



## ORDINARY MEETING OF COUNCIL

Wednesday 15<sup>th</sup> July, 2020

at 11:00am

Council Chambers

56 Chanter Street, Berrigan



# Agenda

The Ordinary Meeting of the Council of the Shire of Berrigan will be held in the **Council Chambers**, Berrigan, on **Wednesday 15<sup>th</sup> July, 2020** when the following business will be submitted:-

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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 15<sup>th</sup> July, 2020

### **BUSINESS PAPER**

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*This meeting is being webcast and those in attendance should refrain from making any defamatory statements.*

**1. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE**

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

**3. VISITORS**

**4. CONFIRMATION OF MINUTES**

**RECOMMENDATION:** that the Minutes of the ordinary meeting held in the Council Chambers on Wednesday 17<sup>th</sup> June, 2020 and the Minutes of the extraordinary meeting held in the Council Chambers on Wednesday 24<sup>th</sup> June, 2020 be confirmed.

**5. MAYORAL MINUTES**

Nil

**6. NOTICE OF MOTION**

Nil

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## 7.1 FINANCE - ACCOUNTS

**AUTHOR:** Finance 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

**RECOMMENDATION:** that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 30 June 2020, be received and that the accounts paid as per Warrant No. 06/20 totaling \$2,583,723.13 be confirmed.

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**REPORT:**

- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 30 June 2020 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 2020.
- c) The Finance Manager certifies the Accounts, including the Petty Cash Book made up to 30 June 2020, totaling \$2,583,723.13 and will be submitted for confirmation of payment as per Warrant No. 06/20.
- 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 a small decrease in total funds compared to the end of May of \$34K. This represents the normal cash pattern and large number of invoices paid to finalise the end of the financial year. Due to the Financial Assistance Grant (FAG) being paid at the end of May this decrease is not seen to offset the payment of these invoices.

In comparison to June 2019, funds have grown by \$2.8M and Council is in a sound financial position leading into the new financial year. The growth in funds stems from the FAG being paid in advance and the success of the Council in attracting grant funding.

Total funds held are expected to remain stable in July as invoices for the 2020 Financial Year continue to be paid and finalised.

Further information regarding Council's investments is attached to this Agenda as **Appendix "A"**.

**Statement of Bank Balances as at 30 JUNE 2020**

**Bank Account Reconciliation**

<i>Cash book balance as at 1 JUNE 2020</i>	\$ 11,213,581.55
Receipts for JUNE 2020	\$ 2,549,941.75
Term Deposits Credited Back	\$ -
	<b><u>\$ 13,763,523.30</u></b>
<i>Less Payments Statement No 06/20</i>	
No Chq Payments	\$ -
Electronic Funds Transfer (EFT) payroll	\$ 580,545.64
Electronic Funds Transfer (EFT) Creditors E034663-E034950	\$ 1,973,369.95
Term Deposits Invested	\$ -
Loan repayments, bank charges, etc	\$ 29,807.54
Total Payments for JUNE 2020	\$ 2,583,723.13
<b>Cash Book Balance as at 30 JUNE 2020</b>	<b><u>\$ 11,179,800.17</u></b>
<i>Bank Statements as at 30 JUNE 2020</i>	\$ 11,178,900.15
Plus Outstanding Deposits	\$ 900.02
Less Outstanding Cheques/Payments	\$ -
<b>Reconciliation Balance as at 30 JUNE 2020</b>	<b><u>\$ 11,179,800.17</u></b>

**INVESTMENT REGISTER**

INSTITUTION	DEPOSIT NO.	TERM (days)	RATE	MATURITY DATE	INSTITUTION TOTAL	S&P RATING
AMP	136/18	365	**1.60%	17/10/2020	\$ 2,000,000.00	BBB+
AMP	133/17	181	**1.65%	24/11/2020	\$ 1,000,000.00	BBB+
AMP	125/16	182	**1.60%	30/11/2020	\$ 2,000,000.00	BBB+
AMP	144/19	365	**1.80%	23/03/2021	\$ 2,000,000.00	BBB+
Goulburn Murray Credit Union	124/16	365	1.30%	13/05/2021	\$ 2,000,000.00	UNRATED
Bendigo Bank	141/18	364	*1.45%	11/09/2020	\$ 2,000,000.00	BBB+
Bendigo Bank	142/18	365	*1.60%	25/09/2020	\$ 2,000,000.00	BBB+
Central Murray Credit Union	126/16	365	1.85%	30/08/2020	\$ 2,000,000.00	UNRATED
Defence Bank Limited	146/19	365	1.70%	30/08/2020	\$ 2,000,000.00	BBB
Defence Bank Limited	138/18	365	1.70%	10/01/2021	\$ 2,000,000.00	BBB
Defence Bank Limited	102/14	364	1.65%	5/04/2021	\$ 2,000,000.00	BBB
Defence Bank Limited	106/14	365	1.35%	29/06/2021	\$ 2,000,000.00	BBB
G&C Mutual Bank	145/19	364	1.70%	6/04/2021	\$ 2,000,000.00	BBB-
NAB	143/18	365	1.45%	19/11/2020	\$ 2,000,000.00	AA-
					<b><u>\$ 27,000,000.00</u></b>	

**Total Funds Held at 30 JUNE 2020**

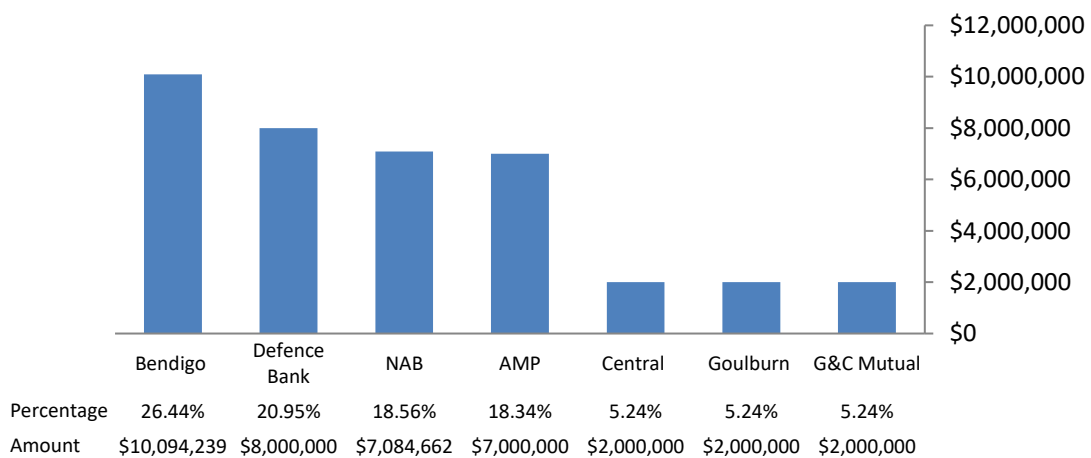
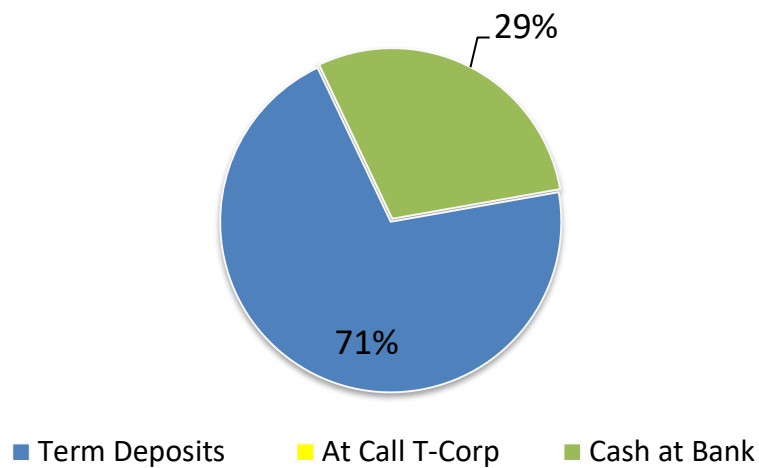
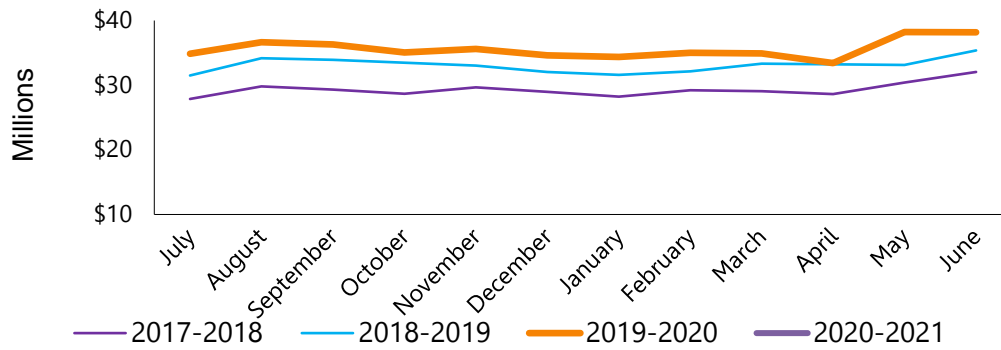
**\$38,179,800.17**

**Tahlia Fry - Finance Manager**

\*The Council also receives an additional 0.25% commission

\*\*The Council also receives an additional 0.20% commission

### Total Cash and Investments



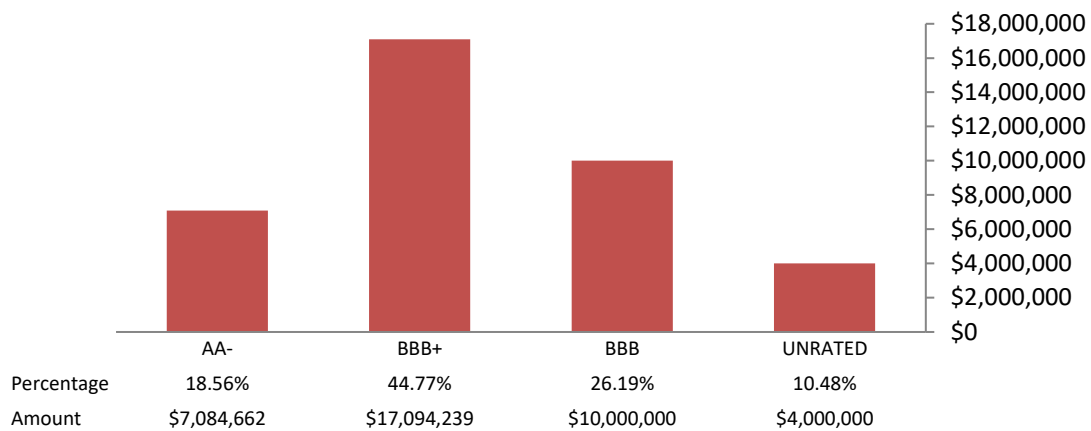
**Term Deposits Credited Back**

Prior Financial Institution	Term (Days)	Amount	Interest Rate	Maturity Date	S&P Rating
AMP (IMPERIUM)	182	\$ 2,000,000.00	*1.90%	1/06/2020	BBB+
DEFENCE BANK	365	\$ 2,000,000.00	2.05%	29/06/2020	BBB

**Term Deposits Invested / Reinvested**

Current Financial Institution	Term (Days)	Amount	Interest Rate	Maturity Date	S&P Rating
AMP (IMPERIUM)	182	\$ 2,000,000.00	*1.60%	30/11/2020	BBB+
DEFENCE BANK	365	\$ 2,000,000.00	1.35%	29/06/2021	BBB

\*The Council also receives an additional 0.20% commission





## **7.2 GENERAL MANAGER'S PERFORMANCE REVIEW**

**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

**RECOMMENDATION:** that the Council conduct the General Manager's End of Year Performance Review as part of the August, 2020 Council meeting

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### **REPORT:**

The Council is due to conduct the end of year performance review of the General Manager and also the annual salary review at the August Council meeting.

Circulated with this agenda as **Appendix "B"** is the agreed performance assessment model.

## **7.3 REQUEST FOR ANNUAL LEAVE**

**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

**RECOMMENDATION:** That the General Manager be granted annual leave on the 21<sup>st</sup> and 24<sup>th</sup> August, 2020.

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### **REPORT:**

I am requesting annual leave on Friday 21<sup>st</sup> and Monday 24<sup>th</sup> August 2020.

Being a Friday and a Monday no meetings will be effected.

## **7.4 WATER CONSUMPTION CHARGE TO BE WRITTEN OFF**

**AUTHOR:** Revenue 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

**RECOMMENDATION:** that the Council endorse the writing off the following debts:

1. Write Off \$2,950.50 plus accrued interest levied on Water Consumption Notice, for Country Club (Finley) Pty Ltd 167-177 Murray Street Finley due to Undetected/Significant Leak

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### **REPORT:**

Council Policy allows that various circumstances under which either the General Manager or the Council can endorse the writing off of debts to Council, either by written order (General Manager) and/or resolution (of Council). The amount to be written off is in excess of \$2,000.00, therefore out with the scope of the General Manger and should be made by resolution of the Council.

On 21<sup>st</sup> April 2020, the Revenue Department received an application for relief under the Council's undetected/significant leak policy from Mr Richard Shaw relating to the Finley Country Club at 167-177 Murray Street Finley. The Council's Water Officer had advised of unusually high water consumption in March. On investigation, Mr Shaw accompanied by a plumber, located water approximately one metre deep in the cellar because of a broken water pipe. The plumber subsequently repaired the broken pipe.

Due to the leak, an initial treated water consumption notice was issued for \$5,901.00 for treated water usage. It is recommended that the full 50% relief of \$2,950.50 plus interest be offered in this instance.

## **7.5 REQUEST FOR SUPPORT – INCREASE IN WATER ALLOCATION**

**AUTHOR:** General Manager

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

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

**RECOMMENDATION:** That the Council not support the request from Narrandera Shire Council to seek an increase in water allocation for Agriculture.

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### **REPORT:**

The Council has received a request from Narrandera Shire Council to support its call for an increase in water allocation for agriculture. The Council believes that such an increase is needed to ensure that agricultural industries survive and requests that this Council lobby the Deputy Prime Minister and the member for Cootamundra to achieve this.

While the sentiment of the request is understood it is suggested that the Council not support the request because:

- It supports the RAMJO Water Position Paper that provides a widespread range of recommended actions to improve water issues throughout the region and it is critical that all RAMJO members maintain be seen to continue to support that position;
- Water is a finite resource and an increase in water allocation for one industry cannot be achieved without reducing another water-holders allocation whether that water be privately or publicly owned.
- The issue of water rules about specific water allocations mainly rests with the States unless the Commonwealth is prepared to reduce some water components in the Murray Darling Basin Plan and this requires the agreement of all States which is historically difficult to achieve.

## 7.6 MAYORAL AND COUNCILLOR ALLOWANCES

**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

**RECOMMENDATION:** that the Council adopt the following Mayoral and Councillor allowances effective from September, 2020:

Mayoral allowance	\$26,530
Councillor allowance	\$12,160

### REPORT:

The Local Government Remuneration Tribunal is required to annually determine minimum and maximum remuneration levels for the various categories of Councils within NSW.

The Local Government Remuneration Tribunal is also required to review the range of Council categories and category applicable to each Council every three years.

For the 2020/2021 year the Tribunal has determined that there will be no increase in Mayoral or Councillor allowances. This determination is in line with what the State is trying

Despite the above determination, the Council is still required to adopt or set such allowances within the minimum and maximum allowances applicable to its category.

The Council must therefore adopt allowance within the following range:

	Current		Budget
	Min	Max	
Mayor	\$9,780	\$26,530	\$27,169
Councillor	\$9,190	\$12,160	\$97,744

If the maximum fees were applied from September, 2020 as is the Council's usual practice, a small budget surplus will accrue.

The Council has traditionally applied the new allowances from September following the election of Councillors and previously the Mayor.

The recommendation assumes no reduction in the current allowance levels

The Tribunal has:

- For the Metropolitan group the Tribunal has determined to retain the existing categories and has amended the population criteria applicable to Metropolitan Large and Metropolitan Medium.
- For the Non-Metropolitan group, the Tribunal has determined to:
  - create two new categories – Major Strategic Area and Regional Centre
  - rename one category – Regional City to Major Regional City, and
  - revise the criteria for some of the existing categories to account for the new categories.

A copy of the determination is circulated with this agenda as **Appendix “C”**

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## 7.7 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM

**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

**RECOMMENDATION** That the Council use its allocation of funding under the Federal Government's Local Roads and Community Infrastructure Program (LRCIP) to deliver the following projects:

1. Develop a new open space area on Murray St, Finley
2. Install LED sports lighting at Tocumwal Recreation Reserve
3. Construct gravel path to link Collie Park and Lawson Drive in Barooga
4. Construct gravel path to Tocumwal Golf and Bowls Club
5. Construct asphalt and concrete path linking Barooga to Cobram
6. Install improvements at Lions Park, Barooga

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### REPORT:

The Federal Government has developed a new funding program - Local Roads and Community Infrastructure Program (LRCIP).

The LRCIP guidelines are attached as **Appendix "D" Guidelines**

The Guidelines state the aim of the program is to:

- *provide stimulus to protect and create local short-term employment opportunities through funded projects following the impacts of the COVID-19; and*
- *deliver benefits to communities, such as improved road safety, accessibility and visual amenity*

Berrigan Shire Council has been allocated \$877,527 in LRCIP funding.

The guideline state that funding must be used to fund either eligible road or community infrastructure projects.

Eligible local road projects are projects that involve the construction or maintenance of roads managed by local governments

Eligible community infrastructure projects are projects that involve the construction, maintenance and/or improvements to **council-owned assets** that are generally accessible to the public.

Works must be complete by 30 June 2021

### Projects

The following projects are proposed to be funded from the Council's LRCIP allocation:

#### Open Space, Finley: \$230,000

This project will develop a small area of open space on Murray St (Newell Highway) in Finley, including site rehabilitation, landscaping and park furniture.

#### LED lighting, Tocumwal Recreation Reserve: \$230,000

This project will replace the sports lighting (oval and netball courts) at Tocumwal Recreation Reserve with modern, energy efficient LED fittings.

#### Gravel path linking Collie Park and Lawson Drive, Barooga: \$130,000

This project will link two activity areas on the Barooga Foreshore - the Adventure Park at Collie Park and the playground/swing bridge area near Barooga Public School on Lawson Drive

#### Gravel path to Tocumwal Golf and Bowls Club: \$70,000

This project will link Tocumwal Golf and Bowls Club to the path network connecting Tocumwal

#### Asphalt and concrete path linking Barooga to Cobram: \$200,000

This project will link Barooga from the Adventure Park to the Cobram-Barooga Bridge, providing a safe path for pedestrians and cyclist.

#### Improvements at Lions Park, Barooga: \$20,000

This project will refurbish and revamp the shelter and park furniture at Lions Park in Barooga.

**NOTE:** Projects that are **not** eligible for funding under LRCIP include:

- Finley Saleyards - This facility is not generally accessible to the public - there is a lease to a private operator.
- Sporties Health and Fitness - This facility is not Council-owned



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## 7.8 EVENT FUNDING – PGA SOUTHERN TRAINEES CHAMPIONSHIPS

**AUTHOR:** Economic & Industry Development Liaison

**STRATEGIC OUTCOME:** Diverse and resilient business

**STRATEGIC OBJECTIVE:** 4.2 Diversify and promote local tourism

**RECOMMENDATION:** That the Council extends the funding agreement to the PGA Southern Division Trainee Championship and Junior Golf Experience to 2022 to honor the commitment to three years of funding.

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### REPORT:

In 2019, the Council entered into a three year funding agreement with the PGA for the PGA Southern Trainees Championships to be held at the Tocumwal Golf and Bowls Club in 2019, 2020 and 2021.

The 2020 event was scheduled for May 2020 and was initially postponed, and finally cancelled, due to the State Government restrictions imposed on events because of the COVID-19 pandemic. The cancellation leaves the event unfunded in 2020, therefore it is recommended to extend the funding agreement to 2022.

The Council entered into the three-year agreement to create certainty around the event for the organisers and for the Tocumwal community and tourism business operators.

The recommendation to allocate funding to this event is based on:

1. The proven ability of the event to have a very favorable economic impact on the Berrigan Shire accommodation houses;
2. The comprehensive schools program to encourage local children into the game – a long term strategic position to sustain golf and the clubs in the Shire; and
3. The professional nature of the management of the event.

This event satisfies the following key funding criteria:

- Extended length of stay;
- Addresses a traditional low season for accommodation houses;
- The event is designed as an attractor and is not catering to visitors that are already here; and
- As a sporting event this event is relevant to the Berrigan Shire Tourism Strategy and satisfies as a tier two event

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## Event Impact Summary

### **Berrigan Shire - PGA Southern Division Trainee**

### **Championships - Modelling the effect of \$170,000 from a Sports and Recreation Activities event with State significance**

	<b>Output (\$)</b>	<b>Value-added (\$)</b>	<b>Employment (annual FTE)</b>	<b>Resident Jobs (annual FTE)</b>
Direct impact	136,000	77,038	1.7	
Industrial impact	38,946	18,099	0.2	
Consumption impact	17,296	9,155	0.1	
<b>Total impact on Berrigan Shire economy</b>	<b>192,241</b>	<b>104,292</b>	<b>2.0</b>	<b>1.7</b>

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## 7.9 RELOCATION OF TOCUMWAL VISITOR INFORMATION CENTRE

**AUTHOR:** General Manager

**STRATEGIC OUTCOME:** Diverse and resilient business

**STRATEGIC OBJECTIVE:** 4.2 Diversify and promote local tourism

**RECOMMENDATION:** For discussion

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### REPORT:

As Councillors may be aware, the Council is proposing to demolish the existing Tocumwal Visitor Information Centre and public toilets to develop a new hospitality faced facility on the site.

To date the proposal had required the Tocumwal Chamber of Commerce and Tourism to temporarily relocate its Visitor Information Service during the demolition and construction process pending the occupation of a dedicated premise within the new facility.

The Tocumwal Chamber of Commerce and Tourism has now written to the Council to advise that it will vacate the existing building prior to its demolition and that it will not be requiring accommodation in the new building.

The Tocumwal Chamber of Commerce and Tourism advises that it has secured the Old Railway Store as its new site, at the corner of Bridge Street and Tuppal Road, Tocumwal.

The Tocumwal Chamber of Commerce and Tourism is enquiring what support, if any, the Council will provide to the operation. The Tocumwal Chamber of Commerce and Tourism notes that it will be paying \$200 rent per week plus expenses like volunteer insurance electricity, internet and telephone. The present stock sales will continue to help defray these costs.

By way of background the Council has previously provided the existing premises free of charge including utilities and has met internet costs and provided a mobile phone service. The Council has also been planning for the Visitor Information Service to be accommodated in the new building and had expanded the space proposed to be provided at the request of service providers.

The actual cost of providing the existing facility is unclear as the utilities and building structure are joined with the public toilets.

Also by way of background the Council's Tourism Strategy identifies its role as one of providing infrastructure and improving amenity while the provision of visitor information services is provided by the community and vested interests.

Interestingly, the Council's Tourism Strategy that was developed in consultation with the community and tourism operators has a strong focus on attracting Newell Highway traffic to turn easterly into the town to maximize visitation and locating a new visitor information service to the west of the Newell Highway seems to be contrary to that focus. It also needs to be recognised that the provision of specific directional signage to the service may be difficult and that this is not controlled by the Council.

The Council can approach the request in several ways.

Firstly, it could agree to provide some level of support on the basis that the service is useful in attracting or retaining visitors to the area and that helps support the local economy despite its position that the responsibility for the provision of the service rests with the tourism industry and the community.

Secondly it could decline to provide support on the basis that it was prepared to continue to accommodate the service, at no cost, within the new building and also because the location west of the Newell Highway is contrary to the Council's Tourism Strategy.

Thirdly, despite the second point, the relocation to alternative accommodation will provide another rental stream to the Council through the rental of the space that was to be provided that could be used to provide a subsidy to the service. It needs to be noted also that there is in effect, no going back, as once the previously available space is leased there will be no option for the Tocumwal Chamber of Commerce and Tourism to return to the site.

On balance, and despite the apparent conflicts with the Council's Tourism Strategy, the service is of some value to the local economy and some level of support could be provided for a period of time – i.e. the Council could meet the rental cost for a period of three years with a later review to determine whether that will continue or not or in circumstances where the operation of the visitor information service becomes something more than mere information provision. It also needs to be noted that if the visitor information expands its "trading" operations beyond anything inconsequential the Council will have real difficulty in providing a subsidy to a business to operate in competition to other existing or potential businesses.

The Council has no specific budget for any such subsidy.

As an aside, two of the principal service volunteers have written to the Council thanking it for its past support and requesting continued use of the Council provided mobile telephone and internet service.

Copies of the correspondence from the Tocumwal Chamber of Commerce and Tourism and the principal volunteers are circulated as **Appendices "E" & "F"**

For discussion.

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## 7.10 JERSEY STREET ELECTRICITY UPGRADE – BUILDING BETTER REGIONS GRANT FUNDING

**AUTHOR:** Director Technical Services

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

**STRATEGIC OBJECTIVE:** 1.3 Connect and protect our communities

**RECOMMENDATION:** That the Council proceed with the upgrade of power supply to the Jersey Street area, Tocumwal, as part of the Building Better Regions Grant funding, without securing additional power supply for adjoining properties above what their current power supply is.

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### REPORT:

The Council has been successful in achieving grant funding under the Building Better Regions Grant Program and as part of the funding requirements Berrigan Shire Council is required is to deliver an upgrade to electrical capacity of the Jersey Street precinct Tocumwal.

There is a business located on Jersey Street with an insufficient power supply to efficiently and effectively operate their business and as part of the grant funding this business would have significantly benefited from the power upgrade, however, due to the businesses' current work load and Essential Energy applications, the business owner has not provided the required information to secure the additional demand at their premise via Essential Energy and Council staff cannot legally complete the forms on behalf of the business owner.

Given that the required information has not been provided by the business owner to date, the deadline in the funding deed is becoming an issue for Council.

The Council may wish to consider continuing the project without the required information from the business owner, which will have an impact (most likely financially only) on the business owner should they wish to upgrade their power at a later date outside of the project, to ensure that the works are completed within the designated time frame.

In terms of the current status of the project the levee core has been completed and the footpath on top of the levee has commenced. The next steps will be the footpath in Bridge Street followed by the electrical upgrade work.

The installation of the stormwater, kerb and road cannot be commenced until the electrical works are completed.

At the time of writing this report 7<sup>th</sup> July, 2020 the requested information from the business owner has not been provided.

## 7.11 FUNDING FOR EXPENDITURE COMMITMENTS

**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

**RECOMMENDATION:** That the Council put in place a funding strategy for known expenditure commitments for capital projects based on the table below:

		A	B	C	D
Project		LRCIP	Working Capital	Reserve	Re-allocation
1	Tocumwal Foreshore Building			\$200,000	
2	Jersey Street Precinct			\$100,000	
3	Tocumwal Aviation Museum		\$180,000		
4	Finley Saleyards - Phase 1				\$70,000
5	Finley Saleyards - Phase 2		\$515,000		
6	LED Lights - BAR, BER, FIN		\$240,000		
7	LED Lights - TOC	\$230,000			
8	TOC Aerodrome Fencing		\$150,000		
9	Open Space, Finley	\$230,000			
10	TOC Aerodrome Terminal Toilets				\$20,000
11	BAR Recreation Reserve Rooms				\$70,000
<b>TOTALS</b>		<b>\$460,000</b>	<b>\$1,085,000</b>	<b>\$300,000</b>	<b>\$160,000</b>

### REPORT:

At its ordinary meeting on 17<sup>th</sup> June 2020, the Council considered a report on unfunded spending commitments and resolved the following:

***Crs Bruce and Bodey*** that staff prepare a report for the next Council meeting as how to specifically fund each project shortfall.

### Funding sources

There are four main sources of funds available to the Council to meet the funding commitments:

- A. Local Roads and Community Infrastructure Program (LRCIP): A recently announced Federal Government grant proposed as a COVID-19 stimulus package. Funds are available for improvement of local roads or community infrastructure. Works must be completed by 30 June 2021.

The Council has been provided an allocation under LRCIP of \$877,526

- B. Working Capital: That component of the Council's working capital over and above what is required to meet its expenditure as and when they fall due.

The Council has around \$1m in working capital available.

- C. Capital Works Reserve: The Council's internally restricted funds put aside to fund future capital works and economic development. This is generally used for projects likely to make a financial return to the Council which can be used to replenish the reserve.

The Council has around \$2m available inside this reserve.

- D. Reallocate inside the 2020/21 budget: The Council may also wish to adjust and reallocate its priorities inside its adopted 2020/21 budget and capital works plan. The scope to do this is somewhat limited as expenditure on roads - the Council's largest program is ring-fenced as a requirement of the Federal Government's Roads to Recovery program.

### Projects to be funded

Projects which the Council has committed to deliver that do not yet have an identified funding commitment are listed below, along with a recommended funding source.

1. Tocumwal Foreshore Building and Town Square: \$200,000

This is a sub-component of the broader Tocumwal Foreshore project funded under the Regional Growth - Environment and Tourism Fund (RGETF), with co-contributions from the Council and community groups.

The unfunded component relates to changes in scope associated with the Foreshore building following community consultation.

**Recommendation: Capital Works Reserve.** This is a genuine economic development project, which is one of the purposes of the reserve. There is also the scope to return revenue from the lease of the building back to the reserve.

2. Jersey Street Precinct: Unknown

This is funded under the Building Better Regions Program (BBRP) with a 50% funding contribution from the Council.

The unfunded contribution relates to cost escalations for the electricity upgrade works. These are not known at the time of writing but I propose a provisional sum of \$100,000 in this report.

**Recommendation: Capital Works Reserve.** Again, this is a genuine economic development project however there is no scope to be able to return any funds to the reserve.

3. Tocumwal Aviation Museum: \$180,000

This is a sub-component of the Council's programmed works under its second tranche of Drought Communities Programme - Extension (DCP-E) funding.

The unfunded contribution relates to the Council's contribution to the works, for which a funding source has not been provided. The tenders for these works are being assessed at present and the exact amount of the contribution will be known.

**Recommendation: Working Capital.** As an existing project it is ineligible for grant funding. The Council could consider use of its Capital Works reserve as it does have elements of economic development.

4. Finley Saleyards - Power, ramps and forcing pens: \$70,000

This is "Phase One" of the refurbishment of the Finley Saleyards - designed to address known Work Health and Safety issues. The cost is based on an estimate provided by a consultant and may be subject to change.

The Council has applied for \$281,500 in funding under the Heavy Vehicle Safety and Productivity Program (HVSPP) and has around \$210,000 in matching funding. It needs to find an additional \$70,000 to meet its 50% funding commitment under the HVSPP.

**Recommendation: Re-allocation.** This project would be ineligible for LRCIP funding. The amount required is modest and may be able to be found within the Council's existing budget. If this becomes a problem the Council would be able to fund from Working Capital.

5. Finley Saleyards - Cattle yards and stack pens: \$515,000

This is "Phase Two" of the refurbishment of the Finley Saleyards - designed to address known Work Health and Safety issues. The cost is based on an estimate provided by a consultant and may be subject to change.

The Council has not identified any funding source for these works.

**Recommendation: Working Capital.** The project does not meet LRCIP criteria. It is difficult to justify use of the Capital Works Reserve for a project that will not generate a return. The scale of the project means that the Council cannot fund inside its existing budget.

6. LED Lights - Barooga, Berrigan, Finley: \$240,000

This is part of an overall program to replace all external sports lighting in Berrigan Shire with modern, efficient LED lighting.

This portion of the project is part-funded under the Stronger Country Communities Program (SCCP) under which the Council is required to contribute \$240,000.

**Recommendation: Working Capital.** As committed works, this project would not meet the LRCIP guidelines. It isn't an economic development project either so use of the Capital Works Reserve would be inappropriate.

7. LED Lights - Tocumwal: \$230,000

This is part of an overall program to replace all external sports lighting in Berrigan Shire with modern, efficient LED lighting.



The Tocumwal LED lights were unable to be fit into the SCCP grant however the Council has committed to find funding to install these lights - if possible as part of the same procurement process. The Council has not identified any funding source for these works.

**Recommendation: LRCIP.** This project would be an excellent fit for the LRCIP criteria as an improvement to community infrastructure.

8. Tocumwal Aerodrome fencing: \$150,000

The Council was successful in its funding application under the Federal Government's Regional Airports Program - Round 1 (RAP1) for 50% of the cost of fencing suitable for security and wildlife exclusion.

The Council has not identified a funding source for its 50% contribution - \$150,000

**Recommendation: Working Capital.** As committed works, this project would not meet the LRCIP guidelines. It could at a stretch be considered an economic development initiative and as such be funded from the Capital Works Reserve.

9. Open Space, Finley: \$230,000

The Finley community has identified a need for some open space on the main street of the town. The Council has set aside in its 2020/21 budget funds for the purchase of a suitable piece of land.

The Council has not allocated any funds for the demolition of any structures on the site or for rehabilitation of the soil - if required. It also hasn't set aside any funds for installing park furniture, landscaping or other facilities.

**Recommendation: LRCIP.** This project would be an excellent fit for the LRCIP criteria as an improvement to community infrastructure. Council staff are seeking advice on whether the grant could fund the land purchase, which would take the commitment to \$400,000.

10. Tocumwal Aerodrome Terminal Building toilets: \$30,000

The toilets at the Tocumwal Aerodrome terminal building do not modern standards of amenity, are difficult to maintain and do not cater for disabled access.

**Recommendation: Re-allocation.** While this project may possibly meet LRCIP criteria, the funding required is relatively modest and may be able to be found within the Council's existing budget. If this becomes a problem the Council would be able to fund from Working Capital.

11. Barooga Recreation Reserve Social and Change Rooms: \$73,000

This project will extend and refurbish the social and change rooms at Barooga Recreation Reserve to provide a similar level of amenity as existing facilities in other Berrigan Shire communities. The project will be a partnership between the Council, the Recreation Reserve Committee, Barooga Football Netball Club and the local community.

**Recommendation: Re-allocation.** As this project will use volunteer labour it is unlikely to meet the job creation criteria for LRCIP. The funding required is relatively modest and may be able to be found within the Council's existing budget. If this becomes a problem the Council would be able to fund from Working Capital.

Unfortunately, the Council's application for funding under the Office of Racing and Gaming (ORG) Infrastructure Grants for the replacement of the netball courts at Finley Recreation Reserve was unsuccessful. The project, estimated at \$280,000 with a \$70,000 contribution from the Council, is no longer a committed project for the purposes of this report however an alternative funding source for this project will still need to be found.

## 7.12                      **DAWE AVENUE FINLEY - FOOTPATH**

**AUTHOR:**                      General Manager

**STRATEGIC OUTCOME:**        Supported and engaged communities

**STRATEGIC OBJECTIVE:**        3.1 Create safe, friendly and accessible communities

**RECOMMENDATION:**        That having received a commitment from the NSW Minister for Health to contribute \$10,650 towards the construction of a footpath in Dawe Avenue, Finley, the Council now proceed with the construction of the footpath.

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### **REPORT:**

At its April 2020 Council meeting the Council resolved “that the Council defer the construction of the footpath in Dawe Avenue, Finley until such time as is (has) made representation to the Minister for Health and the Local Member to secure funding from Murrumbidgee Local Health District”.

Following the Council’s representations, the Minister for Health, The Hon Brad Hazzard MP, has agreed to have the Murrumbidgee Local Health District (MHL D) contribute the \$10,650 originally requested as a contribution to the construction of the footpath at Dawe Avenue, Finley.

This a good outcome for the Council and the community and now allows the construction of the footpath to proceed.

The Minister also notes that the MHL D is still prepared to provide land to help minimize the project scope, budget and impact on available off-street parking.

Staff do not appreciate the significance of the land offer as the Council never intended to construct a carpark for hospital users that is a matter that rightly rests with MHL D.

## 7.13 COUNCIL HOUSE – TOCUMWAL AERODROME

**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

**RECOMMENDATION:** the direction of the Council is sought.

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### REPORT:

After its 2019 Corporate Workshop the Council adopted the following agreed outcome:

*“That the Council adopt a position of demolishing its house at Flight Place Tocumwal and subdividing the future vacant lot for resale”.*

The house in question is now vacant and can be demolished for redevelopment as a vacant aerodrome block.

The purpose of this report is to ensure that the Council’s intentions have not changed.

Assuming the Council still wishes to proceed, staff will investigate the viability and practicality of the proposal and report back to the Council.

If the Council does not wish to proceed the house can still be used for staff accommodation. It is considered undesirable to rent the house to independent persons given the potential for conflict with the operations of the aerodrome.

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## 7.14 TENDER T01/20/21 ANNUAL PLANT HIRE

**AUTHOR:** Director Technical Services

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

**STRATEGIC OBJECTIVE:** 1.3 Connect and protect our communities

**RECOMMENDATION:** that the Council:

1. Accepts all compliant tenders for the 2020-21 financial year for T01/20/21 Annual Plant Hire Rates,
2. Sign and seal the contract documents

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### REPORT:

The Council wish to compile a list of available specific items of Plant for hire to supplement its own Plant and Fleet. This list is to enable the Council to select suitable Plant on a 'Best Value' basis to support the delivery of works and services to the community as required.

The Annual Plant Hire contract is a schedule of rates contract.

Tenders closed at 2:00pm, Wednesday 10<sup>th</sup> June, 2020. At the time of closing a total of thirty submissions were received.

Submissions were received from the following organisations:

1. Andrew Goldman Excavations Pty Ltd
2. Austin Robinson Excavations P/L
3. Bell/Kearney Excavation Pty Ltd
4. Bencon Civil Construction Pty Ltd
5. Berrigan Water Cartage
6. Bitu-Mill (Civil) Pty Ltd
7. Cleanaway Co Pty Ltd
8. Conplant Pty Ltd
9. Crawford Civil Pty Ltd
10. Curry Power Pty Ltd
11. Drainflow Solutions Pty Ltd
12. Foxys Backhoe Service
13. John Nolen Pty Ltd
14. Luxton Plant Pty Ltd
15. Miller Pipe & Civil P/L
16. NECAM Pty Ltd
17. O'Loughlin Excavations
18. Orange Hire

19. Pascoe Grading & Earthmoving Contractors Pty Ltd
20. Porter Excavations Pty Ltd
21. RM Wood Contracting
22. REDDOG Excavations
23. Riverina Stabilisers
24. Rollers Australia Pty Limited
25. RSP Environmental Services
26. Sharpe Bros
27. Stabilco Pty Ltd
28. Stephen Haynes Pty Ltd
29. The Mining Pty Ltd
30. Total Drain Cleaning Pty Ltd

### **Consideration of the Tenders**

All tenders were considered by the Tender Evaluation Committee consisting of Fred Exton, Gary George and Dean Loats.

All tenders submitted were deemed compliant with the specification.

### **Supervisor**

The superintendent of the contract will be the Director of Technical Services and the superintendent's representative will be the Engineering Services Manager.

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## 7.15 TENDER T02/20/21 SUPPLY OF QUARRY PRODUCTS

**AUTHOR:** Director Technical Services

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

**STRATEGIC OBJECTIVE:** 1.3 Connect and protect our communities

**RECOMMENDATION:** that the Council:

- 1- Accepts all tenders for the 2020-21 financial year for T02/20/21 – Quarry Products
- 2- Sign and seal the contract documents

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### REPORT:

The Council wish to compile a list of suppliers of Quarry Products. This list is to enable the Council to select suitable materials on a 'Best Value' basis to support the delivery of works and services to the community as required.

The Supply of Quarry Products contract is a schedule of rates contract.

Tenders closed at 2:00pm, Wednesday 10<sup>th</sup> of June, 2020. At the time of closing a total of five submissions were received.

Submissions were received from the following organisations:

1. Andrew Goldman Excavations Pty Ltd
2. Burgess Earthmoving Pty Ltd
3. E.B. Mawson & Sons Pty Ltd
4. Lawrence Brothers Quarries Pty Ltd
5. Stephen Haynes Pty Ltd

### Consideration of the Tenders

All Tenders were considered by the Tender Evaluation Committee consisting of Fred Exton, Gary George and Dean Loats.

### Supervisor

The superintendent of the contract will be the Director of Technical Services and the superintendent's representative will be the Engineering Services Manager.

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## 7.16 TENDER T03/20/21 SUPPLY OF ELECTRICAL SERVICES

**AUTHOR:** Director Technical Services

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

**STRATEGIC OBJECTIVE:** 1.3 Connect and protect our communities

**FILE NO:** T03/20/21

**RECOMMENDATION:** that the Council:

- 1- Accepts all compliant tenders for the 2020-21 financial year for T03/20/21 – Electrical Services, to be on the panel of approved contractors
- 2- Sign and seal the contract documents

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### REPORT:

The Council wish to compile a list of available electrical contractors to carry out electrical works on Council Assets. The list is to enable the Council to select electrical contractors on a 'Best Value' basis to support the delivery of works and services to the community as required.

The Supply of Electrical Services contract is a schedule of rates contract.

Tenders closed at 2:00pm, Wednesday 27<sup>th</sup> of May, 2020. At the time of closing a total of ten submissions were received.

Submissions were received from the following organisations:

1. Clarky's Electrical & Airconditioning
2. Cobram Electrical & Data Pty Ltd
3. McCurdy Electrical
4. Murray River Electrical
5. Murray Valley Locating & Electrical
6. PA & JL Scott
7. Purtle Electrical
8. Refrigelec Pty Ltd
9. Sparkyman Electrical Pty Ltd
10. Wastle Pace Electrics Pty Ltd

### Consideration of the Tenders

All Tenders were considered by the Tender Evaluation Committee consisting of Gary George and Matthew Miller.

All Tenders submitted were deemed compliant with the specification.



### **Supervisor**

The superintendent of the contract will be the Director of Technical Services and the superintendent's representative will be the Engineering Services Manager.

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## 7.17 T04/20/21 INSITU PAVEMENT STABILISATION FOR 2020/2021 FINANCIAL YEAR

**AUTHOR:** Director Technical Services

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

**STRATEGIC OBJECTIVE:** 1.3 Connect and protect our communities

**RECOMMENDATION:** that the Council:

1. Accepts Stabilco Pty Ltd for the 2020-21 financial year for T04/20/21 Insitu Pavement Stabilisation,
2. Sign and seal the contract documents

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### REPORT:

It is anticipated that the Berrigan Shire Council will spend around \$240,000 inclusive of GST on Insitu Pavement Stabilisation for the 2020/2021 financial year.

The Tender was through the Local Government Procurement Contract for Bitumen, Emulsions and Asphalt Materials and Services (LGP213).

The Contract for Insitu Pavement Stabilisation for the 2020/2021 financial year is a schedule of rate contract.

Submissions were received from the following organisations:

1. Downer EDI Pty Ltd
2. Stablico Pty Ltd
3. Stablifix Pty Ltd
4. Stabilised Pavements of Australia Pty Ltd

### Consideration of the Tenders

All tenders were considered by the Tender Evaluation Committee consisting of Fred Exton, Gary George and Dean Loats.

All tenders submitted were deemed compliant with the specification.

### Supervisor

The superintendent of the contract will be the Director of Technical Services and the superintendent's representative will be the Engineering Services Manager

## **7.18 TENDER T13/19/20 DESIGN & CONSTRUCTION OF THE TOCUMWAL AVIATION MUSEUM**

**AUTHOR:** Project Manager

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

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

**RECOMMENDATION:** that the Council:

1. Accept the tender submission from MS Constructions to construct the Tocumwal Aviation Museum for a contract sum of \$489,609.00;
2. Sign and Seal the contract documents on behalf of the Council in relation to 1 above; and
3. Appoint the Director of Technical Services as the Contract Superintendent.

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### **REPORT:**

This tender is for T13/19/20 - Design & Construction of the Tocumwal Aviation Museum.

As part of the Drought Communities Programme – Extension – Tranche 2, the upgrade of the facility is scheduled to be completed prior to December 1<sup>st</sup> 2020.

The contract is a Lump Sum Contract

Tenders closed at 2:00pm Wednesday 10<sup>th</sup> of June, 2020. At the time of closing a total of 11 submissions were received:

1. Adaptive Interiors
2. CBC Project Management Group Pty Ltd
3. CPE Constructions
4. Gilchrist Property Group
5. John Cameron Constructions – *Submissions A*
6. John Cameron Constructions – *Submission B*
7. Kennedy Builders
8. MS Constructions Pty Ltd
9. Precise Build Pty Ltd
10. RHC & AL Johnson Pty Ltd
11. Williams River Steel Pty Ltd

### **Consideration of the Tenders**

All tenders were considered by the Tender Evaluation Committee:

Matthew Hansen	Director of Corporate Services
Fred Exton	Engineering Services Manager
Nathan O'Connell	Project Manager

### Consideration of Tenders

Each Tender was evaluated in accordance with the following evaluation Criteria:

Criteria	Highest Possible Score	Weighting
1. Value for Money	4	4
2. Compliance with Specification	4	3
3. Track Record	4	3
4. Quality Systems	4	2
5. Availability of Appropriate Skills & Resources	4	2
6. Work Health and Safety Systems	4	4
7. Community Economic Benefit	4	2

A summary of each tenderers evaluation by the tender assessment panel is included in Item 9.1 of this Agenda.

### Summary

Based on the evaluation criteria, the tender assessment panel has selected the tender submission of MS Constructions as the preferred tender.

### Supervisor

The superintendent of the contract will be the Director of Technical Services and the superintendent's representative will be the Project Manager.

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## 7.19 MURRAY DARLING ASSOCIATION REGION 2 MOTIONS

**AUTHOR:** General Manager

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

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

**RECOMMENDATION:** that the Council support the following motions from Region 2 of the Murray Darling Association:

1. That the Murray Darling Association does not support the proposed buyback of 450gl of water entitlements from the Murray Darling Basin;
2. That the passage of water intended for irrigation use downstream be minimised to flows that do not cause environmental harm to river environs and in particular the Barmah Choke on the Murray River and the banks of the heritage listed Goulburn River downstream of Eildon Weir; and
3. If on farm efficiency programs are to be used to obtain the proposed 450gl then they should be subject to an independent socio-economic analysis that proves that such transfers do not cause negative socio-economic issues in regions where water is being recovered.

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### REPORT:

The Council has been requested by Region 2 of the Murray Darling Association (of which it is a member) to support the following motions at the Murray Darling Association Annual General Meeting:

1. That the Murray Darling Association does not support the proposed buyback of 450gl of water entitlements from the Murray Darling Basin.
2. That the passage of water intended for irrigation use downstream be minimised to flows that do not cause environmental harm to river environs and in particular the Barmah Choke on the Murray River and the banks of the heritage listed Goulburn River downstream of Eildon Weir.
3. If on farm efficiency programs are to be used to obtain the proposed 450gl then they should be subject to an independent socio-economic analysis that proves that such transfers do not cause negative socio-economic issues in regions where water is being recovered.

The request for support should be considered in relation to the RAMJO Water Position Paper and I don't believe that the motions that the Council is being requested to support are in contradiction to it.

Motion 3 is already required and is, to an extent, superfluous.

On the basis of the above, the Council could support the motions however it should be noted that a Council cannot determine how a delegate must vote at the AGM.

## 7.20 MEDICAL SERVICES AT BERRIGAN

**AUTHOR:** General Manager

**STRATEGIC OUTCOME:** Supported and engaged communities

**STRATEGIC OBJECTIVE:** 3.1 Create safe, friendly and accessible communities

**RECOMMENDATION:** that the Council not support the request from the Berrigan Local Health Advisory Committee for financial support to assist in the attraction of a medical practitioner at Berrigan.

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### REPORT:

The Council has received a letter from the Berrigan Local Health Advisory Committee (LHAC) requesting financial support to assist in the attraction of a medical practitioner to Berrigan. A copy of the letter from the LHAC is circulated with this agenda as **Appendix "G"**.

The LHAC finds itself in a difficult position regarding the attraction of a new doctor which was discussed at the July Strategy and Policy workshop and which I don't proposed to discuss in this report.

The Council has consistently refused, over the long term, to provide such assistance for several key reasons.

Firstly, is that when such financial incentives have been offered in other areas they have not provided sustainable outcome when compared to this area that has traditionally attracted committed longer term doctors without incentives.

Secondly is that medical practices are businesses and the Council has not felt it appropriate to subsidize business enterprises, particularly when other similar businesses operate in the Shire area.

Thirdly, it has not been considered viable to accept that medical practitioners are so financially strained that they would need a financial support to sustain their operation in the area.

It is recognized that medical practitioners are an important part of the social fabric however a financial subsidy is difficult support.

## 7.21 JUNE QUARTER REVIEW

**AUTHOR:** Strategic & Social Planning Coordinator

**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

**RECOMMENDATION:** That the Council:

1. Note the June 2020 Quarterly Review of the Annual Operational Plan 2019/20 circulated as **Appendix "H"**

### REPORT:

Circulated with this Agenda as **Appendix "H"** is the fourth quarter review of the Council's *Annual Operational Plan 2019/20*.

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

- Council actions that support and promote *Berrigan Shire 2027* outcomes (these are outcomes which match the Department of Local Government's quadruple bottom line reporting requirements: Social, Economic, Environmental and Civic Leadership);
- *Delivery Program* Objectives;
- *Annual Operational Plan* Objectives; and
- *Annual Operational Plan* Actions

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

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



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

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

The following table provides a summary by strategic outcome of the status of the Council’s 2019/20 Annual Operational Plan actions.

Scheduled for the August 2020 Council meeting is an addendum to the June Quarter Review the June 2020 Delivery Program Progress Report – this report will update financial year-end performance indicators and annual Delivery Program Reporting indicators. This is information that is not available for the July 2020 Council Meeting.

	Completed	On target	Not on target	Past Due	Deferred / Not due to start	Total
Sustainable natural and built landscapes	14	2	2		1	19
Good government	13	1	1	-	1	16
Supported and engaged communities	13	-	1	-	0	14
Diverse and resilient business	12	-	-	-	4	16
<b>Total</b>	<b>52</b>	<b>3</b>	<b>4</b>	<b>-</b>	<b>6</b>	<b>65</b>

For noting is that 52 actions out of a total of 65 actions are complete. A further three actions are noted as on target. Not on target or deferred are the following:

- 1.2.3.1 Undertake tree assessments and establish a tree register
- 1.2.1.5 Undertake a review of the plans of management for Crown Lands controlled by Council or Council Committees of Management.

- 1.3.1.1 Review and implement asset management plans which maintain a balance between improving and maintaining flood levees, stormwater, Council roads, paths and trails
- 2.1.2.2 Implement and further develop the Berrigan Shire Integrated Management System.
- 2.1.3.4 Conduct service review and develop the Corporate Services Strategic Plan
- 3.1.3.1 Promote the social and economic wellbeing of Shire residents through implementation of Disability Inclusion Plan, social planning and community development activities.
- 4.1.1.2 Develop industry profiles informed by strategic analysis of local conditions and relative competitive advantages.
- 4.1.1.3 Support collaborative planning, shared resourcing in local industry. promotion of business and infrastructure development projects.
- 4.1.2.3 Upgrade Finley Saleyards.
- 4.2.1.3 Provide support to event proponents and organisers.

The responsible officers for these actions have provided comment in the attached June Quarter Operational Plan report. Of the ten actions noted by Council Officers as 'not on target or deferred' five of these actions are noted by Council Officers as not being on target due to COVID19 pandemic.

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## 7.22 REVIEW OF CONDITIONS OF CONSENT

**AUTHOR:** Development Manager

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

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

**RECOMMENDATION:** That the Council resolve to modify Development Consent No. 93/20/DA/D9 – 13 Lot Subdivision by:

1. Deleting condition of consent No. 8 – Financial Contribution Water Supply
2. Deleting condition of consent No. 16 – Water Main Extension
3. Deleting condition of consent No. 17 – Water Supplies to Rural Residential Residences Outside Village Boundary

and add the following condition:

1. Potable Water Supply
  - a) That the developer provide evidence to Council that a sustainable water supply of acceptable quality for domestic purposes can be provided to each allotment within the subdivision, and
  - b) That a permanent potable water supply be provided to each allotment within the subdivision prior to the issue of a Subdivision Certificate.

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### REPORT:

Council is in receipt of a request to review a condition of consent imposed on an approved subdivision of land adjoining Racecourse Road, Tocumwal. (See **Appendix “I”**)

### Site

The site is Lot 4 DP802330 which has an area of 132.2 ha and adjoins the eastern boundary of the Tocumwal township. See **Appendix “J”**

The majority of the site is located in the RU1 – Primary Production Zone with a small section located in the RU5 – Village Zone adjoining Bruton Street and the remainder located in the R5 Large Lot Residential Zone adjoining an established rural residential development off Racecourse Road. See **Appendix “K”**

### Background

Development consent was granted by Council in 2017 for a 5 Lot subdivision within the R5 – Large Lot Residential Zone off Racecourse Road, Tocumwal. (First Stage – See **Appendix “L”**).

As part of this subdivision the water and low pressure sewer services located in Racecourse Road were required to be extended approximately 200 metres to service the new lots. A new stormwater drain has also been constructed at the rear of the new lots to convey runoff to the sewer treatment plant. The drain also assists in draining runoff from the adjoining established rural residential development. This subdivision is now nearing completion.

The developer subsequently submitted an application for a further 13 Lot subdivision of land adjoining the above development which has been granted consent subject to conditions. (Second Stage Determination and Plan – See **Appendices “M & N”**).

As part of the subdivision it has been proposed that the developer install an extension of the water main to service these new lots with potable water for domestic use only. The developer has also agreed to extend the main to Bruton Street from Racecourse Road so as to increase flow and maintain pressure and to service future stages of his proposed development. Bores are proposed to be installed on each lot to provide a water supply for garden and firefighting purposes.

One of the conditions imposed required the developer to either transfer water rights for a total volume of 1500Kl of high security water per lot or pay a financial contribution to Council of an amount equal to the market value of such rights in accordance with the provisions of a Policy adopted by the Council. See **Appendix “O”**.

This charge is in addition to the cost of the provision of the infrastructure and headworks charges applicable in accordance with Councils Development Servicing Plan under Section 64 of the Local government Act 1993.

### **Discussion**

The main point of contention from the developer is the application of the Policy regarding the transfer of high security water or paying for the cost of the purchase of the water. When the policy was introduced the cost of purchasing 1500Kl of high security water was less than \$2,000 per Lot however over time the cost has increased exponentially and is now in the vicinity of \$12,000 per Lot.

It would appear that Council staff have not applied this Policy consistently in the past to all subdivision developments. In this instance the first stage of this development consisting of 5 Lots was not conditioned to include the provisions of the Policy hence the objection to the application of the Policy to the second stage of the development.

When assessing applications for subdivisions for rural residential purposes, particularly those adjoining existing serviced allotments, planning staff have been acting on the assumption that these services could be extended to service the new allotments, especially those that are close to the minimum lot size in the zone, subject to installation costs and the payment of appropriate fees and charges.

Recent discussions with senior staff have indicated that this assumption has been incorrect and that the provision of town water supplies to rural residential allotments is not a right and should not be supported due to the impost on water treatment and

servicing facilities as well as ensuring that Councils water allocations are not compromised.

It has been suggested that it would be appropriate to require developers applying to subdivide land outside the Village boundaries to demonstrate that a sustainable water supply of acceptable quality can be provided to each allotment for domestic purposes prior to the approval of, and/or issuing a subdivision certificate for such developments.

To achieve an acceptable outcome for the developer and the Council regarding this matter it is suggested that Development Determination No. 93/20/DA/D9 – 13 Lot Subdivision be modified to exclude the conditions of consent referring to the provision of a town water supply for this development and replace with a condition that such as that mentioned in the previous paragraph.

### **Summary**

Given that the developer has objected to the provisions of the Water Supply Policy and Council staff are not in favour of extending town water services to rural residential subdivisions it would appear that the most expedient course of action would be to modify the consent for the subdivision whereby the conditions relating to the provision of the water supply, payment of headworks charges and the requirement to provide high security water are removed from the determination and replaced with a condition that requires the developer to demonstrate that a suitable potable water supply can be provided to each allotment within the subdivision.

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## 7.23 TENDER T12/19/20 TOCUMWAL FORESHORE BUILDING

**AUTHOR:** Project Manager

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

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

**RECOMMENDATION:** That the Council:

1. Select the Tender submission from Maire/Bowden as the preferred tenderer for the alternate design of the Tocumwal Foreshore Building and permits staff to commence negotiations with Marie /Bowden on said design, or
2. Accept Tender submission from MS Constructions to construct the GPG Architect design for a contract sum of \$1,657,000.00; and
3. Permit the General Manager to Sign and Seal the contract documents on behalf of the Council in relation to 1 or 2 above; and
4. Appoint the Director of Technical Services as the Contract Superintendent.

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### REPORT:

Council has received the Tender submissions for the proposed Tocumwal Foreshore Building. The tender specification was written to allow for the Construction of the GPG Architects Design and to allow for a new design and construction.

Each Tender submission has been evaluated in line with the assessment criteria set out in the Tender specification.

The following Tender submission were deemed to be conforming to the Tender specification by the tender evaluation panel:

- Gilchrist Property Group – Alternate design
- Marie Le Touze – Alternate design
- MS Constructions – Alternate design and GPG Architects
- Precise Build – GPG Architects

The following Tender submissions were deemed to be non-conforming to the tender specification by the tender evaluation panel:

- Gilchrist Property Group – GPG Architects
- CAF Consulting Services Pty Ltd – Alternate Design

- Kennedy Builders - GPG Architects
- Dezign - GPG Architects

**Community Architectural Acceptance**

A summary of the report is below:

Number of Valid Survey Responses      407

Rank Order Preference:

Option B – Marie Le Touze	273
Option A – Gilchrist Property Group	62
Option D - GPG Architects	56
Option C – MS Constructions	16

Comments suggest that there is strong community support for Option B – primarily because it is not modern or contemporary. The prevailing view is that this design is more in keeping with the current look and feel of Tocumwal.

**Rank Order architectural values**

The following questions were included in the survey to provide the Council with an insight into what is most important to survey respondents when thinking about a public building:

Statement	Importance Score
People should enjoy using or visiting a public building – meaning feelings about how the building is used are important	90/100
Public buildings should be welcoming, accessible and inclusive – meaning physical barriers (steps, narrow doorways etc.) should not be included in the design	89/100
Public buildings should be environmentally sustainable – this include using the design of the building to reduce where possible heating, cooling and running costs	88/100
The appearance of a public building is important because it influences the well-being, comfort, and safety of users; it tells a story about the community and its identity	88/100
Good public building design is place based and appropriate it takes into account local character, heritage and community ambitions	87/100
Good building design reduces running costs over time	87/100

Public buildings must be fit for purpose and designed to adapt to change over time	86/100
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Analysis of these results suggest that Shire residents value most how they feel about a building. Practical considerations related to the ongoing operations or capacity of a building to be changed over time are not as important as how accessible a building is or how survey respondents feel about how a building is used.

The survey results are attached in **Appendix “P”**.

The evaluation of the Tenders was conducted by three panel members based on the following assessment criteria:

Assessment Criteria	Highest Possible Score	Weighting
1. Value for Money	4	4
2. Compliance with Specification	4	3
3. Community Architectural Acceptance	4	4
4. Track Record	4	3
5. Quality Systems	4	2
6. Availability of Appropriate Skills & Resources	4	2
7. Work Health & Safety Considerations	4	4
8. Community Economic Benefit	4	2
9. Innovative, Environmentally Sustainable Design	4	3
10. Completion Time	4	4

**Consideration of the Tenders**

All tenders were considered by the Tender Evaluation Committee:

- |                  |                                |
|------------------|--------------------------------|
| Matthew Hansen   | Director of Corporate Services |
| Matthew Clarke   | Director of Technical Services |
| Nathan O’Connell | Project Manager                |

Summary



Based on the evaluation criteria, the tender assessment panel has selected the tender submission of MS Constructions for the GPG Architects design and Marie/Bowden for the Alternative Design as the preferred tenderers.

Supervisor

The superintendent of the contract will be the Director of Technical Services and the superintendent's representative will be the Project Manger

**Alternative Design:**

Mandatory Criteria	Yes	No
1. Tender Price is within Budget		
2. Design fits within set building footprint		

Assessment Criteria	Tenderers			
	CAF	Gilchrists	Maire / Bowden	MS Constructions
<b>TOTALS</b>	<b>90</b>	<b>91.8</b>	<b>103.96</b>	<b>100</b>

**GPG Architects Design:**

Mandatory Criteria	Yes	No
1. Tender Price is within Budget		
2. Design fits within set building footprint		

Summary of Standard Criteria Scores					
Assessment Criteria	Tenderers				
	Dezign	Gilchrists	Kennedy Builders	MS Constructions	Precise Build
<b>TOTALS</b>	<b>77</b>	<b>91.68</b>	<b>96.28</b>	<b>102</b>	<b>98.8</b>

## 7.24 RELATED PARTY DISCLOSURE POLICY

**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

**RECOMMENDATION:** That the Council:

1. revoke its Related Party Disclosure Policy adopted on 14 December 2020, and
2. adopt the Related Party Disclosure Policy as set out below



### Policy

#### 88 RELATED PARTY DISCLOSURE POLICY

Version 01

File Reference No: 12.019.1; 02.103.1

Strategic Outcome: Good government

Date of Adoption: 15/07/2020

Date for Review: 17/07/2024

Responsible Officer: Director Corporate Services

##### 1. POLICY STATEMENT

##### 2. PURPOSE

The policy is designed to ensure that Council's financial statements comply with the disclosure requirements under the Australian Accounting Standard AASB 124 Related Party Disclosures.

Under AASB 124 the Council is obliged to disclose related party relationships, transactions and outstanding balances, including commitments, in the annual financial statements

These disclosures draw attention to the possibility that Council's financial position and profit or loss may have been affected by the existence of transactions with a related party and outstanding balances with such parties.

##### 3. SCOPE

This policy applies to the implementation of AASB 124: Related Party Disclosures when preparing and auditing the Council's Financial Statements.

This policy is to be applied across all Council functions and activities and may impact on all Councillors, Council officers, Council volunteers and other agents of the Council.

##### 4. OBJECTIVE

This policy is developed to assist the Council with the following Delivery Plan Objectives:

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



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## Policy

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*2.1.3 Council operations support ethical, transparent and accountable corporate governance*

### 5. DEFINITIONS

**Close family members of a person** shall mean those family members who may be expected to influence, or be influenced by, that person in their dealings with the Council.

**Control** shall mean the ability to direct the business' activities of an entity through rights or exposure to returns from its involvement with the entity.

**Ordinary Citizen Transactions (OCT)** shall mean transactions with a related party that are made on terms that are considered reasonable if the parties were dealing at 'arm's length

**Key Management Personnel (KMP)** shall mean those persons having authority and responsibility for planning, directing and controlling the activities of Council or Council entities, directly or indirectly.

**"Possible (Possibly) Close members of the family of a person"** - are those family members who could be expected to influence, or be influenced by, that person in their dealings with the Council and include:

1. that person's brothers' and sisters';
2. aunts', uncles', and cousins' of that person's spouse or domestic partner;
3. dependants of those persons' or that person's spouse or domestic partner as stated in (b); and
4. that person's or that person's spouse or domestic partners', parents' and grandparents'.

**Related Party Transaction** shall mean the transfer of resources, services or obligations between a reporting entity and a related party, regardless of whether a price is charged.

### 6. POLICY IMPLEMENTATION

#### 6.1. Identifying Related Parties

A person or entity is a related party of Council if any of the following apply:

1. They are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others).
2. They are an associate or belong to a joint venture of which Council is part of.
3. They and Council are joint ventures of the same third party.



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## Policy

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4. They are part of a joint venture of a third party and council is an associate of the third party.
5. They are a post-employment benefit plan for the benefit of employees of either Council or an entity related to Council.
6. They are controlled or jointly controlled by Close members of the family of a person.
7. They are identified as a close or possibly close member of the family of a person with significant influence over Council or a close or possibly close member of the family of a person who is a KMP of Council.
8. They, or any member of a group of which they are a part, provide KMP services to Council.

For the purposes of this Policy, related parties of Council include the following:

1. Entities related to Council;
2. Key Management Personnel (KMP) of Council
3. Close family members of KMP;
4. Possible close family members of KMP's; and
5. Entities or persons that are controlled or jointly controlled by KMP, or their close family members, or their possible close family members

### **6.2. Key Management Personnel**

The following positions are considered to be Key Management Personnel

- Councillors
- General Manager
- Director Technical Services
- Director Corporate Services

The list above is not exhaustive. Other positions within Council may also be considered Key Management Personnel depending on their role and/or responsibilities.

#### **6.2.1. Obligations of Key Management Personnel**

To assist the Council to identify potential related party transactions, KMPs and other persons occupying or acting in the positions disclosed are required to complete a related party declaration to assist Council in compliance with its statutory obligations.

Declarations from KMPs are requested at the following times:

- When initially appointed as a KMP



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## Policy

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- By 30 June every financial year following – in line with the Councillors and Designated Persons Return
- Where their circumstances materially change.

KMPs are also obliged to inform the Council if they become aware of any transactions or potential transactions (other than Ordinary Citizen Transactions) that may potentially be a related party transaction.

### 6.3. Ordinary Citizen Transactions

Transactions with related parties of the Council which are of a nature that any ordinary citizen would undertake will not be captured and reported.

If an OCT occurs on terms and conditions that are different to those offered to the general public, the transaction will be captured and if required reported in the financial statements.

### 6.4. Transaction Capture

Management is to implement a system and processes for capture of related party transactions and record keeping requirements.

This process will outline how transactions are identified and captured, including

- the identification of transactions that do not pass through Council's accounting system, and
- the capture of associated terms and conditions of related party transactions.

### 6.5. Disclosure

Transactions between the Council and related parties, whether monetary or not, are required to be identified. Disclosure of these transactions within the annual financial statements will be determined in accordance with materiality by assessment against nature and size when considered individually and collectively.

Materiality thresholds are reviewed annually as part of the audit process and reported related party disclosures will be in compliance with the framework of the AASB 124 and other relevant standards, as required.

As a general guide, transactions under \$10,000 will not be considered material unless the transaction is of a nature that disclosure would reasonably be merited.

The Council will be cognisant of privacy and right to information requirements when dealing with the identification, retention and disclosure of related party transactions.



## Policy

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### **7. RELATED POLICIES OR STRATEGIES**

#### **7.1. Legislation**

- *Local Government Act 1993*
- *Government Information (Public Access) Act 2009*
- *Privacy and Personal Information Protection Act 1998*
- Australian Accounting Standard AASB 124: Related Party Disclosures
- Office of Local Government Code of Accounting Practice and Financial Reporting

#### **7.2. Council policies and guidelines**

- Berrigan Shire Council Code of Conduct
- Procurement and Disposal Policy

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**REPORT:**

Australian Accounting Standard AASB 124: Related Party Disclosures came into effect for Berrigan Shire Council on 1 July 2016. As Councillors are aware, this was foreshadowed in Note 1 to the 2015/16 General Purpose Finance Statements adopted in October 2016. A copy of the standard can be found at [http://www.aasb.gov.au/admin/file/content105/c9/AASB124\\_07-15.pdf](http://www.aasb.gov.au/admin/file/content105/c9/AASB124_07-15.pdf)

As stated in the standard itself, the objective of AASB 124 is

*The objective of this Standard is to ensure that an entity's financial statements contain the disclosures necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.*

AASB 124 requires the Council to disclose any transactions with related parties in its financial statements. These transactions may be in the form of cash or they may be non-cash transactions.

The Council adopted a policy in 2016 to assist Council staff assess who are related parties to the Council. This includes identifying as related parties what are known as Key Management Personnel (KMP).

This existing policy defines Council's KMPs as Councillors, the General Manager, Directors and most managers. Most peer Councils have a much narrower definition of KMP - going no further down their staff structure than Director-level.

The revised policy above will, once adopted, bring the Council into line with peer Councils and reduce some the administrative burden for Council staff and the Finance Manager.

**RECOMMENDATION** that Items for Noting numbered 8.1 to 8.6 inclusive be received and noted.

**8.1 MINUTES OF A MEETING OF RIVERINA AND MURRAY JOINT ORGANIZATION HELD ON 13<sup>TH</sup> MAY 2020**

**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

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**REPORT:**

Circulated with this agenda, as **Appendix "Q"** Is a copy of the minutes of a meeting of RAMJO held on 13<sup>th</sup> May 2020.



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## 8.2 2021 COUNCIL ELECTION

**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

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### REPORT:

With the deferral of the 2020 Council election until September 2021 the following information has been received from the Office of Local Government:

#### ***What's new or changing***

- *The Minister for Local Government has published orders in the Gazette under section 318B of the Local Government Act 1993 (the Act) postponing the next ordinary local government elections in response to the COVID-19 pandemic.*
- *The next local government elections will be held on 4 September 2021.*
- *The decision to postpone the elections until September 2021 has been made in consultation with and on the advice of the NSW Electoral Commissioner.*

#### ***What this will mean for your council***

- *The orders made under section 318B suspend the election requirements of the Act including the requirement to hold by-elections to fill vacancies for the period specified in the orders.*
- *Current councillors and popularly elected mayors will continue to hold their civic offices until council elections are held on 4 September 2021.*
- *Councils will not be required to hold by-elections to fill vacancies or to apply to the Minister to dispense with the requirement to hold a by-election during the period specified in the orders.*
- *The making of the orders will not affect the requirement to hold mayoral elections. Mayoral elections must be held for mayors elected in September 2018 when their two year-terms expire in September 2020.*
- *Mayors elected in September 2019 will continue to hold office until council elections are held on 4 September 2021.*
- *The composition of joint organisation boards may need to change in September 2020 if mayors of member councils elected by councillors are not re-elected.*

- *The postponement of the next ordinary local government elections will not affect the timing of future council elections, and the subsequent ordinary local government elections will still proceed in September 2024.*

The only point not clear from the above is the fact that while the Local Government requires that a Mayor, elected by a Council, is elected for a two year term, the Council has only a one year term left until the election in 2021.

It is assumed that the requirement of the Act is not consequential given that the elected Council will go out of office immediately prior to the election.

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### **8.3 TOCUMWAL/BAROOGA FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN**

**AUTHOR:** Director Technical Services

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

**STRATEGIC OBJECTIVE:** 1.3 Connect and protect our communities

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#### **REPORT:**

The Council has been successful in obtaining grant funding for Tocumwal/Barooga Floodplain Risk Management Study and Plan for the maximum amount of up to \$187,714.29 on a funding ratio of 6:1 in favour of Council. The project will mainly consist of examining the behavior of the Murray River during a flood and providing modelling to assist with Council's planning and operations functions.

As part of the funding conditions it is a requirement to go to tender to select a consultant, the results of which will be brought back to the next Council meeting where a consultant will need to be selected and 2 Councillors delegated to form part of the Floodplain Risk Management Committee.

It is anticipated that the flood study will take approximately 18 months to complete and the Floodplain Risk Management committee is to be made up of various stakeholders:

- Berrigan Shire Council
- Locals
- Moira Shire
- Murray Darling Basin Authority
- Department of Primary Industry and Environment
- State Emergency Services

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## **8.4                    CONDITION AND COMPLIANCE ASSESSMENT OF THE SPORTIES HEALTH AND FITNESS CENTRE**

**AUTHOR:**                    General Manager

**STRATEGIC OUTCOME:**        Supported and engaged communities

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

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### **REPORT:**

The Council may recall that it previously contributed to the preparation of an assessment of the condition and compliance of the Sporties Health and Fitness Centre, conditional upon receiving a copy of the assessment.

A copy of the assessment has now been received and is circulated with this agenda as **Appendix “R”**.

The report highlights some areas in need of upgrading and many items more of a routine maintenance nature.

Key upgrades recommended include:

- Airconditioning
- Switch board
- Floor recoating
- Solar heating repairs
- Hypo storage and pump controls
- Provision of a lift

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## 8.5 IPART REVIEW OF THE LOCAL GOVERNMENT RATING SYSTEM

**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

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### REPORT:

The NSW Government has released its response to the Independent Pricing and Regulatory Tribunal (IPART) review of the Local Government Rating System.

A copy of the response is attached as **Appendix "S"**.

The NSW Government response rejects much of the thrust of the IPART report including its key recommendations to reform the rate pegging model, allow the use Capital Improved Valuations (CIV) for rating purposes and to simplify the system of rate exemptions.

The main area where the NSW Government supported the IPART recommendations is in relation to the recovery of Council rates. In this area, the IPART recommendations have been largely co-opted in the Debt Management and Hardship Guidelines released in November 2018 by the government under s23A of the *Local Government Act 1993*.

Overall, despite the initial enthusiasm generated by the IPART review, little of substance will change as a result.

## 8.6 DEVELOPMENT DETERMINATIONS FOR MONTH OF JUNE

**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

### REPORT:

#### APPLICATIONS DETERMINED FOR JUNE 2020

Application	Description	Property Location	Applicant	Owner	Status	Value	Days Taken	
93/20/DA/D9	13 LOT SUBDIVISION	100 BURMA ROAD, TOCUMWAL NSW 2714 (Lot4//DP802330)	Mr Tony O'Neill	MR P J CULLEN AND MRS J C CULLEN	Approved 03-06-2020	\$ 68000.00	Active 117	Total 117
157/20/DA/D3	INDUSTRIAL SHED	26 DENISON STREET, FINLEY NSW 2713 (Lot15//DP573822)	JT & EN Close	CLOSEDALE PTY LTD	Approved 15-06-2020	\$ 40000.00	Active 18	Total 32
159/20/DA/D5	RESIDENTIAL STORAGE SHED	233 HUGHES STREET, BAROOGA NSW 3644 (Lot102//DP1138899)	Geoffrey T Nye	MR G NYE	Approved 17-06-2020	\$ 24000.00	Active 4	Total 34
160/20/DA/DM	SINGLE MOORING	1C RIVERVIEW COURT, BAROOGA NSW 3644 (Lot1//DP1172277)	Jamie Bell	MR JA BELL AND MRS J BELL	Approved 29-06-2020	\$ 18000.00	Active 0	Total 39
165/20/DA/D5	RESIDENTIAL STORAGE SHED	26 HADLEY STREET, TOCUMWAL NSW 2714 (Lot21//DP1250358)	Graham & Diane Owen	MR GF OWEN AND MRS DN OWEN	Approved 02-06-2020	\$ 11060.00	Active 12	Total 12
166/20/DA/D9	3 LOT SUBDIVISION	61-67 HENNESSY STREET, TOCUMWAL NSW 2714 (Lot3/9//DP758981)	Trustees Of Roman Catholic Church For The Diocese	ROMAN CATHOLIC CHURCH TRUSTEES	Approved 15-06-2020	\$ 0.00	Active 21	Total 21
167/20/DA/DO	RURAL SHED	1057 MULWALA-BAROOGA ROAD, BOOMANOOMANA NSW 3644 (Lot17//DP653769)	Katty East Engineering	MR NL HARGREAVES AND MRS CO HARGREAVES	Approved 03-06-2020	\$ 37179.00	Active 11	Total 13
170/20/DA/D2	CARPORT EXTENSION	277-283 MURRAY STREET, FINLEY NSW 2713 (Lot133//DP752283)	Lawrence & Shelia Walsh	MR L F & MRS S WALSH	Approved 18-06-2020	\$ 15000.00	Active 20	Total 20
35/20/CD/M6	ADDITIONS TO DWELLING	13 DUNDON CLOSE, TOCUMWAL NSW 2714 (Lot7//DP285573)	Mr Jason Lummis	MR JS LUMMIS AND MS KM WARR	Approved 03-06-2020	\$ 20000.00	Active 5	Total 5
36/20/CD/M6	REPLACEMENT PATIO	66 WELLS STREET, FINLEY NSW 2713 (Lot1//DP39698)	Apollo Patios	MR B J THOMSON AND MRS J A THOMSON	Approved 02-06-2020	\$ 17500.00	Active 4	Total 4
172/20/DA/D1	BV DWELLING & ATTACHED GARAGE	9 LA BELLE COURT, TOCUMWAL NSW 2714 (Lot8//DP1194758)	Dennis Family Homes	MS TA MULA & MR MA THOMPSON	Approved 11-06-2020	\$ 367183.00	Active 1	Total 10
173/20/DA/DO	RURAL SHED	QUICKS ROAD, BAROOGA NSW 3644 (Lot38//DP859774)	Brendon & Justine Ackerly	MR BJ ACKERLY AND MRS J ACKERLY	Approved 18-06-2020	\$ 26500.00	Active 1	Total 13
37/20/CD/M5	INGROUND FIBREGLASS SWIMMING POOL	57 HONNIBALL DRIVE, TOCUMWAL NSW 2714 (Lot142//DP1157449)	Poolside Cobram	MS LET PASCOE	Approved 11-06-2020	\$ 65670.00	Active 6	Total 6
176/20/DA/D5	RESIDENTIAL STORAGE SHED	41 COLLIE STREET, BAROOGA NSW 3644 (Lot25//DP574086)	Mitchell Shannon	MR M J & MRS C L SHANNON	Approved 18-06-2020	\$ 14000.00	Active 0	Total 6
178/20/DA/DM	RELOCATED BUNGALOW	42 CORCORAN STREET, BERRIGAN NSW 2712	Mr A & Mrs K Swinson	MR AN SWINSON AND	Approved 18-06-2020	\$ 20000.00	Active 6	Total 6

38/20/CD/M5	INGROUND FIBREGLASS SWIMMING POOL	(Lot37/B/DP2425) 321 CLOSES ROAD, FINLEY NSW 2713 (Lot334//DP869353)	Mr GD & Mrs JM McLeod	MRS KL SWINSON MR GD MCLEOD AND MRS JM MCLEOD	Approved 18-06-2020	\$ 18600.00	Active 6	Total 6
182/20/DA/D5	RESIDENTIAL STORAGE SHED	63-67 LYSAGHT STREET, BERRIGAN NSW 2712 (Lot25/B/DP2425)	J & R Ware Builders	MR JS WARE AND MRS RR WARE	Approved 30-06-2020	\$ 19800.00	Active 5	Total 5
183/20/DA/D5	RESIDENTIAL STORAGE SHED	25 COBRAM STREET, BERRIGAN NSW 2712 (Lot21//DP541315)	Drew McKay	MS HJ MACDONALD & MR DT MCKAY	Approved 24-06-2020	\$ 6000.00	Active 1	Total 1

**APPLICATIONS PENDING DETERMINATION AS AT 30/06/2020**

Application No.	Date Lodged	Description	Property Location
88/20/DA/DM	16-12-2019	GENERATOR	51-53 DAVIS STREET, BERRIGAN NSW 2712 (Lot13//DP739679)
119/20/DA/DM	21-02-2020	AMPHITHEATRE, FISHING PLATFORM & ACCESS TRACKS	TOCUMWAL FORESHORE (Lot7002//DP1019579)
135/20/DA/D5	18-03-2020	RESIDENTIAL STORAGE SHED & CARPORT	1-3 COREE STREET, FINLEY NSW 2713 (Lot5/1//DP758412)
137/20/DA/DO	19-03-2020	RURAL SHED	3075 MULWALA-BAROOGA ROAD, BAROOGA NSW 3644 (Lot8//DP1027384)
168/20/DA/DM	19-05-2020	5MW SOLAR PV ARRAY	BROOCKMANNS ROAD, FINLEY NSW 2713 (Lot61//DP1053533)
171/20/DA/D5	26-05-2020	RESIDENTIAL STORAGE SHED	43 NUGGET FULLER DRIVE, TOCUMWAL NSW 2714 (Lot69//DP1070311)
174/20/DA/DM	02-06-2020	SHIPPING CONTAINER	16-18 DAVIS STREET, BERRIGAN NSW 2712 (LotA//DP364777)
179/20/DA/D5	12-06-2020	COVERED ALFRESCO AREA	47 BUDD STREET, BERRIGAN NSW 2712 (Lot23/P//DP3197)
180/20/DA/D5	22-06-2020	REPLACEMENT OF RESIDENTIAL STORAGE SHED	12 SANDY LANE, TOCUMWAL NSW 2714 (Lot2/12//SP33846)
181/20/DA/DO	22-06-2020	RURAL SHED & TEMPORARY OCCUPATION	21 HAMILTON STREET, FINLEY NSW 2713 (Lot5//DP1262202)
184/20/DA/D5	24-06-2020	RESIDENTIAL STORAGE SHED	34-38 NANGUNIA STREET, BAROOGA NSW 3644 (Lot6//DP248756)

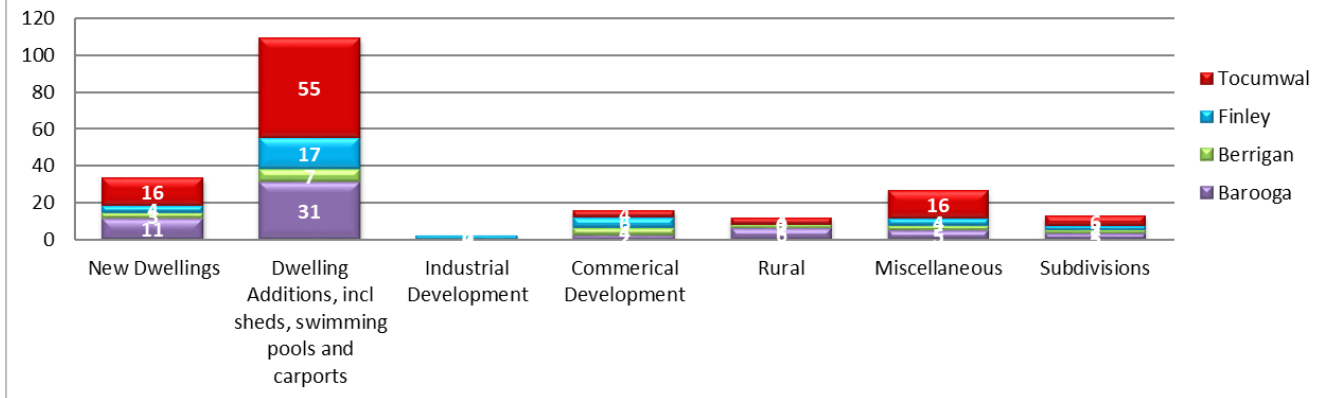
**TOTAL APPLICATIONS DETERMINED / ISSUED (including modifications)**

	This Month (JUNE)	Year to Date	This Month's Value (JUNE)	Year to Date Value
<i>Development Applications (DA)</i>	14	178	\$1,278,722	\$19,529,435
<i>Construction Certificates (CC)</i>	14	143	\$1,620,010	\$17,079,869
<i>Complying Development Certificates (CDC)</i>	4	36	\$121,770	\$3,014,089
<i>Local Activity (s.68)</i>	11	77		

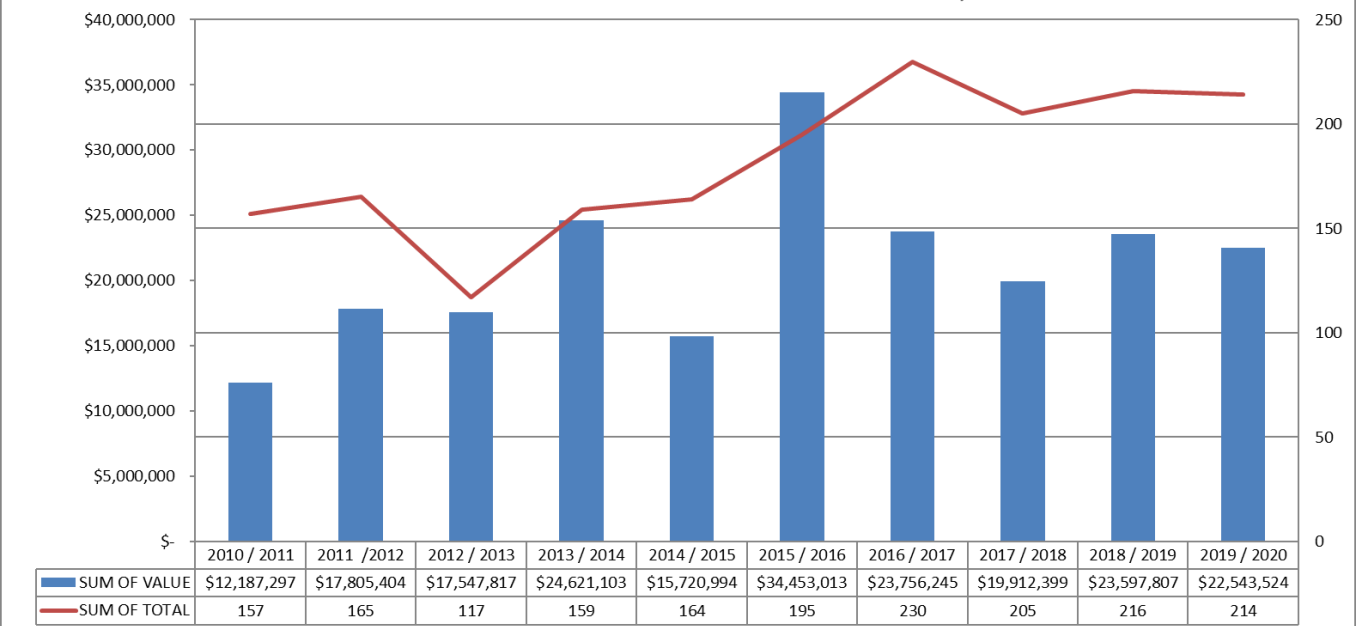
### OTHER CERTIFICATES ISSUED FOR JUNE 2020

	s10.7(2) Planning Certificate		s10.7(5) Certificate		735A Certificate Outstanding Notices or Orders under LG Act 1993		s9.34 Certificate Outstanding Notices or Orders under EP&A Act 1979		s6.24 Building Certificate		Swimming Pool Certificate	
	JUNE	Year Total	JUNE	Year Total	JUNE	Year Total	JUNE	Year Total	JUNE	Year Total	JUNE	Year Total
BAROOGA	12	103	0	6	0	4	0	1	0	1	1	12
BERRIGAN	1	53	0	4	2	12	0	4	0	1	1	9
FINLEY	15	126	3	22	0	9	0	6	0	1	0	10
TOCUMWAL	3	130	0	7	0	2	0	0	2	7	1	12
<b>TOTAL</b>	<b>31</b>	<b>412</b>	<b>3</b>	<b>39</b>	<b>2</b>	<b>27</b>	<b>0</b>	<b>11</b>	<b>2</b>	<b>10</b>	<b>3</b>	<b>43</b>

### DEVELOPMENT ACTIVITY 2019/2020 as at 30 June, 2020



### DEVELOPMENT ACTIVITY as at 30 June, 2020





**SEPP & CLAUSE 4.6 REPORT FOR THE JUNE QUARTER 2020**

A report of all variations approved under delegation from a Council must be provided to The Council Meeting at least once each quarter, listed below submission for the June 2020 Quarter.

General Council Data	
<b>COUNCIL INFORMATION</b>	
Council name:	Berrigan Shire Council
Contact name:	Laurie Stevens
Phone:	03 5885 5100
E-mail:	<a href="mailto:mail@berriganshire.nsw.gov.au">mail@berriganshire.nsw.gov.au</a>
Start Date dd/mm/yyyy:	1/04/2020
End date dd/mm/yyyy:	30/06/2020
Please enter NIL for no variations to standards:	NIL

## 9. 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.

### 9.1 TENDER T13/19/20 DESIGN & CONSTRUCTION OF THE TOCUMWAL AVIATION MUSEUM

This item is classified CONFIDENTIAL under section 10A(2) 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 provided by the consultant.

## 9.2 TENDER T12/19/20 DESIGN & CONSTRUCTION OF THE TOCUMWAL FORESHORE BUILDING

This item is classified CONFIDENTIAL under section 10A(2) 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 provided by the consultant.

**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*.

## 9.1 TENDER T13/19/20 DESIGN & CONSTRUCTION OF THE TOCUMWAL AVIATION MUSEUM

## 9.2 TENDER T12/19/20 DESIGN & CONSTRUCTION OF THE TOCUMWAL FORESHORE BUILDING

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

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:

**10. COMMITTEES**

**11. MAYOR'S REPORT**

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

**12. DELEGATES REPORT**

**13. BUSINESS ARISING**