



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 **19TH July, 2017** when the following business will be submitted:-

9:00AM

Public Question Time

COUNCIL MEETING

1.	APOLOGIES	2
2.	DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTEREST	2
3.	VISITORS ATTENDING MEETING	2
4.	CONFIRMATION OF MINUTES	2
5.1	FINANCE - ACCOUNTS.....	2
5.2	DESIGNATED PERSONS.....	7
5.3	CROWN LANDS – LAND NEGOTIATION PROGRAM.....	9
5.4	REGIONAL GROWTH FUND AND OTHER GRANTS.....	11
5.5	TREE MANAGEMENT	17
5.6	ASBESTOS MANAGEMENT PLAN.....	23
5.7	LEGISLATIVE COMPLIANCE POLICY	24
5.8	POLICIES FOR READOPTION	29
5.9	SWIMMING POOLS ACT 1992 – AUTHORISATION OF STAFF	31
5.10	LGNSW ANNUAL CONFERENCE	33
5.11	DEVELOPMENT APPLICATION 138/17/DA/DM.....	34
5.12	EARLY CHILDHOOD INTERVENTION SERVICE – EXPRESSIONS OF INTEREST.....	40
6.1	2016 CENSUS RESULTS	42
6.2	2017 NSW LOCAL ROADS CONGRESS.....	45
6.3	PGA TRAINEE CHAMPIONSHIP	46
6.4	LGNSW REGIONAL PLANNING LUNCH.....	47
6.5	NOTICE OF WITHDRAWAL FROM RAMROC.....	48
6.6	LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING	49
6.7	DEVELOPMENT DETERMINATIONS FOR MONTH OF JUNE 2017.....	50
7.	CLOSED COUNCIL.....	54
	RESOLUTIONS FROM THE CLOSED COUNCIL MEETING	58
8.	MINUTES OF THE LOCAL TRAFFIC COMMITTEE.....	59
9.	MAYOR'S REPORT	61
10.	DELEGATES REPORT	62
11.	GENERAL BUSINESS	63
12.	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 19th July, 2017

BUSINESS PAPER

1. APOLOGIES

Cr John Bruce

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

3. VISITORS ATTENDING MEETING

4. CONFIRMATION OF MINUTES

RECOMMENDATION – that the Minutes of the meeting held in the Council Chambers on Wednesday 21st June, 2017 be confirmed.

5.1 FINANCE - ACCOUNTS

AUTHOR: Finance Manager

STRATEGIC OUTCOME: Diverse and resilient business

STRATEGIC OBJECTIVE: 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting

RECOMMENDATION – that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 30 June 2017, be received and that the accounts paid as per Warrant No. 06/17 totaling \$2,826,633.89 be confirmed.

Items requiring Council Resolution

REPORT

- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 30 June 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 30 June 2017.
- c) The Finance Manager certifies the Accounts, including the Petty Cash Book made up to 30 June 2017, totaling \$2,826,633.89 and will be submitted for confirmation of payment as per Warrant No. 06/17
- 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) June has seen an increase in total funds compared to the end of May 2017. This increase represents the normal cash pattern of a decrease of funds (from payment of all available June invoices), being offset by the receipt of \$2.197m in 2017-18 Financial Assistance Grant (FAG) in advance as reported to the Council at the ordinary meeting in May.

This advance payment represents two quarters of FAG payments. Under current accounting standards this is required to be treated as income in the period in which it is received (8 June 2017). This is not additional funding; these funds are already allocated to fixed budget in the 2018-19 financial year as part of the Long Term Financial Plan.

In comparison to June last year the cash position has increased almost \$5m – \$2.2m in advance FAG and the remaining \$2.8 resulting from a combination of factors, predominately in the water and sewer funds and the success of the Council in attracting grant funding.

Total funds held are expected to increase in July as the new rating year commences. The balance of the 2017-18 allocation of the Financial Assistance Grant instalment which is normally paid in July has been advised as being allocated in the July-August period.

R
E
S
O
L
U
T
I
O
N

Items requiring Council Resolution

Statement of Bank Balances as at 30 June 2017

Bank Account Reconciliation

Cash book balance as at 1 June 2017	\$ 2,357,459.99
Receipts for June 2017	\$ 3,696,580.81
Term Deposits Credited Back	\$ 2,500,000.00
	\$ 8,554,040.80

Less Payments Statement No 06/17

Cheque Payments V0 - V0	\$ 12,329.39
Electronic Funds Transfer (EFT) payroll	\$ 484,923.35
Electronic Funds Transfer (EFT) Creditors E0 - E0	\$ 2,307,835.97
Term Deposits Invested	\$ -
Loan repayments, bank charges, etc	\$ 21,545.18
Total Payments for June 2017	<u>\$ 2,826,633.89</u>
Cash Book Balance as at 30 June 2017	<u>\$ 5,727,406.91</u>

Bank Statements as at 30 June 2017

Bank Statements as at 30 June 2017	\$ 5,728,713.89
Plus Outstanding Deposits	
Less Outstanding Cheques/Payments	\$ 1,306.98
Reconciliation Balance as at 30 June 2017	<u>\$ 5,727,406.91</u>

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	131/17	180	2.75%	20/11/2017	\$ 2,000,000.00
Goulburn Murray Credit Union	124/16	275	2.75%	13/01/2018	\$ 2,000,000.00
Bendigo Bank	128/16	270	2.85%	17/09/2017	\$ 2,000,000.00
Bendigo Bank	122/16	184	2.65%	30/11/2017	\$ 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	183	2.60%	4/10/2017	\$ 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	182	2.65%	28/11/2017	\$ 2,000,000.00
T-CORP HOURGLASS AT CALL		AT CALL			\$ -
					<u>\$ 23,000,000.00</u>

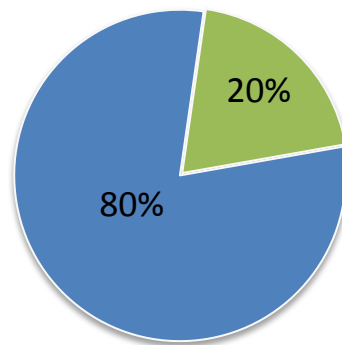
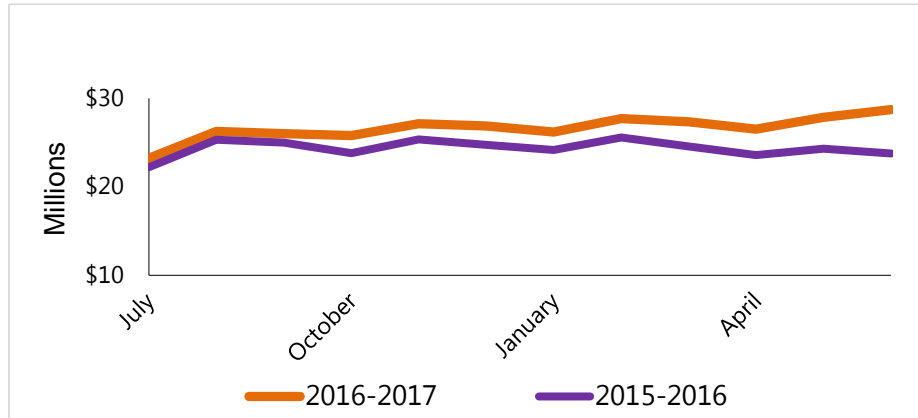
Total Funds Held at 30 June 2017

\$28,727,406.91

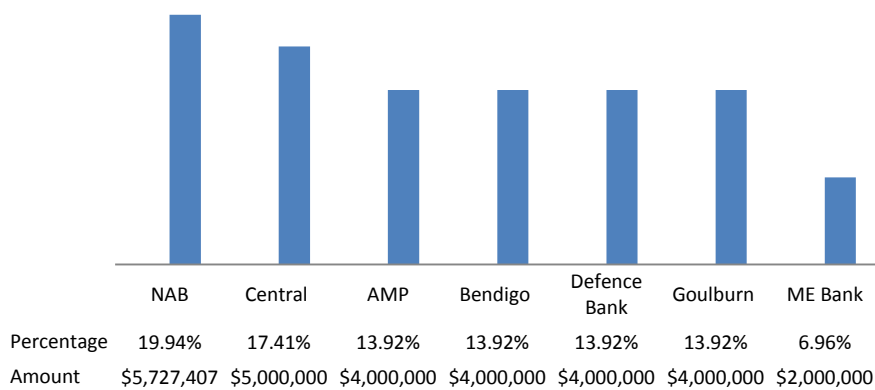
Carla von Brockhusen - Finance Manager

Items requiring Council Resolution

Total Cash and investments



■ Term Deposits ■ At Call T-Corp ■ Cash at Bank



RESOLUTION

Items requiring Council Resolution

Prior Financial Institution	Previous Investment			Current Financial Institution	New Investment		
	Term (Days)	Amount	Interest Rate		Term (Days)	Amount	Interest Rate
TCORP		\$2.5M					

R
E
S
O
L
U
T
I
O
N

Items requiring Council Resolution

5.2 DESIGNATED PERSONS

AUTHOR: General Manager

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting

FILE NO:

RECOMMENDATION: - that the Council:

1. Revoke all previously identified positions as Designated Persons; and
2. Pursuant to S441 of the Local Government Act designate the holder(s) of the following positions as Designated Persons:

Director of Corporate Services
 Director of Technical Services
 Finance Manager
 Development Manager
 Engineering Services Manager
 Town Planner
 Building Surveyor/Asset Maintenance Officer
 Assets and Operation Manager
 Industry and Economic Development Officer

REPORT:

Asside from Councillors and the General Manager, the Council has the opportunity to appoint the holders of other Council positions as "Designated Persons" which then brings those persons into the various pecuniary interest obligations under the Local Government Act.

S441, inter alia, states "*For the purposes of this Chapter, designated persons are:*

- *the general manager*
- *other senior staff of the council*
- *a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions under this or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest"*

RESOLUTION

Items requiring Council Resolution

The positions suggested for designated have been selected on the basis that they are likely to be subject to actual or perceived conflicts of interest.

As there have recently been a number of position changes and position name changes it is suggested that the Council revoke all its previous designations and designate the occupiers of the suggested positions.

RESOLUTION

Items requiring Council Resolution

5.3 CROWN LANDS – LAND NEGOTIATION PROGRAM**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:****RECOMMENDATION:** - that the Council participate in the Dept of Industry – Lands and Forests Land Negotiation Program 2017 – 2019.

REPORT:

As Councillors may be aware, the State has for some time been reviewing Crown Land legislation.

One of the aims of this review is to ensure that Crown land is held by the most appropriate landholder to achieve the most positive social, economic, cultural and environmental benefit for the people of NSW whilst retaining land of state significance.

Now that the review is complete the Dept of Industry – Lands and Forests is calling for expressions of interest from Councils and Aboriginal Land Councils to participate in a negotiation program to transfer Crown land to them.

The Dept expects only six Councils a year will be negotiated with or eighteen over the life of the program.

The program will not see any forced transfers and does not involve Councils paying for any land transferred.

If this Council participated it could see things like recreation reserves, water treatment plant sites etc transferred to the Council. The Council could also negotiate the transfer of land that it sees as locally important and which it presently has no legal interest in i.e. Berrigan Aerodrome site.

If the Council did see the transfer of land to it this would allow it to be managed as community land under the Local Government Act as opposed to other legislation.

There does not appear to be any reason not to participate in the program however whether or not the Council would be negotiated with in the first three years is unknown.

Items requiring Council Resolution

It is unclear whether any land transferred to the Council would be freehold or merely vested in the Council, the difference being that if the Council wishes to freehold land vested in it then this requires compensation to be paid.

RESOLUTION

Items requiring Council Resolution

5.4 REGIONAL GROWTH FUND AND OTHER GRANTS**AUTHOR:** Director Corporate Services**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting**FILE NO:****RECOMMENDATION:** - the direction of Council is sought.

REPORT:

As part of the 2017/18 NSW budget, the NSW government announced the creation of the Regional Growth Fund (RGF), a \$1.3 billion funding pool to “support growing regional centres, activate local economies and improve services in communities”. The RGF website can be found at <https://www.nsw.gov.au/improving-nsw/regional-nsw/regional-growth-fund/>.

The RGF itself is informed by the [NSW Government’s Regional Development Framework](#) – the NSW Government’s plan for regional development over the next 30 years.

The RGF website states:

The Regional Growth Fund will invest in projects that facilitate regional development through six funds. These funds aim to enable essential infrastructure, support arts and culture, enhance and build sporting infrastructure, improve regional voice and data connectivity, invest in our mining-impacted communities, spur job creation and deliver local infrastructure.

Funding Streams

The RGF has six funding streams:

1. Connecting Country Communities

This program is intended to build and upgrade mobile base stations to improve telephone and data connections in regional NSW.

2. Regional Sports Infrastructure

This program will invest in new and existing sporting venues with the aim of increasing participation and performance at all levels.

Items requiring Council Resolution

3. [Regional Cultural Fund](#)

This program is intended to support creation of cultural infrastructure – including buildings and structures – that support or accommodate the arts, cultural expression and heritage. This could include museums, performing arts venues, galleries or libraries.

This program will also provide some operational funding for museums and galleries

4. [Growing Local Economies](#)

This program is intended to fund infrastructure to support job creation and economic growth. While not stated, it appears to be targeting investment in roads and utilities to attract business.

5. Resources for Regions

This program is specific to mining communities and is designed to support economic growth and job creation.

6. [Stronger Country Communities](#)

This program is designed to support communities to upgrade community facilities such as parks and playgrounds to improve quality of life. Berrigan Shire Council has been given a bas allocation of \$788,296

Projects must be greater than \$100,000 with a preference for projects greater than \$250,000. Projects must show evidence of community consultation. Priority is given to projects that provide local jobs and support local businesses.

Councils have been invited to submit applications for this funding stream in tranches. Berrigan Shire Council is in “Tranche A” and its application must be submitted by 9 August 2017. This timeframe is incredibly tight to scope and consult on a new project.

These grant programs are expected to be open for applications in mid-July. This provides an opportunity for the Council to identify priority funding options for each of these funding streams.

Items requiring Council Resolution

Other grants

As well as the RGF grants, there are some other grant opportunities that may also be considered by the Council.

1. [Stronger Communities Program](#)

This Federal Government program is designed for small capital projects that deliver social benefits to the local community. A total funding pool of \$150,000 is available in the Farrer electorate. Projects are assessed by the local Member of Parliament before being invited to apply. Applications open on **7 August 2017**

2. [Community Building Partnership](#)

This NSW Government program is designed for community infrastructure projects that promote community participation, inclusion and cohesion and deliver positive social, environmental, and recreational outcomes.

Grants need to be for building/repairing/refurbishing community infrastructure; or capital equipment with a minimum individual asset value of \$2,500. Councils must provide matching funding. A total funding pool of \$300,000 is available across the Murray electorate. Grants tend to be for amounts between \$5,000 and \$60,000. Applications close on 9 August 2017

3. [Fixing Country Roads](#)

This NSW government is designed to fund projects that better connect local and regional roads to state highways and key freight hubs.

The Council received \$2.5m in Round 1 of this program for the upgrade of Silo Road.

[NSW Boating Now](#)

The NSW government program provides funding assistance to deliver recreational boating infrastructure projects across the state.

Projects in the past have included new and upgraded boat ramps, boat trailer parking facilities, pontoons, jetties and sewage pump outs

Options

The table below provides some options available to the Council. The Council may also have some options and priorities of their own.

As always, the Council will be better placed to have their grant applications supported if it can demonstrate the project links to the NSW Government's priorities and is included in the Council's suite of integrated plans.

Items requiring Council Resolution

RGF stream	Comment
Connecting Country Communities	
<i>The direction of the Council is sought</i>	
Regional Sports Infrastructure	
Finley Showgrounds – refurbish former hockey rooms	A current priority of the Committee of Management. Project largely scoped and costed.
Finley Showgrounds – refurbish and/or expand Indoor Sports Centre	Facility not being used to potential at present. Rough scoping was prepared in 2015/16. The retention of the War Memorial Hall has lessened the potential use of a refurbished/expanded venue.
Berrigan Sportsground – reconstruct netball court	Existing court requires annual repairs to bring to acceptable standard.
Berrigan Sportsground – Electronic Scoreboard	Only Football/Cricket ground in Berrigan Shire with a manual board.
Barooga Recreation Reserve - Storage shed for cricket equipment	A request from the Committee of Management for this year's Operational Plan – was not supported by the Council
Finley Recreation Reserve – coaches box	Finley Football Club project – not sure on current status
Regional Cultural Fund	
Tocumwal Foreshore - Amphitheatre	Identified as a priority by the Council. Included in Masterplan. Acquiring Development Consent could delay the project.
Finley School of Arts refurbishment – refurbish front rooms	Design already underway. Matching funding already set aside. Does not appear to have the support of the local member of Parliament. Would mean delaying tender and construction work until funding confirmed.
Tocumwal War Memorial Hall – general refurbishment	Dated facility in need of refurbishment. Scope of works undertaken – quotes for electrical refurbishment and air conditioning. Not identified as a priority.

Items requiring Council Resolution

Berrigan War Memorial Hall – general refurbishment	Requires some structural and cosmetic works. No scoping work undertaken as yet. Not identified as a priority.
Growing Local Economies	
Tocumwal Truck Parking/Rest Area	Identified as a Council priority. Land available. Would leave future operation responsibility with the Council.
Tocumwal Intermodal Rail Expansion	Integrates with earlier Council projects in the area. Some issues with consent and access.
Tocumwal Foreshore – Deniliquin Rd enhancement	Identified as a Council priority. Already part of two earlier grant applications. Weak ties to direct job growth.
Tocumwal & Finley – Aerial Bundled Cabling	Weak ties to direct job growth.
Resources for Regions	
<i>Ineligible</i>	
Stronger Country Communities	
Finley Skatepark	Already has development consent. A previously supported project. Matching funding already set aside. Issues with location
Tocumwal Foreshore development	Currently subject to three other grant applications. Could fund the major “dry” playground facility.
Berrigan Apex Park redevelopment	Identified in early consultation with Berrigan community as requiring an upgrade. Plans in very early stages.
Finley Railway Park expansion	Development of new area in Railway Park and the construction of the proposed new toilets.
Walking tracks - various	Could tie in with Town Concept Plans.
Finley School of Arts refurbishment – refurbish front rooms	As above.
Tocumwal War Memorial Hall – general refurbishment	As above
Berrigan War Memorial Hall – general refurbishment	As above
Finley Showgrounds – refurbish and/or expand Indoor Sports Centre	As above

RESOLUTION

Items requiring Council Resolution

Funding program	Comment
Stronger Communities Program	
Finley Showgrounds – former hockey rooms	Demonstrated need and use. Project is scalable.
Hayes Park basketball half-court	Identified as priority by Berrigan community in early consultation. No final plan developed
Walking tracks - various	As above
Community Building Partnership	
Finley Showgrounds – former hockey rooms	As above
Hayes Park basketball half-court	As above
Berrigan Sportsground – reconstruct netball court	Existing court requires annual repairs to bring to acceptable standard. Would still require funding contribution from the netball club.
Finley Skatepark	As above
Fixing Country Roads	
Strathvale Road, Berrigan	Would allow for moving some heavy vehicle traffic around Berrigan
NSW Boating Now	
<i>The direction of the Council is sought</i>	

For discussion.

RESOLUTION

Items requiring Council Resolution

5.5 TREE MANAGEMENT**AUTHOR:** Enterprise Risk Manager**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting**FILE NO:** 27.121.2**RECOMMENDATION:** that the Council:

1. revoke the existing Tree Management Policy.
2. adopt the Tree Management Policy as follows:
3. revoke the existing Preferred Tree Species List,
4. adopt the Preferred Tree Species List included as appendix "A".

71. TREE MANAGEMENT Policy

Version 02

File Reference No: 11.151.1**Strategic Outcome:** Good government**Date of Adoption:** 19/07/2017**Date for Review:** 21/07/2021**Responsible Officer:** Enterprise and Risk Manager**1. POLICY STATEMENT**

Berrigan Shire Council is committed to the maintenance and improvement of its surrounding flora by effectively managing trees and vegetation within urban areas, road reserves and other lands over which Council has control.

This policy seeks to provide a practical and balanced approach to tree management. Whilst the health, safety and welfare of Council staff and the community, and the protection of public property and private property where Council trees may encroach, is paramount, Council is also committed to preserving trees, improving the aesthetic urban landscape, and effectively managing the environment. Whilst these objectives can be conflicting, responsible risk management shall take precedence in any determination regarding existing or future plantings.

R
E
S
O
L
U
T
I
O
N

Items requiring Council Resolution

2. PURPOSE

The purpose of this policy is to formalise the Berrigan Shire Council's management of trees including:

- Tree selection and planting
- Risk assessment
- Maintenance and tree removal
- Preservation

3. SCOPE

This policy applies to all trees and shrubs that are growing on any property under Council's control including operational land, community land, nature strips, road reserves and public reserves.

4. OBJECTIVE

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

1.2 Retain the diversity and preserve the health of our natural landscapes and wildlife;

2.2 Ensure effective governance by Council of Council operations and reporting.

5. DEFINITIONS

Preferred species: Are the trees that Council would select for planting after considering various factors including environmental, proximity to infrastructure, and ongoing maintenance.

6. POLICY IMPLEMENTATION

6.1 New Tree Selection and Placement

1. Council will provide suitable trees to plant on nature strips, but will also authorize resident to plant trees, provided that:-
 - a. A written application is made for such planting containing an undertaking from the applicant that the trees, once planted, will be watered and otherwise maintained by the applicant;
 - b. The trees will be of a type that is listed in Council's Preferred Species List;
 - c. The total number of trees on any section of nature strip (including existing trees) does not exceed two (2) for each property frontage, except where the General Manager may determine that additional trees are warranted, where the

Items requiring Council Resolution

property frontage is significantly longer than normal or other unusual circumstances exist.

2. Residents or land owners may provide and plant additional trees on nature strips at their own cost provided that such trees are of a type listed on Council's Preferred Species List and provided that such plantings are located so as to minimise future problems in regard to Council infrastructure, other services and the safety of pedestrians and traffic.
3. A resident or land owner may be required to remove or relocate any nature strip tree planted without prior approval, if the location or type of tree may cause problems in the future.

6.1.2 Tree Planting and Maintenance in New Subdivision Developments

Where a developer is required to plant trees as part of the planning permit process for new developments, Council will oversee the planting and establishment.

Approved landscape plans must conform to site assessments and Council's Preferred Species List.

6.1.3 Tree Planting – Council

To ensure the long term success of tree planting, a detailed analysis of site conditions and design constraints is required. The objective is to minimise risk associated with trees by selecting trees that will have minimal impact on, and have minimal impact by, their new environment.

6.2 Existing Trees

A map of tree types within Council's urban areas will be progressively developed. This will provide a general overview of trees that currently exist on Council's nature strips, within parks and reserves and surrounding Council controlled areas.

Council will also progressively build a register of trees under Council control within urban areas. The Tree Register will identify:

- Tree species and common name
- Location
- Approximate height of the tree
- Approximate width of the tree
- Approximate age of the tree
- Assessed vitality of the tree

Items requiring Council Resolution

- Other information including surrounding infrastructure, risk assessment and recommendations.

As trees are replaced, or new plantings occur, the new tree is added to the Tree Register and the existing tree is noted as removed or other relevant comment.

6.2.1 Tree Risk Assessments

All trees under Council control located in urban areas will gradually, and as resources permit, undergo a risk assessment and will be included on the Tree Register with follow up inspections scheduled in accordance with the results of the risk assessment. Priority will be given to those trees where:

- Complaints have been received;
- There are obvious declines in tree health;
- The tree has been damaged;
- The tree or its roots are affecting Council services or infrastructure;
- Planned Council works are in the vicinity.

When assessing trees, factors used in the analysis include:

- The likelihood of limb or whole tree failure;
- The location and the activity occurring at that location where the tree/limb may fail;
- The maximum size of the tree or limb identified as having the potential to fail.

This information is then used to determine the risk rating and actions required, in accordance with Council's Risk Management Policy and Framework.

Recommendations for mitigation works or tree removal are usually made where the risks are very high or high, and there is minimal environmental or historical value in retaining the tree. Where doubt exists, or where further assessment is required, Council will enlist the services of a qualified arborist.

Further assessment and development consent will be required where the tree or vegetation is or forms part of a heritage conservation area.

6.2.2 Pest and Disease Management

When pest and disease outbreaks compromise the health or increase the risks associated with trees, Council will only intervene where the trees in question have been planted by Council.

Items requiring Council Resolution

In these circumstances the efficacy and cost effectiveness of available treatments will be assessed and, if justified, the appropriate integrated pest management techniques will be undertaken.

Where affected trees are privately owned, and Council has been made aware, they will advise the owner so that the owner may take the appropriate action.

6.2.2.1 Termite Activity

The presence of pests in trees is not always apparent, and this is the case with termite activity. Council will treat Council planted trees where it has knowledge or has been advised of termite activity within those trees.

Due to the nomadic nature of termites, the place of origin of termites cannot be attributed to any particular tree and therefore Council will not be held responsible for any third party property damage.

6.2.4 Road Reserve Trees and Vegetation

Council, as the Road Authority under the Roads Act 1993, has a duty of care to the travelling public to, as far as reasonably practicable, ensure that trees and vegetation in the road reserve does not present a risk to life or property. In order to fulfil its duty of care it will be necessary for staff involved in road construction, maintenance and road inspections to be aware of trees and other vegetation that may present a risk to road users. This will be especially important following high wind or storm events.

Council has established guidelines under the Roadside Vegetation Management Plan to:

- Maintain, and where necessary, enhance roadside conservation value roadsides;
- Increase public awareness of the importance of roadside vegetation;
- Encourage community involvement in roadside conservation projects;
- Provide management guidelines for roadside vegetation.

7. RELATED LEGISLATION POLICIES OR STRATEGIES

7.1 Legislation

- *Roads Act 1993*

7.2 Policies and strategies

Items requiring Council Resolution

- **Berrigan Shire Council Preferred Species List**
 - **Berrigan Shire Council Roadside Vegetation Management Plan**
 - **Berrigan Shire Council LEP**
 - **Berrigan Shire Council Risk Management Policy and Framework**
-

REPORT:

The review of the Tree Management Policy and the Preferred Species List is part of the newly elected Council's requirements to review policies during the first twelve months of its term in office.

The policy has been reduced to include broader statements relating to the risk management of Council's trees, with the supporting document, the Preferred Species List, expanded to include the procedure for site assessment when planting new trees.

Items requiring Council Resolution

5.6 ASBESTOS MANAGEMENT PLAN**AUTHOR:** Enterprise Risk Manager**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting**FILE NO:** 05.101.9**RECOMMENDATION:** that the Council:

1. revoke the existing Asbestos Management Plan;
2. adopt the Asbestos Management Plan included as appendix "B".

REPORT:

The review of the Asbestos Management Plan is in line with the newly elected Council's requirements to review policies during the first twelve months of its term in office, and has been reviewed in conjunction with the Asbestos Policy review.

The Asbestos Management Plan is a requirement under the *Work Health and Safety Act 2011* and has been updated to reflect correct terminology and changes to Council's procedures in the removal and disposal of Asbestos.

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

Items requiring Council Resolution

5.7 LEGISLATIVE COMPLIANCE POLICY**AUTHOR:** Enterprise Risk Manager**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting**FILE NO:** 27.121.2**RECOMMENDATION:** - that the Council:

1. that the Council revoke the existing Legislative Compliance Policy;
2. that the Council adopt the Legislative Compliance Policy as outlined below:

71. LEGISLATIVE COMPLIANCE POLICY**Version:** 02**File Reference No:** 27.121.2**Strategic Outcome:** Good government**Date of Adoption:** 19/07/2017**Date for Review:** 21/07/2021**Responsible Officer:** Enterprise and Risk Manager**1. POLICY STATEMENT**

The activities of Local Government are affected by more than 100 State Acts, the main two being the *Local Government Act (NSW) 1993*, administered by the Department of Local Government, and the *Environmental Planning and Assessment Act (NSW) 1979*, overseen by the Department of Planning and Environment, and subsequent amendments thereto. In an environment of continuous legislative change, creating a risk of non-compliance, it is important for the Council to develop strategies to ensure conformity with applicable laws.

Items requiring Council Resolution

2. PURPOSE

This policy demonstrates a clear commitment by the Council to ensuring compliance with all applicable legislation. To facilitate this, the policy provides guidance on:

1. The obligations of staff members in ensuring legislative compliance;
2. The consequences of non-compliance;
3. The application of legal requirements;
4. Moral and ethical objections, and
5. Strategies for ensuring compliance.

3. SCOPE

This policy applies to all staff of the Berrigan Shire Council including volunteers and contractors.

4. OBJECTIVE

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

2.2 Ensure effective governance by Council of Council operations and reporting.

5. DEFINITIONS

Legislation - Laws that are made by Parliament, or under the authority of Parliament are called legislation, or statues. "Acts" are primary legislation. Acts may authorise the making of Regulations, Orders and Notices and there are referred to as subordinate legislation.

Legislation compels or directs the action of individuals, industry and other groups in specified circumstances and also outlines actions that are not to be taken, in order to achieve certain policy objectives.

Delegation Register – Councils have certain duties which they must perform, and certain powers which they must exercise, pursuant to the Local Government Act 1993, as well as a number of other Acts. Under the Local Government Act 1993, Council is able to delegate those duties to staff and Committees of Council.

The Delegation Register is a listing of those functions which Council has delegated to appropriate staff and Committees of Council.

6. POLICY IMPLEMENTATION

6.1 Staff Obligations

All Council staff are responsible for ensuring the Council complies with all relevant legislation. These responsibilities however differ across the organisation, based on the position requirements of the individual and their direct involvement in statutory functions.

Items requiring Council Resolution

6.1.1. General Responsibilities

While the Council does not expect staff to be fully conversant with every State and Federal law, all staff members are expected to be aware of the common areas of legislation that affect their day to day work.

In addition, staff member are expected to be aware of a range of employment related laws (for example legislation relating to work, health and safety, equal opportunity, bullying and harassment), and are expected to be aware that certain actions may be subject to the criminal code (such as theft, assault, etc.).

Staff members should also be aware of any Council policies, codes, Australian Standards or statements that re relevant to their areas of responsibility.

6.1.2. Delegated Responsibilities

Staff members with delegated authority for carrying out statutory requirements (in accordance with the Delegation Register) are expected to develop a clear understanding of the relevant provisions as they relate to their responsibilities, and make themselves aware of changes to legislation and its impact on Council activities.

6.1.3 Management Responsibilities

Any staff member responsible for the management or supervision of staff must ensure appropriate information is disseminated to all workers under their responsibility. They are responsible for ensuring that risk due to non-compliance is minimised and workers under their responsibility are kept fully informed, briefed and/or trained about the key legal requirements relevant to their work.

They are also required to ensure that information relating to legislative changes is disseminated to appropriate staff members, and that recordkeeping systems and practices that capture evidence of compliance are in place.

6.2 Consequences of Non-Compliance

Staff should be aware that any failure to comply with the law could be a criminal act, or result in a breach of the law or a breach of discipline.

Failure to comply with legal requirements could result in:

1. Disciplinary proceedings;
2. A hearing by the Pecuniary Interest Tribunal into complaints concerning alleged failures by Councillors, staff, delegates and advisors to disclose pecuniary interests;
3. Dismissal of the Mayor and Councillors and the appointment of an Administrator;
4. Removal of a Council's planning powers and the appointment of an Administrator;

Items requiring Council Resolution

5. The appointment of an Environmental Administrator (under relevant environmental legislation);
6. Legal proceedings against the Council for orders to remedy or restrain breaches of certain Acts, or for other legal challenges relating to such things as acting beyond the scope of authority of power, or failing to provide natural justice, possibly resulting in costly litigation and awards of damages;
7. Complaints about the conduct of the Council or staff members being referred to the Ombudsman, ICAC, Audit Office, Office of Local Government, or other relevant bodies;
8. Criminal proceedings;
9. Disruption to management, staff morale problems and bad publicity resulting from any of the above.

6.3 Application of Legal Requirements

The obligation to comply with legal requirements does not relieve the Council or individual staff members of the moral or ethical obligation to mitigate the effects of rigid adherence to the letter of the law where that results in, or would result in, unintended or manifestly inequitable or unreasonable treatment of an individual or organisation. For example:

1. If the law gives the Council discretion, it should be exercised in a fair and reasonable way;
2. If the law does not give the Council discretion, fairness may involve adopting a broad interpretation in certain circumstances rather than a rigid adherence to legality;
3. Other options may be available to the Council to mitigate any unreasonable or inequitable effects of compliance with the law. These could include, for example, waiving debts, refunding fees or charges, offering an expression of regret or an apology, deferring regulatory action to allow for an authorization to be obtained, fast tracking an assessment and determination of an application, etc.

In a similar manner, policies, codes, standards, etc. should not be applied inflexibly but on the basis of merit, with proper consideration being given to the particular circumstances of each individual case.

Staff members should have regard to circulars, practice notes, codes, guidelines, etc. issued by government or relevant central agencies. They should comply with their terms unless there are justifiable grounds for taking another course of action within the scope of the discretion available to the decision-maker.

6.4 Dealing with Moral or Ethical Objections

There can be limited occasions where a staff member believes on moral or ethical grounds, that he or she cannot give effect to a lawful policy.

Items requiring Council Resolution

Where such objection is based on a *bona fide* belief that is honestly and strongly held (as opposed to a mere personal or political preference), the staff member concerned should be relieved of responsibility for the implementation or enforcement of that policy. As well as recognising moral objections, such an approach helps to ensure the actual and perceived impartiality and fairness of the Council.

6.5 Strategies for Ensuring Compliance

The General Manager will ensure a range of methods are adopted for use by Council staff to ensure compliance with key legislative changes.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Policies and Strategies

- Berrigan Shire Council Community Strategic Plan
- Berrigan Shire Council Local Environmental Plan
- Delegation Register
- All Council policies and plans developed in accordance with legislation

REPORT:

The review of the Legislative Compliance Policy is part of the newly elected Council's requirements to review policies during the first twelve months of its term in office.

The policy has been reduced and reformatted. Procedural statements that are captured in Council's Integrated Management System Manual have been removed from the policy; in addition the exorbitant library listing of legislation that relates to Council functions has also been removed as this is captured in individual policies and Council procedures.

Items requiring Council Resolution

5.8 POLICIES FOR READOPTION

AUTHOR: Enterprise Risk Manager

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting

FILE NO: 22.112.2, 05.101.9

RECOMMENDATION: that the Council:

1. note that it has reviewed the following policies:
 - Asset Management
 - Contaminated Lands
 - Workplace Rehabilitation
 - Event Management
 - Heat Stress
 - Asbestos Policy
2. set the date for their next scheduled review as July 2021.

REPORT:

At its ordinary meeting on 21 September 2016, the Council resolved the following:

RESOLVED *Crs: Morris and Bodey that the General Manager place before the Council over the next 10 months the following for review:*

1. *Delegations to the General Manager and other organisations, Committees etc.*
2. *Code of Conduct*
3. *Code of Meeting Practice*
4. *Community Strategic Plan and supporting plans*
5. *Strategic and business plans*
6. *Organizational structure*
7. *Council Policies*
8. *Payment of Expenses and provision of Facilities Policy*

From a Council officer's point of view, the policies below are still meeting requirements and do not require modification. However, the Council may amend or revoke these policies as it wishes.

1. **Asset Management** – Sets the framework for the development of the Council's Asset Management Strategy – part of the Council's Resourcing Strategy.

RESOLUTION

Items requiring Council Resolution

2. **Contaminated Lands** – A policy providing guidance for the Council's when making planning decisions regarding the use and development of land that may be contaminated. This policy is based on a template provided by the Department of Planning.
3. **Workplace Rehabilitation** – Rehabilitation and Return to Work processes for an employee who sustains an illness or injury whilst performing work on behalf of Berrigan Shire Council, and the options available to staff returning to work after an injury/illness resulting from circumstances outside of the workplace;
4. **Event Management** – Clarifies Council's role in supporting the management of events; and ensure that all events whereby Council has a direct or indirect liability are managed with a view to minimizing risk;
5. **Heat Street** – provides guidance to staff when working in heat, to understand the health implication for working extreme conditions, and to implement control measures when required.
6. **Asbestos Policy** – is based upon the *Model Asbestos Policy for NSW Councils* developed by the Heads of Asbestos Coordination Authorities to promote a consistent Local Government approach to asbestos management across NSW.

Appendix "C" contains copies of the above policies.

If the Council wishes to re-confirm these policies without amendment, it would be worthwhile extending their scheduled review date until the next term of the Council. Note that the Council may still, if it chooses, amend these policies at any time during their term.

Items requiring Council Resolution

**5.9 SWIMMING POOLS ACT 1992 –
AUTHORISATION OF STAFF****AUTHOR:** General Manager**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting**FILE NO:****RECOMMENDATION:** - that the Council:

in accordance with S27 of the Swimming Pools Act 1992 authorize the holders of the following positions as inspectors:

- Development Manager
- Building Surveyor/Asset Maintenance Officer
- Building Surveyor Trainee

and

Sign and seal Certificates of Identification for holders of the following positions:

- Development Manager
- Building Surveyor/Asset Maintenance Officer
- Building Surveyor Trainee

REPORT:

The Council at its previous meeting adopted its Register of Delegations.

Following on from that adoption the general Manager on delegates various delegations to staff and authorizes relevant staff for particular functions i.e. food inspections, property inspections etc.

The Swimming Pools Act 1992, unlike other Acts, requires that authorized officer be issued with a Certificate of Identification issued under the Seal of the Council.

To comply with this requirement an appropriate recommendation has been made.

Set out below is the prescribed Certificate of Identification.

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

Items requiring Council Resolution

Certificate of identification

(Clause 20)

Certificate of identification

(Swimming Pools Act 1992)

This certifies that [*insert name of inspector*], whose photograph and signature appear below, is an inspector for [*insert name of local authority*] for the purposes of the *Swimming Pools Act 1992*.

(attach
photograph
here)

.....(signature of
inspector)
(seal of local authority)

The holder of this certificate is empowered, by section 27B or 28 of the *Swimming Pools Act 1992*, to enter any premises in or on which he or she suspects that a swimming pool is situated and to examine the premises and, in particular, any swimming pool, and any barrier or other means of restricting access to any swimming pool, situated in or on the premises.

This power may be exercised with the consent of the occupier of the premises or, if that consent cannot be obtained, at any time (between 9.00 a.m. and sunset) after 24 hours' notice of the proposed exercise of the power has been given to the occupier of the premises.

The holder of this certificate is not empowered to enter such part of any building as is used for residential purposes, or any moveable dwelling, otherwise than with the consent of the occupier of the building or dwelling or under a search warrant.

RESOLUTION

Items requiring Council Resolution

5.10 LGNSW ANNUAL CONFERENCE**AUTHOR:** General Manager**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting**FILE NO:****RECOMMENDATION:** - that the Council authorise the Mayor, Deputy Mayor, Cr ??? and the General Manager to attend the 2017 LGNSW Annual Conference from 3rd December until 6th December 2017.

REPORT:

The Council, like most NSW Councils is a member of Local Government NSW (LGNSW). LGNSW is the peak local government body in NSW and broadly represents the interest of NSW Councils to other levels of government.

LGNSW also provides training and industrial services to Councils.

LGNSW was formed by the amalgamation of the former Shires Association and Local Government Association which broadly represented the interests of Rural and urban Councils respectively although they shared a central administration.

LGNSW hold an annual conference in October each year which rotates between urban and regional venues. This year however the conference date has been moved to the first week of December to accommodate elections at newly merged Councils.

The relevant Council policy presently provides for attendance at the conference by the Mayor, Deputy Mayor and the General Manager and one other Councillor that has not previously attended the conference. Cr Bodey attended as a Councillor that has not previously attended the conference

This year's conference will be held at Sydney from Monday 4th December 2017 until Wednesday 6th December 2017. Normal practice would be to fly to Sydney on Sunday 3rd December 2017 and return on Wednesday 6th December 2017.

Registration costs etc for the event are unknown however it would be useful to be able to book accommodation as soon as possible.

Whilst the actual holders of the positions of Mayor and Deputy Mayor for the next year are unknown registrations can be made when costs are known and the correct names included.

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

Items requiring Council Resolution

5.11 DEVELOPMENT APPLICATION 138/17/DA/DM

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: 138/17/DA/DM

RECOMMENDATION: that the Development Application 108/17/DA/DM for a Change of Use: Transportable Dwellings to Backpackers Accommodation 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 (BSC-001-BSC-009), the application form and on any supporting information received with the application except as amended by the conditions specified hereunder.

2. Maximum number of Residents

In order to ensure compliance with Fire Safety Standards as per the requirements of the Building Code of Australia, the maximum number of residents for the dwelling is to be no more 4 residents per dwelling. Should the number of residents exceed these limits a Fire Safety Schedule, incorporating the essential fire safety measures that are required under the provisions of the *Environmental Planning and Assessment Regulation 2000* (NSW), will need to be obtained from Council and include the provision of a Fire Safety Certificate indicating that the essential fire safety measures have been implemented.

3. Water Supply

It must be ensured that there is a sufficient water supply available at all times for domestic and firefighting purposes. Evidence of the storage capacity of the water supply must be provided to Council prior to the occupation of the building.

Division:

In Favour:

Against:

REPORT:

Site

The subject site is located at 646 Fullers Road, Finley which is also identified as Lot 1 on Deposited Plan 587500 and is 1.373 ha in size. The site is currently owned and operated by Hall Shearing. The site has been improved by the construction of a large agricultural shed, and placement of 3

Items requiring Council Resolution

transportable dwellings and 2 x Amenity Blocks (which were very recently issued with Building Certificates by Council's Building Surveyor on 15 June 2017). The subject property is located approximately 7km south-east of the central business district of Finley. The lot is predominately surrounded by other Agricultural Uses. The site is located within Zone RU1 – Primary Production Zone under the provisions of the *Berrigan Local Environmental Plan 2013* (BLEP 2013). Below is an aerial photo showing the site and neighbouring properties.



Figure 1 – Aerial Photo showing subject site and neighbouring properties

Proposal

It is proposed to formalise the use of the 3 x transportable dwellings as part of a Backpackers Accommodation option for engaged workers / labourers of the Hall Shearing Contracting Business. The site plan and floor lay out are found in Appendix "D" & "E". The site plan shows that there is significant room for the parking of worker's vehicles. The applicant has explicitly stated that the accommodation is for his staff, who are not charged any extra for using the accommodation, as the accommodation is part of their pay package.

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.

Items requiring Council Resolution

- **Relevant State Environmental Planning Policy provisions**

The only SEPP which related to this Development is *State Environmental Planning Policy (Rural Lands) 2008*, which aims “to facilitate the orderly and economic use and development of rural lands for rural and related purposes”. This development meets the objectives of this aim, and therefore complies with rural planning principles contained within section 7 of this environmental planning instrument.

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

Permissibility

The Berrigan LEP 2013 RU1 – Primary Production Zone allows for a wide range of permissible uses which are permitted with Development Consent. This development falls into the definition of backpackers’ accommodation – which means building or place that:

- provides temporary or short-term accommodation on a commercial basis, and
- has shared facilities, such as a communal bathroom, kitchen or laundry, and
- provides accommodation on a bed or dormitory-style basis (rather than by room).

Backpackers’ accommodation is a type of tourist and visitor accommodation, which is permitted with Consent within the RU1 – Primary Production Zone. Therefore, given that backpackers’ accommodation is no longer expressly prohibited within the RU1 – Primary Production Zone given a recent BLEP 2013 Amendment, this proposal is able to be developed with Development Consent.

However, advice by the applicant to Council Staff indicates that the development closely reflects the definition of rural worker’s dwelling, which means a building or place that is additional to a dwelling house on the same lot and that is used predominantly as a place of residence by persons employed, whether on a long-term or short-term basis, for the purpose of agriculture or a rural industry on that land.

Objectives of the Zone

One of the main objectives of the RU1 – Primary Production Zone is to encourage diversity in primary industry enterprises and systems appropriate for the area. This development is therefore timely, especially as the proposed business will assist local farmers in readiness for Shearing and the 2017 Harvest. As the dwellings have been used for a number of years without formal approval and complaint, it would seem that continued future use is compatible with the surrounding rural land uses.

Items requiring Council Resolution

Relevant *Berrigan Development Control Plan 2014* provisions

When assessing this development under the heading found in the Berrigan Development Control 2014, this development does not fit neatly under one chapter. For the purposes of this report, the closest chapter which relates to this development is Chapter 4 – Commercial Development. The proposal is fairly consistent with the objectives of the Chapter, especially the objective relating to orderly and economic development within the Shire having regard to its commercial and retail needs.

Location & Appearance

At first instance, this development does not meet the controls of the DCP, as the location is away from the existing commercial town centre of Tocumwal, and subsequently is an isolated commercial development. However, the DCP also notes that 'in exceptional circumstances Council may consider a variance to a development control but only where the applicant has demonstrated in writing and/or with plans that the objectives can still be achieved'. This location is justified given that the accommodation will be in closer proximity to farming properties where the labourers will be spending most of the working day.

Parking & Access

The proposed plans submitted as part of this application allow for parking meets the controls and objectives of section 4.6 of the DCP. There is sufficient parking, which has been marked on the site plan.

Other Relevant Assessment

Traffic

Local traffic conditions will be not largely impacted by the proposed development. The surrounding road network will be able to accommodate the increase in traffic. The increase traffic will only cause a minor impact on the surrounding neighbourhood.

Fire Safety Schedule as the Building Code of Australia

As the change of use will only upgrade the building form a 1A to a 1B, a fire safety schedule is not required under the BCA, so long as the amount of backpackers does not exceed 4 residents per dwelling. A condition of consent will ensure compliance with these requirements.

Public Interest

This development is within the public interest, especially given that it will create a positive social and economic effect for the Berrigan Shire through an increase in population (albeit temporarily and with a high turnover). The development is seen as an overall benefit to the community, given that it will provide accommodation for shearers and other farm workers within close proximity to the work place. The development also plays an important part in assisting local primary producers to obtain skilled workers when required.

Items requiring Council Resolution

Neighbour Notification

Given that the location of the transportable dwellings, and the possibility of impact on the existing rural character, notification was given to the residents of the neighbouring property on 15 June 2017 to make them aware that the development may affect their property. The notification period was open for 7 working days. Council received a formal submission relating to the development (See Appendix "F"). The submission objected to the development, raising concerns about a number of issues.

Summary of Submission

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

1. Behaviour of Residents – The neighbour believes that the people likely to use the accommodation could be disrespectful, irresponsible and will not care for the property;
2. Proximity to School Bus Route – There was a concern for school children's welfare who use the nearby school bus stop, given the abovementioned behaviour;
3. Lack of On-Site management – There is a belief that the managers / owners of the transportable dwellings are away working during the day leaving the property unsupervised and without authority;
4. Safety and Security of Neighbouring Farm Machinery – The neighbouring property owners believed that they would have to increase security of their expensive farm machinery;
5. Decrease in Surrounding Property Values – There is a belief that neighbouring property values would be decreased given the proximity to the accommodation;
6. Operational Management of Accommodation – Finally, there was concern about what sort of policy would be involved, including an eviction clause, and whether / how this would be enforced in the event where a resident's behaviour warranted eviction.

Response to Submission

1. Behaviour of Residents – Whilst this argument may be valid, Council has not received any complaints about the past use of these buildings. Given that the residents will be paid staff of Hall Shearing; it is unlikely that their behaviour would be that unruly given that such behaviour would likely lead to termination of employment;
2. Proximity to School Bus Route – Given the proposed nature of work being undertaken by the residents (being employees of Halls Shearing), it is unlikely that these residents will still be on-site when the school children walk past as their work will commence early and finish after school hours.

Items requiring Council Resolution

3. Lack of On-Site Management – It is very unlikely that residents would be on-site during the day, as their work will take place on farms away from the site. Therefore, the operation of the accommodation does not require high management;
4. Safety and Security of Neighbouring Farm Machinery – The safety and security of Farm Machinery is a matter for the Owner. An illegal activity will need to be referred to NSW Police;
5. Decrease in Surrounding Property Values – This impact is difficult to measure, especially given that the dwellings have been located on site for a number of years. This argument is not a valid planning consideration;
6. Operational Management of Accommodation – This Operational Management of Hall Shearing Staff and their subsequent accommodation is not a matter for Council. As mentioned above, any illegal activity should be referred to the NSW Police.

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 contribution to Australian Agriculture at large, is within the public interest.

Recommendation

This proposed development is part of a natural growth for a business which has been operating 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

5.12 EARLY CHILDHOOD INTERVENTION SERVICE – EXPRESSIONS OF INTEREST

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO: 03.160.3

RECOMMENDATION: - that the Council, noting the Expressions of Interest received:

- Select Kurrajong Waratah as its preferred supplier for Early Childhood Intervention services in the area covered by Berrigan Shire and the former Jerilderie and Urana Shires;
- Recommend to the NSW Department of Family and Children's Services (FACS) that the Council's current funding arrangements be passed onto Kurrajong Waratah from 1 August 2017.

REPORT:

As a result of the Council's decision to withdraw from provision of Early Childhood Intervention Services (ECIS) following the introduction of the National Disability Insurance Scheme (NDIS), the Council – in conjunction with the NSW Department of Family and Children's Services (FACS) sought Expressions of Interest (EOIs) to operate the Berrigan Shire ECIS – which also services the communities in the former Jerilderie and Urana Shires.

Note that the Council has no power to appoint an organisation to provide these services – this is a role for the funding body itself, in this case FACS. This process is simply to determine a preferred provider to recommend to FACS.

EOIs were sought from providers shortlisted by FACS:

1. Aspire NSW
2. Intereach Limited
3. Kurrajong Waratah

EOIs closed at 5:00pm, Thursday 22 June 2017. EOIs were received from Intereach and Kurrajong Waratah. Aspire informed the Council that it would not submit an EOI.

Items requiring Council Resolution

The submissions were evaluated by the following:

Matthew Hansen – Director Corporate Services
 Sean McIntosh – Senior Commissioning and Planning Officer, FACS NSW
 Robert Carroll – Commissioning and Planning Officer, FACS NSW

Consideration of the EOIs

Each EOI was evaluated separately in accordance with the evaluation criteria

Criteria	Highest Possible Score	Weighting
1. Appropriate accreditation	5	1
2. Current provider within Berrigan and/or Jerilderie and Urana Shires	5	1
3. Current provider of ECIS services within the Murrumbidgee District and provider of disability or other services in Berrigan Shire	5	1
4. Appreciation of needs of local rural communities	5	1
5. Existing physical presence in Berrigan and/or Jerilderie Shires or commitment to establish one	5	1
6. Capacity to deliver service	5	1
7. Employment opportunities for existing staff	5	1
8. Demonstrated experience and capacity	5	1

A summary of the Expression of Interest evaluation by the evaluation panel is provided in the confidential section.

Summary

Based on the evaluation criteria, the evaluation panel has selected Kurrajong Waratah as its preferred provider for Early Childhood Intervention services in the area covered by Berrigan Shire and the former Jerilderie and Urana Shires.

RESOLUTION

Items for Noting

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

6.1 2016 CENSUS RESULTS

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.2 Strengthen strategic relationships and partnerships with community, business and government

FILE NO:

REPORT:

The Australian Bureau of Statistics (ABS) released the first batch of results from the 2016 Census of Population and Housing in June 2017.

Appendix “G” attached is 2016 Census Community Profile for Berrigan Shire and the 2016 Census QuickStats webpage for Berrigan Shire can be found at http://www.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/LGA10650?opendocument.

The headline figure in the census data is the total population figure. The total count for Berrigan Shire in the 2016 census was 8,462 – an increase of 4.91% from the previous census in 2011. Unlike the 2011 census result, this figure is consistent with the interim population estimates prepared annually by the ABS and the Council’s own data prepared by its consultant demographer.

The increase in population is also consistent with neighbouring Councils in the Riverina region and beyond, in many cases reversing previous decline.

The table below provides some population movements for selected local government areas.

	2016	2011	%
<u>Neighbours</u>			
Murray River	11,680	10,919	6.97%
Berrigan	8,462	8,066	4.91%
Edward River	8,851	8,660	2.21%
Murrumbidgee	3,836	3,757	2.10%
Federation	12,277	12,159	0.97%

Items for Noting

	2016	2011	%
<u>Other Riverina</u>			
Junee	6,295	5,878	7.09%
Temora	6,110	5,776	5.78%
Greater Hume	10,351	9,815	5.46%
Coolamon	4,315	4,099	5.27%
Carrathool	2,719	2,587	5.10%
Lockhart	3,119	2,998	4.04%
Cootamundra-Gundagai	11,141	10,996	1.32%
Leeton	11,168	11,037	1.19%
Snowy Valleys	14,395	14,292	0.72%
Narrandera	5,853	5,902	-0.83%
<u>Other</u>			
Moira	29,112	28,124	3.51%

Some other interesting comparisons between the 2016 and 2011 census can be seen in the following table. As with much of Australia, Berrigan Shire is becoming more diverse – albeit it is still more uniform than the national average. The proportion of Berrigan Shire residents born overseas in particular has climbed dramatically.

Year	2016	2011
Population	8,462	8,066
Median Age	49	48
People aged 15 or younger	1446	1395
Overseas-born	18.7%	12.8%
Aboriginal and Torres Strait Islanders	2.3%	2.1%
Median income	\$524	\$428

At this stage it is difficult to undertake comparisons at the individual town level as the locality boundaries used by the ABS have changed significantly. The ABS is releasing data at the urban centre/locality level in October and in the interim, the Council's consultant demographer will prepare small area level data by August.

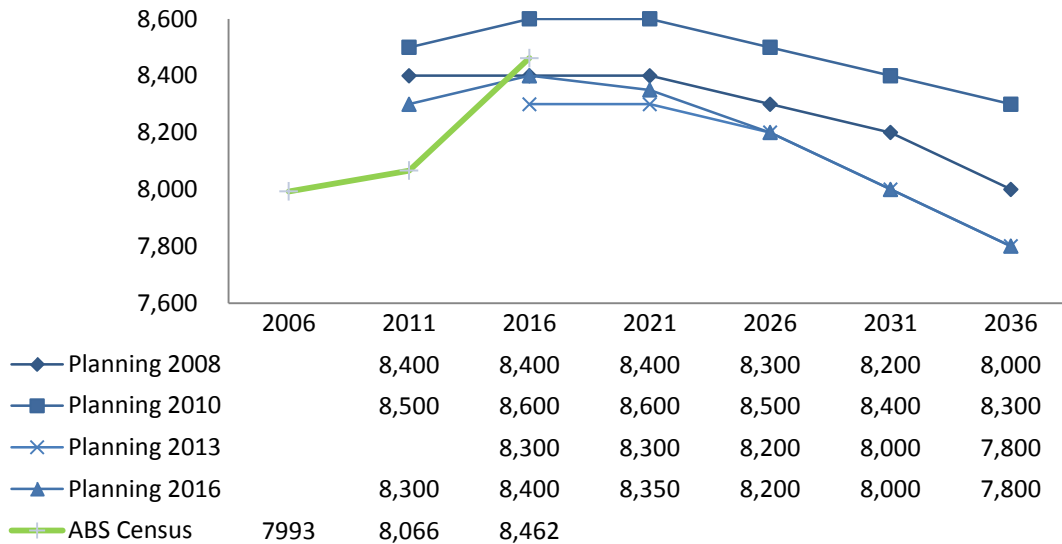
A comparison of the Census data with the population projections prepared by the NSW Department of Planning is instructive. The 2016 census indicates that Berrigan Shire is continuing to grow – from 7,993 in 2006 and 8,066 in 2011. This is consistent with the population projections prepared by the Council's consultant demographer.

On the other hand, the Department of Planning continues to project long term decline for Berrigan Shire – in the face of all evidence to the contrary. This has real-world ramifications as it is the Department of Planning figures that are used by NSW agencies when assessing the future needs of this community – in areas such as health, education and infrastructure.

Items for Noting

NSW Department of Planning Population Forecasts

Berrigan Shire Council - 2008-2016



The chart above compares Department of Planning population estimates published in 2008, 2010, 2013 and 2016 (in varying shades of blue) with the actual population figures as determined by the ABS census (in green). The green line is trending up while the blue lines all trend down.

Of particular note is the 2016 projection. In this projection, the Department of Planning recognised that, Berrigan Shire was starting from a larger base in 2016 that it had projected in 2013, but it still predicted a decline to 7,800 by 2036 regardless.

Council staff have raised this matter with NSW Department of Planning staff on numerous occasions but to little effect.

NOTION

Items for Noting

6.2 2017 NSW LOCAL ROADS CONGRESS**AUTHOR:** Director Technical Services**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.2 Strengthen strategic relationships and partnerships with community, business and government**FILE NO:**

REPORT:

The 2017 NSW Local Roads Congress was held in Sydney on 5th June, 2017. Attached as appendix "H" is a copy of the Communiqué developed at the congress and distributed to Councils, Federal and State government members and agencies and published for public information.

The communiqué recognizes the contribution of the State and Federal governments in provision of funding streams for roads, highlights the need for additional funding and sets out a number of calls for actions from the three tiers of government and its content is supported as a tool to achieve better funding arrangements for roads in NSW.

Berrigan Shire is already addressing the majority of issues raised for action by local government and would participate in other actions as required in the future. One action that is highlighted is the development and adoption of a Strategic Road Safety Plan as part of Council's suite of planning tools and the development of such plans throughout the state will be monitored and the issue raised with the RAMROC Engineers Group to see if it is appropriate to address this issue on a regional basis.

NOTING

Items for Noting

6.3 PGA TRAINEE CHAMPIONSHIP**AUTHOR:** General Manager**STRATEGIC OUTCOME:** Diverse and resilient business**STRATEGIC OBJECTIVE:** 4.2 Diversify and promote local tourism**FILE NO:**

REPORT:

The Member Services co-ordinator of PGA Vic/Tas Division has written to thank the Council for its support of the 2017 PGA Trainee Championship held at Tocumwal Golf and Bowls Club.

The quality of the course and the hospitality are recognized in the letter of thanks.

Items for Noting

6.4 LGNSW REGIONAL PLANNING LUNCH**AUTHOR:** General Manager**STRATEGIC OUTCOME:** Diverse and resilient business**STRATEGIC OBJECTIVE:** 4.1 Strengthen and diversify the local economy and invest in local job creation and innovation**FILE NO:**

LGNSW is holding a planning event at Wagga Wagga to address regional planning, infrastructure and economic development.

Topics will include:

- Delivering key infrastructure to support growth, economic and social development in regional NSW, presented by Lieutenant General (Retd) Ken Gillespie AC DSC CSM, NSW Regional Infrastructure Coordinator;
- Planning reforms and what the changes will mean for councils, presented by Alison Frame, Deputy Secretary, Policy and Strategy, NSW Department of Planning and Environment
- Regional economic development – helping to reduce red tape, presented by Robyn Hobbs OAM, NSW Small Business Commissioner, NSW Department of Industry.

The LGNSW planning series informs members and guests about key planning initiatives, provides opportunities to meet with senior industry stakeholders and discuss the latest challenges, regulations, funding and plans for NSW.

The event will be held on Monday 28th August 2017 from 11:00am until 2:00pm.

Registration is \$66.

Councillors interested in attending the lunch should obtain an appropriate resolution from the Council.

NOTING

Items for Noting

6.5 NOTICE OF WITHDRAWAL FROM RAMROC**AUTHOR: General Manager****STRATEGIC OUTCOME: Good government****STRATEGIC OBJECTIVE: 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting****FILE NO: 14.099.2**

REPORT:

Greater Hume Shire Council has written to advise that it has given notice of its intention to withdraw from RAMROC effective from 31st December 2017.

The Council is also a member of Riverina Eastern Regional Organization of Councils and intends to continue its membership of that ROC only citing difficulty in resourcing dual memberships.

The withdrawal of the Council is disappointing but understandable.

Items for Noting

**6.6 LOCAL EMERGENCY MANAGEMENT
COMMITTEE MEETING**

AUTHOR: Direct Technical Services

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting

FILE NO: 09.106.2

REPORT:

Minutes of the last meeting held on 2nd June, 2017 are attached as appendix "I" for Councillors' information.

Items for Noting

6.7 DEVELOPMENT DETERMINATIONS FOR MONTH OF JUNE 2017

AUTHOR: Executive Support Officer

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting

FILE NO:

REPORT:

APPLICATIONS DETERMINED FOR JUNE

Application	Description	Property Location	Applicant	Owner	Status	Value	Days Taken	
109/17/DA/D5	Storage Shed	14 BARINYA STREET, BAROOGA NSW 3644 (Lot2071//DP703885)	CPE Construction	MR DN GARBETT AND MRS PL GARBETT	Withdrawn 07-06-2017	\$ 56760.00	Active 11	Total 52
119/17/DA/D3	Staged Development of Commercial Arts Studio and other Related Activities including Stage 1 - Kiln Shed	23 JERSEY STREET, TOCUMWAL NSW 2714 (Lot2//DP514751)	Mr Sergio Redegalli	MR S H REDEGALLI & MRS A Z REDEGALLI	Approved 13-06-2017	\$ 30000.00	Active 29	Total 29
124/17/DA/DM	Use of Dwelling as Bed & Breakfast Facility	14 CROSBIES ROAD, FINLEY NSW 2713 (Lot10//DP801250)	Mr Geoff & Mrs Diane Retallick	MR G R RETALLICK & MRS D L RETALLICK	Approved 02-06-2017	\$ 0.00	Active 16	Total 16
128/17/DA/D2	Pilates & Myotherapy Studio & Demolition of Existing Shed	249 MURRAY STREET, FINLEY NSW 2713 (Lot13//DP260805)	Ms Yasmin McGrath	MS Y L MCGRATH	Approved 29-06-2017	\$ 45000.00	Active 25	Total 25
74/17/CD/M1	BV Dwelling & Attached Garage	3 CHOMLEY CLOSE, BAROOGA NSW 3644 (Lot5//DP1110970)	Mr Matthew Sim	MR M R WOODS & MRS A M WOODS	Approved 06-06-2017	\$ 268154.00	Active 8	Total 8
129/17/DA/D5	Residential Storage Shed	1 ARRAMAGONG STREET, BAROOGA NSW 3644 (Lot1//DP1224006)	Mr Benjamin O'Dwyer	MR B T & MRS K L O'DWYER	Approved 13-06-2017	\$ 13500.00	Active 5	Total 11
131/17/DA/D5	Residential Storage Shed	33-34 KEOGH DRIVE, TOCUMWAL NSW 2714 (Lot39//DP1118257)	Mr Paul Cork	MR P & MRS R CORK	Approved 06-06-2017	\$ 9700.00	Active 5	Total 5
75/17/CD/M5	Inground Fibreglass Swimming Pool	34-36 BUDD STREET, BERRIGAN NSW 2712 (Lot3/Q/DP3197)	Mr Doug Cameron	MR D W CAMERON	Approved 02-06-2017	\$ 18500.00	Active 3	Total 3
132/17/DA/DM	Demolition of Building	20-22 DENILUQUIN STREET, TOCUMWAL NSW 2714 (Lot9//DP667960)	Altola Nom Pty Ltd	ALTOLA NOMINEES PTY LTD	Approved 15-06-2017	\$ 20000.00	Active 12	Total 12
76/17/CD/M5	Inground Fibreglass Swimming Pool	4478 BAROOGA-TOCUMWAL ROAD, TOCUMWAL NSW 2714 (Lot60//DP789897)	Poolside Cobram	MRS M I TEMPLETON	Approved 07-06-2017	\$ 65000.00	Active 4	Total 4
133/17/DA/D1	Transportable Dwelling	448 YARRAWONGA ROAD, BERRIGAN NSW 2712 (Lot27//DP752291)	Mr Josh Perryman	MR G J PARR	Approved 19-06-2017	\$ 259340.00	Active 8	Total 8
134/17/DA/D5	Residential Storage Shed	32-36 MORRIS STREET, TOCUMWAL NSW 2714 (LotAll Sheds B//DP370062)		C DAVIES PTY LTD	Approved 19-06-2017	\$ 53090.00	Active 7	Total 7

NOTION

Items for Noting

77/17/CD/MM	Demolition of Residence Associated with Loose Fill Asbestos	58 DENISON STREET, FINLEY NSW 2713 (Lot B//DP402348)	Public Works Advisory	PROPERTY NSW	Approved 14-06-2017	\$ 250000.00	Active 1	Total 1
136/17/DA/D5	American Barn	6 STILLARD COURT, BAROOGA NSW 3644 (Lot30//DP248812)	Mr Wayne Grenfell	MR WW GRENFELL & MRS JR GRENFELL	Approved 27-06-2017	\$ 9000.00	Active 9	Total 9
78/17/CD/M4	Carport	28 RACECOURSE ROAD, BERRIGAN NSW 2712 (Lot913//DP776119)	Totalspan Cobram	MR A J LAWRENCE AND MRS J M LAWRENCE	Approved 15-06-2017	\$ 7800.00	Active 1	Total 1
137/17/DA/D5	Residential Storage Shed & Carport over Outdoor Area	18 CALAWAY STREET, TOCUMWAL NSW 2714 (Lot91//DP630412)	Mr Matthew Miller	MR MJ MILLER	Approved 21-06-2017	\$ 7000.00	Active 5	Total 5
79/17/CD/M1	BV Dwelling & Attached Garage	1238 TUPPAL ROAD, TOCUMWAL NSW 2714 (Lot88//DP752304)	Belubla Pty Ltd	BELUBLA PTY LTD	Approved 23-06-2017	\$ 616528.00	Active 4	Total 4
80/17/CD/M5	Inground Fibreglass Swimming Pool	215 HOWE STREET, FINLEY NSW 2713 (Lot1//DP1221508)	Poolside Cobram	MR TB MARSHALL & MRS KL MARSHALL	Approved 26-06-2017	\$ 62120.00	Active 2	Total 2
140/17/DA/D5	Carport & Patio	2 BOYD STREET, TOCUMWAL NSW 2714 (Lot42//DP616085)	GV Carports	MR T P TOOLE & MRS W A TOOLE	Approved 28-06-2017	\$ 19500.00	Active 4	Total 4
141/17/DA/D1	BV Dwelling & Attached Garage	17 GYPSIE CRESCENT, BAROOGA NSW 3644 (Lot43//DP1110847)	JG King Homes	MR A C & MRS C L BERRY	Approved 28-06-2017	\$ 299280.00	Active 4	Total 4
142/17/DA/D1	BV Dwelling & Attached Garage	39-40 KEOGH DRIVE, TOCUMWAL NSW 2714 (Lot42//DP1118257)	Graham Spencer & Jennifer Good	MR G G SPENCER	Approved 29-06-2017	\$ 314997.00	Active 4	Total 4

APPLICATIONS PENDING DETERMINATION AS AT 11/07/2017

Application No.	Date Lodged	Description	Property Location
144/17/DA/D5	28-06-2017	Residential Storage Shed	19 BAROOGA ROAD, TOCUMWAL NSW 2714 (Lot 5//DP1194758)
145/17/DA/D5	29-06-2017	Change of Use Industrial Warehouse to Veterinary Clinic	ENDEAVOUR STREET, FINLEY NSW 2713 (Lot 14//DP869876)
146/17/DA/D5	29-06-2017	Garden Shed	6 LA BELLE COURT, TOCUMWAL NSW 2714 (Lot 11//DP1194758)
147/17/DA/D9	29-06-2017	10 Lot Subdivision	1-58 MORRIS DRIVE, TOCUMWAL NSW 2714 (Lot 31//DP270154)
1/18/DA/D1	05-07-2017	BV Dwelling & Attached Garage	12 COLLIE STREET, BAROOGA NSW 3644 (Lot 13//DP571683)
2/18/DA/D5	05-07-2017	Residential Storage Shed	22-26 TONGS STREET, FINLEY NSW 2713 (Lot 6//DP703770)
3/18/DA/D1	05-07-2017	BV Dwelling & Attached Garage	1 LA BELLE COURT, TOCUMWAL NSW 2714 (Lot 1//DP1194758)
14/18/CD/M1	5-07-2017	BV Dwelling & Attached Garage	2 GYPSIE CRESCENT, BAROOGA NSW 3644 (Lot51//DP1110847)
4/18/DA/D5	7-07-2017	Carport	52 MCALLISTER STREET, FINLEY NSW 2713 (Lot D//DP102910)

NOTIFICATION

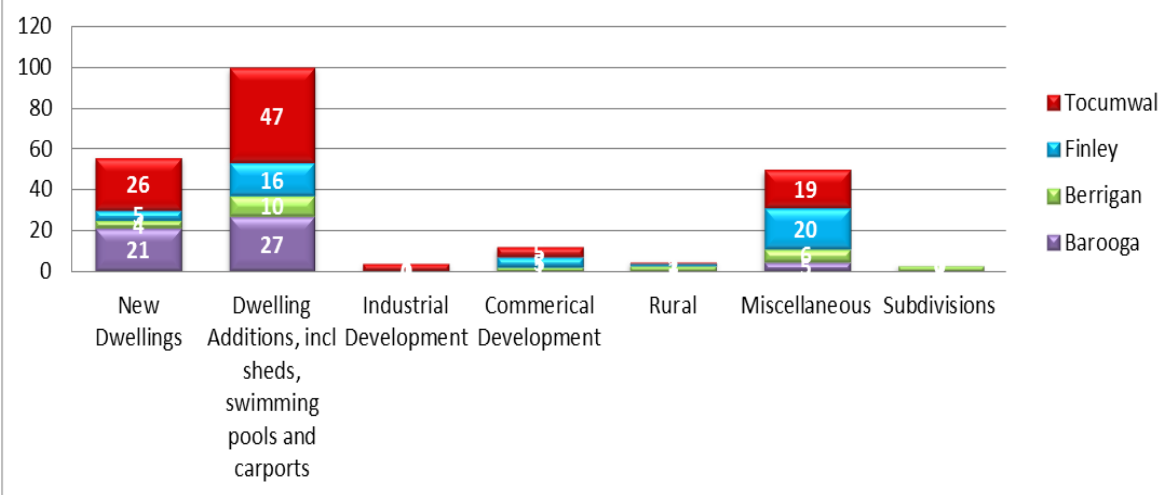
Items for Noting

TOTAL APPLICATIONS DETERMINED / ISSUED (including modifications)

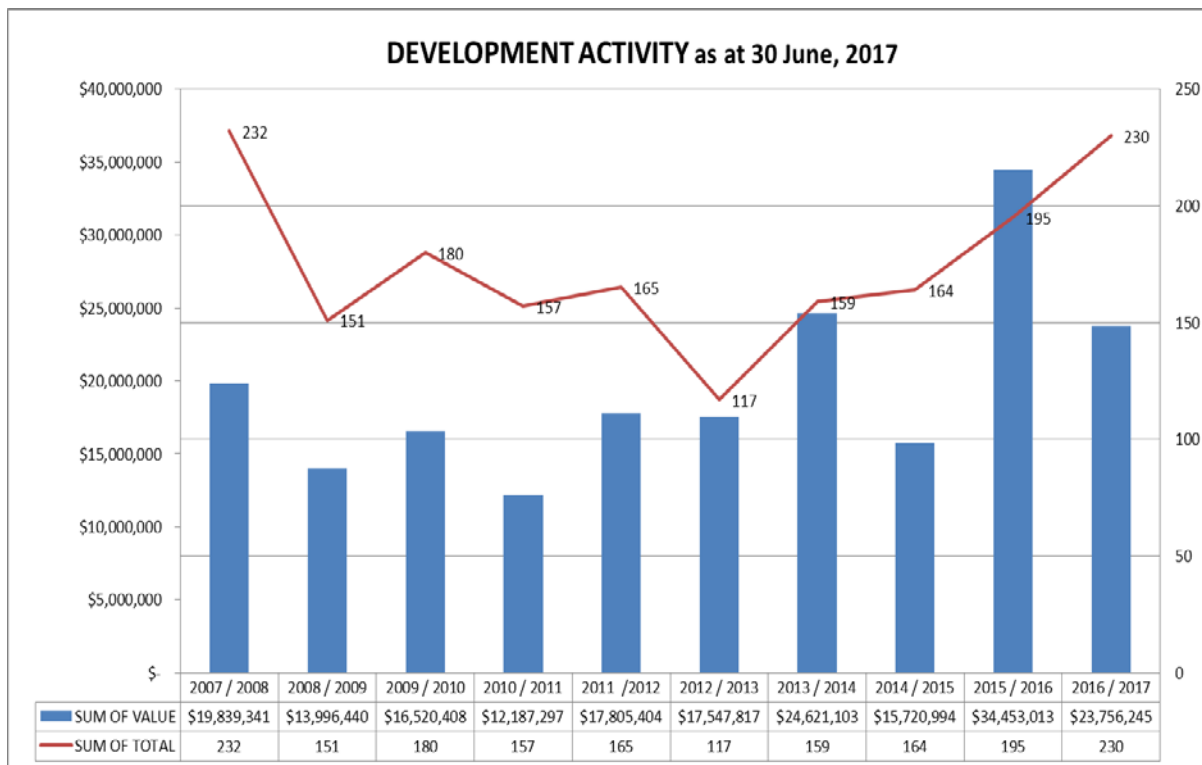
	This Month (June)	Year to Date	This Month's Value	Year to Date Value
<i>Development Applications (DA)</i>	14	148	\$1,137,167	\$16,767,898
<i>Construction Certificates (CC)</i>	8	90	\$122,790	\$13,703,743
<i>Complying Development Certificates (CDC)</i>	7	82	\$1,038,102	\$6,988,347
<i>Local Activity (s.68)</i>	7	100	0	0

OTHER CERTIFICATES ISSUED FOR JUNE

	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	
	June	Year Total	June	Year Total	June	Year Total	June	Year Total	June	Year Total	June	Year Total
BAROOGA	3	101	0	3	1	3	0	1	0	2	3	26
BERRIGAN	8	58	0	5	3	17	0	4	0	0	1	4
FINLEY	10	128	3	14	3	12	2	5	1	1	0	2
TOCUMWAL	7	116	0	3	0	8	0	1	0	1	3	21
TOTAL	28	403	3	25	7	40	2	11	1	4	7	54

DEVELOPMENT ACTIVITY 2016/2017 as at 30 June, 2017

Items for Noting



GZ-HON

Items requiring Council Resolution

7. CLOSED COUNCIL

In accordance with the *Local Government Act 1993* and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

Set out below is section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in the closed part of a meeting.

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than councillors)
- (b) the personal hardship of any resident or ratepayer
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret
- (e) information that would, if disclosed, prejudice the maintenance of law
- (f) matters affecting the security of the council, councillors, council staff or council property
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.

Items requiring Council Resolution

**7.1 EARLY CHILDHOOD INTERVENTION SERVICE –
EXPRESSIONS OF INTEREST**

This item is classified CONFIDENTIAL under section 10A(d)(i) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or

It is not in the public interest to reveal the commercial information.

7.2 ORGANISATIONAL RESTRUCTURE

This item is classified CONFIDENTIAL under section 10A(a) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (a) personnel matters concerning particular individuals (other than councillors)

It is not in the public interest to reveal details of personnel.

7.3 TOCUMWAL TO NARRANDERA RAILWAY LINE

This item is classified CONFIDENTIAL under section 10A(a) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

It is not in the public interest to reveal commercial information.

Items requiring Council Resolution

RECOMMENDATION - that the Council move into a closed session to consider the following business together with any reports tabled at the meeting.

And further that pursuant to section 10A(1)-(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above and that the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.

- 7.1 EARLY CHILDHOOD INTERVENTION SERVICE –
EXPRESSIONS OF INTEREST
- 7.2 ORGANISATIONAL RESTRUCTURE
- 7.3 TOCUMWAL TO NARRANDERA RAILWAY LINE

Council closed its meeting at The public and media left the Chamber.

Confidential Items requiring Council Resolution

C
O
N
F
I
D
E
N
T
I
A
L

Items requiring Council Resolution

Open Council resumed at

RESOLUTIONS FROM THE CLOSED COUNCIL MEETING

The following resolutions of the Council while the meeting was closed to the public were read to the meeting by the Mayor:

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

Committee meeting reports

8. MINUTES OF THE LOCAL TRAFFIC COMMITTEE

RECOMMENDATION – that recommendations numbered 1 to 6 inclusive of the Local Traffic Committee Meeting held on 4th July, 2017 be adopted.

1. REQUEST FOR LINE MARKING TOCUMWAL LIONS HOSTEL, 21-23 JERILDERIE ST TOCUMWAL**RECOMMENDATION NO.1-** that

That Berrigan Shire Council installs line marking indicating that the area at the pedestrian ramp is a no parking zone at the Tocumwal Lions Hostel Tocumwal and two minute drop off zone signs be installed 2 meters left and right of said pedestrian ramp.

2. REQUEST FOR REDUCED SPEED LIMIT VERMONT STREET BAROOGA**RECOMMENDATION NO.2-** that

- RMS Conduct a speed zone review for Vermont Street Barooga with the consideration of reducing the posted speed limit from 50 km/hr to 40 km/hr.
- Berrigan Shire Council permanently block third median opening travelling north east along Vermont Street Barooga.

3. REQUEST FOR SIGNAGE YARRAWONGA ROAD**RECOMMENDATION NO.3-** that

That Berrigan Shire Council install reduce speed signs on Yarrawonga Road near the intersection of the Riverina Highway to warn drivers of the upcoming intersection.

4. FINLEY PEDESTRIAN CROSSING – MURRAY STREET/NEWELL HWY**RECOMMENDATION NO.4-** that

RMS Conduct a speed zone review of Murray Street around the CBD area in Finley and also examine the implementation of suggested treatment options made by the Finley Chamber of Commerce for improving the safety around the pedestrian crossing on Murray Street Finley.

Items requiring Council Resolution

5. REQUEST FOR SCHOOL BUS SIGNAGE FULLERS AND ADCOCKS ROADS**RECOMMENDATION NO.5-** that

Berrigan Shire Council relocates the existing school bus stop at the intersection of Old Adcocks Road and Fullers Road to a more suitable safer location.

6 REQUEST FOR TIMED PARKING FOR SET DOWN AREA AT THE BERRIGAN HOSPITAL ON MEMEORIAL PLACE BERRIGAN**RECOMMENDATION NO.6 -** that

That Berrigan Shire Council installs line marking indicating that the area at the pedestrian ramp is a no parking zone at the Berrigan Hospital on Memorial Place Berrigan and two minute drop off zone signs be installed 2 meters left and right of said pedestrian ramp.

Items requiring Council Resolution

9. 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

10.

DELEGATES REPORT

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

Items requiring Council Resolution

11. GENERAL BUSINESS

RESOLUTION