



Council Chambers,  
BERRIGAN NSW 2712

Sir/Madam,

The Ordinary Meeting of the Council of the Shire of Berrigan will be held in the **Council Chambers**, Berrigan, on **19<sup>th</sup> April, 2017** when the following business will be submitted:-

**9:00AM**

**Public Question Time**

**COUNCIL MEETING**

1.	APOLOGIES .....	3
2.	DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTEREST .....	3
3.	VISITORS ATTENDING MEETING.....	3
4.	CONFIRMATION OF MINUTES .....	3
5.1	FINANCE – ACCOUNTS .....	3
5.2	COUNCILLORS AND OFFICERS LIABILITY INSURANCE .....	8
5.3	LOCAL POLICY FOR THE RELOCATION OF PREVIOUSLY USED RESIDENCES.....	10
5.4	BERRIGAN COMMUNITY GARDEN .....	16
5.5	DEVELOPMENT APPLICATION 82/17/DA/D1 – TRANSPORTABLE DWELLING .....	17
5.6	DEVELOPMENT APPLICATION 108/17/DA/D3 - WORKSHOP / SHED .....	25
5.7	AUDIT CLIENT SERVICE PLAN.....	32
5.8	PROPOSED FEES AND CHARGES 2017/18 .....	34
5.9	NORTH SYDNEY COUNCIL CONCERN WITH LGNSW .....	36
5.10	REQUESTS FROM COMMITTEES OF MANAGEMENT FOR INCLUSION IN FOUR YEAR DELIVERY PROGRAM .....	37
5.11	SOUTH WEST ARTS.....	41
5.12	FINLEY BASKETBALL ASSOCIATION – INSURANCE REQUIREMENTS .....	42
5.13	DRAFT INTEGRATED PLANS .....	44
5.14	ACTIVE AGEING AND DISABILITY INCLUSION PLAN.....	47
5.15	OPERATIONAL PLAN QUARTERLY REPORT MARCH 2017.....	49
5.16	BANKING – EXPRESSION OF INTEREST .....	51
5.17	TOCUMWAL AERODROME - SALE OF LAND .....	55
6.1	AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL ASSEMBLY – CALL FOR MOTIONS.....	59
6.2	STRAWBERRY FIELDS .....	61
6.3	MURRAY DARLING ASSOCIATION REGION 2 .....	62
6.4	RATES & CHARGES - 2016/2017 RATES COLLECTIONS & OUTSTANDING DEBTORS BALANCES – 3 <sup>rd</sup> QUARTER .....	63
6.5	GOVERNANCE ESSENTIALS FOR LOCAL GOVERNMENT .....	66
6.6	MUNICIPAL ASSOCIATION OF VICTORIA NATIONAL SUMMIT ...	67
6.7	DEVELOPMENT DETERMINATIONS FOR MONTH OF MARCH 2017 .....	68

7.1	MINUTES OF THE CORPORATE SERVICES COMMITTEE MEETING.....	71
7.2	MINUTES OF THE TECHNICAL SERVICES COMMITTEE MEETING .....	74
7.3	MINUTES OF THE RISK MANAGEMENT COMMITTEE MEETING	75
8.	MAYOR'S REPORT .....	83
9.	DELEGATES REPORT .....	84
10.	GENERAL BUSINESS.....	85
11.	CLOSE OF MEETING	

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

ROWAN PERKINS  
GENERAL MANAGER



**Council Meeting**

**Wednesday 19<sup>th</sup> April, 2017**

**BUSINESS PAPER**

---

**1. APOLOGIES**

**2. DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTEREST**

**3. VISITORS ATTENDING MEETING**  
Presentation by Phil Delahunty, RSD Chartered Accountants

**4. CONFIRMATION OF MINUTES**  
**RECOMMENDATION** – that the Minutes of the meeting held in the Council Chambers on Wednesday 15<sup>th</sup> March, 2017 and Extraordinary meeting held in the Council Chambers on Thursday 6<sup>th</sup> April, 2017 be confirmed.

**5.1 FINANCE – ACCOUNTS**

**AUTHOR:** Finance Manager

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance by Council of Council operations and reporting

**RECOMMENDATION** – that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 March 2017, be received and that the accounts paid as per Warrant No. 03/17 totaling \$1,993,200.39 be confirmed.

---

**Items requiring Council Resolution**

---

**REPORT**

- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 31 March 2017 is certified by the Finance Manager.
- b) The Finance Manager certifies that the Cash Book of the Council was reconciled with the Bank Statements as at 31 March 2017.
- c) The Finance Manager certifies the Accounts, including the Petty Cash Book made up to 31 March 2017, totaling \$1,993,200.39 and will be submitted for confirmation of payment as per Warrant No. 03/17
- d) The Finance Manager certifies that all Investments have been placed in accordance with:
  - i. Council's Investment Policy,
  - ii. Section 625 of the Local Government Act 1993 (as amended),
  - iii. the Minister's Amended Investment Order gazetted 11 January 2011,
  - iv. clause 212 of the Local Government (General) Regulations 2005, and
  - v. Third Party Investment requirements of the Office of Local Government Circular 06-70.
- e) Cash and investments held by the Council have decreased slightly in March 2017, as compared to February 2017, however the general trend is in line with the same period last year. Overall total funds held have increased \$2.8M from the same time last year, and are expected to decrease in April in keeping with the usual pattern of cash flows.

## Items requiring Council Resolution

### Statement of Bank Balances

#### Statement of Bank Balances as at 31 March 2017

##### Bank Account Reconciliation

Cash book balance as at 1 March 2017	\$ 2,219,128.66
Receipts for March 2017	\$ 1,619,801.26
Term Deposits Credited Back	\$ 2,000,000.00
	<b><u>\$ 5,838,929.92</u></b>
Less Payments Statement No 03/17	
Cheque Payments V075739 - V075747	\$ 57,703.46
Electronic Funds Transfer (EFT) payroll	\$ 519,111.51
Electronic Funds Transfer (EFT) Creditors E025945 - E026175	\$ 1,383,714.40
Term Deposits Invested	\$ -
Loan repayments, bank charges, etc	\$ 32,671.02
Total Payments for March 2017	<u>\$ 1,993,200.39</u>
<b>Cash Book Balance as at 31 March 2017</b>	<b><u>\$ 3,845,729.53</u></b>
Bank Statements as at 31 March 2017	\$ 3,845,752.21
Plus Outstanding Deposits	
Less Outstanding Cheques/Payments	\$ 22.68
<b>Reconciliation Balance as at 31 March 2017</b>	<b><u>\$ 3,845,729.53</u></b>

##### INVESTMENT REGISTER

INSTITUTION	DEPOSIT NO.	TERM (days)	RATE	MATURITY DATE	INSTITUTION TOTAL
AMP	125/16	181	2.75%	4/09/2017	\$ 2,000,000.00
AMP	117/15	273	2.75%	22/12/2017	\$ 2,000,000.00
Goulburn Murray Credit Union	124/16	270	2.95%	13/04/2017	\$ 2,000,000.00
Bendigo Bank	122/16	365	3.00%	26/05/2017	\$ 2,000,000.00
Bendigo Bank	128/16	270	2.85%	17/09/2017	\$ 2,000,000.00
Central Murray Credit Union	104/14	122	2.80%	16/07/2017	\$ 2,000,000.00
Central Murray Credit Union	126/16	365	3.05%	30/08/2017	\$ 2,000,000.00
Central Murray Credit Union	130/17	365	3.05%	1/03/2018	\$ 1,000,000.00
Defence Bank Limited	102/14	270	2.95%	4/04/2017	\$ 2,000,000.00
Defence Bank Limited	106/14	270	2.70%	24/12/2017	\$ 1,000,000.00
Defence Bank Limited	129/17	365	2.80%	28/02/2018	\$ 1,000,000.00
ME Bank	127/16	180	2.75%	30/05/2017	\$ 2,000,000.00
T-CORP HOURGLASS AT CALL		AT CALL			\$ 2,500,000.00
					<b><u>\$ 23,500,000.00</u></b>

**Total Funds Held at 31 March 2017**

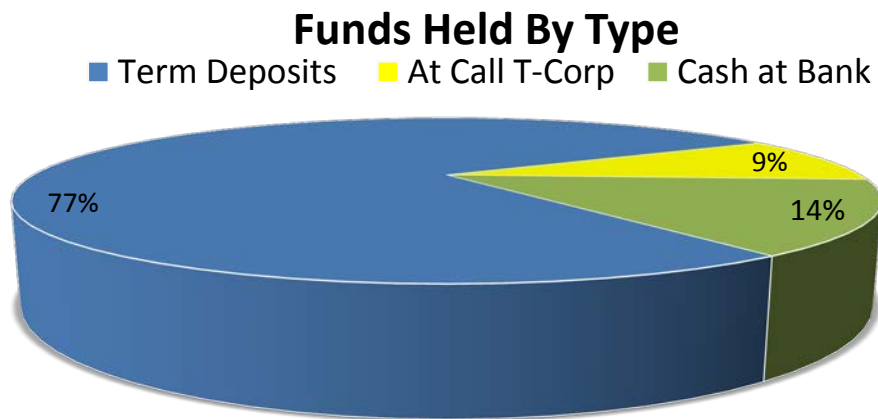
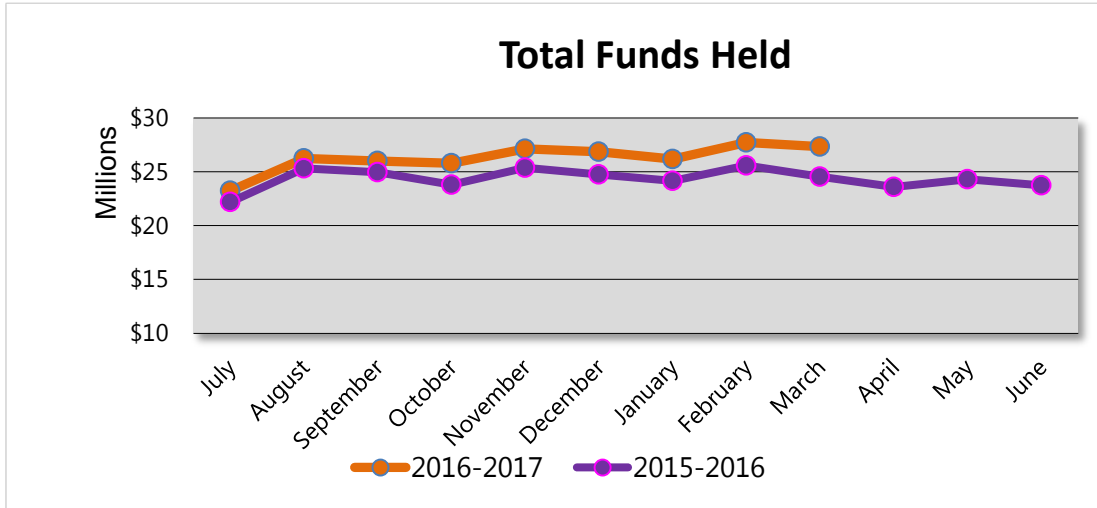
**\$27,345,729.53**

Carla von Brockhusen - Finance Manager

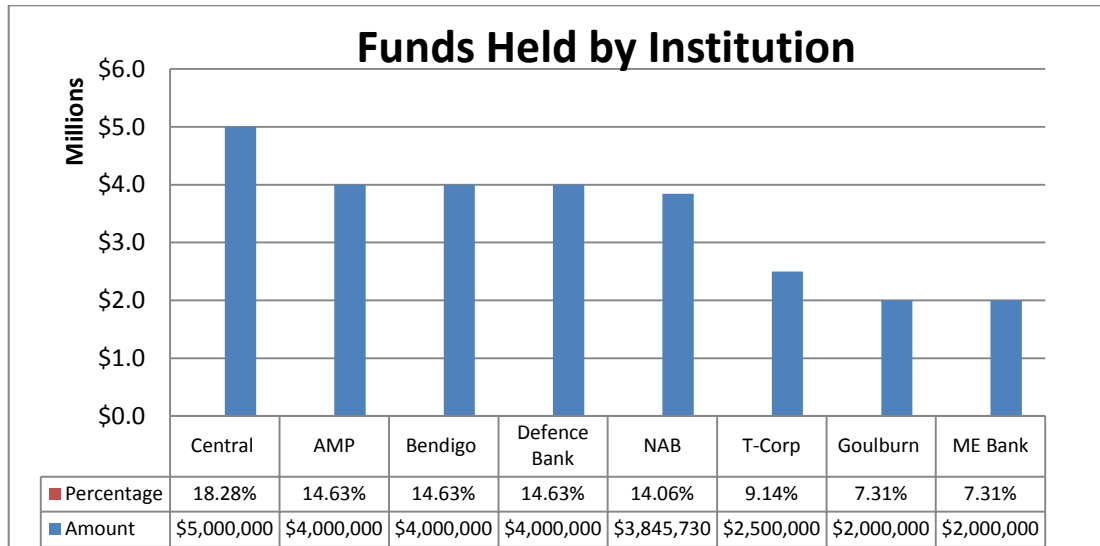
RESOLUTION

Items requiring Council Resolution

R E S O L U T I O N



Items requiring Council Resolution



Prior Financial Institution	Previous Investment			New Investment			
	Term (Days)	Amount	Interest Rate	Current Financial Institution	Term (Days)	Amount	Interest Rate
AMP	209	\$2M	2.95%	AMP	181	\$2M	2.75%
BOQ	183	\$2M	2.65%				
CMCU	90	\$2M	2.25%	CMCU	122	\$2M	2.80%
AMP	210	\$2M	2.95%	AMP	273	\$2M	2.75%
DEFENCE BANK	178	\$1M	2.70%	DEFENCE BANK	270	\$1M	2.70%

RESOLUTION

## Items requiring Council Resolution

## 5.2 COUNCILLORS AND OFFICERS LIABILITY INSURANCE

**AUTHOR:** Enterprise Risk Manager

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance by Council of Council operations and reporting

**FILE NO:** 27.034.1

**RECOMMENDATION:** - that the Councillors individually answer the following questions:

1. Has there been or is there now pending against any Councillor or officer of the council or its Subsidiary Companies or against any outside director a Claim against them in their capacity as such?  
Yes No  
If 'Yes', provide full details:
2. Is any Councillor or officer after enquiry, aware of any circumstances which might give rise to a Claim, including but not limited to any act, error, omission, misrepresentation, breach of duty or misconduct?  
Yes No  
If 'Yes', provide full details:
3. Is any Councillor or officer after enquiry, aware of any circumstances which might give rise to a prosecution proceeding, under any Work Health & Safety Act, any Environmental Protection Legislation, or any other similar Act or Legislation?  
Yes No  
If 'Yes', provide full details:
4. Is any Councillor or officer after enquiry, aware of any facts or circumstances which might affect the ability of the Council or its Subsidiary Companies to meet its debts as and when they fall due?  
Yes No  
If 'Yes', provide full details:



Items requiring Council Resolution

---

---

**REPORT:**

The Council's *Councillors and Officers Liability Policy* will expire on 30 June 2017.

The administrators of Statewide Mutual, Jardine Lloyd Thompson, has asked Council to answer several questions that will help them in negotiating terms with insurers for the renewal of this Policy.

The questions asked in the recommendation specifically require answers from individual Councillors and are selected from a larger group of questions which require detailed answers from the Council.

R  
E  
S  
O  
L  
U  
T  
I  
O  
N

Items requiring Council Resolution

---

### 5.3 LOCAL POLICY FOR THE RELOCATION OF PREVIOUSLY USED RESIDENCES

**AUTHOR:** Development Manager

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 1.1 Support sustainable use of our natural resources and built landscapes

**FILE NO:**

**RECOMMENDATION:** - that the Council:

- Revoke its Policy for the Relocation of Previously Used Residences; and
- Adopt the Policy for the Relocation of Previously Used Residences set out below.

#### 36 LOCAL POLICY FOR THE RELOCATION OF PREVIOUSLY USED RESIDENCES

**File Reference No:**

**Strategic Outcome:** Good government

**Date of Adoption:** 19/04/2017

**Date for Review:** 19/04/2021

**Responsible Officer:** Development Manager

#### 1. POLICY STATEMENT

This policy is to ensure the following:

- A consistent style of dwelling within an area.
- Some certainty to owners of existing properties that there is a minimum acceptable standard of dwelling development within an established streetscape.
- To prevent low cost; poor quality and inappropriate development.
- That genuine developers have the opportunity to undertake alternative residential construction in appropriate locations by re-using existing resources.
- That such projects are completed in an appropriate period of time with minimal impact on adjoining residents.

## Items requiring Council Resolution

---

- To minimize potential exposure to previously used building products now banned from sale or use in residential construction (such as asbestos cement or lead paint) in the interests of environmental health.
- The protection of public interest.

### 2. PURPOSE

The purpose of this policy is to ensure that previously used residences should only be relocated to areas where upon completion they will be compatible with surrounding structures and be of a satisfactory quality, design, size and appearance which will positively contribute to the built environment of the proposed locality.

### 3. SCOPE

This policy applies to the RU5 - Village Zones of Barooga, Berrigan, Finley and Tocumwal; and to the R5 Large Lot Residential Zones throughout the Shire of Berrigan, under the provisions of Berrigan Local Environmental Plan 2013.

### 4. OBJECTIVE

This policy is developed to assist the Council with Delivery Plan Objective 1.1.1.3

*In accordance with relevant legislation, codes and policies – process and approve / refuse development applications.*

### 5. DEFINITIONS

**Previously used residence** – These are dwellings which have at some time been occupied. They may have been constructed as transportable buildings or conventionally constructed on a site with piers and platform floor.

**Relocation** - The physical moving of a residence from one site to another for the purposes of being used as a dwelling house.

### 6. POLICY IMPLEMENTATION

#### 6.1 Application

Previously used residences must be compatible with the existing surroundings upon completion.

**Items requiring Council Resolution**

---

**R  
E  
S  
O  
L  
U  
T  
I  
O  
N**

All residences must make a positive contribution to the built environment.

Previously used residences will generally only be considered appropriate as infill development in older established areas, not in newly established subdivisions or housing estates.

Where the proposed (previously used) residence is located on a site outside the Shire, the applicant must provide the Council with clear and current photographs of the structure and a written report from a suitably qualified and experienced building professional to state that the building is structurally sound and suitable for transportation by a competent person.

Any building which was constructed elsewhere more than five years previously will be carefully scrutinized by the Council and applicants will need to provide a compelling submission to support the proposal to relocate. Such buildings may not satisfy the present construction standards required by the Building Code of Australia (for water proofing; glazing; framing, etc); but must satisfy the performance requirements of the Code.

Any building constructed before 1987 may potentially contain asbestos building products. Work Health & Safety Regulations now prohibit the use of asbestos and lead based paint in residential construction work. The relocation of a previously used residence is considered to be construction work and may therefore require the safe treatment or removal of such products.

Developers will need to satisfy the Council that the project will be completed within an acceptable period of time. This will vary depending upon the age, style and location of the building and may involve the payment of a ten thousand dollar (\$10,000) refundable cash bond or provision of a bank guarantee prior to commencement of any work. In any event, the Council will require the structure to have the external appearance of a new dwelling within three months of its relocation to any site.

## **6.2 Concessions**

It is expected that all development should positively contribute to the public domain. Buildings should be attractive when viewed from public places.

In developing policies, the Council hopes to provide guidance to potential developers and the general community as well as to development assessment staff.

## Items requiring Council Resolution

---

The Council may choose to vary this plan at any time without further community consultation upon assessment of an individual development application. All proposals will be given a merit based assessment by authorised staff and proposals which fail to satisfy the requirements of this policy will be referred to the Council for final determination.

Applicants must satisfy the Council that there will be a positive community benefit gained from varying this plan.

Examples of this may include:

- Dwellings which were constructed more than five years previously, that are to be relocated and modified by substantial additions or by cosmetic modernization such as brick veneering, replacement of windows, re-pitching and replacement of roofing.
- A concession for relocation of a manufactured home from an approved caravan park or manufactured home estate onto a single residential allotment as a separate dwelling, granny flat, or accommodation for an additional member of the family
- A concession may also be granted by the Council on the grounds of genuine financial hardship, where alternative accommodation is unattainable and the proposal will be an improvement to existing circumstances. This may be seen to be in the public interest where it will result in an improvement to the neighbourhood.

### 6.3 Community Consultation

The relocation of previously used dwellings into residential areas of the Village zone can often be quite a sensitive matter to the existing residents. It is important for the Council to ensure that an informed assessment of the merits of each proposal is made in the public interest. In order to achieve this, every application for relocation of a used residence, which was constructed more than five years previously and is proposed within the Village zone, will be publicly advertised and adjoining landowners invited to make comment.

### 6.4 Council Requirements for submitting an Application

All development proposals for relocation of previously used residences are required to obtain development consent from the Council in accordance with the provisions of the *NSW Environmental Planning & Assessment Act 1979*.

### Items requiring Council Resolution

---

If development consent is granted to the applicant, it will then be necessary to obtain a construction certificate and to appoint a Principle Certifying Authority, prior to the commencement of any work.

Failure to do so is an offence under the Act, for which substantial penalties apply.

#### 6.5 Additional Requirements

Additional information to be submitted with application:

- Plans
- Photographs
- Professional building condition report
- Approximate age or year of original construction (where a building is less than 5 years old a copy of the previous construction approval documents or occupation certificate must be provided).
- Detailed specification of materials used in construction (including linings and cladding materials)
- Details of any proposed modifications
- Expected time table for completion of specified work
- Written submission in support of the proposal
- Council requirements for submitting a development application are specified on the back of the development application form.

## 7 RELATED LEGISLATION, POLICIES AND STRATEGIES

### 7.1 Legislation

- *Local Government Act 1993*
- *Environmental Planning & Assessment Act 1979*
- *Berrigan Shire Council Local Environmental Plan 2013*
- *Work Health and Safety Act 2011*

### 7.2 Council policies

- Berrigan Shire 2023 (Community Strategic Plan)
- Berrigan Shire Council Development Control Plan 2014

Items requiring Council Resolution

---

---

**REPORT:**

The Council's policy for the Relocation of Previously Used Residences is due for review.

An internal staff review found that the policy meets Council needs and functions as a valuable tool in the consideration of applications for development of this nature.

It is recommended that this policy be retained to assist and provide guidance for staff and developers in the consideration of the relocation of previously used residences.

**R  
E  
S  
O  
L  
U  
T  
I  
O  
N**

### Items requiring Council Resolution

---

#### 5.4 BERRIGAN COMMUNITY GARDEN

**AUTHOR:** General Manager

**STRATEGIC OUTCOME:** Sustainable natural and built landscapes

**STRATEGIC OBJECTIVE:** 1.1 Support sustainable use of our natural resources and built landscapes

**FILE NO:** 11.128.1

**RECOMMENDATION:** - that the Council agree to allow the Berrigan Conservation Group and Tidy Towns Committee of Management to use an apportion of Barooga Street, Berrigan, between Momalong Street and Horsfall Street, for the purposes of a community garden subject to satisfaction and any conditions of the General Manager, at the Council's pleasure.

---

**REPORT:**

The Berrigan Conservation Group and Tidy Towns Committee of Management has written to the Council requesting the use of an undefined area of land in the unused section of Barooga Street, Berrigan between Momalong and Horsfall Streets. The requested area is to the east of the Berrigan War Memorial Swimming Pool and the Berrigan Caravan Park.

The Committee of Management wishes to establish a community garden in the area and is requesting this location after unsuccessfully trying to secure other sites.

The proposal is to establish the gardens in raised garden bed structures.

The proposal is a good community proposal however as it is new one for both the Committee and the Council there are obviously some unknowns that will surface throughout the establishment and operation of the proposed gardens.

There is no objection to the use of the land from a practical perspective and if the Committee and the Council work effectively together these can no doubt be resolved.

Given the nature of the project it is considered appropriate to provide the General Manager with the capacity to apply any conditions that may be required.

No specific period of use has been requested so this could therefore be at the Council's pleasure.



## Items requiring Council Resolution

**5.5 DEVELOPMENT APPLICATION 82/17/DA/D1 –  
TRANSPORTABLE DWELLING****AUTHOR: TOWN PLANNER****STRATEGIC OUTCOME: Sustainable natural and built landscapes****STRATEGIC OBJECTIVE: 1.1 Support sustainable use of our natural  
resources and built landscapes****FILE NO: 82/17/DA/D1****RECOMMENDATION: that the Development Application 82/17/DA/D1 for  
the installation of a Transportable Dwelling be approved subject to the  
following conditions:****1. Approved Plans**

The development shall be implemented in accordance with the details set out on the plans Craig Corfield Building Designs Job No CC 1324 (Sheets 1-5), BSC-001, the application form and on any supporting information received with the application except as amended by the conditions specified hereunder.

**2. Critical Stage Inspections**

The Principal Certifying Authority for building or subdivision work carried out on a site is required to be satisfied that the work has been inspected on such occasions as are prescribed by the regulations or other occasions required by the principal certifying authority, before the issue of a Certificate of Occupancy or Subdivision Certificate for the building or work. (Section 109E EP&A Act 1979).

**3. Occupation**

The structure must not be occupied or used until the Principal Certifying Authority has received and determined the application for an “Occupation Certificate”.

A Final Occupation Certificate must not be issued unless all required certificates have been received and the building is suitable for occupation or use in accordance with its classification under the Building Code of Australia.

(Section 109C(1)(c) and 109H EP&A Act 1979)

**4. Permitted hours for building work**

All building work shall be carried out only between the hours of 7.00am and 6.00pm Monday to Friday inclusive, 8.00am and 5.00pm Saturdays. No work shall be carried out on Sundays and public holidays.

**R  
E  
S  
O  
L  
U  
T  
I  
O  
N**

Items requiring Council Resolution

---

**5. Compliance with Building Code of Australia**

All building work must be carried out in accordance with the provisions of the Building Code of Australia

**6. Excavations and backfilling**

- a. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
- b. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

**7. Signs to be erected on building & demolition site**

- a. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
  - (i) stating that unauthorised entry to the work site is prohibited, and
  - (ii) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- b. Any such sign is to be removed when the work has been completed. (Clause 78H of Regulation).

**8. Toilet facilities**

- a. A Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
- b. Each toilet provided:
  - (i) must be a standard flushing toilet, and
  - (ii) must be connected:
    - to a public sewer, or
    - if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or
    - if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.
- c. The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.

**9. Waste**

A garbage receptacle for the reception of all waste materials from the site shall be provided prior to building work commencing and shall be maintained and serviced for the duration of the work.

**Items requiring Council Resolution**

---

**10. Smoke Alarms**

The Environmental Planning and Assessment Amendment (Smoke Alarms) Regulation 2006 requires that all existing buildings used for sleeping must be fitted with smoke alarms that comply with Australian Standard (AS) 3786-1993. Prior to the issuing of a Final Occupation Certificate for the works specified in this consent, the Principle Certifying Authority must be satisfied that the smoke alarm/s are installed and operate correctly.

**11. Protection of public places**

- a. If the work involved in the erection or demolition of a building:
  - (i) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
  - (ii) building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.
- b. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- c. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- d. Any such hoarding, fence or awning is to be removed when the work has been completed.

**12. Erosion & Sediment Control**

Prior to the commencement of any site works appropriate erosion and sediment control measures are to be implemented to prevent any sediment from leaving the site, these measures are to be maintained during the construction phase and can only be removed once appropriate stabilisation has been completed.

**13. Stormwater**

Stormwater from the dwelling must be directed to an appropriate on-site system to allow storage and to ensure that runoff does not cause damage to occur to neighbouring properties.

**14. Screening**

Additional landscaping of the site must be undertaken and implemented prior to the issue of an Occupation Certificate so as to enhance the appearance of the development.

**Division:**

**In Favour:**

**Against:**

---

**REPORT:**

**Background**

On 5 January 2017, an application was lodged to the Berrigan Shire for a Transportable Dwelling, to be located at 3 Bushlands Rad, Tocumwal. In accordance with Council's *Local Policy for the Relocation of Previously Used*

**R  
E  
S  
O  
L  
U  
T  
I  
O  
N**

### Items requiring Council Resolution

---

*Residences*, Council notified all neighbouring properties about the proposed development and invited submissions. Given that submissions were received, Council staff assessed the application and provided a report to Council recommending approval. A copy of the report presented to the February Council Meeting is found in appendix "A".

At the February Council meeting on 15 February 2017, Council resolved to defer the decision of Development Application 82/17/DA/D1 until the March Council meeting subject to a site visit by Councillors to consider the impacts of the development.

Following the February meeting, Council staff received an amended site plan and advice from the applicant that there was a change of location for the Transportable Dwelling on 5 March 2017. After clarification, the applicant also advised that the Dwelling will be located there until completion of a more permanent house in approximately 5 years. This correspondence can be found in appendix "B".

A site visit, in conjunction with the Mayor, was arranged on 9 March 2017 at 2pm. A number of Councillors and Council staff met with the applicant on site and discussed issues pertaining to the application.

On 15 March 2017, Council at the March Meeting resolved that following the receipt of further information and an amended site plan from the applicant and subsequent site visit by Councillors, the application be deferred pending additional neighbour notification and assessment, especially as the previous neighbour notification referred to the location of the dwelling in the south-east corner of the block, and contained no mention of an expiry period or erection of a permanent dwelling in the original location.

#### **Assessment based on amended site plan**

There are a number of potential impacts related to a proposal of this type which must be addressed if development approval is to be granted.

- **Relevant State Environmental Planning Policy provisions**

There are no State Environmental Planning Policies which need to be taken into account in the assessment of this application.

- **Relevant Berrigan Local Environmental Plan 2013 provisions**

#### Compatibility

One of the main objectives of the RU5 – Village Zone is to enhance and maintain the unique village character of Berrigan, Barooga, Finley and Tocumwal. The site is a large residential block, and has only been improved by the construction of a residential storage shed which was approved in late 2004. After conducting a site visit on 9 March 2017, the amended location of the dwelling will assist compatibility as the dwelling is now located approximately

## Items requiring Council Resolution

---

30 metres from the nearest neighbouring dwelling. Whilst the immediate land uses are predominately Residential Houses and associated outbuildings, the installation of a transportable dwelling on the largely vacant site is overall compatible with the surrounding residential houses.

- **Relevant Development Control Plan(s) provisions**

Chapter 2 of the Berrigan Development Control 2014 relates to Residential development, which this development is classified. The proposal is mostly consistent with the objectives of the Council, especially in that it 'provides for a variety of residential development that caters for the housing needs of local residents'.

### Neighbourhood Character

One of the objectives of the DCP within Chapter 2.1 is maintain the character of existing average and lower density residential neighbourhoods. The development is within the stipulated controls as it meets the scale, density, setbacks and character of the neighbourhood. Additionally, the dwelling is less than 5 years old and to Council's knowledge has not been previously used. Photographs supplied with the application indicate that the dwelling will not adversely impact the existing character. Overall, the location is therefore suitable for a development of this nature.

### 2.5 Building Setbacks

The development is consistent with the Building Code of Australia given the side, rear and front setbacks. Furthermore, the development meets the objectives of the *Berrigan Development Control Plan 2014* chapter 2.5 concerning setbacks given that it will maintains the existing residential character of low density.

### **2<sup>nd</sup> Series of Neighbour Notification**

Given that the change in location of the Transportable Dwelling to impact on the existing character, notification was given to the residents of the neighbouring properties on 16 March 2017 to make them aware that the development may affect their property. Following the notification period which was open until 31 March, 2017 (2 Weeks). Council received two formal submissions relating to the development. The first submission unequivocally objected to the development on many issues, with the second submission objecting on a single issue.

### **Summary of Submissions**

Within the first formal submission correspondence to Council, the objection from the resident comprised of seven major points. These are detailed below:

1. Inconsistent with Berrigan Development Control Plan 2014 – particular with the purpose to create well-designed residential environments and objectives of the DCP;

### Items requiring Council Resolution

---

2. Incompatibility with Existing Neighbourhood – the resident expressed that the existing residential neighbourhood of 12 predominantly brick veneer residential dwellings within 150m each with an estimated floor area of 247 square metres is vastly different to the proposed transportable dwelling. Additionally, 10 of the 12 dwellings within 150m are solid brick or brick veneer.
3. Unsympathetic to Neighbourhood Character – the resident had concerns about the neighbourhood’s existing distinct character of permanently occupied homes being diminished by a small dwelling on a large allotment. They are also very concerned about the use of the dwelling as a weekender/holiday home;
4. Original Plan Diagram not to Scale – The plan diagram grossly overstates and misrepresents the footprint of the ‘modular unit’ hand drawn on the plan;
5. Dwelling Fails to Meet Minimum Standards of LAHC & NSW SEPP 65 – the resident stated that “It seems nonsensical to approve a residential ‘dwelling’ on land measuring 2814 square metres, when the same size dwelling unit would meet neither LHAC design standards for a 2-bed housing unit nor NSW SEPP 65 minimum requirements for a 2-bed apartment”;
6. No Credible Precedent – the resident’s review of Berrigan Shire Council Minutes over the past 12 months revealed that:
  - the overwhelming majority of more than 100 residential approvals were for brick veneer dwellings + garage; and
  - less than 1% of approvals comprised relocatable/moveable/manufactured dwellings in established residential neighbourhoods;
7. Location – The proposed ATCO-hut style ‘dwelling’ is more appropriate for a small block in a manufactured home estate or caravan park.

The second formal submission objected on the grounds that “a vinyl clad dwelling will not suit the environment which within we live in this part of Tocumwal”.

#### Response to Submissions

1. Inconsistent with Berrigan Development Control Plan 2014 – As discussed before, this application is not inconsistent with the DCP given that it is part of Council providing for a variety of residential development that cater for the housing needs of local residents;
2. Incompatibility with Existing Neighbourhood – There are other neighbouring dwelling houses that are similar in nature to this proposed development. These include the corrugated iron dwelling to the west and an older established dwelling to the north;

### Items requiring Council Resolution

---

3. Unsympathetic to Neighbourhood Character – This development will not be unsympathetic to existing character given the large size of the block, the 90m setback from the street and the existing mature vegetation which will act as a screen;
4. Plan Diagram not to Scale – As refer to above, the original submitted plan was not to scale. Based on the information provided by the applicant, Council staff assisted with the production of an Amended Site Plan Part 1 as show in appendix “B”. Amended Site Plan Part 1 was enclosed along with Amended Site Plan Part 2 within correspondence mailed out to neighbouring residents after it was discovered that the application wished to change the location of the dwelling. The Amended plans submitted gives enough information for a Council Officer to determine the footprint of the building;
5. Dwelling Failing to Meet Minimum Standards of LAHC & NSW SEPP 65 – The Standards of LAHC and NSW SEPP 65 do not apply to this development;
6. No Credible Precedent – There have been Transportable Dwelling approved in all townships of the Berrigan Shire, especially as infill development. This argument is also negated by the fact that this development is not inconsistent with the Berrigan DCP (as discussed above) and is suitable as this location, as discussed below;
7. Location – The *Berrigan DCP* allows for a variety of residential development that caters for the housing needs of local residents. In addition, there are other Transportable Dwellings that have been approved as part of infill development in accordance with the DCP. Therefore, as the lot is not located in a new subdivision, the location is suitable for a Transportable Dwelling.
8. Unsuitable to environment - The concern is addressed above in the response to Incompatibility with Existing Neighbourhood & Unsympathetic to Neighbourhood Character. Additionally, a Condition of Consent has been recommended for the Applicant to undertake additional landscaping of the site to mitigate the impact to visual amenity. Amended Site Plan Part 2 also indicates that nature shrubs will be positioned for neighbours’ convenience.

#### Conclusion / Legislation

In assessing this development application, the relevant parts of Section 79C of the *Environmental Planning and Assessment Act 1979* have been taken into account. It is clear that this development, given its design and given that quality materials being used on the exterior, is within the public interest.

R  
E  
S  
O  
L  
U  
T  
I  
O  
N

**Items requiring Council Resolution**

---

**Recommendation**

Whilst there were some submissions against the development there are no prohibitive constraints posed by adjacent developments. Although there may be a small impact on the existing character, if the development is implemented in accordance with the conditions of consent it will not represent an unreasonable planning outcome. Overall it is considered that this proposal can be supported.

**R  
E  
S  
O  
L  
U  
T  
I  
O  
N**



## Items requiring Council Resolution

**5.6 DEVELOPMENT APPLICATION 108/17/DA/D3 -  
WORKSHOP / SHED****AUTHOR: TOWN PLANNER****STRATEGIC OUTCOME: Sustainable natural and built landscapes****STRATEGIC OBJECTIVE: 1.1 Support sustainable use of our natural  
resources and built landscapes****FILE NO: 108/17/DA/D3****RECOMMENDATION: that the Development Application 108/17/DA/D3 for  
a Workshop / Shed be approved subject to the following conditions:****1. Approved Plans**

The development shall be implemented in accordance with the details set out on the plans Vanderhoek Engineering (Drawing Nos 0150-0152), the application form and on any supporting information received with the application except as amended by the conditions specified hereunder.

**2. Appointment of PCA and Notice of Commencement**

No work is to commence until the person granted development consent has:

- a) obtained a Construction Certificate for each structure
- b) appointed a PRINCIPAL CERTIFYING AUTHORITY
- c) has notified the Council of the appointment
- d) has given the Council at least 2 days' notice of the intention to commence erection of the building.

(Section 81A EP&A Act 1979)

**3. Critical Stage Inspections**

The Principal Certifying Authority for building or subdivision work carried out on a site is required to be satisfied that the work has been inspected on such occasions as are prescribed by the regulations or other occasions required by the principal certifying authority, before the issue of a Certificate of Occupancy or Subdivision Certificate for the building or work. (Section 109E EP&A Act 1979).

**4. Occupation**

The structure must not be occupied or used until the Principal Certifying Authority has received and determined the application for an "Occupation Certificate".

A Final Occupation Certificate must not be issued unless all required certificates have been received and the building is suitable for occupation or use in accordance with its classification under the Building Code of Australia.

(Section 109C(1)(c) and 109H EP&A Act 1979)

**R  
E  
S  
O  
L  
U  
T  
I  
O  
N**

## Items requiring Council Resolution

- 
5. **Permitted hours for building work**  
All building work shall be carried out only between the hours of 7.00am and 6.00pm Monday to Friday inclusive, 8.00am and 5.00pm Saturdays. No work shall be carried out on Sundays and public holidays.
6. **Compliance with Building Code of Australia**  
All building work must be carried out in accordance with the provisions of the Building Code of Australia
7. **Stormwater**  
Roofwater from the building must be piped underground to the Deniliquin Road kerb in accordance with the Building Code of Australia and Relevant Australian Standards.
8. **Excavations and backfilling**  
(a) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.  
(b) All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
9. **Signs to be erected on building & demolition site**  
(a). A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:  
(i) stating that unauthorised entry to the work site is prohibited, and  
(ii) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.  
(b). Any such sign is to be removed when the work has been completed. (Clause 78H of Regulation).
10. **Protection of public places**  
(a). If the work involved in the erection or demolition of a building:  
(i) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or  
(ii) building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.  
(b). If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.  
(c). The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.  
(d). Any such hoarding, fence or awning is to be removed when the work has been completed.

**Items requiring Council Resolution**

---

**11. Fencing of Rear Property Boundary**

Prior to the issue of an Occupation Certificate a solid fence must be erected along the rear property boundary to ensure that articles are contained within the property and to assist with noise mitigation on adjacent properties.

**12. Closing of access doors during operation**

The rear door to the Workshop / Shed is to remain closed during business operations to ensure that noise generated from the engineering works does not impact on neighbouring residents.

**Division:**

**In Favour:**

**Against:**

---

**REPORT:****Site**

The subject site is located at 76-78 Deniliquin Road, Tocumwal which is also identified as Lot 2 on Deposited Plan 702165. The site is currently used by Vanderhoek Engineering for various metal works including welding, repairs and modifications. The site has been improved by the construction of a large industrial shed which is 231.5m<sup>2</sup> in size, and transportable office which was relocated to the site after being approved by Council in March 2009. The subject property is located approximately 700m north-west of the central business district of Tocumwal, and is situated immediately west of the Newell Highway. The lot is nestled between other light industrial uses, commercial uses and a few residential dwellings. The site is located within Zone RU5 – Village Zone under the provisions of the *Berrigan Local Environmental Plan 2013* (BLEP 2013). Below is an aerial photo showing the site and neighbouring properties.

**R  
E  
S  
O  
L  
U  
T  
I  
O  
N**

## Items requiring Council Resolution



Figure 1 – Aerial Photo showing subject site and neighbouring properties

### Proposal

It is proposed to extend the existing industrial shed by adding on another shed of identical size. This development will effectively double the size of the existing shed. Under the *Berrigan LEP 2013*, the development is permitted upon obtaining development consent. The site plan, the floor plan, sections & elevations of the extension can be found in appendix “C”.

### Assessment

There are a number of potential impacts related to a proposal of this type which must be addressed if development approval is to be granted.

- **Relevant State Environmental Planning Policy provisions**

The site is located within close proximity to the Murray River as per deemed SEPP *Murray Regional Environmental Plan No 2 - Riverine Land*, but will not impact the riverine environment.

- **Relevant Berrigan Local Environmental Plan 2013 provisions**

#### Objectives of the Zone

One of the main objectives of the RU5 – Village Zone is to ensure there are opportunities for economic development, whilst also enhancing and maintaining the unique village character of Berrigan, Barooga, Finley and Tocumwal. As this development will assist the existing business which

## Items requiring Council Resolution

---

currently operates at the site, it will not impact on the unique character and will also assist in economic development.

- **Relevant Development Control Plan(s) provisions**

Chapter 3 of the *Berrigan Development Control 2014* relates to Industrial development, which this development is classified. The proposal is mostly consistent with the objectives of the Council, especially in that it will 'direct different types of industrial development to locations best suited for the activity'. Although not located in a designated Industrial Zone, the business has operated at the current location for a number of years.

### Building Setbacks

The development is consistent with the Building Code of Australia given the side, rear and front setbacks. Furthermore, the development meets the objectives of the *Berrigan Development Control Plan 2014* chapter 3.3 concerning setbacks given that sufficient land is available for landscaping, vehicle parking and vehicle circulation.

### Amenity

One of the objectives of the DCP within Chapter 3.6 is to minimise amenity impacts on residential and future residential areas. Vanderhoek Engineering has been operating at the site for a number of years, and has coexisted with other residential land uses for many years. Whilst the development is likely to increase the dust and noise which is generated from the site, two conditions of consent have been recommended to ensure that the impact is mitigated. A stormwater condition has also been added to ensure that stormwater is appropriately managed. Overall, the location is therefore suitable for a development of this nature.

### **Neighbour Notification**

Given that the location of the shed, and the possibility of impact on the existing character, notification was given to the residents of the neighbouring properties on 21 March 2017 to make them aware that the development may affect their property. The notification period was open for 7 working days. Council received one formal submission and one informal relating to the development. The first submission unequivocally objected to the development on many issues, with the second informal submission advising that they do not wish to object to the development.

### **Summary of Formal Submission**

Within the formal submission to Council, the objection from the resident comprised of seven major points. These are detailed below:

1. Size of the Shed – The neighbour believed that the size of the shed is intimidating for the children who constantly play in their backyard.

### Items requiring Council Resolution

---

2. Overshadowing – The overshadowing will negatively affect the plant life, grass and outdoor lifestyle.
3. Increase in Stormwater Runoff – The channel guttering will increase the amount of stormwater that is going to runoff and effect neighbouring properties.
4. Noise – The noise of grinders and trucks will increase coming from the site, which extends past regular business hours. Noise at the premises currently commences from 6:30am and can be heard even after 6pm.
5. Laneway used for Waste Collection – There is currently inappropriate storage of waste in the back lane which separates the site from neighbouring properties.
6. Odours – the addition of a workshop will increase the amount of diesel fumes, given the increase of traffic to and from the site.

#### Response to Submission

1. Size of the Shed – The shed will not be taller or wider than the existing shed which has been constructed on site.
2. Overshadowing – Based on a sun angle calculation (being the lowest angle of 34 degrees) during winter months, there will be **no overshadowing** cast on the closest neighbouring residential properties.
3. Increase in Stormwater Runoff – As a result of the increase in size from the proposed development, there will be a noticeable increase in stormwater runoff. This will be mitigated through a condition of consent stating that Roofwater from the Shed and its extension must be piped underground to the Deniliquin Road kerb in accordance with the Building Code of Australia and Relevant Australian Standards.
4. Noise – As proposed extension is located closer to residential dwellings, it is likely to increase the possibility of noise being heard by neighbour residents. However, this will be mitigated by a condition of consent ensuring the rear doors be closed during business operations.
5. Laneway used for Waste Collection – Upon undertaking a site visit on 29 March 2017, it is obvious that the back laneway is used from time to time as a storage of waste. Accordingly, prior to the commence of works, the applicant will be required to install a fence on the property boundary to ensure that the laneway is kept free and is not used for storage. This will be enforced by a condition of consent.
6. Odours – Whilst the development is likely to lead to increased traffic movements, the increased amount of odours from the site is unlikely to reach the amount of odours which exist from the Newell Highway, which is in close proximity. The condition on consent relating to the closure of rear access door which also assist in mitigating some of the odours which are generated.

**Items requiring Council Resolution**

---

**Conclusion / Legislation**

In assessing this development application, the relevant parts of Section 79C of the *Environmental Planning and Assessment Act 1979* have been taken into account. It is clear that this development, given the contribution it makes to economic development and given that quality materials are being used on the exterior, is within the public interest.

**Recommendation**

This proposed development is part of a natural growth for a business which has operated at the site for a number of years. The submission received outlining the negative impacts has been welcomed and has been taken into account. Although there may be a small impact on the existing character, if the development is implemented in accordance with the conditions of consent it will not represent an unreasonable planning outcome. Overall it is considered that this proposal can be supported.

**R  
E  
S  
O  
L  
U  
T  
I  
O  
N**

### Items requiring Council Resolution

---

#### 5.7 AUDIT CLIENT SERVICE PLAN

**AUTHOR:** Director Corporate Services

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance by Council of Council operations and reporting

**FILE NO:** 12.019.1

**RECOMMENDATION:** - that the Council

1. accept the Client Service Plan and Terms of Engagement as provided by the Audit Office of New South Wales for the audit of the Berrigan Shire Council for the year ending 30 June 2017 and
2. authorise the General Manager to sign the Agreement of Terms.

---

**REPORT:**

The Audit Office of New South Wales has issued its Client Service Plan for the conduct of the audit of the Council for the year ending 30 June 2017. The plan is attached as appendix "D". The Audit Office has directed that this plan should not be distributed to people other than those "charged with the governance of the Council".

The plan reflects conditions unique to this audit and should be read in conjunction with the standard Terms of Engagement available at <http://www.audit.nsw.gov.au/ArticleDocuments/195/Terms%20of%20Engagement%20-current-version%203.3.pdf.aspx?Embed=Y>

This is the first year for which the Audit Office is responsible for the audit of the Council following the recent amendments to the *Local Government Act 1993*. The Audit Office has engaged RSD Chartered Accountants to provide audit and/or assurance services on this engagement. However, the Auditor-General remains responsible for the audit and its performance – as well as issuing the Independent Audit Reports.

The scope of the audit comprises:

- Audit of the Council's General Purpose Financial Report, issuing:
  - an Independent Auditor's Report on the general purpose financial statements in accordance with section 417 of the Local Government Act 1993 (LG Act).
  - a report on the conduct of the audit in accordance with section 417(3) of the LG Act.



### Items requiring Council Resolution

---

- an Independent Auditor's Report on the Special Purpose Financial Statements for all business activities declared by the Council in accordance with section 413(2) of the LG Act.
- an Independent Auditor's Report on the Special Schedule No. 8 'Permissible Income Calculation' in accordance with section 413(2) of the LG Act.
- Independent Auditor's Report(s) for other engagements:
  - Roads to Recovery Program
  - Application for Payment of Pensioner Concession Subsidy
  - Domestic Waste Management – Reasonable Cost Calculations

The estimated Audit fee is \$31,000, a 48.1% increase from the 2015/16 audit fee of \$21,200. The Audit Office also note that its component of the fee does not represent the full cost of overseeing the contracted-out audit and puts the Council on notice that this fee will most likely increase in 2017/18.

**R  
E  
S  
O  
L  
U  
T  
I  
O  
N**

### Items requiring Council Resolution

---

## 5.8 PROPOSED FEES AND CHARGES 2017/18

**AUTHOR:** Director Corporate Services

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance by Council of Council operations and reporting

**FILE NO:** 08.078.1

**RECOMMENDATION:** - that the Council adopt the Fees and Charges register shown in appendix "E" as a draft and incorporate into the draft 2017/18 Council Operational Plan

---

#### REPORT:

Circulated as appendix "E", are draft Fees and Charges for 2017/18. These Fees and Charges are proposed for inclusion in the Council's 2017/18 Operational Plan.

Where legally possible, the Council intends to charge users for the provision of all goods and services that it provides.

As a general rule the Council will set its fees and charges at a rate to generate the maximum amount of revenue possible to offset the cost burden of the provision of services borne by other sources of revenue such as rates and untied grants.

Therefore, the Council will at a minimum seek to recover the full cost of service provision from its customers and clients. This general principle will only be modified where other specific fee and charge setting principles as detailed in the Council's User Fees and Charges Policy apply.

Every fee or charge set by the Council is based on a clear fee setting rationale. This rationale will be shown for each fee in the Fees and Charges Register.

The rationales applicable are as follows:

- **(A) Statute Limited** – Priced at the figure stipulated by law as applicable to this activity
- **(B) Cost Recovery** – Priced so as to return full cost recovery for the activities provided
- **(C) Commercial Basis** – Priced to cover the cost of the item plus a commercial mark-up

### Items requiring Council Resolution

- **(D) Community Service Obligation** – Priced at below the cost of providing this activity as provision of the activity meets a social or economic objective of the Council.

As a general rule, most fees and charges for items where the Council has some discretion have been increased by around 1.5% to 3%. Most fees and charges set by the NSW government and/or other agencies have not increased – despite continued cost increases.

The User Fees and Charges Policy Rationale Identifier (A, B, C etc.) appear beside the various fees and charges shown below. Where an asterisk appears next to the Policy ID (i.e. A\*, B\* etc.) the Council has identified that the maximum amount charged does not cover the cost to the Council of providing the service.

Where a fee or charge is shown as “**ND**”, the Council has chosen not to disclose this amount – in accordance with clause 201(4) of *the Local Government Regulation 2005* – as disclosure could confer a commercial advantage on a competitor of the Council

Note that fees for facilities operated by volunteer committees of Council are set in consultation with those committees.

The proposed fees for the Tocumwal Aerodrome will only come into effect from 1 January 2017.

Proposed fee increases that may be of particular interest to the Council include:

Fee	2017/18 amount	Increase
Residential waste (within Berrigan Shire) – Bag	\$5.00	25%
Residential waste (within Berrigan Shire) – 120L bin	\$5.00	25%
Waste (outside Berrigan Shire) – General Waste	\$100.00 per m <sup>3</sup>	81.82%
Waste (outside Berrigan Shire) – Skip – 2m	\$56.00	75%
Waste (outside Berrigan Shire) – Skip – 3m	\$84.00	75%
Low pressure sewer pump maintenance charge	\$150.00	57.89%

Items requiring Council Resolution

---

**5.9 NORTH SYDNEY COUNCIL CONCERN WITH LGNSW****AUTHOR:** General Manager**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.3 Strengthen strategic relationships and partnerships with community, business and government**FILE NO:****RECOMMENDATION:** - the direction of the Council is sought.

---

**REPORT:**

The North Sydney Council has written to the Council expressing its concern that LGNSW no longer provides the strong leadership and advocacy that Councils and their communities expect and require and is seeking feedback from other Councils in relation to this.

The actual correspondence received is attached in appendix "F".

There do not appear to be any obvious issues from this Council's perspective, however, if any issues do exist this would be an opportune time to raise them for discussion.

## Items requiring Council Resolution

**5.10 REQUESTS FROM COMMITTEES OF MANAGEMENT FOR INCLUSION IN FOUR YEAR DELIVERY PROGRAM****AUTHOR:** General Manager**STRATEGIC OUTCOME:** Supported and engaged communities**STRATEGIC OBJECTIVE:** 3.2 Support community engagement through life-long learning, culture and recreation**FILE NO:** 04.074.1**RECOMMENDATION:** - the direction of the Council is sought.**REPORT:**

As a part of the development of the Council's Long Term Financial Plan, the 4 year Delivery Program and the 2017/2018 Operational Plan, each of the Council's Committees of Management that manage land or facilities were written to seeking information on projects etc that they would like to see included in the Council's Plans.

As the above Plans are still at draft stage it is suggested that requests be either rejected or referred for consideration in the budget components of the above.

In terms of the submissions received, the following is provided to assist with consideration of them.

In writing to the Committees, they were asked:

- ❖ What new projects or activities they saw as priorities:
- ❖ What financial support they may require to achieve these.

If requesting support from the Council, Committees were asked to:

- ❖ Provide an outline of the project
- ❖ Outline the benefits of the project
- ❖ Provide a project costing and the level of support they were seeking for the project
- ❖ Outline any non-financial support required to complete the project, i.e. project supervision

R  
E  
S  
O  
L  
U  
T  
I  
O  
N

### Items requiring Council Resolution

- ❖ Explain how it fits into any strategic plans the Committee may have.

As a result of the above the following submissions were received:

Committee	Project	Estimated Costs	Comment
Berrigan War Memorial Swimming Pool Committee of Management.	Installation of solar system	Unknown	Cost is unknown as electricity demand and available solutions needs to be assessed.  Usage is largely seasonal.
	Automate watering system	\$2,000	Would reduce volunteer demand and probably improve quality of watering.  Could be supported.
Berrigan Sportsground Committee of Management	New ride on mower	\$26,000 less Office of Sport contribution \$5,000 less other sources \$2,500 less user group contributions \$12,500. \$6,000 sought from the Council	The Committee of Management has secured and Office of Sport grant of \$5,000 based on the listed funding. The Committee of Management advised the Office of Sport that it had secured funding from the Council of \$6,000 despite this not been the case.  The Committee of Management has not yet requested the funds from the Council and staff are only aware of the issue because of the advice of a successful grant application.  Difficult to support in the circumstances but embarrassing if funding not available.
Barooga Botanical Gardens Committee of Management	Renew watering system	Unknown	Difficult to support with unknown cost and appears that the Committee is only seeking non-financial support
	Connect electricity to Rotunda	\$5,000	Electricity previously connected to stage area.

NON-FUNCTIONAL RESOLUTION

## Items requiring Council Resolution

Committee	Project	Estimated Costs	Comment
	Sealing of the car park	Unknown	Not supported. Will increase operational cost and other than perhaps aesthetics provides no additional benefit.
	Replacement mower	\$8,000 - \$10,000	Not required this year.
Barooga Recreation Reserve Committee of Management	New shed adjacent to cricket nets for storage of cricket training equipment.	\$10,300	Not supported as the Council has recently established new facilities at the Reserve that should provide for this purpose.  The same request was not funded last year.
	Repair to fences at equestrian centre	\$3,500 less Club contribution of \$700	High priority of the Club. Could be supported.
	Develop concrete horse wash bay	\$3,000 + in kind less Club contribution of \$1,000 + in kind	High priority of the Club. Could be supported
	Develop 10 x day yards	\$6,700 + in kind less Club contribution of \$2,000 + in kind	High priority of the Club. Could be supported.
	Show jumping sand arena	Unknown	Not a high priority of the Club at this stage.
Tocumwal Recreation reserve Committee of Management	Construction of retaining wall near cricket nets	\$12,000 less \$4,800 Committee contribution – \$7,200	Currently recognized as a risk area by the Council.
	Replacement of Pony Club fence	\$2,200 less \$880 Committee contribution – \$1,320	Existing fence is dilapidated and cannot contain horses.
Tocumwal War Memorial Hall Committee of Management	Upgrade of power supply and installation of air conditioning.	\$17,700 + GST for A/c installation.  Cost of power supply upgrade unknown.	Would greatly improve usability of the hall etc.  This project requires further development as costs are presently unknown.

### Items requiring Council Resolution

---

Committee	Project	Estimated Costs	Comment
	Replace rear door	Unknown	The Committee should be able to complete these works or alternatively it could be funded through the Council's building maintenance program.

**R  
E  
S  
O  
L  
U  
T  
I  
O  
N**

Copies of the actual submission received are circulated with this agenda as appendix "G".

At the time of writing, staff are expecting further submissions from Finley War Memorial and School of Arts Committee of Management and Barooga Advancement Group.



**Items requiring Council Resolution**

---

**5.11 SOUTH WEST ARTS****AUTHOR:** Director Corporate Services**STRATEGIC OUTCOME:** Diverse and resilient business**STRATEGIC OBJECTIVE:** 4.3 Diversify and promote local tourism**FILE NO:** 26.128.3**RECOMMENDATION:** - that the Council renew its Partner Funding arrangement with South West Arts for 2017/18 and contribute \$9,108 including GST to its operations for the financial year.

---

**REPORT:**

South West Arts – the Regional Arts Organisation that covers the Berrigan Shire area – are requesting a partner funding contribution for 2017/18 - \$8,280 plus GST (\$9,108 including GST). The letter of request is attached as appendix “H”.

Local Government annual contributions to the Regional Arts Organisation are based on a per-capita rate agreed and calculated by Arts NSW and Regional Arts NSW and in consultation with the Office of Local Government..

South West Arts’ major project focus for 2017/18 is on health, disability, youth and indigenous projects which strongly align to creating connection, cultural and pathway outcomes recommended by the NSW State Government policy and funding streams.

The Council and South West Arts have a strong relationship and renewal of this partnership funding arrangement could be supported.

**R  
E  
S  
O  
L  
U  
T  
I  
O  
N**

Items requiring Council Resolution

---

**5.12 FINLEY BASKETBALL ASSOCIATION –  
INSURANCE REQUIREMENTS**

**AUTHOR:** Director Corporate Services

**STRATEGIC OUTCOME:** Supported and engaged communities

**STRATEGIC OBJECTIVE:** 3.2 Support community engagement through life-long learning, culture and recreation

**FILE NO:** 05.101.3

**RECOMMENDATION:** - that the Council modify its terms of use of the Finley War Memorial Hall by Finley Basketball Association (FBA) to the following:

1. All users of the venue for basketball are to be members of Finley Basketball Association
2. The venue is to be booked and paid for using the systems set by the Finley War Memorial Hall and School of Arts Committee of Management
3. FBA must take out and hold a \$20 million Public Liability Insurance policy noting Berrigan Shire Council as an interested party and provide the Council with Certificates of Currency as required.
4. FBA must require all members to sign an indemnity agreement, indemnifying FBA and Berrigan Shire Council against any claim. The Council and FBA will agree on the content of the indemnity agreement.

---

**REPORT:**

Finley Basketball Association (FBA) have approached the Council to see if they could modify their terms of use of the Finley War Memorial Hall regarding insurance coverage.

FBA have advised the Council that the cost of affiliation and insurance via Basketball NSW is having a detrimental effect on their ability to attract and retain members.

FBA have proposed the following:

- FBA take out its own Public Liability Insurance (10 Million) to cover it against any potential claim.

### Items requiring Council Resolution

---

- FBA require all members to sign an indemnity agreement acknowledging the inherent risks of sport and indemnifying the FBA and Berrigan Shire Council against any claim.
- FBA advise all members to obtain their own insurance policy whether that be private health insurance, life insurance, income protection insurance, or specific sporting injury insurance through Basketball NSW or another body

The current requirements for use of the Finley War Memorial Hall for basketball were adopted in January 2016 as follows:

**RESOLVED** *Crs: Bruce and Hill that the Council permit the use of the Finley War Memorial Hall by local basketballers for a period of six months, subject to the users providing the following:*

- *An indemnity being provided to the Council by all participants.*
- *The users forming an incorporated body of which all participants must be a member.*
- *Entering into an Agreement with the Council for the relocation of the basketball use to the Indoor Cricket Centre at the Finley Showgrounds.*
- *Affiliation of the incorporated body to the relevant basketball league.*
- *Payment of legal costs of the preparation of the required Agreement.*
- *The Hall to be booked and paid for using the existing Committee systems.*
- *The Agreement may be renewed by the agreement of the Council.*

From the point of view of Council staff the FBA proposals are acceptable, with two modifications/additions:

1. Public Liability cover will need to be for \$20m – this is a Council-wide minimum requirement and is dictated by its insurers.
2. The policy will need to formally note Berrigan Shire Council as an interested party

This should strike a balance between making the venue and the sport accessible for the public while protecting the Council's (and the broader community of ratepayers and residents') interests.

R  
E  
S  
O  
L  
U  
T  
I  
O  
N

### Items requiring Council Resolution

---

#### 5.13 DRAFT INTEGRATED PLANS

**AUTHOR:** Strategic & Social Planning Coordinator

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 2.1 Berrigan Shire 2023 objective and strategies inform Council planning and community led projects

**FILE NO:** 04.121.4

**RECOMMENDATION:** - that the Council adopt:

- The draft Community Strategic Plan: Berrigan Shire 2027 (appendix "I")
- The draft Resourcing Strategy 2017 – 2027 inclusive of
  - the draft Long Term Financial Plan 2017 – 2027
  - the draft Asset Management Strategy 2017 – 2027
  - the draft Workforce Management and Development Plan 2017 – 2021
- The draft Delivery Program 2017 – 2021

---

**REPORT:**

In accordance with Local Government Act 1993 and the NSW Division of Local Government Integrated Planning and Reporting Requirements Council must review and subsequently endorse for public exhibition for at least 28 days and adopt by June 30, 2016:

- A Community Strategic Plan: Berrigan Shire 2027
- The Council's Resourcing Strategy 2017 – 2027 inclusive of
  - a Long Term Financial Plan 2017 – 2027
  - an Asset Management Strategy 2017 – 2027
  - a Workforce Management and Development Plan 2017 – 2021;
- The Council's Delivery Program 2017 – 2021; and
- The Council's Annual Operational Plan 2017 – 2018.

### Items requiring Council Resolution

---

Preparatory to the consideration by the Council of the full suite of draft Integrated Plans and the adoption at the May 2017 meeting of draft plans' for public exhibition and comment. Prepared for Council review and comment are the following draft plans:

- 1) The Draft Community Strategic Plan: Berrigan Shire 2027
- 2) The Draft Resourcing Strategy 2017 – 2027 inclusive of:
  - a. the Draft Long Term Financial Plan 2017 – 2027
  - b. the Draft Asset Management Strategy 2017 – 2027
  - c. the Draft Workforce Management and Development Plan 2017 – 2021
- 3) The Draft Delivery Program 2017 – 2021.

The draft Community Strategic Plan Berrigan Shire 2027 attached as appendix "I" is informed by:

- The previous Council's End of Term Report.
- The Council's rolling program of engaging service users and communities in the review and development of its Asset Management Plans, and 4-year Service Delivery Strategies and Action Plans.
- The 2015 resident and business Satisfaction Survey conducted by Nexus Research;
- The Council's draft Resourcing Strategy 2017 - 2027;
- The Council's November 2016 Community Engagement Strategy and program of community engagement; and
- The results of the Council's Corporate Workshop held 2nd – 3rd February 2017 adopted by resolution of the Council at its Ordinary Council Meeting 15th February 2017.

The principles for Local Government outlined in Chapter 3 of the Local Government Act 1993 also informed the development of the Community Strategic Plan. These principles include the Integrated Planning and Reporting Principle that Councils' 'identify and prioritise key local community needs and aspirations and in doing so consider regional priorities' (Local Government Act, 1993) Ch 3, Sec 8C (a).

The Draft Resourcing Strategy 2017 – 2017 inclusive of: a) The Draft Long Term Financial Plan 2017 – 2027 attached as appendix "J"; b) The Draft Asset Management Strategy 2017 – 2027 attached as appendix "K"; c) The Draft Workforce Management and Development Plan 2017 – 2017 attached as appendix "L"; and d) The Draft Delivery Program 2017 – 2021 attached as

### Items requiring Council Resolution

---

appendix "M" are integrated with and also informed the development of the draft Community Strategic Plan: Berrigan Shire 2027.

Consideration in the drafting of these Plans was also given to recent amendments to the Local Government Act 1993. Specifically,

- Sec 8A Guiding principles for NSW Local Government;
- Sec 8B Principles of sound financial management; and
- Sec 8C Principles of Integrated Planning and Reporting.

**Items requiring Council Resolution**

---

**5.14 ACTIVE AGEING AND DISABILITY INCLUSION PLAN****AUTHOR:** Strategic & Social Planning Coordinator**STRATEGIC OUTCOME:** Supported and engaged communities**STRATEGIC OBJECTIVE:** 3.1 Create safe, friendly and accessible communities**FILE NO:****RECOMMENDATION:** - that the Council adopts

- The draft Active Ageing and Disability Inclusion Strategy and Plan

---

**REPORT:**

Under the Disability Inclusion Regulation 2014, councils must prepare a disability inclusion plan by 1 July 2017. Disability is defined by the Disability Inclusion Act (DIA) as

‘the long-term physical, mental, intellectual or sensory impairment which in interaction with various barriers may hinder the full and effective participation in society on an equal basis with others’

The New South Wales Disability Inclusion Plan establishes the framework for the development by New South Wales government agencies including Councils for the development of a Disability Inclusion Action Plan identifying four key focus areas

1. Developing positive community attitudes and behaviours
2. Creating liveable communities
3. Supporting access to meaningful employment
4. Improving access to services through better systems and processes

Circulated with this Agenda as appendix “N” is a draft Active Ageing and Disability Inclusion Strategy and Plan. This Strategy was initially developed by the Berrigan Shire Council as its Healthy Ageing and Liveability Strategy 2013 – 2017 with its initial development was informed by the experience and knowledge of a Reference Group comprising representatives from local service providers, health services, business, education and neighbouring Shire’s. Reviewed and updated (2017) to reflect the views of younger people with a disability and their carers this Strategy reflects contemporary approaches toward ageing, disabilities and inclusion. Through its focus on inclusion by:

### Items requiring Council Resolution

---

- Changing community and workplace attitudes and behaviours,
- Enhancing the liveability of our communities represented by the built environment,
- Active promotion of access and inclusion in the workplace; and
- Systems and processes that enable and promote participation by older residents (65+ years), their carers and younger people (0 – 65 years) with a disability.

Reflecting the framework established by the New South Wales Disability Inclusion Plan. Developed as a review of the Council's existing Health Ageing and Liveability Strategy the capital resource requirements for this Strategy are those already identified in the Council's Pedestrian and Access Mobility Plans, actions related to changing community attitudes and behaviours are primarily cost neutral and will be undertaken by the Council's Library Services and through its social media platforms.

Consideration may need to be given by the Council to allocating resources for the accessibility upgrades of software, websites and systems and process that promote inclusion. Further, the Council's current Equal Employment and Opportunities Policies and Action Plan will be integrated with this Strategy and current resourcing reallocated accordingly.



## Items requiring Council Resolution

## 5.15 OPERATIONAL PLAN QUARTERLY REPORT MARCH 2017

**AUTHOR:** Strategic & Social Planning Coordinator

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance by Council of Council operations and reporting

**FILE NO:**

**RECOMMENDATION:** - that the Council

Note the Quarterly Report and review of the Annual Operational Plan 2016/17 circulated as appendix "O"

---

**REPORT:**

Circulated with this agenda as appendix "O" is the Council's March 2017 Quarterly Review of the Council's *Annual Operational Plan* 2016/17.

This report provides a traffic light review with comments by Responsible Officers of the status of:

- Council actions that support and promote *Berrigan Shire 2023* outcomes (these are outcomes which match Department of Local Government's quadruple bottom line reporting requirements: Social, Economic, Environmental and Civic Leadership);
- *Delivery Program* Objectives;
- *Annual Operational Plan* Objectives; and
- *Annual Operational Plan* Actions.

The traffic light format provides a visual update on the status of *Council's Annual Operational Plan* and Council's progress toward full implementation of its *4-year Delivery Program*. It should be read in accordance with the following key:

				
Complete	On Target	Not on Target	Past Due	No Status / Deferred

### Items requiring Council Resolution

Additional information in the appended reporting and monitoring Review and Progress Report includes:

1. A percentage target for each *Delivery Program, Annual Operational Plan* objective and or *Operational Plan* action – usually 100% though in some instances where it is reasonable to assume a degree of ‘slippage’:(i.e.: seasonality; carryover from previous years and or carry forward as is the case for ongoing capital works) the full year performance target may be lower
2. A Year to Date (YTD) assessment by the responsible Council Officer of progress toward completion and or the achievement of the set target
3. Comments from the Responsible Council Officer highlighting service achievements and or the challenges relevant to the Council operation being reported and its status.

Council should also note that not all Annual Operational Plan Actions or objectives have targets and are reported qualitatively by the responsible officer.

The following is a summary by strategic outcome of the status of Council's Annual Operational Plan actions.

	Completed	On target	Not on target	Past Due	Deferred / Not due to start	Total
Sustainable natural and built landscapes	1	14	0	0	0	15
Good government	0	14	0	0	0	14
Supported and engaged communities	1	16	0	1	0	18
Diverse and resilient business	2	16	0	0	0	18
<b>Total Actions</b>	<b>4</b>	<b>60</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>65</b>

## Items requiring Council Resolution

**5.16 BANKING – EXPRESSION OF INTEREST****AUTHOR:** Director Corporate Services**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance by Council of Council operations and reporting**FILE NO:** 12.024.1**RECOMMENDATION:** - That the Council

1. reconsider its objectives and requirements for its banking services, and
2. retain its current banking arrangements in the interim

**REPORT:**

At its ordinary meeting on January 2017, the Council resolved to seek expressions of interest from invited providers for the provision of banking services for Berrigan Shire Council.

The objective of Council was to ensure a quality service to both the Council itself and the people of Berrigan Shire, and to seek:

1. A reduction in the cost of transactional banking processes through the minimisation of fees, charges and government taxes.
2. To ensure that banking services continue to be offered during business hours to shire offices and residents of the town of Berrigan.
3. A mutually, pro-active and beneficial relationship with the selected service provider.
4. Value added banking services

Following this resolution, the Council issued requests for expressions of interest for banking services to the following institutions:

1. NAB
2. Commonwealth Bank of Australia (CommBank)
3. Central Murray Credit Union. (CMCU)

Expressions of interest were required to address five key criteria:

1. Capability to meet the banking needs of Council as detailed above.
2. Minimising the cost of transactional banking processes.
3. Demonstrated ability to provide a reliable and efficient level of service to Council.

R  
E  
S  
O  
L  
U  
T  
I  
O  
N

### Items requiring Council Resolution

---

4. Demonstrated commitment to Corporate Social Responsibility principles, especially within Berrigan Shire.
5. Commitment to providing banking services to the Berrigan Shire community and employing Berrigan Shire residents.

Expressions of interest were to be submitted by **5:00pm, 24 March 2017**. At the set closing date, two (2) expressions of interest were submitted to the Council

1. CommBank
2. NAB.

CMCU advised the Council that it was not in a position to meet Criteria 5 above at this stage and as such it would not submit an expression of interest.

In the intervening period between the closing date and writing this report, NAB advised that their Berrigan branch would cease operations on 7 July 2017. This invalidated their expression of interest as it had included the provision of an over-the-counter service via the Berrigan branch. NAB submitted an alternate expression of interest on Monday 10 April 2017.

Note: The Council specifically issued a request for expressions of interest and not a tender and therefore the Council's policies and procedures around tenders do not apply. Section 55(1)(f) of the *Local Government Act 1993* specifically exempts the Council from having to seek tenders for banking services.

The Council is not under any obligation to accept or reject any of the submitted expressions of interest.

The Council does have a general obligation under its procurement policy to act in an ethical, transparent and accountable manner, and to seek best value.

#### Expressions of Interest

The following table summarizes the expressions of interest received against the objectives, requirements and criteria as set out by the Council.

- NAB 1 – **NAB's initial proposal** (no longer applicable)  
 NAB 2 – **NAB's revised proposal** (received after the closing date)  
 CBA – **CommBank's proposal** (the only active proposal on time).

## Items requiring Council Resolution

<b>OBJECTIVES</b>	<b>NAB 1</b>	<b>NAB 2</b>	<b>CBA</b>
Deliver quality service to both the Council itself and the people in the specified local government areas.	Yes	Yes	Yes
The preferred provider/s will be required to maintain a physical presence in the town of Berrigan, where the Council's administration office is located.	Yes	No – wider Shire only	No – wider Shire only. Post office service available
<b>REQUIREMENTS</b>	<b>NAB 1</b>	<b>NAB 2</b>	<b>CBA</b>
A reduction in the cost of transactional banking processes through the minimisation of fees, charges and government taxes	Yes	Yes	Yes
To ensure that banking services continue to be offered during business hours to shire offices and residents of the town of Berrigan	Yes - restricted	No	No
A mutually, pro-active and beneficial relationship with the selected service provider	Yes	Yes	Yes
Value added banking services	Yes	Yes	Yes
<b>EVALUATION CRITERIA</b>	<b>NAB 1</b>	<b>NAB 2</b>	<b>CBA</b>
Capability to meet the banking needs of Council as detailed above	No	No	No
Minimising the cost of transactional banking processes	Yes	Yes	Yes
Demonstrated ability to provide a reliable and efficient level of service to Council	Yes	Yes	Yes
Demonstrated commitment to Corporate Social Responsibility principles, especially within Berrigan Shire	Yes	Yes	Yes
Commitment to providing banking services to the Berrigan Shire community and employing Berrigan Shire residents.	Yes (in part)	Yes (in part)	Yes (in part)

RESOLUTION

### Items requiring Council Resolution

---

While all of the submissions received indicated intent to work with the Council to improve the Council's banking service and reduce its cost, **none of the submissions** received met the Council's objective of ensuring a physical bank branch in Berrigan for use by the Council and the Berrigan community.

Further analysis of the financial implications of each expression of interest has not been conducted at this stage. This is on the basis that:

1. Only one valid expression of interest was received by the closing date
2. Advice from the Council is sought about the admissibility of the variation of the NAB expression of interest.
3. None of the expressions of interest meet the Council's objective to ensure a physical bank branch in Berrigan.

#### Options

Options available to the Council include:

1. **Re-open submissions and/or revisit the Council's objectives:** Given that none of the proposals, valid or otherwise, address the Council's objectives, the Council could either re-open and widen submissions or revisit its objectives.
2. **Retain the status quo:** The Council is under no obligation to change its current banking arrangements, other than from 7 July 2017 it will need to modify its banking procedures to bank outside Berrigan. This could include discussions with NAB about adopting improved banking operations along the lines of its revised proposal.
3. **Provisionally accept the CommBank proposal:** The CommBank proposal, while not compliant per se, does address each of the key criteria equally as well as the revised NAB proposal – and also allows for use of the Berrigan Post Office. It was also the only valid proposal submitted on time.
4. **Seek further assessment/comparison of the two submitted proposals:** As discussed above, at this stage no detailed financial comparison has been made between the CommBank proposal and the revised NAB proposal.

## Items requiring Council Resolution

**5.17 TOCUMWAL AERODROME - SALE OF LAND****AUTHOR:** General Manager**STRATEGIC OUTCOME:** Diverse and resilient business**STRATEGIC OBJECTIVE:** 4.2 Strengthen and diversify the local economy**FILE NO:****RECOMMENDATION:** - that the Council:

1. Market lots 39 - 48 at \$80,000 plus GST and lot 37 at \$120,000 plus GST being an unregistered plan of subdivision of Tocumwal Aerodrome.
2. Conduct sales of the lots referred to in (1) above based on a direct sale or transfer of land based on the following process:

Advise potential buyers and wider aviation industry via Airpark and Council website including details of sale process.	20/4/2017	GM
Offers to purchase accepted	From 12 noon 27/4/2017	GM
Accept valid offers and advise of deposit requirements i.e. \$1,000 within 24 hours and balance of 10% on signing of contracts	28/4/2017	GM
Reoffer blocks to those that were either unsuccessful in initial round or who did not bid or who did not complete purchase through payment of initial holding deposit.	1/5/2017	GM
Commence legal process for sale through local solicitor	1/5/2017	GM
Second round offers close	12 noon 5/5/2017	GM
Advertise any unsold blocks on Airpark and Council websites	8/5/2017	DCS

3. That the General Manager be delegated authority to determine actual terms and conditions of any land sales referred to in (1) above including final sale price.

RESOLUTION

### Items requiring Council Resolution

#### REPORT:

As Councillors may be aware, the 12 lots being developed by the Council at Tocumwal Aerodrome are approaching the stage where they can be offered for sale.

The purpose of the report is to adopt a sale process and price for the lots.

#### Sale of the lots

According to the Council's adopted "Disposal Policy" the Council may employ a variety of methods to dispose of assets. These are set out below with some commentary as to the pro's and con's of each methodology.

Note that section 55(3)(d) of the *Local Government Act 1993* exempts the Council from any statutory requirement to sell land via the invitation of tenders.

#### Public Auction

Advantages	Disadvantages
May encourage higher prices	Cost of the auction
May encourage other parties to participate in sale process	Selling into a relatively confined and well informed market
Clear and transparent to buyers and public	Selling all lots at once may dilute buyers or prices

#### On Line Auction

Advantages	Disadvantages
May encourage higher prices	Cost of the auction
May encourage other parties to participate in sale process	Selling into a relatively confined and well informed market
Clear and transparent to buyers and public	Selling all lots at once may dilute buyers or prices

#### Trade In

Not relevant.

#### Direct sale or transfer of land

Advantages	Disadvantages
Eliminates cost of auction, advertising etc	Council price setting may not be aligned with market
The Council already hold at least twice as many expressions of interests for the lots than are available	Could be seen as less transparent
Allows sale into what is a market of limited interest	



### Items requiring Council Resolution

Disposing of and writing off the value of the goods.

Not relevant.

In previous land sales at the Aerodrome advertising has been purchased and agents allowed to participate in the sale process.

Those previous sales have not seen one lot sold on the basis of advertising and a local agent has managed to sell one lot.

In reality the Council is selling into a confined but well informed market that has already shown strong interest in the land.

While a direct sale method could be seen as less transparent than either a public or online auction, the Council can put in place an open process to ensure interested parties are given a fair opportunity to participate.

Given the likely costs of the auction process and the Council's overall aims and objectives when developing the subdivision, it is considered that a direct sale method is likely to garner the most advantageous outcome for the Council.

#### Sale Process

Assuming that the Council supports a direct sale process it is then a matter of just how to conduct this to be fair to all interested purchasers.

Given the above the following is proposed:

#### Tocumwal Airpark Land Sales Process

Action	Date	Responsible Officer
Lot Prices Determined	31/3/2017	GM & DCS
Report to Council meeting to adopt selling process and prices	19/4/2017	GM
Advise potential buyers and wider aviation industry via Airpark and Council website including details of sale process.	20/4/2017	GM
Offers to purchase accepted	From 12 noon 27/4/2017	GM
Accept valid offers and advise of deposit requirements i.e. \$1,000 within 24 hours and balance of 10% on signing of contracts	28/4/2017	GM

RESOLUTION

### Items requiring Council Resolution

Reoffer blocks to those that were either unsuccessful in initial round or who did not bid or who did not complete purchase through payment of initial holding deposit.	1/5/2017	GM
Commence legal process for sale through local solicitor	1/5/2017	GM
Second round offers close	12 noon 5/5/2017	GM
Advertise any unsold blocks on Airpark and Council websites	8/5/2017	DCS

Emails for offers etc. to be through the Council's airpark email to provide timestamp of receipt of offer.

#### Pricing

It is suggested that the Council market lots 39 - 48 at \$80,000 plus GST and lot 37 at \$120,000 plus GST.

Previous blocks at Liberator Place sold for between \$60,000 and \$70,000 plus GST based on location.

In calculating the price, the overall cost is estimated to be about 92% of the estimate. Given this slight underspend the Council will have to repay approximately \$27,000 of the \$334,000 National Stronger Regions Program grant to the Commonwealth.

A copy of the unregistered plan of subdivision is circulated as appendix "P" for information.

## Items for Noting

---

**RECOMMENDATION** – that Items for Noting numbered 6.1 to 6.7 inclusive be received and noted.

**6.1 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL ASSEMBLY – CALL FOR MOTIONS**

**AUTHOR:** General Manager

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 2.3 Strengthen strategic relationships and partnerships with community, business and government

**FILE NO:** 14.064.1

---

**REPORT:**

The Australian Local Government Association (ALGA) is calling for motions for this year's National General Assembly.

Under the theme of 'Building Tomorrow's Communities', this year's National General Assembly will focus debate on motions that address how councils can work in partnership with the Australian Government in particular to meet the current and future needs of local communities.

The National General Assembly of Local Government (NGA), to be held in Canberra from 18 to 21 June 2017, provides an opportunity for the Council to identify matters of national relevance to the sector and to submit notices of motion to seek support at the NGA for these matters to be considered by ALGA as national policy, for its advocacy role or for more immediate action by ALGA on behalf of the sector.

To assist councils identify motions that address the theme of the NGA, ALGA has prepared the attached short discussion paper.

[Click here to open the Discussion Paper.](#)

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. be relevant to the work of local government nationally
2. be consistent with the themes of the NGA
3. complement or build on the policy objectives of your state and territory local government association

**NOTING**

### Items for Noting

---

4. be from a council which is a financial member of their state or territory local government association
5. propose a clear action and outcome
6. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

**Motions need to be lodged using the online form, [available here](#). Motions should be received by ALGA no later than 11:59pm on Friday 21 April 2017.**

Typically, the Council does not attend the NGA however there is no reason why it cannot. If the Council does want to put forward any motions it should also commit representation to support those motions.

**Items for Noting**

---

**6.2 STRAWBERRY FIELDS****AUTHOR:** General Manager**STRATEGIC OUTCOME:** Supported and engaged communities**STRATEGIC OBJECTIVE:** 3.1 Create safe, friendly and accessible communities**FILE NO:** 07.094.3

---

**REPORT:**

A letter has been received by a resident of the Shire in relation to the conduct of the Strawberry Fields Festival.

The resident asked that a copy of the letter be circulated to Councillors which has been done and a copy is also circulated with this agenda as appendix "Q"

The letter highlights some of the writers concerns with activities that may occur in association with the event.

Whilst the writer's views are clear I am not sure what, if any, action the Council may like to take in relation to the correspondence.

It may be appropriate to suggest to the writer that an objection could be lodged during the consideration of a Development Application for any future event.

## Items for Noting

---

**6.3 MURRAY DARLING ASSOCIATION REGION 2****AUTHOR: General Manager****STRATEGIC OUTCOME: Sustainable natural and built landscapes****STRATEGIC OBJECTIVE: 1.1 Support sustainable use of our natural resources and built landscapes****FILE NO: 11.106.2**

---

**REPORT:**

Circulated with this agenda are the minutes of a meeting of the Murray Darling Association Region 2 meeting held on 29<sup>th</sup> March 2017, appendix "R".

Also circulated as appendix "S", is a copy of a presentation made by the Murray Darling Basin Authority in relation to the social and economic assessment of implementation of the Basin Plan.

## Items for Noting

---

**6.4 RATES & CHARGES - 2016/2017 RATES  
COLLECTIONS & OUTSTANDING DEBTORS  
BALANCES – 3<sup>rd</sup> QUARTER**

**AUTHOR:** Revenue Officer

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance by  
Council of Council operations and  
reporting

**FILE NO:** 25.138.1

---

**REPORT:**

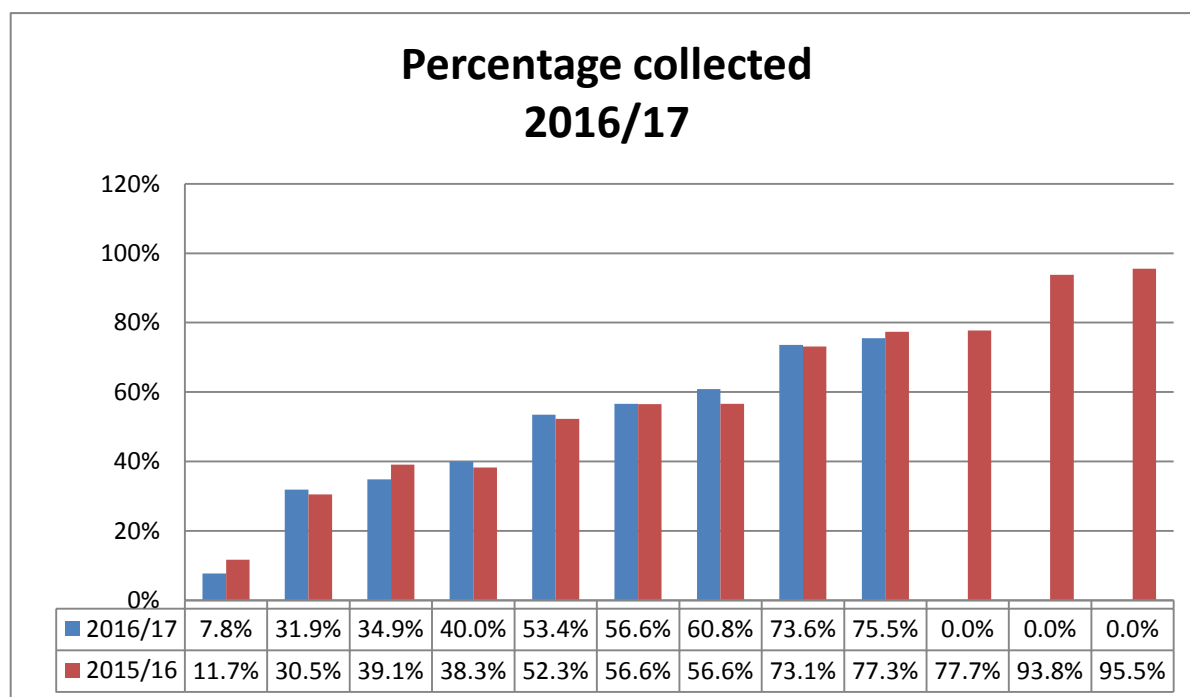
**1. Rates & Charges**

At 31<sup>st</sup> March 2017, the Council has collected 75.5% of the total rates, service charges, arrears and water consumption charges raised in 2016/17 to date – a decline from 77.3% collected at the same time last year.

This decrease is largely a timing issue – the water consumption notices were issued earlier this financial year – while some large outstanding rates are currently being paid through payment agreements. I am confident the Council will continue to meet its rates collection benchmarks it has set.

**NOTING**

## Items for Noting

**2. Debtors**

A brief list of outstanding debtors as at the end of February and March 2017 is as follows:-

DEBTORS	2016/17	
	END FEB	END MARCH
GENERAL/SUNDRY/OTHER DEBTORS	\$270,017	\$202,847
RATES LEGAL FEE DEBTORS	\$1,000	\$1,000
FOOD INSPECTIONS	\$1,780	\$765
HALF COST K&G/FOOTPATH DEBTORS	\$119,022	\$117,535
SEC 355 COMMITTEE LOANS	\$66,969	\$66,969
SWIMMING POOLS	\$58,692	\$45,280
CEMETERY DEBTORS	\$429	\$11,039
GOVERNMENT DEPT GRANTS & SUBSIDIES	\$25,431	\$26,181
STAFF DEBTORS	\$878	\$869
STAFF SUPERANNUATION	-\$14	\$180
SHIRE LAND SALE DEBTORS	\$0	\$0
TOCUMWAL AERODROME	\$646	\$13,563
<b>TOTAL</b>	<b>\$544,066</b>	<b>\$486,227</b>

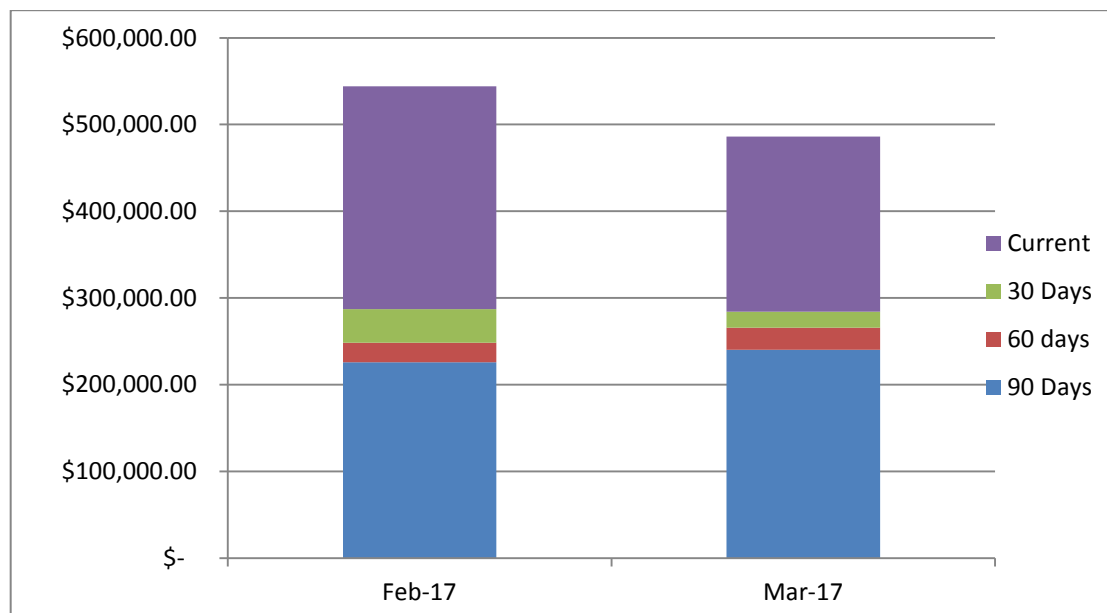
The graph below shows the Council's outstanding debtors by age and type over the past two months.

The amount of debt outstanding for over 90 days – made up largely of half-cost scheme debtors and s355 committee loans – is increasing slightly. The amount of debt outstanding between 60-90 days has decreased significantly. As can be seen in the table above the Tocumwal Aerodrome debt is the only



Items for Noting

real significant change, as their annual charges were raised in the month of March.



3. Activity

Two rate payers are currently receiving interest relief under councils Hardship Policy this quarter. This has resulted in an interest write-off of \$21.94.

Over the past quarter, the Council has undertaken the following collection activity:

Reminder letters sent for rates:	556 ratepayers
Final Notice for rates:	370 ratepayers
Sent to debt collection:	296 ratepayers
Statement of liquidated claim:	7 ratepayers
Issued warrants to appear at hearing:	1 ratepayer
Examination Orders:	2 ratepayers
Garnishee Orders:	3 ratepayers
Notice to occupiers:	0 ratepayers
Bankruptcy search:	2 ratepayers
Judgement entered:	2 ratepayers

NOTING

## Items for Noting

---

**6.5 GOVERNANCE ESSENTIALS FOR LOCAL GOVERNMENT****AUTHOR:** General Manager**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance by Council of Council operations and reporting**FILE NO:** 22.178.6

---

**REPORT:**

An unsolicited proposal has been received from the Australian Institute of Company Directors in relation to training programs it can deliver to Mayors, Councillors and executives.

The specific program "Governance Essentials for Local Government" is delivered in house and comprises four half day courses being:

- The role of the Council and Councillor;
- Leadership: the Councillors role;
- Risk: issues for Councillors; and
- Introduction to financial statements for Councillors.

The Institute has delivered training programs to Councils previously and can provide a good alternative to local government provided training.

The purpose of this report is to determine any interest from the Council in pursuing such training.

The key issue with the program will be the cost of delivery as it is provided in house. The Council's ability to defray such costs is limited given the lack of Mayors and Councillors at nearby Councils.

Despite the above if the Council is interested the actual cost of delivery can be determined and an offer made to other unmerged Councils to participate and see where the proposal goes from there.

A detailed copy of the training program is circulated with this agenda as appendix "T".

**Items for Noting**

---

**6.6 MUNICIPAL ASSOCIATION OF VICTORIA  
NATIONAL SUMMIT****AUTHOR:** General Manager**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance by  
Council of Council operations and  
reporting**FILE NO:**

---

**REPORT:**

The Municipal Association of Victoria will be holding its 2017 “Future of Local Government” National Summit on Thursday 25<sup>th</sup> and Friday 26<sup>th</sup> May, 2017 in Melbourne.

Registration cost for the Summit is \$594 plus travel, accommodation and sustenance expenses.

Information regarding the Summit is circulated with this agenda as appendix “U”

Any Councillor interested in attending the Summit should seek an appropriate resolution from the Council.

**NOTING**

## Items for Noting

## 6.7 DEVELOPMENT DETERMINATIONS FOR MONTH OF MARCH 2017

**AUTHOR:** Executive Support Officer

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance by Council of Council operations and reporting

**FILE NO:**

**REPORT:**

### APPLICATIONS DETERMINED FOR MARCH

Application	Description	Property Location	Applicant	Owner	Status	Value	Days Taken	
92/17/DA/DM	Restaurant / Cafe including table service alcohol	13 BUSHLANDS ROAD, TOCUMWAL NSW 2714 (Lot4//DP718085)	Ms Simone Ford-Jenkins	BUSHLANDS RESORT LIMITED	Approved PTY 15-03-2017	\$ 0.00	Active 20	Total 20
93/17/DA/D5	3 Car Garage	1-3 GYPSIE CRESCENT, BAROOGA NSW 3644 (Lot50//DP1110847)	Mr Liam Mathers	MR LJ MATHERS & MRS MATHERS	Approved AL 02-03-2017	\$ 9875.00	Active 10	Total 10
94/17/DA/DM	Aboveground Water Storage & Sump	SMITHERS ROAD, TOCUMWAL NSW 2714 (Lot161//DP752274)	Mr Ben Wilson	MR BT WILSON & MR CC WILSON	Approved 21-03-2017	\$ 0.00	Active 23	Total 23
97/17/DA/D2	Storage Sheds	2-6 JERILDERIE STREET, BERRIGAN NSW 2712 (Lot10/32/DP3353)	RM & ML Baldwin	MR RM BALDWIN AND MRS ML BALDWIN	Approved ML 14-03-2017	\$ 36500.00	Active 15	Total 15
50/17/CD/M1	BV Dwelling & Attached Garage	6 INGO RENNER DRIVE, TOCUMWAL NSW 2714 (Lot35//DP790167)	ACD.K Pty Ltd	ACD.K PTY LTD	Approved 03-03-2017	\$ 279000.00	Active 6	Total 6
51/17/CD/M6	Additions to Dwelling	100 BURMA ROAD, TOCUMWAL NSW 2714 (Lot4//DP802330)	Mr Peter Cullen	MR P J CULLEN AND MRS J C CULLEN	Approved C 01-03-2017	\$ 24000.00	Active 2	Total 2
98/17/DA/D1	BV Dwelling & Attached Garage	10 HAYNES COURT, TOCUMWAL NSW 2714 (Lot84//DP1070311)	Ryan Ellis & Veronica Silverman	MR RF ELLIS	Approved 10-03-2017	\$ 299315.00	Active 8	Total 8
52/17/CD/M1-M	Modification to 48/13/CD/M1 BV Dwelling & Attached Garage	GOLF COURSE ROAD, BAROOGA NSW 3644 (Lot9//DP253590)	Hadar Homes	MRS CA FISHER	Approved 03-03-2017	\$ 386767.00	Active 3	Total 3
53/17/CD/MM	Demolition of Residence Associated with Loose Fill Asbestos	10-12 WOLLAMAI STREET, FINLEY NSW 2713 (Lot W//DP412105)	Public Works Advisory	GOVERNMENT PROPERTY NSW	Approved 09-03-2017	\$ 0.00	Active 6	Total 6
54/17/CD/MM	Demolition of Residence Associated with Loose Fill Asbestos	12 WARMATTA STREET, FINLEY NSW 2713 (Lot4//DP25494)	Public Works Advisory	GOVERNMENT PROPERTY NSW	Approved 09-03-2017	\$ 0.00	Active 6	Total 6
55/17/CD/MM	Demolition of Residence Associated with Loose Fill Asbestos	65 DENISON STREET, FINLEY NSW 2713 (Lot2//DP514903)	Public Works Advisory	GOVERNMENT PROPERTY NSW	Approved 09-03-2017	\$ 0.00	Active 6	Total 6
56/17/CD/MM	Demolition of Residence Associated	62 HAMPDEN STREET,	Public Works	GOVERNMENT	Approved	\$ 0.00	Active	Total

NOTION

**Items for Noting**

	with Loose Fill Asbestos	FINLEY NSW 2713 (Lot18//DP238395)	Advisory	PROPERTY NSW	09-03-2017	6	6		
100/17/DA/D1	BV Dwelling & Attached Garage	53 MURRAY STREET, TOCUMWAL NSW 2714 (Lot12//DP841714)	Lewis Homes	MR D & MRS M MASIOTRA	Approved 13-03-2017	\$ 248530.00	Active	Total	6 6
101/17/DA/D1	2x 2 Bedroom Units	9 MALONE MEWS, FINLEY NSW 2713 (Lot10//DP1097289)	Kennedy Builders	MRS L M HAYNES	Approved 22-03-2017	\$ 368000.00	Active	Total	1 12
102/17/DA/D5	Extension to Existing Shed	81 FALKINER STREET, TOCUMWAL NSW 2714 (Lot5/17//DP758981)	Mr Geoffrey Lawrence	MR G J LAWRENCE	Approved 14-03-2017	\$ 8000.00	Active	Total	4 4
103/17/DA/DM	Cutting & Filling plus 2x Retaining Walls	3 CHOMLEY CLOSE, BAROOGA NSW 3644 (Lot5//DP1110970)	Mr Mal Woods	MR M R WOODS & MRS A M WOODS	Approved 24-03-2017	\$ 1000.00	Active	Total	9 9
57/17/CD/M1-M	Modification to 47/16/CD/M1 Dwelling	26 BELINDA COURT, TOCUMWAL NSW 2714 (Lot16//DP270154)	William & Anne Nolan	MR W J & MRS A M NOLAN	Approved 16-03-2017	\$ 0.00	Active	Total	3 3

**APPLICATIONS PENDING DETERMINATION AS AT 10/04/2017**

Application No.	Date Lodged	Description	Property Location
112/17/DA/D M	05-04-2017	Change of Use Shop to Cafe	1-3 VERMONT STREET, BAROOGA NSW 3644 (Lot1/8//DP758057)
113/17/DA/D5	05-04-2017	Residential Storage Shed	BUSHLANDS ROAD, TOCUMWAL NSW 2714 (Lot81//DP1138438)
114/17/DA/D5	05-04-2017	Residential Storage Shed	BUSHLANDS ROAD, TOCUMWAL NSW 2714 (Lot70//DP1138438)

**TOTAL APPLICATIONS DETERMINED / ISSUED (including modifications)**

	This Month (Mar)	Year to Date	This Month's Value	Year to Date Value
<i>Development Applications (DA)</i>	13	115	\$1,040,920	\$14,471,98
<i>Construction Certificates (CC)</i>	10	77	\$2,472,920	\$12,965,65
<i>Complying Development Certificates (CDC)</i>	13	63	\$1,302,965	\$4,456,16
<i>Local Activity (s.68)</i>	6	79	0	

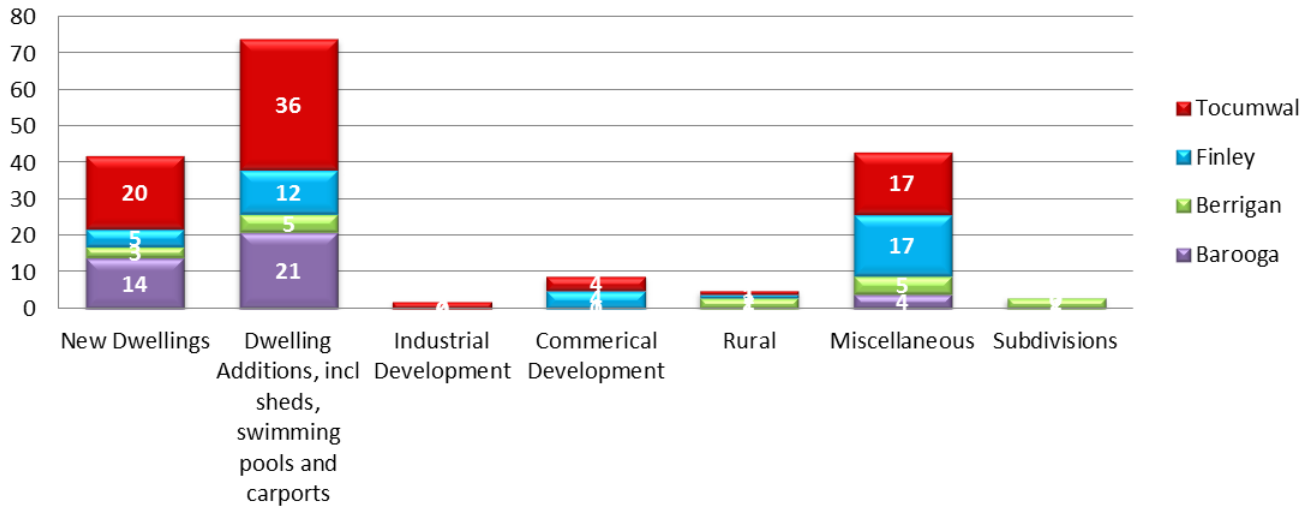
**OTHER CERTIFICATES ISSUED FOR MARCH**

	149(2) Planning Certificate		149(5) Certificate		735A Certificate Outstanding Notices or Orders under LG Act 1993		121zp Certificate Outstanding Notices or Orders under EP&A Act 1979		149(D) Building Certificate		Swimming Pool Certificate	
	Mar	Year Total	Mar	Year Total	Mar	Year Total	Mar	Year Total	Mar	Year Total	Mar	Year Total
BAROOGA	14	77	0	2	0	1	0		0	2	2	17
BERRIGAN	8	42	3	5	3	13	2	4	0	0	1	3
FINLEY	10	101	1	15	0	8	0	2	0	0	0	2
TOCUMWAL	15	93	0	3	1	6	0	1	0	1	3	12
<b>TOTAL</b>	<b>47</b>	<b>313</b>	<b>4</b>	<b>25</b>	<b>4</b>	<b>28</b>	<b>2</b>	<b>7</b>	<b>0</b>	<b>3</b>	<b>6</b>	<b>34</b>

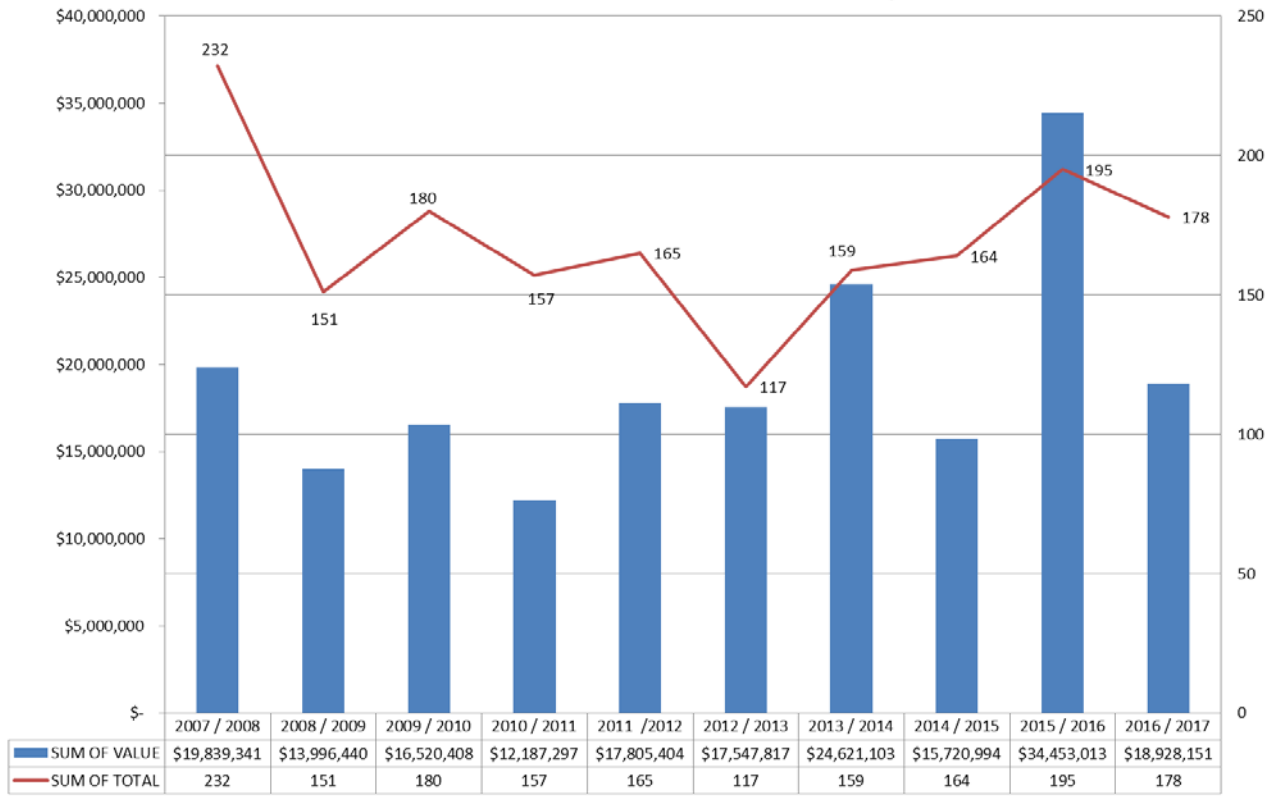
NOTING

Items for Noting

**DEVELOPMENT ACTIVITY 2016/2017 as at 31 March, 2017**



**DEVELOPMENT ACTIVITY as at 31 March, 2017**



BERRIGAN

## Committee meeting reports

**7.1 MINUTES OF THE CORPORATE SERVICES COMMITTEE MEETING**

**RECOMMENDATION** – that recommendations numbered 1 to 7 inclusive of the Corporate Services Committee Meeting held on 5<sup>th</sup> April, 2017 be adopted.

**4. 2017 BERRIGAN SHIRE BUSINESS AND ENVIRONMENT AWARDS**

**AUTHOR:** Economic Development Officer  
**STRATEGIC OUTCOME:** Diverse and resilient business  
**STRATEGIC OBJECTIVE:** 4.2 Strengthen and diversify the local economy  
**FILE NO:** 02.023.2

**RECOMMENDATION NO. 1** - that staff bring forward options and evaluation of possible future conduct into the Annual Business and Environment Awards including a review of the objectives of the event.

**5. BERRIGAN LIONS CLUB – MASS FIRST AID TRAINING**

**AUTHOR:** Director Corporate Services  
**STRATEGIC OUTCOME:** Supported and engaged communities  
**STRATEGIC OBJECTIVE:** 3.1 Create safe, friendly and accessible communities  
**FILE NO:** 02.163.1

**RECOMMENDATION NO. 2** - that the Council advise the Lions Club of Berrigan that it will not contribute to its First Aid Training Program.

Committee meeting reports

---

**6. FINLEY COMMUNITY HELP GROUP AND SECOND HAND SHOP**

**AUTHOR:** Director Corporate Services  
**STRATEGIC OUTCOME:** Supported and engaged communities  
**STRATEGIC OBJECTIVE:** 3.1 Create safe, friendly and accessible communities  
**FILE NO:** 03.159.1

**RECOMMENDATION NO. 3** - that the Council note the report regarding the proposed lease to the Finley Community Help Group and Second Hand Shop

**7. WAAAF WALK**

**AUTHOR:** Director Corporate Services  
**STRATEGIC OUTCOME:** Supported and engaged communities  
**STRATEGIC OBJECTIVE:** 3.1 Create safe, friendly and accessible communities  
**FILE NO:** 21.101.10

**RECOMMENDATION NO. 4** - that the Council:

1. enter into an agreement with the Rotary Club of Tocumwal for the maintenance of the Tocumwal Creek Walk with an honorarium of \$2,000 per annum and subject to the agreement at the General Manager, and
2. agree to make a contribution of up to \$4,500 for the development of a masterplan for the Tocumwal Creek Walk.

**8. FINLEY WAR MEMORIAL HALL**

**AUTHOR:** Director Corporate Services  
**STRATEGIC OUTCOME:** Supported and engaged communities  
**STRATEGIC OBJECTIVE:** 3.2 Support community engagement through life-long learning, culture and recreation  
**FILE NO:** 05.101.3

**RECOMMENDATION NO. 5** - that the Council proceed with "Option 3", redesign of Finley War Memorial Hall and School of Arts, based on the revised scope and cost estimate.



## Committee meeting reports

**9. PAYMENT SERVICES**

**AUTHOR:** Director Corporate Services  
**STRATEGIC OUTCOME:** Good government  
**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance by Council of Council operations and reporting

**FILE NO:**

**RECOMMENDATION NO. 6** - that the Council:

1. note the introduction of the BPoint credit card payment service;
2. endorse the decision not to use:
  - a. the Centrepay bill payment service
  - b. a Direct Debit system;
3. taking into consideration the cost of the facility, not introduce the Post Bill Pay payment solution.

**10. MURRAY REGIONAL TOURISM BOARD**

**AUTHOR:** Director Corporate Services  
**STRATEGIC OUTCOME:** Diverse and resilient business  
**STRATEGIC OBJECTIVE:** 4.3 Diversify and promote local tourism  
**FILE NO:** 08.078.1

**RECOMMENDATION NO. 7**- that the Council enter into a Partner Councils' Funding Agreement with Murray Regional Tourism Board for the period 2017-2020 and contribute the following amounts to its operations:

- 2017/18 \$14,103
- 2018/19 \$14,385
- 2019/20 \$14,673

subject to the Murray Regional Tourism Board remaining an entity in its own right.

## Committee meeting reports

**7.2 MINUTES OF THE TECHNICAL SERVICES COMMITTEE MEETING**

**RECOMMENDATION** – that recommendations numbered 1 to 2 inclusive of the Technical Services Committee Meeting held on 5<sup>th</sup> April, 2017 be adopted.

**4. WASTE MANAGEMENT PLAN**

**AUTHOR:** Environmental Engineer

**STRATEGIC OUTCOME:** Sustainable natural and built landscapes

**STRATEGIC OBJECTIVE:** 1.1 Support sustainable use of our natural resources and built landscapes

**FILE NO:** 31.160.3

**RECOMMENDATION NO. 1** - that the Council adopt as a draft the Waste Management Plan, attached as appendix "A" and as amended.

**5. DRAINAGE NORTH EAST CORNER OF BERRIGAN SHIRE**

**AUTHOR:** Director Technical Services

**STRATEGIC OUTCOME:** Sustainable natural and built landscapes

**STRATEGIC OBJECTIVE:** 1.2 Retain the diversity and preserve the health of our natural landscapes and wildlife

**FILE NO:** 29.101.4

**RECOMMENDATION NO. 2** - that the Council agree to participate in the development of a Co-ordinated Drainage Plan for the north east corner of the Shire by way of staff technical input and minor administrative assistance.

## Committee meeting reports

### 7.3 MINUTES OF THE RISK MANAGEMENT COMMITTEE MEETING

**RECOMMENDATION** – that recommendations numbered 1 to 2 inclusive of the Risk Management Committee Meeting held on 5<sup>th</sup> April, 2017 be adopted.

#### 6. SIGNS AS REMOTE SUPERVISION POLICY

**AUTHOR:** Enterprise Risk Manager  
**STRATEGIC OUTCOME:** Supported and engaged communities  
**STRATEGIC OBJECTIVE:** 1.3 Connect and protect our communities  
**FILE NO:** 27.121.2

#### RECOMMENDATION NO. 1

1. that the Council adopt the Facility Visitation Rating Register included as Appendix "Facility Visitation Rating Register".
2. that the Council revoke the existing Signs as Remote Supervision Policy.
3. that the Council adopt the Signs as Remote Supervision Policy as follows:

#### 67 SIGNS AS REMOTE SUPERVISION POLICY

File Reference No: 27.121.2

Strategic Outcome: Good government

Date of Adoption: 19/04/2017

Date for Review: 21/04/2021

Responsible Officer: Enterprise and Risk Manager

#### 1. POLICY STATEMENT

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

Berrigan Shire Council recognises that it aims to eliminate risks where possible. This however is not always practicable, and in many reserves and

## Committee meeting reports

---

facilities under the Council's control, it is often appropriate for the Council to use signs as remote supervision as a risk mitigation measure.

### 2. PURPOSE

The purpose of this policy is to clearly outline the methodology used in assessing facilities for signs as remote supervision. This systematic process will determine the type of sign to be erected, the information to be included, the location and number of signs required, and follow up inspection and maintenance programs.

### 3. SCOPE

This policy applies to:

- Identified public facilities where, due to their nature, access is open and uncontrolled;
- Staff involved in the assessment of facilities to determine the need for signage;
- Staff involved in the ongoing inspection and maintenance of signage.

### 4. OBJECTIVE

This policy is designed to assist the Council meet the following Delivery Plan objectives:

*2.2.2 Council operations support ethical, transparent and accountably corporate governance.*

### 5. DEFINITIONS

*Facility refers to a parcel of land that may include reserves, parks, beaches, pools and where applicable waterways, either owned, operated or under the care and control of Council.*

*Level of Development refers to the amount of improvement that has taken place at a facility, or the existence of natural features within or about the facility. Development and improvement includes the infrastructure that Council has provided for use by the public, such as carparks, tables, barbeque equipment, swings, pools, tennis courts, etc., whilst natural features include creeks, cliffs, blowholes, etc.*

*Frequency of use is defined as the number of times the facility is used by patrons on a regular basis.*

*Population use is defined as the average number of people that use a facility at any given point in time during organised or impromptu events.*

## Committee meeting reports

---

*Facility Visitation Rating (FVR) is a calculation based on the data collected during the evaluation process. The data collected includes the amount of development of the facility, the population use of the facility and the frequency of use of the facility ( $FVR = (Development \times Population) + Frequency$ ). The FVR is the resulting numerical value used to determine the most appropriate sign for the facility.*

*Prohibition Symbols are depicted by a red circle with a red diagonal slash across the front on a white background. Inside the red circle is a black pictorial image depicting the behaviour or activity that Council has prohibited.*

*General Warning Symbols are depicted by a yellow diamond with a black border. Inside the yellow diamond is a black figure/image depicting the activity/hazard that is being warned against.*

### 6. POLICY IMPLEMENTATION

#### 6.1 Determining Appropriate Signs for Council Facilities

In determining appropriate signs for facilities, the Council will apply best practice principles using the following process:

1. Establish a full and complete inventory of all applicable Council facilities that require signage as a remote form of risk mitigation;
2. Determine Council's Level of Development within each facility, including naturally occurring features;
3. Ascertain the Population use for each facility;
4. Predict or obtain the Frequency of use of the facility;
5. Using the formula, calculate the FVR;
6. Identify the hazards associated with the facility, and using Council's risk management framework, assess and rate the risks;
7. Select and produce the most appropriate sign for the facility and determine its location.

#### 6.2 Facility Visitation Ratings Register

The Facility Visitation Ratings Register lists all the identified facilities where signage as remote supervision is required.

The register details the process to be used to determine the FVR, and then individually identifies each facility, the results of the assessment, the signage to be used and the location of the signage.

#### 6.3 Sign Maintenance and Inspection

Council has in place a regular inspection and maintenance regime for facility signage which is included as part of the overall public facility inspection program.

### Committee meeting reports

---

Ongoing maintenance of signs as remote supervision will be carried out as part of scheduled maintenance and recurrent expenditure programs for signage as allocated in the Council's Annual Budget, and at the discretion of the responsible manager.

Changes to Standards or Best Practice Guidelines on which this policy and the signs' design are based will automatically warrant the replacement of signs. Existing signs will be used until they reach the end of their useful life or circumstances within the facility change to the extent that it warrants replacement.

#### 6.4 Documentation

All records relating to the sign evaluation and determination process, sign inspection and maintenance programs, will be maintained as part of Council's record management system.

#### 6.5 Monitoring and Review

The Facility Visitation Rating Register will be reviewed in line with policy, and where any significant changes to the level of development or usage of a facility require a reassessment of its FVR and potential hazards.

### 7. RELATED LEGISLATION, POLICIES AND STRATEGIES

Additional publications to be read in conjunction with this policy include:

- Risk Management Policy and Framework
- Facility Visitation Rating Register
- *AS2342:1992 Development, Testing and Implementation of Information and Safety Symbols and Symbolic Signs*
- *AS/NZS2416:2010 Water Safety Signs and Beach Safety Flags parts 1, 2 & 3*
- *Statewide Mutual "Signs as Remote Supervision" Best Practice Manual, August 2014*

**Committee meeting reports**

---

**5. GATHERING INFORMATION POLICY**

**AUTHOR:** Enterprise Risk Manager  
**STRATEGIC OUTCOME:** Supported and engaged communities  
**STRATEGIC OBJECTIVE:** 1.3 Connect and protect our communities  
**FILE NO:** 27.121.2

**RECOMMENDATION NO. 2**

1. that the Council revoke the existing Gathering Information Policy.
2. that the Council adopt the Gathering Information Policy as follows:

**80. GATHERING INFORMATION POLICY**

File Reference No: 27.121.2

Strategic Outcome: Good government

Date of Adoption: 19/04/2017

Date for Review: 21/04/2021

Responsible Officer: Enterprise and Risk Manager

**1. POLICY STATEMENT**

Berrigan Shire Council is committed to establishing a comprehensive document control and records management system to ensure that the operations and governance of Council are appropriately recorded, with those records readily available for retrieval as required.

The collection and retrieval of accurate information is vital in the defence of claims against Council, particularly in relation to public liability and professional indemnity claims.

**2. PURPOSE**

The purpose of this policy is to provide direction to Council staff on reporting and investigating incidents, gathering information surrounding the incident, and ensuring any information gathered is in a format that constitutes admissible evidence when defending claims in court.

### Committee meeting reports

---

#### 3. SCOPE

This policy applies to all staff, including contractors and volunteers of Council.

#### 4. OBJECTIVE

This policy is designed to assist the Council meet the following Delivery Plan objectives:

*2.2.1 Meet legislative requirements for Council elections, local government and integrated planning and reporting;*

*2.2.2 Council operations support ethical, transparent and accountably corporate governance.*

#### 5. DEFINITIONS

Incident, as defined by Statewide Mutual, is “subordinate or accessory event; event occurrence; detached event attracting general attention; something that occurs casually in conjunction with something else.”

Council will be faced with various types of incidents, including complaints that may result in a claim against Council. These incidents are defined as follows:

*Environmental incident: Any incident involving an environmental spill at a Council controlled facility or workplace.*

*Financial incident: Any occurrence in fraud, misappropriation, major cost over-run, or failure in debtor, creditor and investment control systems.*

*Government incident: Any occurrence of failure in Code of Conduct, Fraud or misappropriation; significant reputation loss; Project management failure; or Privacy Principles failure.*

*Incident Investigation: Formal internal investigation involving gathering of information and completion of investigation report.*

*Incident Review: This is an informal discussion with relevant parties about the incident which may or may not lead to a formal internal investigation.*

*Legislative Compliance Incidents: Any failure in legislative compliance.*

*Professional Indemnity Incidents: Loss or damaged suffered by a member of the public as a result of a determination, certificate issue, design or advice supplied by Council.*



## Committee meeting reports

---

*Property Incidents: Any loss or damage to fleet, equipment or property asset form actions of staff, volunteers, contractors, visitors or members of the public.*

*Public Liability Incidents:*

- *Injury, illness, loss or damage suffered by a member of the public as a result of actions or activities of Council staff, volunteers or contractors;*
- *Injury or illness to a member of the public at Council controlled facilities or infrastructure.*

*Work Health and Safety Incidents: Work-related injury or illness to Council employees, volunteers or contractors.*

### 6. POLICY IMPLEMENTATION

#### 6.1 Document Control

Council will ensure that forms generated within Council, which require completion or data entry by Council staff are controlled and registered in accordance with document control procedures.

This is to ensure that the minimum requirements for court admissible documentation are met.

#### 6.2 Records Management

Council shall keep all records required to demonstrate that obligations for responsible financial, human resource, health and safety, environmental and operational management have been met in accordance with the State Records Act 1998.

In accordance with documented procedures, Council shall ensure that all records are appropriately identified, stored, indexed, retained, protected and easily retrieved when required and are disposed of in a suitable manner when no longer required.

#### 6.3 Data Storage

Council staff must ensure that data is stored in the appropriate place. Regular data backup occurs in line with Council procedures.

#### 6.4 Email Management

With email the preferred method of communication, it is imperative that any internal or external email, created or received in the course of business at the Berrigan Shire Council is treated as a public record and is managed in accordance with the State Records Act 1998, and Council procedures.

#### 6.5 Incident Notification

Incidents may be reported to Council using a variety of mechanisms. These may be through Council's Customer Request System, verbally received or

### Committee meeting reports

---

formally reported through correspondence, or in the case of workplace incidents, through workplace incident notification.

#### 6.6 Incident Investigation

Not all incidents will be investigated. All incidents however are reviewed and where assessed as necessary, are investigated.

#### 6.7 Claims

Where a claim is deemed possible, whether that is a workers compensation claim, or general insurance claim, an investigation will be conducted with all associated documentation retrieved and included with the investigation report.

Workers compensation claims will be coordinated by the Human Resource Officer in consultation with Council's insurer.

Other claims will be coordinated by the Enterprise Risk Manager, with Council's insurer notified upon receipt or suggestion that a claim is to be made.

#### 6.8 Records Retrieval

Depending upon the incident and the result of the investigation, external records such as weather reports, as well as internal records will be retrieved and reviewed, in accordance with Council procedures to ensure they meet the minimum requirements for court admissibility.

### 7. RELATED LEGISLATION, POLICIES AND STRATEGIES

- *Civil Liability Act 2002*
- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- *State Records Act 1998*
- *Government Information (Public Access) Act 2005*
- *Work Health and Safety Act 2011*
- *Privacy and Personal Information Protection Act 1998*
- Risk Management Policy and Framework
- Communication Devices and Internet Policy
- Privacy Management Plan
- Fraud Control Policy
- Fraud Control Plan
- Work Health and Safety Policy
- Liability Management Policy

Items requiring Council Resolution

---

**8. MAYOR'S REPORT**

**RECOMMENDATION** – that the Mayor's Report be received.

**R  
E  
S  
O  
L  
U  
T  
I  
O  
N**

Items requiring Council Resolution

---

9.

**DELEGATES REPORT**

**R  
E  
S  
O  
L  
U  
T  
I  
O  
N**

Items requiring Council Resolution

---

10. GENERAL BUSINESS

RESOLUTION