



ORDINARY COUNCIL MEETING

Held on Wednesday 18 January, 2023

at 9:15am

Council Chambers, 56 Chanter Street, Berrigan



Minutes



Ordinary Council Meeting
Wednesday 18 January, 2023

MINUTES

The Ordinary Council Meeting of the Shire of Berrigan held in the Council Chambers, 56 Chanter Street, Berrigan, on Wednesday 18 January, 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), Jo Ruffin (Director Strategic Planning & Development), Tahlia Fry (Finance Manager), Jacq-Lyn Davis (Executive Assistant) and Keelan McDonald (Executive Assistant)

1 OPENING OF MEETING

The Council opened its meeting at 9:12am.

Cr 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

Cr 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

Nil

3.2 Applications for Leave of Absence

Nil

3.3 Attendance Via Audio-Visual Link

Nil

4 CONFIRMATION OF PREVIOUS MINUTES

Resolved OCM 001/23

Moved: Deputy Mayor Carly Marriott

Seconded: Cr Sarah McNaught

That the minutes of the Ordinary Council Meeting held in the Council Chambers Wednesday 14 December, 2022 be confirmed.

CARRIED

5 DISCLOSURES OF INTERESTS

Cr Sarah McNaught declared a significant pecuniary interest in item 10.1 Sale - 7 Flight Place, Tocumwal.

6 MAYORAL MINUTE(S)

Nil

7 REPORTS OF COMMITTEES

Nil

8 REPORTS TO COUNCIL

8.1 NSW State Election Preparation

Resolved OCM 002/23

Moved: Cr Edward (Ted) Hatty

Seconded: Deputy Mayor Carly Marriott

That Council confirm endorsement of the current Berrigan Shire Council advocacy document for use in advocacy for the March NSW State Election.

CARRIED

8.2 Regional Program for Infrastructure Recovery (Flood Grants)

Resolved OCM 003/23

Moved: Cr Roger Reynoldson

Seconded: Cr Julia Cornwell McKean

That Council:

1. endorse the Regional Flood Recovery Management Program to deliver flood repair works to major infrastructure alongside Murray River, Edward River and Federation Councils.
2. delegate authority to the CEO to determine the funding and resources to be allocated to this project.
3. direct the CEO to report quarterly to Council on the status of relevant infrastructure projects.

CARRIED

8.3 Council Annual Calendar

Resolved OCM 004/23

Moved: Deputy Mayor Carly Marriott

Seconded: Cr Edward (Ted) Hatty

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

CARRIED

8.4 Independent Report - Councillor Conduct Accountability in New South Wales

Resolved OCM 005/23

Moved: Cr Sarah McNaught

Seconded: Deputy Mayor Carly Marriott

That the Chief Executive Officer organise a submission for the Independent Report – Councillor Conduct Accountability in New South Wales on behalf of Council.

CARRIED

8.5 Finance - Accounts

Resolved OCM 006/23

Moved: Cr John Taylor

Seconded: Cr Renee Paine

- a) Receive the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 December 2022,
- b) Confirm the accounts paid as per Warrant No. 12/22 totaling \$4,299,692.78 and
- c) Note the report on investments attached

CARRIED

8.6 Administration of 2024 Council Election

This report was included in the Agenda as a Late Item however, the report was not received for this meeting.

8.7 Development Determinations for Month of December 2022

Resolved OCM 007/23

Moved: Cr John Taylor

Seconded: Deputy Mayor Carly Marriott

That Council receive and note this report.

CARRIED

8.8 Council Action List Report

Resolved OCM 008/23

Moved: Cr Julia Cornwell McKean

Seconded: Cr John Taylor

That Council receive and note the Council Action List Report.

CARRIED

8.9 Aboriginal Land Claim - Finley

This report was for information only.

8.10 Update on the progress of Berrigan Shire Rebrand

This report was for information only.

9 NOTICES OF MOTION/QUESTIONS WITH NOTICE

Nil

10 CONFIDENTIAL MATTERS

Resolved OCM 009/23

Moved: Cr John Taylor

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 Sale - 7 Flight Place, Tocumwal

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.

CARRIED

The Council closed it's meeting at 10:06am.

Cr McNaught left the meeting at this time, due to her disclosure of interest.

The Council opened it's meeting at 10:27am, Cr McNaught returned to the Council Chambers.

The Mayor read the following resolutions that were resolved in closed Council to the meeting:

Resolved OCM 010/23

Moved: Cr Renee Paine

Seconded: Cr Julia Cornwell McKean

That the Council:

- 1. Sell Lot 54 DP 1277756 (7 Flight Place, Tocumwal) via public auction*
- 2. Set a reserve price for this parcel*
- 3. Delegate authority to the Chief Executive Officer to negotiate on Council's behalf*
- 4. Delegate authority to the Mayor and Chief Executive Officer to sign and seal all documents relating to the sale*

11 MOTIONS WITHOUT NOTICE/QUESTIONS WITHOUT NOTICE

Cr Julia Cornwell McKean

- Reopening of Quicks Beach Barooga and Swing Bridge Barooga
- Lease of Tocumwal Foreshore Building

11.1 Lease of Tocumwal Foreshore Building

Resolved OCM 010/23

Moved: Cr Julia Cornwell McKean

Seconded: Cr Renee Paine

As per the Code of Meeting Practice, clause 14.8, the Mayor stated:

- (b) the Council or Committee after considering any representations made under clause 14.9, resolves that further discussion of the matter:
- (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in part of the meeting that is closed to the public.

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:

11.1 Lease of Tocumwal Foreshore Building

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 information that would, if disclosed, prejudice the commercial position of the person who supplied it.

CARRIED

The Council closed it's meeting at 10:29am.

The Council opened it's meeting at 10:43am

There were no resolutions made in this closed session.

Cr Carly Marriott

- Cross Border Commissioner – back to school vouchers

Cr Ted Hatty

- Town Beach discussions – Press Release to the community as an update on works.

Cr Matthew Hannan

- Ice skating 200+ per week
- Good Times Festival – March in Tocumwal

12 COUNCILLOR REPORTS

12.1 Mayor's Report

Resolved OCM 011/23

Moved: Deputy Mayor Carly Marriott

Seconded: Cr John Taylor

That the Mayor's Report be received.

12/12 Official Opening of Tocumwal Foreshore building

- 13/12 Finley Primary School Presentation and Finley TAFE presentation
- 15/12 signing of PGA documents
- 21/12 meeting with American Social
- 22/12 meeting with Cross Border Commissioner, Moira Shire CEO – Country Universities Centres
- 21/12 Finley Christmas Extravaganza

CARRIED

12.2 Verbal Reports from Delegates

Cr Carly Marriott

- Christmas Carols at Barooga

Cr Julia Cornwell McKean

- Barooga Botanical Gardens Christmas Party

Cr Ted Hatty

- Tocumwal School Presentations

13 CONCLUSION OF MEETING

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

There being no further business the Mayor, closed the meeting at 11:05am.