



BERRIGAN SHIRE

BAROOGA • BERRIGAN • FINLEY • TOCUMWAL



ORDINARY COUNCIL MEETING

Held on Wednesday 17 January, 2024

at 9:00am

Council Chambers, 56 Chanter Street, Berrigan



Minutes



Ordinary Council Meeting
Wednesday 17 January, 2024

MINUTES

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

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Present:

Councillors:

Julia Cornwell McKean, Matthew Hannan, Carly Marriott, 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), Andrew Fletcher (Director Strategic Planning & Development), Tahlia Fry (Director Corporate Services) and Keelan McDonald (Communications, Marketing and Engagement Coordinator).

1 OPENING OF MEETING

The Council opened its meeting at 9:13am.

Mayor Julia, 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 Julia 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

Cr Roger Reynoldson: Council Meeting and SPW

Cr Renee Paine: February SPW and Council Meeting

3.2 Applications for Leave of Absence

3.3 Attendance Via Audio-Visual Link

Nil

4 CONFIRMATION OF PREVIOUS MINUTES

Resolved OCM 001/24

Moved: Deputy Mayor Carly Marriott

Seconded: Cr Edward (Ted) Hatty

That the minutes of the Ordinary Council Meeting held in the Council Chambers Wednesday 6 December, 2023 be confirmed.

CARRIED

5 DISCLOSURES OF INTERESTS

6 MAYORAL MINUTE(S)

Nil

7 REPORTS OF COMMITTEES

Nil



8 REPORTS TO COUNCIL

8.1 Finley Pony Club - Request for Assistance

Resolved OCM 002/24

Moved: Cr John Taylor

Seconded: Cr Renee Paine

That Council provide a contribution of \$500 to the Northern Zone Pony Clubs Association of Victoria to assist with the Victorian State Pony Club Horse Trials to be held in Finley on 11-12 May 2024, subject to:

1. recognition of Council's support of the event on the day and via social media and
2. a report to Council detailing how the funds were spent.

AMENDMENT

Moved: Cr Matthew Hannan

Seconded: Cr John Taylor

That Council delegate to the Chief Executive Officer to support the event up to the value of \$5,000 and work closely with Finley Pony Club on how this money is distributed for infrastructure upgrades; subject to further information and Public consultation as a Section 356. A report to is to be provided at the February Council Meeting.

LAPSED

Resolved OCM 003/24

Moved: Cr John Taylor

Seconded: Cr Renee Paine

That Council provide a contribution of \$500 to the Northern Zone Pony Clubs Association of Victoria to assist with the Victorian State Pony Club Horse Trials to be held in Finley on 11-12 May 2024, subject to:

1. recognition of Council's support of the event on the day and via social media and
2. a report to Council detailing how the funds were spent.

CARREID



8.2 Finance - Accounts

Resolved OCM 004/24

Moved: Cr John Taylor

Seconded: Deputy Mayor Carly Marriott

- a) Receive the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 December 2023,
- b) Confirm the accounts paid as per Warrant No. 12/23 totaling \$3,034,022.41 and
- c) Note the report on investments attached.

CARRIED

8.3 Accounting Policy - Revocation

Resolved OCM 005/24

Moved: Cr Edward (Ted) Hatty

Seconded: Deputy Mayor Carly Marriott

That the Council revoke the Accounting Policy adopted on 18 November 2020.

CARRIED

8.4 Council Action List Report

Resolved OCM 006/24

Moved: Cr Sarah McNaught

Seconded: Cr John Taylor

That Council receive and note the Council Action List Report.

CARRIED



8.5 Power Purchase Agreement

Resolved OCM 007/24

Moved: Cr Roger Reynoldson

Seconded: Deputy Mayor Carly Marriott

That Council:

1. agrees to accept the proposal from Hunter Joint Organisation to tender for the purchase of power for Council's large sites, and
2. authorises the CEO to accept a tender from the successful supplier under her existing delegation.

CARRIED

8.6 Chargeworks - Electricity Cost Savings

Resolved OCM 008/24

Moved: Cr John Taylor

Seconded: Cr Sarah McNaught

That Council receive and note this report.

CARRIED

8.7 Correspondence Incoming and Outgoing - December 2023 to January 2024

This report was for information only.



8.8 ALGA National General Assembly - Call for Motions

Resolved OCM 009/24

Moved: Cr John Taylor

Seconded: Deputy Mayor Carly Marriott

That Council:

1. approve the Mayor, Councillor (to be determined) and the Chief Executive Officer to attend the Australian Local Government Association National General Assembly from 2 to 5 July 2024 in Canberra, including the 2024 Regional and Co-operation Development Forum and Australian Council of Local Government and
2. request the CEO to bring possible motions to the NGA back to the Council for consideration no later than the March Ordinary Council meeting.

CARRIED

8.9 Alcohol-Free Zone - renewal

Resolved OCM 010/24

Moved: Cr John Taylor

Seconded: Cr Renee Paine

That the Council:

1. adopt the proposal to establish alcohol-free zones in Barooga, Berrigan, Finley and Tocumwal attached as Appendix A,
2. invite representations and objections from
 - (a) persons and groups with the proposed alcohol-free zones
 - (b) the officer in charge of the police stations at Barooga, Berrigan, Finley and Tocumwal
 - (c) each holder of a licence in force under the [Liquor Act 2007](#) for premises that border on, or adjoin or are adjacent to the proposed alcohol-free zoneswith representations to close by 5pm, Friday 29 March 2024 and
3. consider all representations and submissions received relating to the proposal from the above invitees at its ordinary meeting to be held on 17 April 2024.

CARRIED



8.10 Finley Senior Citizens Hall - Plan of Management

Resolved OCM 011/24

Moved: Cr John Taylor

Seconded: Cr Edward (Ted) Hatty

That the Council:

1. endorse the Finley Senior Citizens Hall Plan of Management as a draft for public exhibition,
2. place the draft Plan on public exhibition on the Council website, the Council Administration Office and Finley Library until Wednesday, 21 February 2024,
3. invite submissions from the public on the draft Plan until Wednesday, 6 March 2024 and
4. consider all submissions relating to the Plan at its ordinary meeting to be held on 20 March 2024.

CARRIED

8.11 Councillors Access to Information and Interaction with Staff Policy

Resolved OCM 012/24

Moved: Cr Matthew Hannan

Seconded: Cr Renee Paine

That Council

1. revoke the Staff and Councillors Interaction Policy adopted on 16 February 2022 and
2. adopt the Councillors Access to Information and Interaction with Staff Policy attached as Appendix 1

CARRIED



8.12 Continuous Improvement Plan - monthly update

Resolved OCM 013/24

Moved: Cr John Taylor

Seconded: Cr Sarah McNaught

That Council:

1. note the monthly progress report on the Continuous Improvement Plan resulting from the Cultural Review and Compliance Audit, attached as Appendix 1, and
2. direct the Chief Executive Officer to report on the Continuous Improvement Plan quarterly rather than monthly.

CARRIED

8.13 Development Application 51.2024.DA. Multi lot subdivision at 2 Caddy Close, Barooga

Resolved OCM 014/24

Moved: Deputy Mayor Carly Marriott

Seconded: Cr Matthew Hannan

That Council resolves to refuse Development Application No. 51/2024/DA for a multi-lot subdivision at 2 Caddy Close, Barooga as the proposal does not comply with Clause 4.1 of the Berrigan Local Environmental Plan 2013 and the Chapters 7.1, 7.2, 7.4 and 7.8 of the Berrigan Development Control Plan.

CARRIED

In Favour: Cr Matthew Hannan, Cr Carly Marriott, Cr Edward (Ted) Hatty, Cr Julia Cornwell McKean, Cr Sarah McNaught, Cr Renee Paine, Cr Roger Reynoldson and Cr John Taylor

Against: Nil

CARRIED 8/0



8.14 Development Determinations for Month of December 2023

Resolved OCM 015/24

Moved: Cr Roger Reynoldson

Seconded: Cr Matthew Hannan

That Council receive and note this report.

CARRIED

8.15 CEO Mid-Year Performance Review

Resolved OCM 016/24

Moved: Cr John Taylor

Seconded: Cr Renee Paine

That Council note the CEO's responses to the mid-year performance review and undertake to provide feedback to the CEO from the CEO Remuneration Committee at the February SPW.

CARRIED

8.16 Swing Bridge Park

Resolved OCM 017/24

Moved: Deputy Mayor Carly Marriott

Seconded: Cr Edward (Ted) Hatty

That the Council award the following contracts for works at Swing Bridge Park, Barooga

- decommissioning of old playground equipment and construction of new playground to Adventure Plus for \$99,900.00 exc. GST.
- new picnic shelter and associated works to Landmark Products Pty Ltd for \$94,700.00 exc. GST.

CARRIED



8.16.1 Adventure Plus Playground

Action

Cr Carly Marriott requested that the Adventure Plus Playground be fenced and shade provided.

At 10:05am, the meeting adjourned for morning tea.

At 10:26am, the meeting reconvened.

9 NOTICES OF MOTION/QUESTIONS WITH NOTICE

Nil

10 CONFIDENTIAL MATTERS

Resolved OCM 018/24

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 Update - Country Universities Centre

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 Flood Affected Works - Tender Number T09-23-24

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.

10.3 Swing Bridge Park - Assessment

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

The Council re-opened the meeting to the public at 10:31am.

The Mayor read the resolutions of closed Council:

10.1 *Update - Country Universities Centre*

Resolved OCM 019/24

Moved: Cr John Taylor

Seconded: Cr Sarah McNaught

That Council receive and note this report.

CARRIED

10.2 *Flood Affected Works - Tender Number T09-23-24*

Resolved OCM 020/24

Moved: Cr Edward (Ted) Hatty

Seconded: Cr Roger Reynoldson

That Council:

- 1. That Council award T09-23-24 (Package 4) to Olex Civil Construction for the value of \$982,128.30 excl. GST and*
- 2. authorises its Seal to be affixed to the above contracts in the presence of two signatories authorised to affix the Seal pursuant to Regulation 400 of the Local Government (General) Regulation 2021*

CARRIED

10.3 *Swing Bridge Park - Assessment*



Resolved *OCM 021/24*

Moved: *Cr Sarah McNaught*

Seconded: *Cr Edward (Ted) Hatty*

That Council note the confidential report.

CARRIED

11 MOTIONS WITHOUT NOTICE/QUESTIONS WITHOUT NOTICE

Cr Carly Marriott

- Bus Shelter Barooga
- Shade sail at the Barooga Adventure Playground
- River levels during peak holiday periods

11.1.1 Barooga Bus Shelter

Action

Provide a report to the February SPW with any proposed plans that cover the area of the Bus Shelter in Barooga, starting with the Barooga Town Plan.

Cr Ted Hatty

- Rocks Rd Update
- Boat ramp in Tocumwal (near the Foreshore Building) signage

11.1.2 Rocks Rd

Action

Cr Edward (Ted) Hatty requests that the preliminary update is brought to the February SPW.

12 COUNCILLOR REPORTS

12.1 Mayor's Report

07.12.2023 Sacred Heart School Presentation



10.12.2023 Barooga Carols By Candlelight

11.12.2023 Barooga Recreation Reserve Meeting

11.12.2023 RAMJO Water Committee Meeting

15.01.2024 Barooga Police Meeting regarding needle disposal

15.01.2024 Minister Aitchison relating to Murray Street, Finley

16.01.2024 Sporties Womens Golf Clinic

The Hon Susan Ley MP visiting Barooga and Tocumwal on 18.01.2024 & 19.01.2024

17.01.2024 Senator Stuart

Motion

That the Mayor's Report be received.

12.2 Verbal Reports from Delegates

Motion

That the Councillor's Reports be received.

Cr Ted Hatty

- Tocumwal Carols on the Foreshore

Cr Sarah McNaught

- Finley Extravaganza

Cr Matthew Hannan

- Finley Primary School Presentation
- Finley Catholic School Presentation

Cr Renee Paine

- Berrigan Street Party

Cr John Taylor

- Finley Extravaganza



Cr Carly Marriott

- Barooga Public School Day
- Cobram Secondary College Presentation Night

13 CONCLUSION OF MEETING

The next Ordinary Council Meeting will be held on 21 February 2024 from 9:00am in the Council Chambers, 56 Chanter Street, Berrigan.

There being no further business the Mayor, closed the meeting at 10:56am.