



EXTRAORDINARY COUNCIL MEETING

Wednesday 2 August, 2023

at 9:30am

Council Chambers, 56 Chanter Street, Berrigan



Agenda

Our Vision

In 2032 we will be recognised as a Shire that builds on and promotes our natural assets and advantages to create employment and economic activity to attract residents, families and tourists.

COMMUNITY STRATEGIC PLAN

Berrigan Shire Council's Community Strategic Plan Berrigan Shire 2032 is a common framework for measuring the achievement of Berrigan Shire 2032 strategic outcomes of:

1. Sustainable natural and built landscapes
2. Good government
3. Supported and engaged communities
4. Diverse and resilient business

The Community Strategic Plan can be found here:

<https://www.berriganshire.nsw.gov.au/council-governance/management-plans-codes-reports>

RISK MANAGEMENT POLICY & FRAMEWORK

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

Risk Management is everyone's responsibility. It is an activity that begins at the highest level and is applied consistently through all levels of Council. All workers are required to integrate risk management procedures and practices into their daily activities and must be competent and accountable for adequately managing risk within their area of responsibility.

The Risk Management Policy & Framework can be found here:

[Risk Management Policy and Framework](#)



Extraordinary Council Meeting

Wednesday 2 August, 2023

BUSINESS PAPER

The Extraordinary Council Meeting of the Shire of Berrigan will be held in the Council Chambers, 56 Chanter Street, Berrigan, on Wednesday 2 August, 2023 when the following business will be considered:-

ITEMS OF BUSINESS

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

KARINA EWER
CHIEF EXECUTIVE OFFICER

1 OPENING OF MEETING

In the spirit of open, accessible and transparent government, Berrigan Shire's Council meetings are audio recorded. By speaking at a Council Meeting, members of the public agree to being recorded. Berrigan Shire Council accepts no liability for any defamatory, discriminatory or offensive remarks or gestures that are made during the course of the Council. Opinions expressed or statements made by individuals are the opinions or statements of those individuals and do not imply any form of endorsement by Berrigan Shire Council.

Confidential matters of Council will not be audio recorded.

Recordings are protected by copyright and owner by Berrigan Shire Council. No part may be copied, recorded, reproduced or transmitted without the prior written consent of the Chief Executive Officer. Any recording is not, and shall not, be taken to be an official record of Berrigan Shire Council or discussion depicted therein. Only the official minutes may be relied upon as an official record of the meeting.

An audio recording of the Council Meeting will be taken for administrative and minute preparation purposes only and is provided to the public for listening purposes to support Council's statutory obligations.

2 ACKNOWLEDGEMENT OF COUNTRY

"We acknowledge the Traditional Owners whose country we are gathered on, and we pay respect to the elders, past, present, and future and extend respect to all First Nations People."

3 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE OR ATTENDANCE VIA AUDIO-VISUAL LINK BY COUNCILLORS

3.1 Apologies/Leave of Absence

Nil

3.2 Attendance Via Audio-Visual Link

Nil

4 DISCLOSURES OF INTERESTS

5 REPORTS TO COUNCIL

5.1 Planning Proposal - PP01-202301 Bruton Street Tocumwal

Author:	Locum, Building and Planning Manager, Brendan OLoan
Strategic Outcome:	1. Sustainable natural and built landscapes
Strategic Objective:	1.1. Support sustainable use of our natural resources and built landscapes
Delivery Program:	1.1.1. Coordinate strategic land-use planning
Council's Role:	Regulator: The Council has legislated roles in a range of areas which it is required to fund from its own funds (apart from fees for cost recovery, government grants etc)
Appendices:	<ol style="list-style-type: none">1. Appendix 1 - Planning Proposal (under separate cover)2. Appendix 2 - Planning Proposal Maps (under separate cover)3. Appendix 3 - Planning Proposal Existing and future services plan (under separate cover)

Summary

Applicant:	Tiffany Edwards from Eslers Land Consulting
Owner:	PJ & J Cullen
Proposal:	Amend Land Zoning Map and Lot Size Map within the Berrigan Local Environmental Plan 2013
Location:	1 Bruton Street Tocumwal

Division:

In Favour:

Against:

Recommendation

That Council adopt Council Officer's recommendation for PP01-2023 to submit the Planning Proposal to Department of Planning and Environment (DPE) for Gateway Determination and direct Council Officers to initiate the negotiation of an Infrastructure Agreement for the future RU5 land at the subject site. Council direct the Agreement be signed prior to the LEP Amendment being finalised.

Purpose

The purpose of this report is to assist Councils decision making of whether to send PP01-2023 to the DPE for a Gateway Determination.

Background

Council has been briefed about this planning proposal.

This is a proponent-initiated Planning Proposal. The application prepared by Eslers Land Consulting outlines the proposal and provides justification for its outcome. For proponent initiated Planning Proposals, Berrigan Shire Council must support the Planning Proposal and submit it to DPE for Gateway Determination. The decision whether to support the Planning Proposal by Council and submit for Gateway determination is Stage 2 of 6 in the Planning Proposal process. If Council does not support the Planning Proposal, the applicant may request an independent Planning Panel evaluation to assess the proposal for progress to gateway determination.

Stage 1- Pre-lodgement

Stage 2- Council to support or reject the Planning Proposal

Stage 3- Gateway Determination. Submit planning proposal to DPE, DPE confirms administrative requirements.

Stage 4- Post Gateway. Conditions prior to public exhibition.

Stage 5- Public exhibition and Assessment

Stage 6- Finalisation. DPE will make recommendations to Minister.

This Planning Proposal is considered a standard LEP amendment, meaning the LEP amendment is an LEP amendment for a specific site seeking a change in planning controls consistent with the existing strategic planning framework. As this report will outline, the LEP amendment is relatively consistent with the Berrigan Land Use Strategy 2018.

Council will act as the Local Plan Making Authority (LPMA) for Standard LEP amendments. The role of LPMA is important as Council can withhold finalisation of the LEP amendment until it is completely satisfied.

Proposal

Lot 6 DP1275427 (1 Bruton Street) is 35 hectares in total. The proposal is to rezone the southern half of the site from R5 (Large Lot Residential) to RU5 (Village Zone). This is approximately 8.8ha in land and will facilitate standard residential housing rather than delivering a rural-residential housing product. The change of Zone will require an amendment to the Land Zoning Map 004A of the Berrigan Local Environmental Plan.

In addition to the zoning change, the Planning Proposal is submitted to change the Lot Size Map 004A of the Berrigan LEP from 5,000m² to 600m² in area minimum lot size.

There are no proposed changes to the Berrigan LEP instrument regarding specific clauses and provisions. The intent of the amendment is to allow more efficient use of the area for residential development in line with current market demand for smaller lot sizes.

The northern part of Lot 6 DP1275427 will remain as Large Lot Residential, consistent with current planning applications lodged on that land.

Lot 6 DP1275427 will be subdivided into two lots to create the delineation between RU5 and R5., providing a better planning outcome than a single allotment having two separate zones.



Figure 1: Subject site

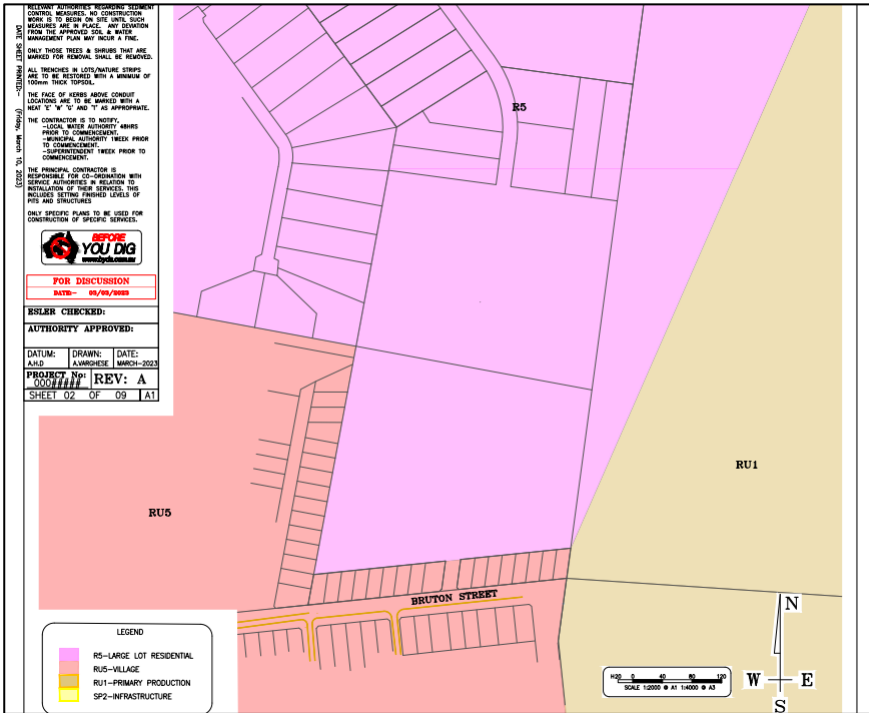


Figure 2: Current Land Zoning Map 4A (R5)

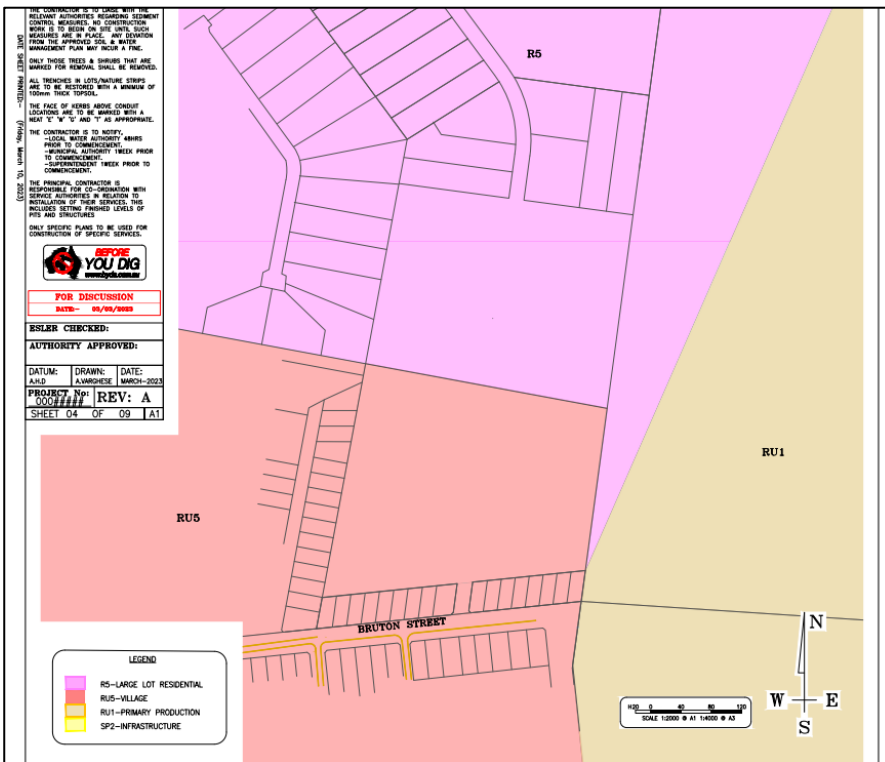


Figure 3: Proposed Land Zoning Map 4A (RU5)

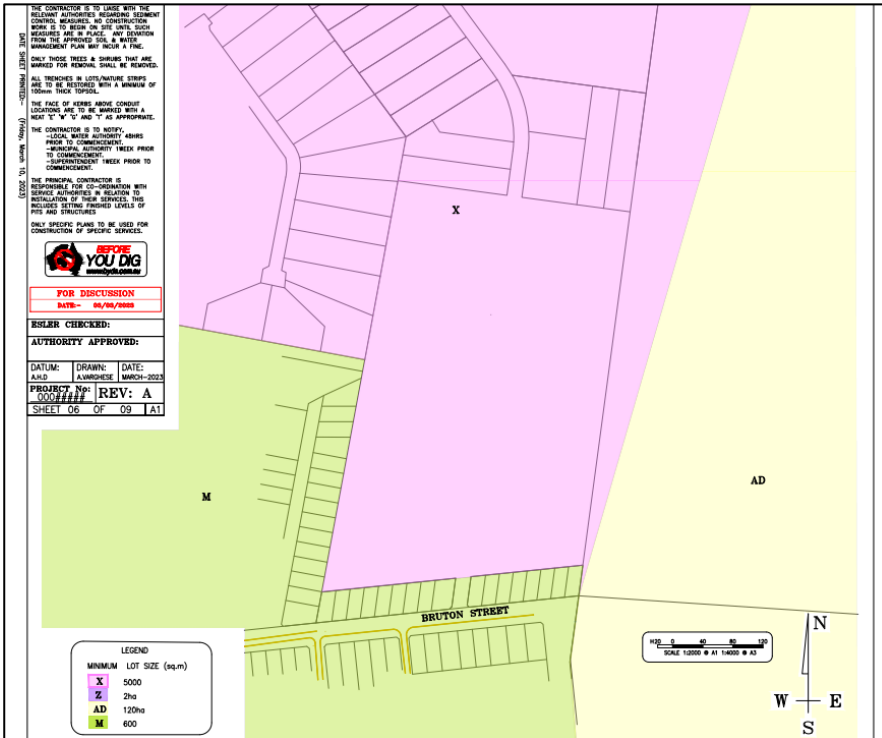


Figure 4: Current Lot Size Map 4A (5000m2)

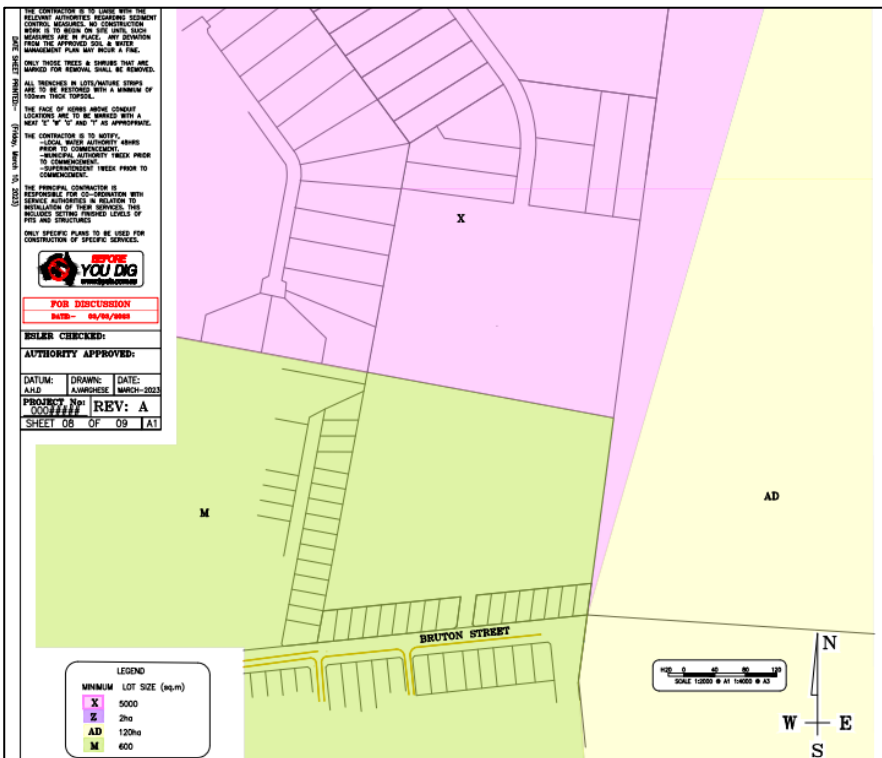


Figure 5: Proposed Lot Size Map 4A (600m2)

Assessment

Environmental Planning and Assessment Act, 1979

The Objects of the Act at Section 1.3 are supportive of this proposal particularly:

- (c) *to promote the orderly and economic use and development of land*
- (d) *to promote the delivery and maintenance of affordable housing.*

Berrigan Local Environmental Plan 2013

The Aims of Plan at Section 1.2 are supportive of this proposal particularly:

- 2(b) *to provide for a range of development opportunities that contribute to the social, economic and environmental resources of Berrigan in a way that allows the needs of*

present and future generations to be met by implementing the principles of ecologically sustainable development.

- (d) *to promote the efficient and equitable provision of public services, infrastructure and amenities.*

State Environmental Planning Policies

The consolidated SEPP's are silent on the prospects of rezoning from R5 (Large Lot Residential) to RU5 (Village).

Direction 25 Riverina Murray Regional Plan 2036 is supportive at Direction 25. Overall, the Riverina Murray Regional Plan is supporting growth away from the Murray River Environs, so implicitly is also supportive of the planning proposal.

Direct 25: Build housing capacity to meet demand

25.2 *Facilitate increased housing choice including townhouses, villas and apartments in regional cities and locations close to existing services and jobs.*

25.4 *Locate higher-density development close to town centres to capitalise on existing infrastructure and to provide increased housing choice.*

Other constraints

Flooding – The site is not known to have any flooding.

Bushfire – the site is not identified as having bushfire risk. When residential subdivisions abut rural land, there is always some risk of grassland fire at the edges. At development consent stage, the subdivision should provide an adequate buffer to the RU1 land to the east.

Contamination - There is no known contamination of the site. Similar to bushfire, contamination can be interrogated further at the subdivision stage as per Council's Contaminated Land Policy.

Infrastructure – The site is adjacent to existing urban infrastructure such as reticulated sewer, mains water, and electricity. The proponent has shown extensions to infrastructure will allow this land to be serviced. It is likely critical infrastructure may need to be augmented (expanded) to service this future estate. An infrastructure contributions plan is recommended to be signed to ensure developers of this site are fairly contributing to the upgrades or expansion of critical infrastructure required as a result of their development plans.

Obstacle Limitation Surface (OLS) Mapping – The Planning Proposal and the subsequent subdivision will not have any impact on the OLS. The Consent Authority should consider the OLS at the time of

development applications being lodged when there is a clear development height restriction consideration such as the imposed by the Tocumwal Aerodrome.



Figure 6: OLSM Mapping from Berrigan LEP

Department of Planning and Environment Comments

The DPE Planning Officers in the Western Region provided a response to Council's request for feedback. Unfortunately, the response came one month after the proponent had responded to Council's further information request. DPE generally agreed with the Berrigan Shire's Further Information Request. They also requested:

- that the planning proposal demonstrate the site can be serviced;
- Housing supply/demand be updated; and
- Land use conflicts with airport, sewer treatment plant and rural land be considered.

Response

The proponent has shown the property can be serviced. They have suggested the existing sewer pump station has adequate capacity, however stance considers the development in isolation and does not consider other development also likely in the area. It is recommended therefore, that an Infrastructure Agreement be signed for the augmentation of services including sewer pump station.

For Council to be in a better position to facilitate this Infrastructure Agreement, it should be signed prior to the LEP amendment being finalised.

The Berrigan Land Use Strategy 2018 is not definitive about population growth for the Shire. The draft Berrigan Shire Strategic Framework supports steady growth in Tocumwal over the next 15 years. The current development interest on multiple development fronts at Tocumwal suggests growth will be accelerated in the short to medium term.

Berrigan Shire Local Strategic Planning Statement 2020

Planning Priority 1 – Agriculture and Agribusiness.

The Planning Proposal is not removing any RU1 Land, though it will bring the edge of urban development closer to rural production land. It should be noted that the RU1 land to the east of the site is also identified as future urban land in the draft District Plans.

Planning Priority 2 – Enabling Infrastructure.

An Infrastructure Agreement is recommended to provide for any augmentation of infrastructure with the developer of this site.

Planning Priority 3 – Transport and Logistics.

No impact

Planning Priority 4 – Visitor Economy.

No impact

Planning Priority 5 – Urban Amenity.

Tocumwal population is increasing. There is a significant amount of development fronts which may help lower the sale price of lots. It is believed these developments, including this development, will put pressure on Council infrastructure. An Infrastructure Agreement should be signed prior to this LEP amendment being finalised.

Planning Priority 6 – Protect and Enhance Cultural and Natural Environmental Assets

No impact

Berrigan Land Use Strategy 2018

This document is a Strategic Land Use Strategy for the Berrigan Shire which reflects Council's vision and aspirations for the future in a land use planning context. The Strategy outlines the land demand/release strategy and preferred areas for urban growth for each of the Shire's four main settlements.

The preferred areas of growth have been nominated as short, medium and long term. Medium term areas are not expected to be required in the next 20 years.

The Strategy identifies the subject site as Investigation Area 1 with a staging of medium term. It states that developing the southern portion of Investigation Area 1 will provide a logical expansion of the existing village area.

Overall, apart from the timing, the Planning Proposal is consistent with the Berrigan Land Use Strategy 2018.

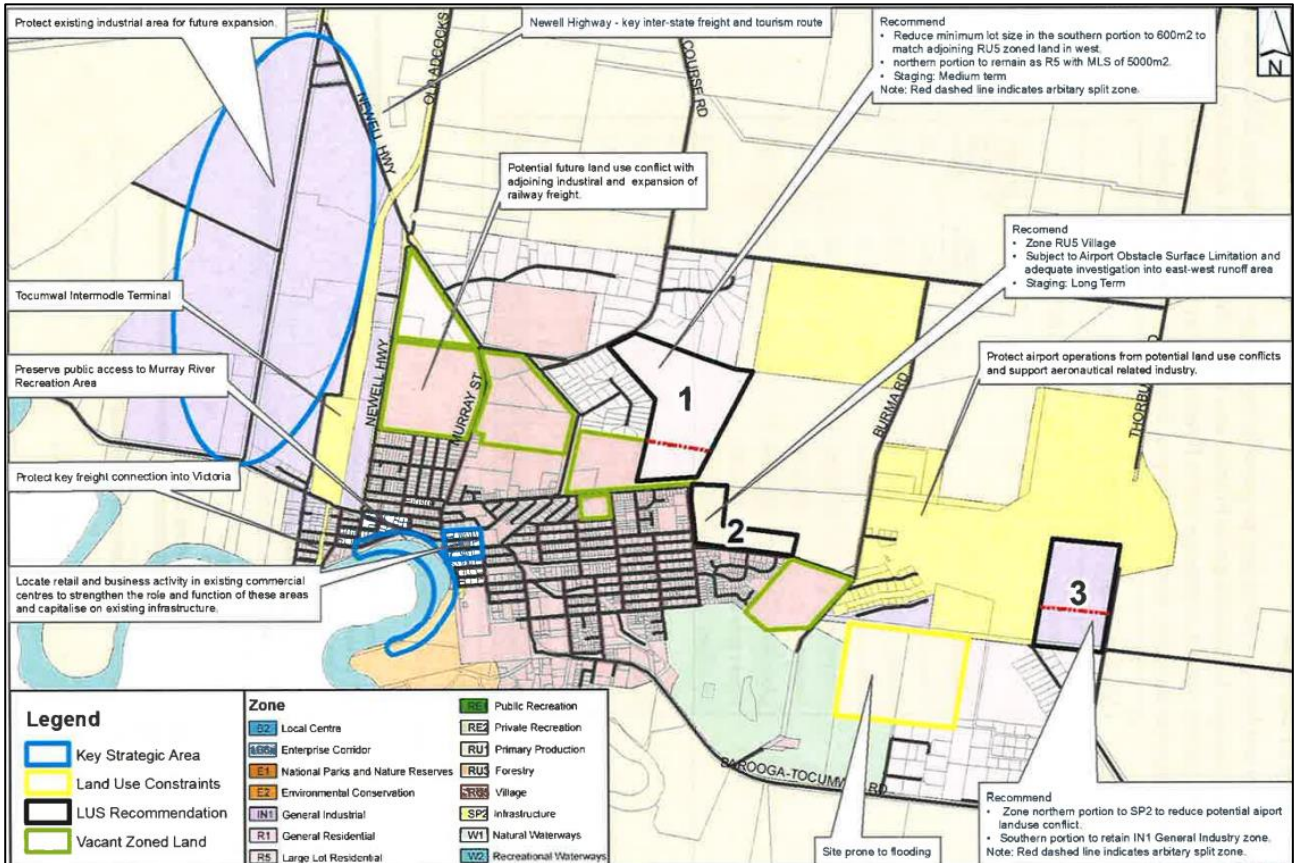


Figure 7: From Berrigan Land Use Strategy 2018

Berrigan Shire Strategic Framework and District Plans- April 2023

The Planning Proposal directly supports the Draft Berrigan Shire Strategic Framework and the Draft District Plans.

The draft Strategic Framework has not yet been approved by Council.

- The document acknowledges the new pressures on land use, amenity and services around the four townships.
- Demand for housing is high in the main townships with particularly strong demand for rental stock and affordable housing.
- There will be significant demands on housing stock and suitability of minimum lot sizes due to lone person households, smaller family units, one parent families and ageing population.
- The site is noted as 'Site No. 4' in the Tocumwal- Residential Investigation Sites. Site No. 4 has a medium term timeframe with a constraint of airport noise and safety.

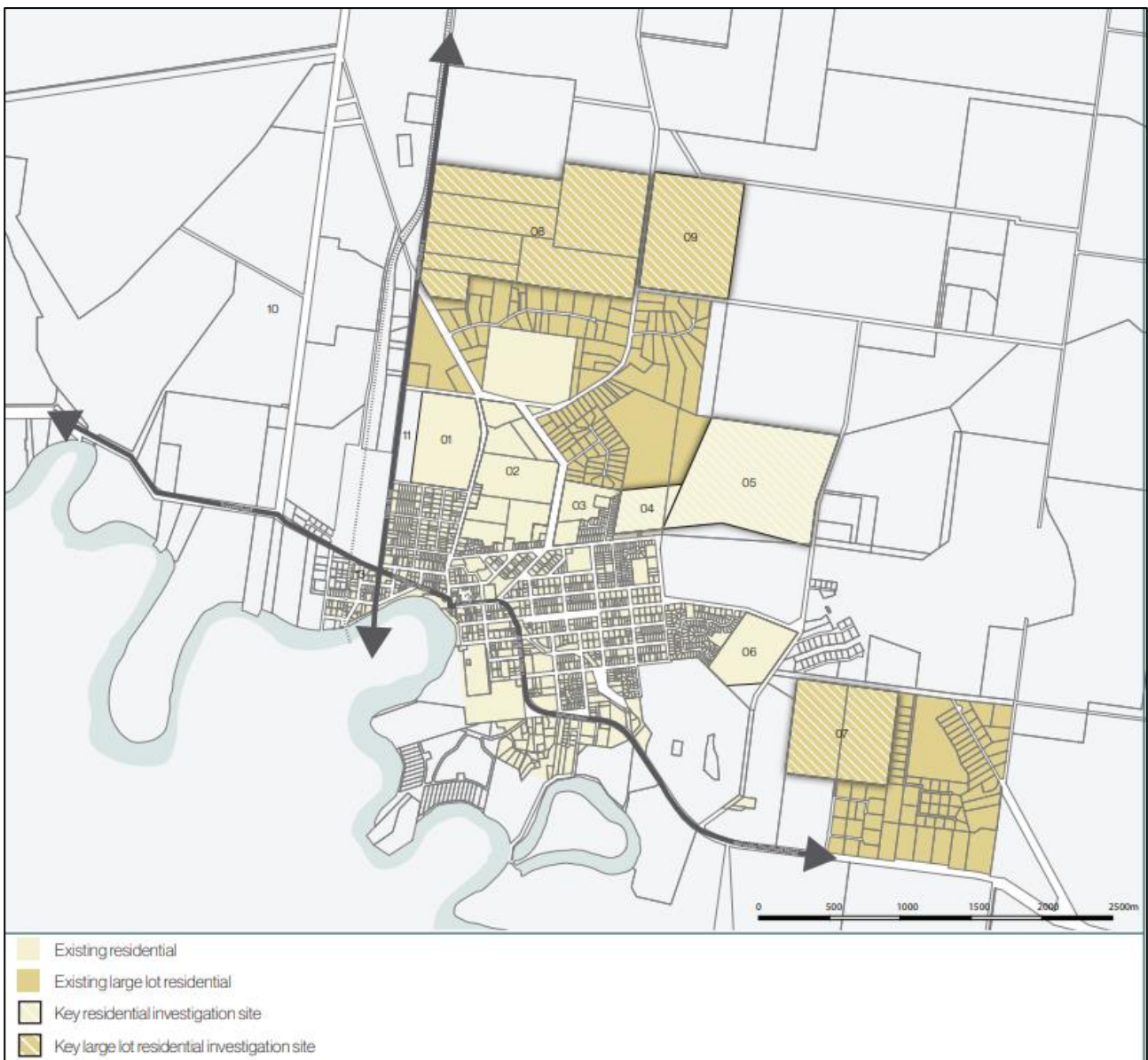


Figure 8: Draft Tocumwal District Plan

Overall, apart from the timing, the Planning Proposal is consistent with the Draft Tocumwal District Plan. Timing is noted as the Berrigan LEP is currently under review and would provide more certainty for these types of development in the future.

Options

1. Support both recommendations to send the planning proposal for gateway determination and give permission for Council Officers to initiate the infrastructure agreement.
2. Set aside one or both recommendations. If the decision is to not support the planning proposal, then the proponent may go directly to the Planning Panels for a rezoning review and gateway determination. If the decision is not to support the infrastructure agreement during the LEP amendment, there is potentially no pathway to require the developer of this site to contribute to infrastructure upgrades.

Conclusion

That Council officers support the Planning Proposal for an amendment to the Berrigan LEP. The amendments will be to the Land Zoning Map (R5 to RU5) and the Lot Size Map (5,000m² to 600m²). Council officers also support to withhold final approval of the LEP amendment until an infrastructure agreement is signed between Council and the proponent. Council will have this ability as it is the LMPA.

Appendix 1

Planning Proposal by Eslers Land Consulting

Appendix 2

Planning Proposal Maps

Appendix 3

Future Services Plan

5.2 Barooga Recreation Reserve Public Toilets

Author:	Acting Director Corporate Services, Tahlia Fry
Strategic Outcome:	3. Supported and engaged communities
Strategic Objective:	3.1. Create safe, friendly and accessible communities
Delivery Program:	3.1.3. Strengthen the inclusiveness and accessibility of our community
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	Nil

Recommendation

That Council:

1. Allocate a budget of \$39,608.20 to the construction of four public toilets at the Barooga Recreation Reserve on the Barooga Netball Club Changerooms.
 2. Reduce the current Barooga Recreation Reserve public amenity cleaning budget to NIL in the 2023/24 financial year and to \$28,000 in 2024/25 financial year.
 3. Decommission the existing public toilets at Barooga Recreation Reserve upon completion of the Barooga Netball Club Changerooms.
-

Purpose

The purpose of this report is to allocate funding for the construction of four public toilets at the Barooga Recreation Reserve which includes one all abilities amenity with shower facilities and one ambulant amenity.

Summary

Council employees currently clean the public toilet facilities at Barooga Recreation Reserve which has an ongoing budget allocation of \$34,000 per annum.

The Barooga Recreation Reserve Committee has agreed to take over the cleaning of the public toilet facilities for a period of up to 18 months to allow Council to reallocate the current cleaning budget to the construction of four new public toilet amenities. This will also reduce the workload on Council employees.

The total cost of the four public toilets will be \$39,608.20 excluding GST and will be delivered as an optional add on to the current Barooga Netball Club Changeroom Tender which was recently awarded to MS Constructions Pty Ltd.

Background

Barooga Recreation Reserve recently had a masterplan created of which several projects have already been delivered including the upgrade of the Tennis Courts and the relocation of the Netball Courts.

Barooga Football Netball Club recently sourced grant funding to construct new Netball Change Rooms at the location of the new Tennis Courts when the changeroom construction costs went out to Tender a request for an optional add on quote for four new public toilets was requested. The optional add on quote came back at \$39,608.20 excluding GST.

Council could refurbish the current public toilets at the Barooga Recreation Reserve however this would not deliver value for money and the current public toilets are in a less than ideal location. Allowing the toilets to be constructed as part of the Changeroom tender allows Council to have new public toilet facilities at no additional cost to the current budget and reduces the need for staff to clean the current public toilets for the next 12-18 months.

Relevance to Community Strategic Plan and Other Strategies /Masterplans / Studies

Barooga Recreation Reserve Masterplan

Issues and Implications

Policy

Capital Works on Community Facilities Policy

Financial

This will have no financial impact on Council as the budget will be reallocated from an existing budget line.

Legal / Statutory

N/A

Community Engagement / Communication

N/A

Human Resources / Industrial Relations (If applicable)

N/A

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Relevance to Community Strategic Plan and Other Strategies /Masterplans / Studies

Barooga Recreation Reserve Masterplan

Issues and Implications

Policy

Capital Works on Community Facilities Policy

Financial

This will have no financial impact on Council as the budget will be reallocated from an existing budget line.

Legal / Statutory

N/A

Community Engagement / Communication

N/A

Human Resources / Industrial Relations (If applicable)

N/A

Risks

The following risks have been assessed as per the Council's [Risk Management Framework](#):

1. Built Environment

	Consequence				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Council may receive complaints regarding the ongoing maintenance on the current public toilet facilities if they are not kept clean by the Barooga Recreation Reserve Committee during the period they take over the cleaning of the facilities.

2. Positive Consequences

	Consequence				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High

C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Barooga Recreation Reserve will have new public toilet facilities without the need to increase Councils current budget. It will also free up Council employees time as they will no longer need to clean the amenities during this period.

Options

1. Reallocate the current public toilet cleaning budget for Barooga Recreation Reserve to the construction of new public toilets
 2. Refurbish the current public toilets at Barooga Recreation Reserve at an approximate cost of \$20,000
 3. Do not support the upgrade of public toilets at Barooga Recreation Reserve
-

5.3 Barooga Cricket Nets Construction Tender

Author:	Director Infrastructure, Rohit Srivastava
Strategic Outcome:	3. Supported and engaged communities
Strategic Objective:	3.2. Support community engagements through life-long learning, culture and recreation
Delivery Program:	3.2.1. Provide opportunities for life-long learning, culture expression and recreation
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	Nil

Recommendation

That Council

1. Award tender to Council's preferred Tenderer 2 (MS Constructions) and delegate authority to the Director Corporate Services to bridge the funding gap and report back to Council once a solution has been sought.

Report

The purpose of the report is to award the tender for the reconstruction of the Barooga Cricket Nets and seek approval to bridge the funding gap.

Summary

Council have been successful in the following two grants towards re-construction of cricket nets at Barooga and cricket club has also received a grant:

Budget owner	Budget amount	Budget from
Council	\$230,024.00	Stronger Country Communities
Council	\$158,481.00	Crown Reserve Infrastructure Fund
Cricket club	\$40,000	Cricket NSW

Council worked with the club and agreed on the scope of the project. A tender was advertised for the re-construction of cricket nets at Barooga with the timeline below:



The tender evaluation committee consisted of:

- Project Engineer
- Manager Assets and Engineering
- Director Infrastructure

Assessment of Tender is presented in Table 1.

Criteria	Highest Possible Score	Weighting (W)	Tenderer 1		Tenderer 2	
			Score (S)	Aggregate Score = (W) * (S)	Score (S)	Aggregate Score = (W) * (S)
Price	4	5	1	5	4	20
Compliance with Specification	4	5	4	20	4	20
Track Record	4	3	4	12	4	12
Quality Systems	4	2	4	8	4	8
Availability of Appropriate Skills & Resources	4	2	4	8	4	8
Work Health & Safety Considerations	4	3	4	12	4	12
Contract Completion Date	4	3	4	12	4	12
Total				77		92

The preferred tender 1 has a quote of \$325,972.72 (excl. GST).

The tenderer has indicated that they can start the works immediately, the only minor delay would be on the soft nets as the lead time of that is expected to be about 6-8 weeks. In the meantime, demolition, design, and concrete works for new cricket nets would be done.

Funding gap

As we can only utilise one of the awarded grants to fund the project Council proposes to utilise funding of \$230,024 from Stronger Country Communities along with the Cricket Club Contribution of \$40,000 this leaves Council with a current budget of \$270,024. The funding gap is currently \$56,000.

Council is planning to apply to vary the project in the Crown Reserve Infrastructure Fund from the construction of the Barooga Cricket Nets to replacing the roof at the Berrigan Recreation Reserve of which Council currently has a budget of \$190,000 allocated.

If the grant funding project variation is approved Council allocate the total amount of the funding gap to the replacement of the cricket nets. However, if this is not approved Council currently does not have allocated budget towards this project.

Relevance to Community Strategic Plan and Other Strategies /Masterplans / Studies

These installations will support the CSP's strategic outcome - Supported and engaged communities.

Barooga Recreation Reserve Masterplan.

Issues and Implications

Financial

The funding gap of about \$60,000 will initially be sourced from amending the Crown Reserve Infrastructure Fund to replace the Berrigan Recreation Reserve Clubrooms Roof and allocating the current budget for that project to the Barooga Cricket Nets. If this is unable to be achieved, Council will approach the Barooga Cricket Club to split the funding gap 50/50, Council will allow the Barooga Cricket Club to borrow the funds from Council over an agreed period. At the time of writing this report, Council was unable to consult with the president of the Barooga Cricket Club.

Legal / Statutory

N/A

Community Engagement / Communication

Council officers engaged with cricket club and the scope has been developed and agreed in consultation.

Human Resources / Industrial Relations (If applicable)

The works will be done by external contractors and project managed by the staff.

Risks

The following risks have been assessed as per the Council’s [Risk Management Framework](#):

1. Financial

	Consequence				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Council currently has no own source funds allocated to this project. Council will potentially need to increase their current budget to allow this project to go ahead.

2. Reputation

	Consequence				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

If Council does not assist in bridging the funding gap, Council will face community backlash due to the time and effort put in by the Barooga Cricket Club to source additional grant funding for the project and having to hand back to Council approved grant allocations for this project.

Options

1. Award tender to Council’s preferred Tenderer 2 (MS Constructions) and delegate authority to the Director Corporate Services to bridge the funding gap and report back to Council once a solution has been sought.
2. Do not proceed with the project due to the funding gap.

Recommendation

It is recommended that Council:

- proceed with Option 1.
-

5.4 Key Worker Policy

Author:	Acting Deputy CEO, Tim Flynn
Strategic Outcome:	4. Diverse and resilient business
Strategic Objective:	4.1. Strengthen and diversify the local economy and invest in local job creation and innovation
Delivery Program:	4.1.2. Support local enterprise through local economic and industry development initiatives and projects
Council's Role:	Service Provider: The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council
Appendices:	1. Policy No.116 Affordable Housing for Key Workers

Recommendation

That Council endorse the attached policy on Key Worker Housing

Report

At the Strategic Policy Workshop on 5 July 2023, Council requested the A/DCEO to draft an issues paper with respect to Council's potential role and implementation measures in securing Key Worker Housing.

The issues paper is included in today's policy workshop papers. However, as reported at the Council meeting of 19 July 2023, the first step in such a process is to identify an overarching policy framework with respect to affordable (key worker) housing.



Policy

116

Affordable Housing for Key Workers

Strategic Outcome:	Good government	
Policy type	Strategic	
Date of Adoption:	13 July 2023	Minute Number:
Date for Review:	13 July 2023	
Responsible Officer:	Director Corporate Services	
Document Control:		
Delivery Program Link:		

1. POLICY STATEMENT

The following guiding principles outline Council’s commitment to the provision of affordable housing in our local area:

- Council recognises a social, ethical and legislative responsibility to address housing affordability on behalf of the community;
- Access to appropriate and affordable housing is a basic requirement for all people as an essential component of social infrastructure;
- Affordable Housing increases economic productivity by providing affordable local housing choices for key and essential workers;

2. PURPOSE

To guide decision making by defining Council’s role in relation to affordable housing. The policy includes Council’s commitment to increasing the level of affordable housing for moderate income key and essential workers in the Berrigan Shire Area and outlines its role in advocating for local, social and affordable housing needs.

The affordable housing program assists in the delivery of Council’s priorities and objectives by increasing the affordable rental housing available in the local area to key and essential workers

Council’s affordable housing program and assets are strategically managed to optimise social outcomes, asset development and financial sustainability. Council’s activities in the provision of affordable housing is categorised under;

- Affordable Rental Housing Dwellings – Residential dwellings let to moderate income



Policy

- earners with the aim of addressing housing affordability for key and essential workers;
- Affordable Housing Sites - Council owned land identified for future development as affordable housing;
- Affordable Housing Reserve – Funds reserved exclusively for affordable housing initiatives

3. SCOPE

Council considers that affordable housing is vital to social and economic development and continues to support this long-standing commitment to increase affordable housing in our local area.

Key and essential worker households support our local communities and economies in frontline services such as health care, education, child care, aged care, emergency services, community services, retail and hospitality. These workers are necessary for the normal functioning of our Shire and community.

Council is committed to do its part in the provision of affordable housing for key and essential worker households while continuing to advocate for the shortfall in local social and affordable housing needs.

4. OBJECTIVE

Local government, while not having primary responsibility for affordable housing provision, has local and regional influence. NSW Government plans related to affordable housing are implemented at the local level. Council actively intervenes by developing appropriate planning mechanisms, strategies and via advocacy, facilitation and service provision. Council's role in these areas is categorised below.

Demonstrating leadership (analysing trends and establishing direction) - Demonstrating leadership for local and regional affordable housing needs by monitoring affordable trends, identifying the level of need and developing policies to address.

Owner/Custodian - Stewardship of affordable housing assets to increase affordable housing for key and essential workers. Council's affordable housing assets are strategically managed to optimise social outcomes and financial sustainability. Council's allocation of assets in the provision of affordable housing is categorised as;

- **Affordable Rental Housing Dwellings** – Residential dwellings let to moderate income earners with the aim of addressing housing affordability for key and essential workers;
 - **Affordable Housing Sites** - Council owned land identified for future development as affordable housing;
 - **Affordable Housing Reserve** – Funds reserved exclusively for affordable housing initiatives.
 - **Regulator (enforcer of legislation)** - Ensuring development applications and planning proposals consider and include an adequate level of affordable housing dwellings to increase the provision of affordable housing.
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- **Information provider** - Ensuring information is provided regarding affordable housing projects, services and policy.
- **Advocacy** (on behalf of the community and local government sector) - Monitoring local affordable housing need and advocating on the behalf of the community to address identified need.
- **Facilitator (bringing together relevant parties)** - Facilitating partnerships between government, commercial and community housing sectors in order to address local and regional affordable housing priorities.
- **Deliverer of services (in part or in full)** - Delivery of Council's affordable housing program via the appointment of a Community Housing Provider to manage Councils affordable housing dwellings with tenancies prioritised for the needs of key and essential workers.

5. DEFINITIONS

Affordable housing:	Refers to rental housing offered at rent of up to 30% of household income to very low to moderate income households. Affordable housing must be appropriate to the needs of tenants regarding size, quality, accessibility, location and access to public transport; it must not incur unreasonable costs relating to maintenance and provide security of tenure for a reasonable period.
Key & Essential Workers:	Key and essential workers are persons employed in roles that are essential to the functioning of a city. While there is no universal definition of the term, key workers typically include police, fire fighters, teachers, childcare workers, retail and other employee groups who undertake work considered essential for the day-to-day functioning of a city, and who are Typically paid low to moderate salaries.
Planning agreement:	A voluntary agreement between a planning authority and a developer in which a developer agrees that as part of a development proposal or rezoning that they will make a contribution towards a public benefit which is sometimes the dedication of land or dwelling units for the purpose of affordable housing. <i>The Environmental Planning and Assessment Amendment (Development Contributions) Act 2005</i> sets out certain provisions regulating the making and implementation of planning agreements sometimes referred to as Developer Agreements.



Policy

Rental Stress: The state of households who are paying more than 30% of their gross income on rent and are also in the bottom 40% of national equivalised incomes.

6. RELATED LEGISLATION, POLICIES AND STRATEGIES

6.1 Legislation

- *Template Act 2000*
- *Template Regulation 2001*
- *Template Guidelines (2002)*

6.2 Council policies and guidelines

- Governance Policy
- Code of Conduct

7. RECORDS MANAGEMENT

Recording of all information relating to this policy ...

All Records must be kept in accordance with Council's Records Management Policy (currently under development) and destroyed as per the General Retention and Disposal Authority: Local Government Records (GA39).

8. REVIEW AND EVALUATION

This policy (procedure) will be evaluated and reviewed at least once every four (4) years as per Council's Governance Policy (currently under development) or as required.

9. DOCUMENT AVAILABILITY

A number of legislative instruments require Councils to have the policy available for inspection at Council's principal office (i.e. Policies made under Part 3, of the Local Government Act 1993). Each document should therefore state the ways in which the policy is available including any relevant fees and charges for access to such policy. An example of the required statement is provided below:

This policy will be available for inspection at Council's principal office during ordinary business hours as per the requirements of section 18 (c) of the *Government Information (Public Access) Act 2009* and section 167 of the *Local Government Act 1993*.

Access to the policy in digital format is free and is available on Council's website <https://www.berriganshire.nsw.gov.au/>



Policy

Printed copies of the document are available at Council's principal office (address noted below) and are subject to Council's Fees and Charges.

Berrigan Shire Council
56 Chanter Street
BERRIGAN NSW 2712

Ph: 03 5888 5100

Email: mail@berriganshire.nsw.gov.au

10. VERSION CONTROL

Version Number	Date	Summary	Responsible Officer
1.0		New Policy document	Michelle Koopman
1.1		Minor review (detail)	Matt Hansen
2.0		Major revision (detail)	Karina Ewer

APPENDICES

5.5 Finley Saleyards Update (Late Covering Report)

Author: Acting Deputy CEO, Tim Flynn

Strategic Outcome:

Strategic Objective:

Delivery Program:

Council's Role:

Report not available at time of publishing the agenda, but will be provided prior to the meeting.

6 CONCLUSION OF MEETING

The next Extraordinary Council Meeting will be held on Wednesday 16 August 2023 from 9:15am in the Council Chambers, 56 Chanter Street, Berrigan.

There being no further business the Mayor, closed the meeting at [type time](#).