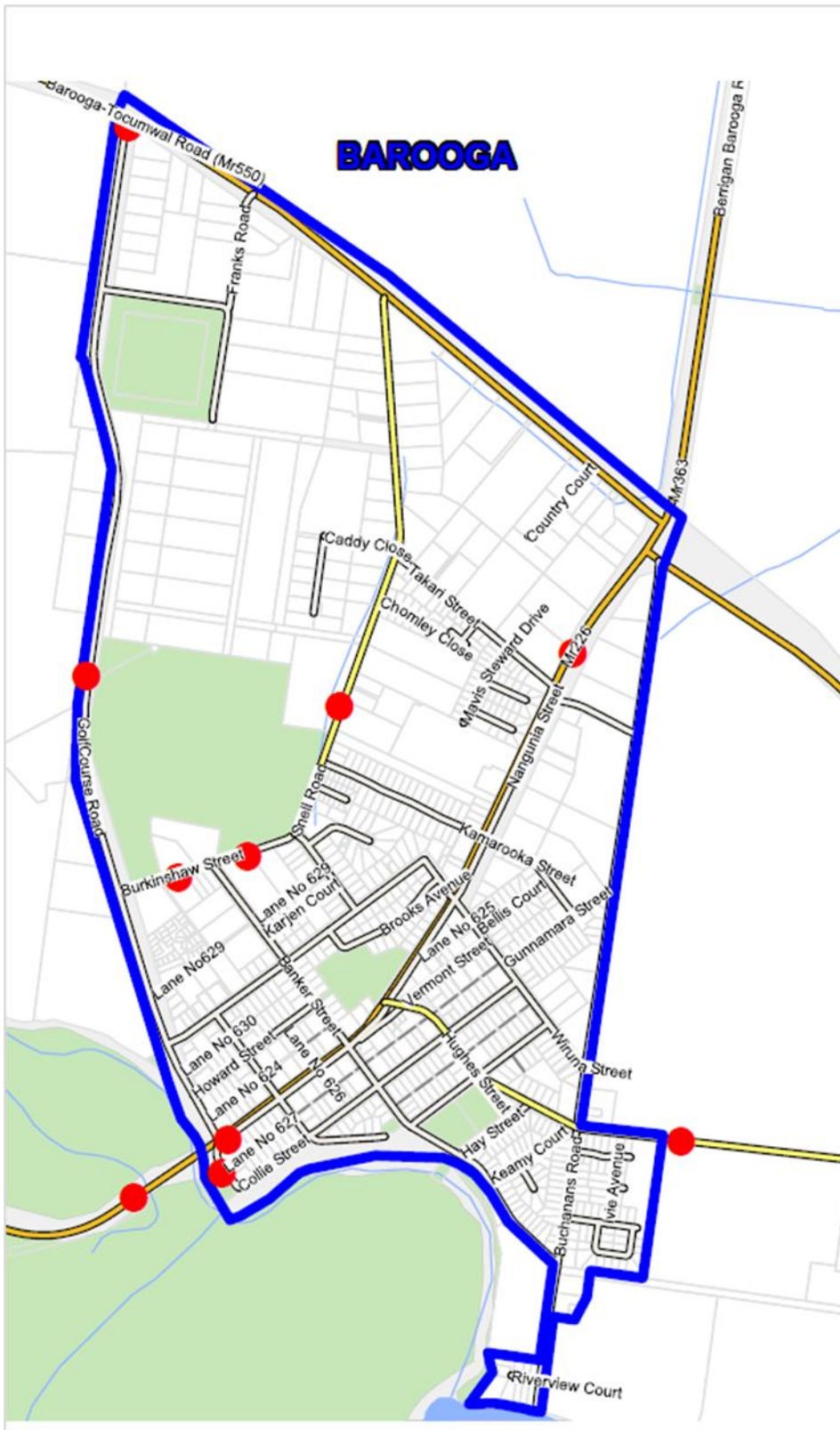
8.4 Establishment of Alcohol-Free Zones

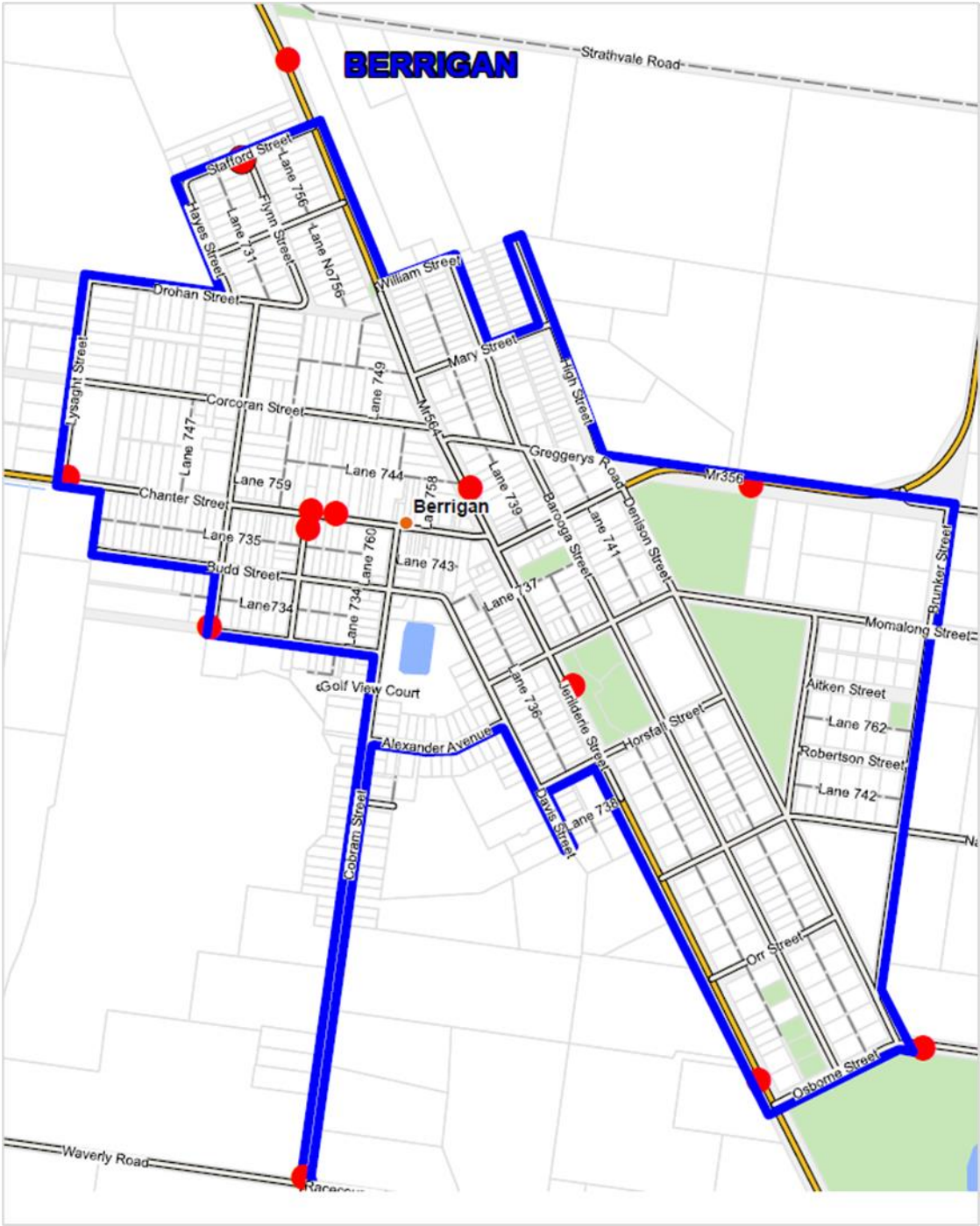
Resolved OCM 090/24

Moved: Cr John Taylor

Seconded: Cr Renee Paine

That the Council establish the following Alcohol Free zones in accordance with Section 644B(4) of the *Local Government Act 1993* for the period 1 July 2024 – 30 June 2028.









CARRIED

8.5 Protecting Local Water Utilities from Privatisation

Resolved OCM 091/24

Moved: Cr John Taylor

Seconded: Cr Sarah McNaught

That Council receive and note this report.

CARRIED



8.6 Continuous Improvement Plan - quarterly update

Resolved OCM 092/24

Moved: Cr John Taylor

Seconded: Cr Roger Reynoldson

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

CARRIED

8.7 Biosecurity Quarterly Report

Resolved OCM 093/24

Moved: Cr Edward (Ted) Hatty

Seconded: Cr Roger Reynoldson

That Council receive and note this report.

CARRIED

8.8 Finance - Accounts

Resolved OCM 094/24

Moved: Cr Edward (Ted) Hatty

Seconded: Cr Roger Reynoldson

That Council:

- a) receive the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 March 2024,
- b) confirm the accounts paid as per Warrant No. 03/24 totaling \$4,314,377.76 and
- c) note the report on investments attached.

CARRIED

Cr Hatty left the Council Chambers at 9:51am.



8.10 Rocks Road - Racecourse Road Intersection, Tocumwal - Update

Resolved OCM 095/24

Moved: Cr John Taylor

Seconded: Cr Sarah McNaught

That Council receive and note this report

CARRIED

Cr Hatty returned to the Council Chambers at 9:54am.

8.11 Inquiry into the Ability of Local Governments to Fund Infrastructure and Services

Resolved OCM 096/24

Moved: Cr John Taylor

Seconded: Cr Sarah McNaught

That Council endorse the submission for the Parliamentary Inquiry into the Ability of local governments to fund infrastructure and services and direct the CEO to make the submission before the 26 April 2024 deadline.

CARRIED

8.12 Southern Riverina Drought Resilience Plan

Resolved OCM 097/24

Moved: Cr Matthew Hannan

Seconded: Cr John Taylor

That Council endorse the Southern Riverina Drought Resilience Plan and place the document on public exhibition for 28 days as per the section 160 of the *Local Government Act 1993*.

CARRIED

At 10:06 AM, the meeting adjourned for morning tea.

At 10:24 AM, the meeting reconvened.



8.13 Contributory footpath scheme - Hughes St, Barooga

Resolved OCM 098/24

Moved: Cr John Taylor

Seconded: Cr Edward (Ted) Hatty

That Council:

- delay the project until the completion of possible subdivision works on Southern side of Hughes Street as the cost will be significantly less for footpath construction if stormwater drainage works and earthworks are completed in advance and
- commit the budget to construct footpath to the 2027/28 financial year under the 4-Year delivery program.

CARRIED

8.14 Street Lighting Options - Chanter Street Berrigan

Resolved OCM 099/24

Moved: Cr John Taylor

Seconded: Cr Renee Paine

That Council approve the upgrade of streetlights on Chanter Street as per option three of this report.

CARRIED

8.15 Development Determinations for Month of March 2024

Resolved OCM 100/24

Moved: Cr John Taylor

Seconded: Cr Sarah McNaught

That Council receive and note this report.

CARRIED



8.16 Early Release of Subdivision Certificates Policy

Resolved OCM 101/24

Moved: Cr John Taylor

Seconded: Cr Roger Reynoldson

That Council revoke Policy No.58 Early Release of Subdivision Certificates.

CARRIED

8.17 Community Gardens Policy

Resolved OCM 102/24

Moved: Cr John Taylor

Seconded: Cr Renee Paine

That Council

1. revoke the Community Gardens Policy adopted on 16 November 2016 and
2. adopt the Community Gardens Policy attached as an appendix to this report.

CARRIED

9 NOTICES OF MOTION/QUESTIONS WITH NOTICE

Nil

10 CONFIDENTIAL MATTERS

Resolved OCM 103/24

Moved: Cr John Taylor

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 Finley Saleyards

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.

CARRIED



During closed Council, Council noted *item 10.1 Finley Saleyards*.

11 MOTIONS WITHOUT NOTICE/QUESTIONS WITHOUT NOTICE

Cr Ted Hatty

- Foreshore Building Update

12 COUNCILLOR REPORTS

12.1 Mayor's Report

NIL

12.2 Verbal Reports from Delegates

Cr Hatty

- Meeting President of Tocumwal Recreation Reserve

Cr Taylor

- Finley Hospital Update

Chief Executive Officer

- Summands to special enquiry into health infrastructure
- Digital connectivity Project meeting
- Finley Hospital Meeting
- Murray River Group of Councils Meeting

Motion

That the Councillor's Reports be received.

13 CONCLUSION OF MEETING

The next Ordinary Council Meeting will be held on 15 May 2024 from 9:00am in the Council Chambers, 56 Chanter Street, Berrigan.

There being no further business the Deputy Mayor, closed the meeting at 10:59am.