



## ORDINARY COUNCIL MEETING

Held on Wednesday 16 August, 2023

at 9:15am

Council Chambers, 56 Chanter Street, Berrigan



# Minutes



Ordinary Council Meeting  
 Wednesday 16 August, 2023

**MINUTES**

The Ordinary Council Meeting of the Shire of Berrigan held in the Council Chambers, 56 Chanter Street, Berrigan, on Wednesday 16 August, 2023 when the following business was considered:-

**ITEMS OF BUSINESS**

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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), Rohit Srivastava (Director Infrastructure), Andrew Fletcher (Director Strategic Planning & Development), Keelan McDonald (Executive Assistant) and Tahlia Fry (Director Corporate Services)

## 1 OPENING OF MEETING

The Council opened its meeting at 9:16am.

Mayor, 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.

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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 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

Karina Ewer (Chief Executive Officer) – Leave of Absence

Tahlia Fry (Director Corporate Services) – Leave of Absence

### 3.2 Applications for Leave of Absence

Cr Roger Reynoldson – September Strategic and Policy Workshop and September Ordinary Council meeting

### 3.3 Attendance Via Audio-Visual Link

Nil

## 4 CONFIRMATION OF PREVIOUS MINUTES

Resolved OCM 182/23

Moved: Cr Renee Paine

Seconded: Cr Julia Cornwell McKean

That the minutes of the Ordinary Council Meeting held in the Council Chambers Wednesday 19 July, 2023 be confirmed.

CARRIED

Resolved OCM 183/23

Moved: Cr Roger Reynoldson

Seconded: Cr Sarah McNaught

That the minutes of the Extraordinary Council Meeting held in the Council Chambers Wednesday 2 August, 2023 be confirmed.

CARRIED

5 DISCLOSURES OF INTERESTS

Nil

6 MAYORAL MINUTE(S)

Nil

7 REPORTS OF COMMITTEES

Nil

8 REPORTS TO COUNCIL

8.1 Rescinding Prior Motion Regarding Tennis Court Access

Resolved OCM 184/23

Moved: Cr Roger Reynoldson

Seconded: Cr Sarah McNaught

That Council revoke, under section 372 of Local Government Act, a motion OCM 160/23 passed at prior meeting on Tennis Court access and, apart from Barooga Tennis Courts, continue to allow free access to the courts: and

1. The CEO of delegate be directed to negotiate access arrangements and a fee structure with Barooga Tennis Club alone.

CARRIED

SUSPENSION OF STANDING ORDERS

Resolved OCM 185/23

Moved: Cr Renee Paine

Seconded: Deputy Mayor Carly Marriott

A motion was moved that Council suspend standing orders.

CARRIED

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**9 CONFIDENTIAL MATTERS****Resolved OCM 186/23**

Moved: Deputy Mayor Carly Marriott

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 Kerbside Collection Tender Report**

This matter is considered to be confidential under Section 10A(2) - (c), (d)(i) and (d)(iii) 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, commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and information that would, if disclosed, reveal a trade secret.

**10.2 Flood Affected Works - Appointment of Project Management Consultant**

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.

**CARRIED****Resolved OCM 187/23**

Moved: Cr Renee Paine

Seconded: Cr Roger Reynoldson

That Council re-open the meeting to the public at 9:25am.

**CARRIED**



During closed Council, the following recommendations were resolved.

**10.1 Kerbside Collection Tender Report**

Resolved OCM 187/23

Moved: Deputy Mayor Carly Marriott

Seconded: Cr Julia Cornwell McKean

That Council:

1. Award the Kerbside Collection Contract (RKC8) for Berrigan Shire to Tenderer 1 (JR Richards & Sons Pty Ltd), Option 2 of their tender for a value of \$12,725,218 (excl. GST) for a period of ten years; and

2. Delegate the CEO to enter into negotiations to finalise, sign and implement the Contract;

CARRIED

**10.2 Flood Affected Works - Appointment of Project Management Consultant**

Resolved OCM 188/23

Moved: Deputy Mayor Carly Marriott

Seconded: Cr Edward (Ted) Hatty

That Council:

- Award the project management of approved flood works to the preferred consultant, SHEPHERD Services Pty Ltd for a maximum value of \$810,670 (excl. GST).

CARRIED

**RESUMPTION OF STANDING ORDERS**

Resolved OCM 188/23

Moved: Cr Renee Paine

Seconded: Cr Roger Reynoldson

A motion was moved that Council resume standing orders.

CARRIED



## 8.2 Mild2Wild Rod and Custom Car Club

Resolved OCM 189/23

Moved: Cr Edward (Ted) Hatty

Seconded: Cr Renee Paine

That Council, in line with its Community Assistance Policy:

- provide a “one third loan” to Tocumwal Recreation Reserve Committee of Management (the Committee) for purchase carpet for to Mild2Wild Rod and Custom Car Club Rooms including:
  - a Council contribution of \$2,063.33, and
  - a loan to the Committee of \$2,063.33 for a period of up to five years at an interest rate of 2.55%
  - subject to the Committee contributing an amount of \$2,063.33 to the project.
- Delegate to the Chief Executive Officer authority to negotiate the term of the loan.

CARRIED

### 8.3 Berrigan War Memorial Swimming Pool Committee of Management

Resolved OCM 190/23

Moved: Cr Roger Reynoldson

Seconded: Cr Julia Cornwell McKean

That the Council:

- a) Revoke existing members of the Berrigan War Memorial Hall Swimming Pool Committee of Management.
- b) Pursuant to Section 355 of the Local Government Act, 1993, appoint the following persons to the Berrigan War Memorial Swimming Pool Committee of Management

President:	Sue Chisholm
Vice President:	Gary Lehre
Secretary:	Cristina von Brockhusen
Treasurer:	Jude Lawrence
Committee:	Barbara Fox, Helen Lehre, Alan Lawrence, Carla von Brockhusen, Chris Garth, Jiquitta Sloane

CARRIED

#### 8.4 Tocumwal War Memorial Hall Committee of Management

Resolved OCM 191/23

Moved: Cr Roger Reynoldson

Seconded: Cr Julia Cornwell McKean

That the Council:

- a) Revoke existing members of the Tocumwal War Memorial Hall Committee of Management.
- b) Pursuant to Section 355 of the *Local Government Act 1993*, appoint the following persons to the Tocumwal War Memorial Hall Committee of Management:

President:	Kevin McCumstie
Secretary:	Margaret Close
Treasurer:	Sue Braybon
Committee:	Colin Jones, Anne Jones, Betsy Bird, Peter Bird

CARRIED

## 8.5 Tocumwal Railway Museum Committee of Management

Resolved OCM 192/23

Moved: Cr Roger Reynoldson

Seconded: Cr Julia Cornwell McKean

- a) Revoke existing members of the Tocumwal Railway Museum Committee of Management
- b) Pursuant to section 355 of the *Local Government Act 1993*, appoint the following persons to the Tocumwal Railway Museum Committee of Management.

President:	Keith Kennedy
Vice President:	
Secretary:	Carol Kennedy
Treasurer:	Alida Soule
Committee:	Tony Akkermol, Brian Folliard, Kate Foliard, Clive Haynes, David Keith, Glennis Poliner, Judy Renner, Noeleen Scott

CARRIED

## 8.6 Tocumwal Swimming Pool Committee of Management

Resolved OCM 193/23

Moved: Cr Roger Reynoldson

Seconded: Cr Julia Cornwell McKean

- a) Revoke existing members of the Tocumwal Swimming Pool Committee of Management
- b) Pursuant to Section 355 of the *Local Government Act 1993*, appoint the following persons to the Tocumwal Swimming Pool Committee of Management.

President:	Geoff Edwards
Vice President:	Faith McCallum
Secretary:	Leanne Waldron
Treasurer:	Melanie Walsh
Committee:	Kerren Edwards, Sarah McVeigh, Anne Logie, Maria Merrington, Alicia Haley, Gretchen Thorburn, Carriane East, Ted Hatty

CARRIED

## 8.7 Finley Showgrounds and Sporting Complex Committee of Management

Resolved OCM 194/23

Moved: Cr Roger Reynoldson

Seconded: Cr Julia Cornwell McKean

- a) Revoke existing members of the Finley Showgrounds and Sporting Complex Committee of Management
- b) Pursuant to Section 355 of the *Local Government Act 1993*, appoint the following persons to the Finley Showgrounds and Sporting Complex Committee of Management:

President:	No Current President Nominated
Vice President:	
Secretary:	Katy Wallis
Treasurer:	Katy Wallis
Committee:	<p>APEX – Matthew Muller and Trent Royston</p> <p>SOCCER – Leanne Loughridge</p> <p>RODEO – Matthew Muller</p> <p>TRACTOR PULL – Troy Marshall</p> <p>FINLEY SHOW SOCIETY – Carol Kennedy, Lloyd Good, David Webb</p> <p>FINLEY PONY CLUB – Warrick Steel and Stacey Ware</p> <p>TENNIS – Troy Marshall</p> <p>FINLEY LIONS CLUB – Chris Horne, Steve McRae and Peter Braybon.</p> <p>GENERAL COMMITTEE – Rodger Sutton</p>

CARRIED

8.8 Tocumwal Recreation Reserve Committee of Management

Resolved OCM 195/23

Moved: Cr Roger Reynoldson

Seconded: Cr Julia Cornwell McKean

- a) Revoke existing members of the Tocumwal recreation Reserve Committee of Management.
- b) Pursuant to Section 355 of the *Local Government Act 1993*, appoint the following persons to the Tocumwal Recreation Reserve Committee of Management:

President:	Rowan Perkins
Vice President:	
Secretary:	David Baldwin
Treasurer:	Greg Watmore
Committee:	Alan Jones, Barb Cullen, Allan Thompson, Jim Cullen, Jeremy Cardillo CRICKET CLUB – Mal Hart MILD2WILD – Ross Cardillo TFNC- Dennis Sutton PONY CLUB – Kimberley Carpenter PONY CLUB – Mel Habberfield CRICKET CLUB – Deb White

CARRIED

8.9 2022-2023 Rates Collections And Outstanding Debtors - End Of Year Report To Council

Resolved OCM 196/23

Moved: Cr Roger Reynoldson

Seconded: Cr Renee Paine

That Council receive and note this report.

CARRIED



## 8.10 Finance - Accounts

Resolved OCM 197/23

Moved: Cr John Taylor

Seconded: Cr Roger Reynoldson

That the Council:

- a) Receive the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 July 2023,
- b) Confirm the accounts paid as per Warrant No. 07/23 totaling \$3,820,539.87 and
- c) Note the report on investments attached

CARRIED

*Action:* CEO to ensure future monthly finance reports include a report on Council loans – including initial drawdown, interest rate, amount outstanding and termination date.

## 8.11 Council Action List Report

Resolved OCM 198/23

Moved: Cr Julia Cornwell McKean

Seconded: Deputy Mayor Carly Marriott

That Council receive and note the Council Action List Report.

CARRIED

*Action:* CEO to ensure all action items are updated monthly and completed actions are removed.

*Action:* CEO to follow up with Habitat regarding their obligations under the contract and contact with developers.

Council adjourned for morning tea at 10:07am.

Council reconvened at 10:30am.

8.12 Development Determinations for Month of July 2023

Resolved OCM 199/23

Moved: Cr Edward (Ted) Hatty

Seconded: Deputy Mayor Carly Marriott

That Council receive and note this report.

CARRIED

8.13 Tender Report - for Contract No. T04-23-24

Resolved OCM 200/23

Moved: Cr Roger Reynoldson

Seconded: Cr Julia Cornwell McKean

1. Accepts the following compliant Submission for the 2023-24 financial year for T04/23/24 Insitu Pavement Stabilisation as set out below:

Downer EDI Pty Ltd

2. Sign the contract documents.
3. Appoint the Director of Infrastructure as the Contract Superintendent and Operations Manager - Transport as the Superintendents' Representative.

CARRIED

#### 8.14 Tender Report for Contact No. T05-23-24

Resolved OCM 201/23

Moved: Cr Julia Cornwell McKean

Seconded: Cr John Taylor

That Council,

1. Notes the following compliant submission for the 2023-2024 financial year for the T05-23-24 Cutback Bitumen as set out below:

*Downer EDI Works PTY LTD*

2. Sign the contract Documents.
3. Appoint the Director of Infrastructure as the contract Superintendent and Operations Manager – Transport as the Superintendents representative.

CARRIED

#### 8.15 T01-23-24 Annual Plant Hire Rates for 2023-24

Resolved OCM 202/23

Moved: Cr Julia Cornwell McKean

Seconded: Cr John Taylor

That Council:

1. Accept all compliant tenders for the 2023-24 financial year for T01-23-24 Annual Plant Hire Rates.
2. Sign and seal the contract documents.

CARRIED

8.16 Tender T03-23-24 Supply of Electrical Services for the 2023-24 Financial Year

Resolved OCM 203/23

Moved: Cr Julia Cornwell McKean

Seconded: Cr Sarah McNaught

That Council

1. Accepts all compliant tenders for the 2023-24 financial year for T03-23-24 supply of Electrical Services, to be on panel of approved contractors.
2. Sign and seal the contract documents

CARRIED

8.17 Tender T02-23-24 Supply of Quarry Products for the 2023-24 Financial Year

Resolved OCM 204/23

Moved: Cr Julia Cornwell McKean

Seconded: Cr Renee Paine

That Council:

1. Accepts all compliant tenders for the 2023-24 financial year for T02-23-24 supply of Quarry Products.
2. Sign and seal the contract documents.

CARRIED

## 8.18 Sign and Seal - Rates and Charges

Resolved OCM 205/23

Moved: Cr Julia Cornwell McKean

Seconded: Cr Edward (Ted) Hatty

That Council sign and seal the following documents:

- Certificate of 2022/2023 Rates and Charges levied and brought to account, as at 30 June 2023
- Certificate of 2023/2024 Rates and Charges levied, as at 11 July 2023.

CARRIED

## 8.19 Election of Mayor, Deputy Mayor and Appointment of Delegates

Resolved OCM 206/23

Moved: Deputy Mayor Carly Marriott

Seconded: Cr Edward (Ted) Hatty

That the Council convene an Extraordinary Council Meeting on Wednesday, 20 September 2023 commencing at 9:15am for the purpose of conducting elections for the positions of Mayor and Deputy Mayor and appointment of Council delegates to various Committees and organisations.

CARRIED

## 8.20 Regional Housing Strategic Planning Fund - Round 2

This report was for information only.

## 10 NOTICES OF MOTION/QUESTIONS WITH NOTICE

### **Cr Ted Hatty**

- CHIRRP Update
- Update on Foreshore Building in Tocumwal
- Tocumwal Beach Update
- Tocumwal Foreshore Building: Weeds
- Issue with Rogue Rooster

### **Cr Carly Marriott**

- Rabbits at Barooga Cemetery

### **Cr John Taylor**

- Walking track Finley

### **Cr Cornwell McKean**

- Barooga Solar Lights

### **Cr Sarah McNaught**

- Remove sign on Denilliquin Road – Soroptomists

### **Cr Renee Paine**

- Strathvale Rd – including heavy road trains

**Resolved OCM 207/23**

Moved: Cr Renee Paine  
Seconded: Deputy Mayor Carly Marriott

That Council install complaint truck route signs in Berrigan clearly delineating the approved truck route around the village of Berrigan including:

1. The intersection of Cobram Street and Cobram Road (MR363)
2. The intersection of cobram Road (MR363) and the Riverina Highway
3. The intersection of Strathvale Road and Jerilderie Street (MR564)
4. The intersection of Strathvale Road and Oaklands Road (MR356)

CARRIED

- Locks at the scout hall Finley
- Police to come out
- Review and Pedestrian Review

**Cr Carly Marriott**

Look at turning all village zones into a 40km zone – specifically main street  
Move a motion to request a change to the speed limit

**Resolved OCM 208/23**

Moved: Deputy Mayor Carly Marriott  
Seconded: Cr Julia Cornwell McKean

That the CEO present a report to the September meeting of Council on the feasibility of converting the main commercial areas in each cillage in Berrigan Shire to 40km/h zones.

CARRIED

Rohit Srivastava left Council Chambers at 11:03am and did not return.



0.0 Memorandum of Understanding - Southern Riverina Wellbeing Collaborative

Resolved OCM 209/23

Moved: Deputy Mayor Carly Marriott

Seconded: Cr John Taylor

That Council:

1. Support in principle the proposal from the Southern Riverina Wellbeing Collective (SRWC) to employ a Community Engagement Coordinator, including an annual contribution from Council of \$65,000 per year for four years.
2. Delegate to the Chief Executive Officer authority to sign a Memorandum of Understanding between Council and SRWC setting out the obligations of both parties relating to this funding
3. Require the Chief Executive Officer to identify a suitable funding option for the program in 2023-24 and report back to the Council once this is identified. This can be via the September Quarterly Budget Review.

CARRIED

Andrew Fletcher left the Council Chambers at 10:56am and did not return.

11 MOTIONS WITHOUT NOTICE/QUESTIONS WITHOUT NOTICE

Nil

12 COUNCILLOR REPORTS

12.1 Mayor's Report

Resolved OCM 210/23

Moved: Cr Edward (Ted) Hatty

Seconded: Deputy Mayor Carly Marriott

That the Mayor's Report be received.

27.07 – Regional Education Minister Zoom Meeting

01.08 – Water Sub Committee Meeting – RAMJO

02.08 – RAMJO EO & Border Medical Association

02 – 03.08 – Country Mayors Sydney

07.08 – School of Arts Meeting

10 – 11.08 – RAMJO Board Meeting

08.08 – Creditors Amaroo

CARRIED

Matthew Hansen left the Council Chambers at 11:41am.

Matthew Hansen returned to the Council Chambers at 11:43am.

## 12.2 Verbal Reports from Delegates

### Motion

That the Councillors' Reports be received.

### Cr Julia Cornwell McKean

08.08.2023

09.08.2023 – IT Auditor

10.08.2023 – Meeting with Moira Shire Council

14.08.2023 – Recreation Reserve Committee in Barooga

Discussed the toilet cleaning for 18 months

Plans for Tennis

Asset maintenance plan was discussed

Annual General Meeting for Barooga Recreation Reserve – October 9 2023

Annual General Meeting for Barooga Advancement Group – September 12 2023

### Cr Ted Hatty

Tocumwal Pool Annual General Meeting

Sealing of the bitchum road at the back of the pool

Electricity Bill – Waived

16.08.2023 – Memorial Hall Meeting

## 13 CONCLUSION OF MEETING

The next Ordinary Council Meeting will be held on 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 11:46am.