



Council Chambers,
BERRIGAN NSW 2712

Sir/Madam,

The Ordinary Meeting of the Council of the Shire of Berrigan will be held in the **Council Chambers**, Berrigan, on **Wednesday 18th April, 2018** when the following business will be submitted:-

9:00am **Public Question Time**
12:30pm **Council Meeting**
2:00pm **Staff and Councillors BBQ**
Community Recycling Centre Opening

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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 18th April, 2018

BUSINESS PAPER

1. APOLOGIES

2. DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTEREST

3. VISITORS ATTENDING MEETING

4. CONFIRMATION OF MINUTES

RECOMMENDATION – that the Minutes of the meeting held in the Council Chambers on Wednesday 21st March, 2018 be confirmed.

5.1 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

FILE NO: 12.066.1

RECOMMENDATION: - that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 March 2018, be received and that the accounts paid as per Warrant No. 03/18 totaling \$1,611,078.06 be confirmed.

Items requiring Council Resolution

REPORT:

- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 31 March 2018 is certified by the Finance Manager.
- b) The Finance Manager certifies that the Cash Book of the Council was reconciled with the Bank Statements as at 31 March 2018.
- c) The Finance Manager certifies the Accounts, including the Petty Cash Book made up to 31 March 2018, totaling \$1,611,078.06 and will be submitted for confirmation of payment as per Warrant No. 03/18
- d) The Finance Manager certifies that all Investments have been placed in accordance with:
 - i. [Council's Investment Policy](#),
 - ii. [Section 625 of the Local Government Act 1993 \(as amended\)](#),
 - iii. [the Minister's Amended Investment Order gazetted 11 January 2011](#),
 - iv. [clause 212 of the Local Government \(General\) Regulations 2005](#), and
 - v. Third Party Investment requirements of the Office of Local Government Circular 06-70
- e) Cash and investments held by the Council have decreased slightly in March 2018, as compared to February 2018, however the general trend is in line with the same period last year. Overall total funds held have increased \$1.7M from the same time last year, and are expected to decrease in April in keeping with the usual pattern of cash flows. Term deposits had been pulled back into the cash account in expectation of changing banking, however this is taking longer than anticipated.

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Items requiring Council Resolution

Statement of Bank Balances as at 31 MARCH 2018**Bank Account Reconciliation**

Cash book balance as at 1 MARCH 2018	\$ 3,207,006.01
Receipts for MARCH 2018	\$ 1,451,709.58
Term Deposits Credited Back	\$ 4,000,000.00
	<u>\$ 8,658,715.59</u>

Less Payments Statement No 03/18

Cheque Payments V075822 - V075827	\$ 9,478.93
Electronic Funds Transfer (EFT) payroll	\$ 521,769.06
Electronic Funds Transfer (EFT) Creditors E028432 - E028680	\$ 1,059,582.60
Term Deposits Invested	\$ -
Loan repayments, bank charges, etc	\$ 20,247.47
Total Payments for MARCH 2018	<u>\$ 1,611,078.06</u>
Cash Book Balance as at 31 MARCH 2018	<u>\$ 7,047,637.53</u>

Bank Statements as at 31 MARCH 2018

Plus Outstanding Deposits	\$ 7,047,857.53
Less Outstanding Cheques/Payments	<u>\$ 220.00</u>
Reconciliation Balance as at 31 MARCH 2018	<u>\$ 7,047,637.53</u>

INVESTMENT REGISTER

INSTITUTION	DEPOSIT NO.	TERM (days)	RATE	MATURITY DATE	INSTITUTION TOTAL
AMP	133/17	271	2.60%	28/05/2018	\$ 1,000,000.00
AMP	125/16	274	2.60%	5/06/2018	\$ 2,000,000.00
AMP	136/18	273	2.65%	17/10/2018	\$ 2,000,000.00
Goulburn Murray Credit Union	124/16	120	2.65%	16/05/2018	\$ 2,000,000.00
Bendigo Bank	135/17	182	2.60%	6/06/2018	\$ 2,000,000.00
Bendigo Bank	134/17	365	2.60%	13/09/2018	\$ 2,000,000.00
Bendigo Bank	128/16	365	2.60%	21/09/2018	\$ 2,000,000.00
Central Murray Credit Union	104/14	365	2.70%	18/07/2018	\$ 2,000,000.00
Central Murray Credit Union	126/16	365	2.70%	31/08/2018	\$ 2,000,000.00
Defence Bank Limited	102/14	182	2.60%	4/04/2018	\$ 2,000,000.00
Defence Bank Limited	106/14	180	2.70%	1/07/2018	\$ 1,000,000.00
ME Bank	132/17	212	2.59%	8/08/2018	\$ 2,000,000.00
T-CORP HOURGLASS AT CALL		AT CALL			\$ -
					<u>\$ 22,000,000.00</u>

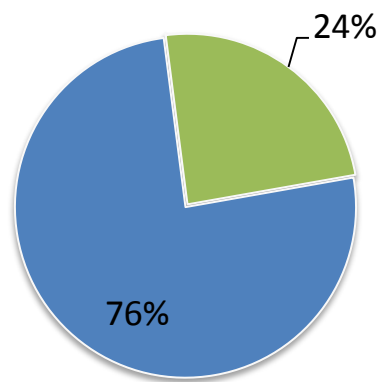
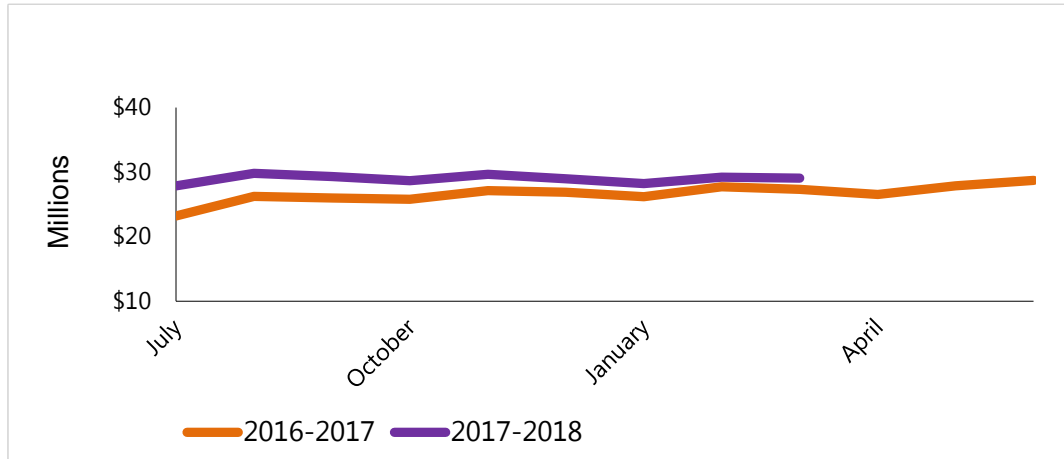
Total Funds Held at 31 MARCH 2018

\$29,047,637.53

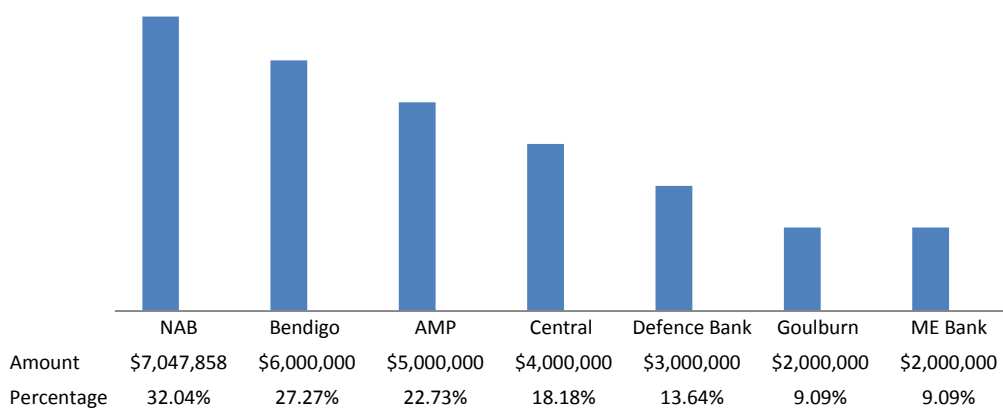
 Carla von Brockhusen - Finance Manager

Items requiring Council Resolution

Total Cash and Investments



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



Items requiring Council Resolution

Prior Financial Institution	Term (Days)	Amount	Interest Rate	Current Financial Institution	Term (Days)	Amount	Interest Rate
GOULBURN MURRAY CREDIT UNION	90	\$ 2,000,000.00	2.65%				
CENTRAL MURRAY CREDIT UNION	365	\$1,000,000.00	3.05%				
DEFENCE BANK	365	\$1,000,000.00	2.80%				

RESOLUTION

Items requiring Council Resolution

5.2 PROPOSED FEES AND CHARGES 2018/19**AUTHOR:** Director Corporate Services**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance by Council of Council operations and reporting**FILE NO:** 08.078.1**RECOMMENDATION:** - For discussion**REPORT:**

Attached as **Appendix "A"** is the Council's proposed Register of Fees and Charges for 2018/19 This Register is proposed for inclusion in the Council's 2016/17 Operational Plan.

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

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

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

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

The rationales applicable are as follows:

- **(A) Statute Limited** – Priced at the figure stipulated by law as applicable to this activity
- **(B) Cost Recovery** – Priced so as to return full cost recovery for the activities provided
- **(C) Commercial Basis** – Priced to cover the cost of the item plus a commercial mark-up
- **(D) Community Service Obligation** – Priced at below the cost of providing this activity as provision of the activity meets a social or economic objective of the Council.

Items requiring Council Resolution

As a general rule, most fees and charges for items where the Council has some discretion have been increased by around 2%. Most fees and charges set by the NSW government and/or other agencies have not increased – despite continued cost increases.

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

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

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

The proposed fees for the Tocumwal Aerodrome will only come into effect from 1 January 2019.

There are some specific items that I would like to draw to the attention of the Council.

GST review

Councillors will note that many fees have actually declined this financial year. This decline is a result of the removal of GST from those specific charges. Berrigan Shire Council, in conjunction with many other NSW councils, commissioned a review and an Australian Tax Office private ruling on the GST status of many of its fees. The review found that this Council – and many others across NSW – were charging GST on some services that were either GST-free or GST-exempt.

These fees have had GST removed from the 2018/19 year. In some cases this has seen a reduction in the total fee charged as the 10% decrease from the removal of GST has been larger than the 2% across the board increase.

Water consumption charges

The attached Fees and Charges register does not include an increase in water consumption charges.

Council staff however are modelling an increase in these charges as part of the development of the Integrated Water Cycle Management Plan and Water Asset Management Plan. The expected increase to meet future revenue targets would be a one-off increase of 6% across all consumption charges.

Items requiring Council Resolution

The water consumption charges have not been raised since the introduction of the “two-part” water billing system in 2006/07. A proposal to increase these charges will come to Council as a separate report – along with the proposed rates and charges

Cemetery fees

As per 2017/18, this draft register proposes an increase of roughly 7% on all cemetery fees and charges to cover the increased cost of maintaining the cemetery with the introduction of toilets.

The 2018/19 budget and operational plan is expected to include construction of new toilets at Berrigan and Tocumwal to match the toilets installed at Finley and Barooga this financial year.

Other charges

Council staff have analysed two specific charges and propose significant increases.

- Supply and installation of rural addressing signs – up 124% to \$229
- Opening of the Berrigan Waste Management Facility after hours.- up 25% to \$380.40

In both cases, the Council's fee setting policy is “full cost recovery”. The analysis showed that the Council was not recovering the full cost of delivering the service, and thus offering an implicit subsidy towards those services.

If the Council wishes, it can continue to charge for those services at less than cost if it considers there is a community service obligation to do so.

Items requiring Council Resolution

5.3 ACTION PLAN – 2016/17 AUDIT MANAGEMENT LETTER

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 12.019.1

RECOMMENDATION: - that the Council note the Action Plan – Audit Management Letter 2016/17 March 2018 review attached as Appendix “B”

REPORT:

At its ordinary meeting in February 2018 the Council adopted a management plan to address items raised in the Audit Management Letter for the 2016/17 financial audit from the Audit Office of New South Wales.

Attached as **Appendix “B”** is the first review of actions taken as a result of the plan.

Note that some items have been delayed as a result of the significant changes in the Council’s Finance team – including the positions of Finance Officer, Revenue Co-ordinator and Assistant Revenue Officer and Accounts Officer.

Most other items are either completed or on target for completion by the scheduled date.

Items requiring Council Resolution

5.4 COUNCILLORS AND OFFICERS LIABILITY

AUTHOR: Enterprise Risk Manager

STRATEGIC OUTCOME: Good government

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

FILE NO: 27.034.1

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

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

REPORT:

The Council's *Councillors and Officers Liability Policy* will expire on 30 June 2018.

Items requiring Council Resolution

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

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

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Items requiring Council Resolution

**5.5 DEVELOPMENT APPLICATION
113/18/DA/DM-M: MODIFICATION TO
DEVELOPMENT APPLICATION 60/18/DA/DM
– CHANGE OF USE: HOSTEL TO PLACE OF
WORSHIP**

AUTHOR: Town Planner

STRATEGIC OUTCOME: Sustainable natural and built landscapes

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

FILE NO: 113/18/DA/DM-M

RECOMMENDATION: that the Council approve Development Application 113/18/DA/DM-M for a Modification to Development Determination 60/18/DA/DM – Change of Use: Hostel to Place of Worship with a revised Condition #6 as follows:

1. Approved Plans

The development shall be implemented substantially in accordance with the details set out on PA ARCHITECTS PTY LTD Job LDS17059 Date:9.18.17, Drawings: DA 000, DA 005, DA010, DA 012, DA 020, DA022, on the application form and on any supporting information received with the application except as amended by the conditions specified hereunder.

2. Occupation

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

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

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

3. Construction Certificate

No work is to commence until the person granted development consent has had the detailed plans and specifications endorsed by the Council or other accredited certifier and has received a “Construction Certificate” [Section 81A EP&A Act 1979].

4. Critical Stage Inspection

The Principal Certifying Authority for building or subdivision work carried out on a site is required to be

Items requiring Council Resolution

satisfied that the work has been inspected on such occasions as are prescribed by the regulations or other occasions required by the principal certifying authority, before the issue of a Certificate of Occupancy or Subdivision Certificate for the building or work. (Section 109E EP&A Act 1979)

5. Waste

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

6. Hours of Operation

- a) *The hours of normal operation for business onsite, such as but not limited to, services, administrative activities, cleaning or emergency spiritual counselling shall be limited to:*
- *7:00am to 10:00pm Sunday*
 - *6:00am to 10:00pm Monday to Thursday*
 - *6:00am to Midnight Friday and Saturday*

This is to ensure that noise is kept to reasonable levels within residential neighbourhoods, and is in accordance with the Protection of the Environment Operations (Noise Control) Regulations 2017.

- b) *For the operating hours from 6:00am to 8:00am, there is to be no noisy article such as musical instruments or electronically amplified sound equipment to be used onsite, activities are to be conducted indoors with doors and windows to the facility to remain closed for the duration of activities and transport movements to and from the site are to be kept to a reasonable level.*

- c) *Should activities undertaken onsite exceed the above times, the prior consent of Council will be required to be obtained.*

7. Car Parking

The car parking spaces provided on-site as indicated on the approved site plan must be designed in accordance with Australian Standard 2890.1 and 2890.2.

Should the proposed the Place of Public Worship require formal access from the rear laneway, then it must seal the rear laneway to a width of 4-metres and works must conform to the standards and specifications imposed by Councils Director of Technical Services.

8. Permitted hours for building work

All building work shall be carried out only between the hours of 7.00am and 6.00pm Monday to Friday inclusive,

Items requiring Council Resolution

8.00am and 5.00pm Saturdays. No work shall be carried out on Sundays and public holidays.

9. Fire Safety Schedule

In granting this approval, Council requires the essential fire or other safety measures, as determined by the Principal Certifying Authority upon assessment of the Construction Certificate, to be installed and maintained so as to comply with the requirements of the Building Code of Australia. Prior to the issue of an occupation certificate the owner must cause the Council to be given a fire safety certificate. The fire safety certificate is to state in relation to each essential fire or other safety measure implemented in the building or on the land on which the building is situated:

a) that the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so and

b) that as at the date of the assessment the measure was found to be capable of functioning at a standard not less than that required by the Schedule attached to the Construction Certificate.

Note: Annual Fire Safety Statements must be submitted to Council within each twelve month period certifying the maintenance standard of the Essential or Other Safety Measure installed on the property.

10. Compliance with Building Code of Australia

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

11. Excavations and backfilling

(a) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

(b) All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

12. Protection of public places

a. If the work involved in the erection or demolition of a building:

(i) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
(ii) building involves the enclosure of a public place,

a hoarding or fence must be erected between the work site and the public place.

Items requiring Council Resolution

b. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

c. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

d. Any such hoarding, fence or awning is to be removed when the work has been completed.

13. Signs to be erected on building & demolition site

a. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

(i) stating that unauthorised entry to the work site is prohibited, and

(ii) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

b. Any such sign is to be removed when the work has been completed. (Clause 78H of Regulation).

14. Asbestos Material

Work involving the removal of more than ten (10) square metres of asbestos containing material must be undertaken by a NSW licensed contractor as required by the NSW Work Health and Safety Regulations 2011.

Prior to commencement of any work, the Principal Certifying Authority must be provided with:

Written notice is to include the following details:

a) a copy of a signed contract with a person licensed to remove asbestos,

b) the contract must specify the landfill site to which the asbestos containing material is to be delivered.

REPORT:

History

On 8 November 2017, Council received a Development Application for a Change of Use from a Hostel to a Place of Worship. The nature of activities proposed to be held at the Finley Meeting House can be summarised in Table 1 over the page:

Items requiring Council Resolution

Time	Days of Week	Frequency	Type of gathering or congregation	Typical number of attendees
9:00am - 2:00pm	Sunday	Weekly	Group worship	150
10:00am – 12:00 noon	Sunday	Every Three Months	Large conference event	350-400
6:30am - 8:00am	Monday – Friday (occasionally Saturdays)	Daily	Seminary Class High School Students, before school	15-25
6:00pm - 9:00pm	Monday - Friday	Daily	Evening event	30-40
6:00pm - 9:00pm	One weekday	Weekly	Youth activities	10-20
6:00pm - 9:00pm	Two weekdays	Weekly	Smaller church meetings	10-15
6:00pm – 9:00pm (occasionally midnight)	Friday/ Saturday	Occasional	Evening activities	100

Table 1: Proposed peak group activities

Given the change of use and possible impacts on the local amenity, the original application was advertised in the local newspaper Southern Riverina News and all direct neighbouring properties were notified of the application. Council received no formal written submission opposing the development.

Conditions of Development Determination

Council staff assessed the Development Application giving due diligence to the *Protection of the Environment Operations (Noise Control) Regulations 2017*, especially Clause 57 the use of musical instruments and Clause 58 the use of electrically amplified sound equipment. Under these regulations, a noisy article such as sound equipment or a musical instrument, is not to be heard within any habitable room in any residential premises, whether or not any door or window to that room is open, as per set times during the day. These times are before 8:00am or after midnight on any Friday, Saturday or the day immediately before a public holiday, or before 8:00am or after 10:00pm on any other day. Development Determination was granted for the proposed development under delegation, on 19 December 2017, subject to 14 conditions. One condition specified operating hours as per the noise regulations Clause 58.

Site

The subject site is located at 34-36 Coree Street, Finley which is also identified as Lot 9 on Deposited Plan 758412 Section 7 and Lot B on Deposited Plan 919060 with a total area of 3035 metres². The building on the subject site has a gross floor area of approximately 985 metres². The site has a street frontage to both Coree Street and Pinnuck Street with established residential dwellings surrounding it to the north, east and south, to the west adjacent to Coree Street is a Public School. There is an existing Church to the south within approximately 70 metres. The subject site is also in close proximity to the commercial area of Finley – approximately 50 metres from the commercial strip along Pinnuck Street and approximately 100 metres from the Murray Street commercial precinct. It is also located 200 metres from a High School and 200 metres to a local sporting ground facility. The site is located

Items requiring Council Resolution

within the RU5 – Village Zone under the provisions of the *Berrigan Local Environmental Plan 2013* (BLEP). Below is an aerial photo showing the site and neighbouring properties.



Figure 1 – Aerial Photo showing subject site and neighbouring properties

Proposed Modification

Council received Development Application 113/18/DA/DM-M on 20 March 2018 for a modification to the Development Determination for 60/18/DA/DM Condition #6. The approved condition is as follows:

Hours of Operation

a) *The hours of normal operation for business on-site, such as but not limited to, services, administrative activities, cleaning or emergency spiritual counselling shall be limited to:*

- ***8:00am to 10:00pm Sunday to Thursday***
- ***8:00am to Midnight Friday and Saturday***

This is to ensure that noise is kept to reasonable levels within residential neighbourhoods, and is in accordance with the Protection of the Environment Operations (Noise Control) Regulations 2017.

b) *Should activities undertaken on site exceed the above times the prior consent of Council will be required to be obtained.*

Reasoning for Modification

The main purpose of the Finley Meeting House is to provide for religious worship, with congregation members attending on a Sunday morning workshop between 9:00am and 2:00pm with supporting religious activities and classes conducted during the week and on weekends at various times.

Items requiring Council Resolution

Presently the congregation is up to 120 regularly attending members and it is expected to experience very modest 1 or 2% growth annually. All the events and activities proposed to be held at the Meeting House are an important and fundamental part of a Church calendar.

A key activity that will be conducted within the proposed extended hours of operation commences at 6:30am is a scripture study class for 15-25 High School students for one hour during weekdays and occasionally on a Saturday. For these classes particularly, they are of a quiet nature, there are no outdoor activities and is under supervision of a Church teacher. Typically parents drop the students off and return to collect the student, however being in close proximity to the High School, a majority of students will walk to the High School upon completion of classes and a number of students may live close by and can walk to the facility from home.

The applicant is requesting to extend the hours of operation to 7:00am on a Sunday and 6:00am during the week and on a Saturday morning to enable this key activity as per the following:

- 7:00am to 10:00pm Sunday
- 6:00am to 10:00pm Monday to Thursday
- 6:00am to midnight Friday and Saturday

Emergency spiritual counseling is an activity which is very infrequent, but is required to permit congregation members ability to access the Meeting House at times of personal or family crisis or recent bereavement. Such activities are likely to only occur in very small family groups or individuals, with the express purpose of receiving personal and spiritual support. Activities would not include any extended or formal services and there would unlikely to be any perceivable external activities aside from 1 or 2 private vehicles arriving at the Meeting House. Such level of activity would be comparable to a family member returning to a place of residence late at night.

The applicant is also requesting to extend the hours of operation to enable this key activity as per the following:

- At any time – emergency spiritual counselling for individual congregation members.

Supporting Noise Management Plan

As part of the modification request, the applicant has included a Noise Management Plan for the Finley Meeting House which sets out clearly the activities to be conducted onsite, typical noise generation, management practices and commitments to noise management including a nominated person for the receipt and management of any reasonable noise complaints and reciprocal actions to noise complaints.

Items requiring Council Resolution

Assessment

There are a number of potential impacts related to a proposal of this type which must be addressed:

1. Relevant BLEP provisions
2. One of the main objectives of the BLEP in the RU5 – Village Zone is to ensure there are opportunities for economic development, whilst also enhancing and maintaining the unique village character of Berrigan, Barooga, Finley and Tocumwal. This development will provide an additional business at the site which will assist in economic development.
- 3.
4. Community / Public Participation

As per the requirements of the *Berrigan Development Control Plan 2014* (BDCP) and given that the previous Development Application 60/18/DA/DM required Community Consultation, the Modification also requires consultation of immediate neighbouring properties. Notification was given to the residents of the neighbouring properties on 20 March 2018 to make them aware that the development may affect their property. The notification period was open for 14 days. Council received one submission objecting to the development.

Submissions

- Summary of Submission

One Neighbouring Resident objected on the grounds that an extension of hours would impact on the early morning quietness of the neighbourhood due to vehicle and pedestrian traffic noise and believes that the original hours approved should remain. The submitter believes the impacts of vehicle traffic noise includes when a vehicle is in motion and when doors are opened and closed and the impacts of pedestrian noise is when people are chatting (even if done quietly). The submitter also believes that the extension to the early hours would impact on car parking due to attendees to the Meeting House parking close by and leaving their cars for lengthy time periods.

- Response to Submission

Under the *Protection of the Environment Operations (Noise Control) Regulations 2017*, clause 8, a person cannot use a motor vehicle in such a manner that it emits noise that can be heard within any habitable room to a residential premises whether or not any door or window to that room is open before 8:00am or after 8:00pm on any Saturday, Sunday or public holiday and before 7:00am or after 8:00pm on any other day. However, the proposed extended hours of operation will have typically 15-25 students and there is existing traffic generation in the surrounding area during the week to service both a mix of residential and commercial that would typically have early morning traffic to service the area, the proposed extended hours of operation for this amount of vehicle and pedestrian movement would have a minor impact upon the existing traffic noise of the surrounding area. Furthermore, a majority of the students may be walking to the site as they live nearby or

Items requiring Council Resolution

would be walking from the site onto the local High School, which is less than 200 meters from the Finley Meeting House.

In relation to the submitter's comment on car parking, the early morning class is to service High School Students who would require a more drop off and pick up type car parking requirements and thus is not likely to impact on the car parking for the area, given that there is also sufficient car parking facilities in the area.

- ***Protection of the Environment Operations (Noise Control) Regulations***

As discussed above, consideration to the regulations must be considered for the use of a motor vehicle, musical instruments and electrically amplified sound equipment. The predicted typical number of attendees is 15-25 High School students with all activities conducted within the building and students will be under the supervision of a Church teacher. A supporting condition could be included to not allow a noisy article such as musical instruments or electrically amplified sound equipment in the extended hours of operation and the any traffic generated from the development are to be kept to a reasonable level. Furthermore, the modification application is accompanied with a Noise Management Plan for the Finley Meeting House which will assist with managing any potential noise issues and act upon issues raised, as explained above.

- **Proposed extension to operational hours for emergency spiritual counselling**

The Development Application for an extension to the operational hours also includes a request to have an "open-ended" type operating hours to accommodate any emergency spiritual counselling needs for individual congregation members for the Finley Meeting House. The Council believes that this type of congregating could be achieved through the approved hours of operation or any extension of hours of operation for this type of activity and open-ended hours of operation would not be supported.

Options for Approval

Three options have been created for Council to consider for the modification application.

OPTION 1

Option 1 considers the applicants request for modification hours of operation with a supporting condition that no noisy article such as musical instruments or electrically amplified sound equipment are to be used during the proposed extended house of operation.

Approve Development Application 113/18/DA/DM to modify Development Determination 60/18/DA/DM with a modified Condition #6 as per the following:

Items requiring Council Resolution

Hours of Operation

a) *The hours of normal operation for business onsite, such as but not limited to, services, administrative activities, cleaning or emergency spiritual counselling shall be limited to:*

- *7:00am to 10:00pm Sunday*
- *6:00am to 10:00pm Monday to Thursday*
- *6:00am to Midnight Friday and Saturday*

This is to ensure that noise is kept to reasonable levels within residential neighbourhoods, and is in accordance with the Protection of the Environment Operations (Noise Control) Regulations 2017.

b) *For the operating hours from 6:00am to 8:00am, there is to be no noisy article such as musical instruments or electronically amplified sound equipment to be used onsite, activities are to be conducted indoors with doors and windows to the facility to remain closed for the duration of activities and transport movements to and from the site are to be kept to a reasonable level.*

c) *Should activities undertaken onsite exceed the above times, the prior consent of Council will be required to be obtained.*

OPTION 2

Option 2 considers the applicants request for extended hours of operation for during the weekdays, with a supporting condition that no noisy article such as musical instruments or electrically amplified sound equipment is to be used during the proposed extended house of operation. However, this option also considers the noise regulations for the use of a motor vehicle and its possible impact on residential premises and limits the hours of operation to 7:00am weekdays and 8:00am for any Saturday or Sunday.

Approve Development Application 113/18/DA/DM to modify Development Determination 60/18/DA/DM with a modified Condition #6 as per the following:

Hours of Operation

a) *The hours of normal operation for business onsite, such as but not limited to, services, administrative activities, cleaning or emergency spiritual counselling shall be limited to:*

- *8:00am to 10:00pm Sunday*
- *7:00am to 10:00pm Monday to Thursday*

Items requiring Council Resolution

- 7:00am to Midnight Friday
- 8:00am to Midnight Saturday

This is to ensure that noise is kept to reasonable levels within residential neighbourhoods, and is in accordance with the Protection of the Environment Operations (Noise Control) Regulations 2017.

- b) For the operating hours from 7:00am to 8:00am, there is to be no noisy article to be used onsite such as musical instruments or electronically amplified sound equipment used onsite and activities are to be conducted indoors with doors and windows to the facility to remain closed for the duration of activities.*
- c) Should activities undertaken onsite exceed the above times, the prior consent of Council will be required to be obtained.*

OPTION 3

Refuse Development Application 113/18/DA/DM-M for a Modification to Development Determination 60/18/DA/DM and reinstate the original Condition #6.

Conclusion

In assessing Development Application 113/18/DA/DM-M, the relevant parts of Section 4.15 of the *Environmental Planning and Assessment Act 1979* have been taken into account. It is clear that the Development Application with a proposal to extend the hours of operation, to provide for a 15-25 High School students religious study group, with a condition of consent to not use any musical instruments or use electronically amplified sound equipment onsite and to ensure that traffic noise created from the development is kept to a reasonable level, is suitable given the minimal impact to the existing built environment. The submission received outlining the negative impact surrounding noise generation, traffic generation and car parking have been noted and have been taken into account. Accordingly, an extension to the hours of operations for the specified religious classes, at this particular site, would not affect the character and amenity of the local neighbourhood.

Recommendation

Given the above reasoning, it is recommended that Council approve Development Application 113/18/DA/DM-M, Modification to Development Determination 60/18/DA/DM with a revised Condition #6 as per Option 1.

Items requiring Council Resolution

5.6 STREET NAMING**AUTHOR:** Development Manager**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 1.3 Connect and protect our communities**FILE NO:** 28.110.1**RECOMMENDATION:** - that the Council undertake the statutory process to name three (3) new roads constructed as part of a residential subdivision in Tocumwal. The proposed new road names are:

- Tessier Drive
- Allan Street
- Hadley Street

REPORT:

Council is in receipt of a submission from the developer of a residential subdivision in Tocumwal to name the new roads within the development.

The first stage of the development, of 43 allotments, is nearing completion and it would now be appropriate for Council, as the roads authority, to name these new streets within the subdivision. A plan of the subdivision is attached as **Appendix "C"**

Council is the road naming authority under the provisions of the *Roads Act 1993* and the *Roads Regulation 2008*. All new road names also require the concurrence of the NSW Geographical Names Board and need to conform with the provisions of Councils Street Naming and Addressing Policy.

The proposed names submitted by the developer are:

- Tessier Drive
- Allan Street
- Hadley Street

The developer has advised that two of the names that have been suggested are in remembrance of Allan Tessier who was a long term resident of Tocumwal and who was an engineer who designed and worked on a number of projects in the community. The name Hadley is the name of the son of local Tocumwal residents and former Councillor who passed away at a young age.

The proposed names meet the provisions of the Policy and it is suggested it is appropriate to proceed with the road naming process as per the requirements of the legislation.

Items requiring Council Resolution

5.7 STAFFING REQUIREMENTS FOR GRANT PROJECT MANAGEMENT

AUTHOR: Director Technical Services

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO: 22.017.1

RECOMMENDATION: - that the Council approve a change to the staff structure to include an additional Design Engineer position for a 2 year fixed term and a Project Manager position for a 3 year fixed term and include budget provision for this change in the draft 2018/19 budget.

REPORT:

As Council is aware there is a quickly expanding body of work that needs to be completed to scope works for grant applications and to design and manage the projects that are successfully funded.

In the past couple of years, we have been successful in obtaining additional funding for roadworks, truck washes, levee banks, water treatment facilities, Tocumwal foreshore improvements, skate parks, playgrounds and other community infrastructure improvements.

New works in addition to the usual capital program:

- Tocumwal Foreshore Redevelopment - \$3.2m
- Construct Strathvale Road in Berrigan - \$1.0m
- Stronger Country Communities - \$2.364m
- Jerilderie Street - \$600K
- Water Treatment Plants – Barooga & Finley \$5.7m

While some of these works have been successfully completed we currently have some \$12.8m dollars in outstanding works that require final design and specification and project management to bring them to satisfactory completion. On top of this we are still being encouraged by both state and federal government to have projects developed to the 'shovel ready' stage to enable application for additional funding to be made at relatively short notice.

Our current staff resources in technical services are not keeping up with this ever increasing work load and while we have supplemented them with some external survey and design capacity from local consultants this has not proved

Items requiring Council Resolution

to be very successful as it creates a need for these consultants to be also managed.

In order to address this issue it is recommended that Council support the employment of two additional technical staff being a dedicated project manager and an additional design engineer on a fixed term employment basis. It is recommended that the design engineer position should be for a two year period and the project manager position for a 3 year period. This situation can be reviewed depending on the level of continuing grant funding available.

The employment costs associated with this would be in the order of \$320,000 for years 1 and 2 and \$185,000 for year 3 and in addition to this there would be recruitment costs of around \$10,000 and costs of providing additional computers and an additional vehicle of around \$48,000 in year 1 and \$15,000 in years 2 & 3. It is considered that the additional staff could be accommodated within the office with some minor redesign of workstations.

Total estimated cost:

Year 1-	\$378,000
Year 2-	\$335,000
Year 3-	\$200,000
TOTAL	\$913,000

While this represents a large investment in additional resources the total only represents 7% of the total value of the works currently on our works program and this is very reasonable when compared to industry standards of 15% to 20% of project cost for these components of projects of similar size to ours.

Discussion with the Finance Manager indicate that this proposal would need to be funded through recovery against grant fund acquittals where appropriate, and the water and sewer funds for those projects.

It is important to note that Council has a responsibility to maintain its 'own source' funding to continue to qualify for Roads to Recovery funding and therefore should not consider reallocating funds from roads unless this critical performance measure can be met.

If Council adopts this proposal and are successful in recruiting suitable staff it will enable the backlog of design to be addressed, the preliminary scoping and costing of suitable projects that are identified for future grant applications and professional project management of all projects that proceed to construction.

Council is also advised that the success of this proposal will be dependent on being able to recruit suitable staff and that this could be a significant hurdle given the current demand in local government and industry for staff with these

Items requiring Council Resolution

skills. If recruitment is unsuccessful in the short term we will need to prepare a Plan B that incorporates engaging external resources and some job redesign and reclassification for current staff. It is not considered that this alternative will be as effective or as economical as the proposal and therefore it will be subject to a further report if we are required to prepare Plan B.

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Items requiring Council Resolution

5.8 EXTRAORDINARY COUNCIL MEETING**AUTHOR:** General Manager**STRATEGIC OUTCOME:** Supported and engaged communities**STRATEGIC OBJECTIVE:** 3.2 Support community engagement through life-long learning, culture and recreation**FILE NO:** 13.044.1**RECOMMENDATION:** - that the Council convene an extraordinary Council meeting to be held on Wednesday 2nd May, 2018 commencing at 9.00 am in the Council Chambers to consider and order upon Strengthening Country Communities Round 2 grant applications.

REPORT:

Council staff are preparing funding applications for funding under the State's Strengthening Country Communities Round 2. Applications close on 4th May 2018.

To allow some extra time to develop the identified projects it is suggested that an extraordinary Council meeting be held on Wednesday 2nd May, 2018 (which is Committee meeting day) to finally consider these and also any community submitted projects.

 Items requiring Council Resolution

5.9 DRAFT INTEGRATED PLANS**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**FILE NO:** 04.121.4**RECOMMENDATION:** - that the Council review and provide comment:

- Draft Annual Operation Plan 2018/19 (Appendix “D”)
- Review of the Asset Management Strategy 2017 – 2027 (Appendix “E”)
- Review of the Workforce Management and Development Plan 2017 – 2021 (Appendix “F”)
- Draft Revenue Policy included in the Draft Operational Plan 2018/19 (Appendix “D”)

REPORT:

At the Council's Ordinary Council Meeting 15 November 2017, the Council resolved (Minute 222) that Council staff would present at the 18 April 2018 Council meeting:

1. A review of the Draft Operational Plan 2018 – 2019 (**Appendix “D”**) inclusive of:
2. The reviewed Draft Rating and Revenue Policy 2018 – 2019); and
3. The reviewed Draft Fees and Charges 2018 – 2019 the latter item the subject of a separate report to the Council.

In addition to actions discussed at the Corporate Workshop, the attached Draft Operational Plan 2018/19 also consists of a number of new actions which include:

- Commencing the review of the Local Environment Plan.
- Review of the Council's existing community engagement framework for its compliance with Environmental Planning Act.
- Resource alternate provision of weed management should the Central Murray County Council be dissolved.
- Implementation of Auditor General's Client Service Plan.

Items requiring Council Resolution

- Increase engagement and retention of Council's professional and technically skilled workforce through Leadership Training.
- In addition to extensive commentary on the Council's budget.

The Draft Operational Plan 2018/19 also includes a draft budget and the detail of the draft Capital Works budget. The section titled Budget Commentary provides an overview of the financial implications of Council services inclusive of a proposal that provision be made for temporary project management positions to ensure the timely delivery of the Council's grant funded infrastructure projects.

The 15 November 2017, Minute also resolved that the following items would also be considered by the Council at the 17 April 2018 Council Meeting:

- Possible Refugee Settlement;
- Projects for Stronger Country Communities Program;
- Tourism Infrastructure Development – promoting hospitality and food;
- Launch of Amazon;
- Electricity / Street Lights / Solar- guest presenter; Possible Refugee Settlement;
- Business Awards; and
- Upstairs use at the new Visitor Information Centre.

These are issues subsequently discussed at the Council's Corporate Workshop 1 – 2 February 2018 and actioned as follows:

- Possible Refugee Settlement – to be a community driven project
- Projects for Stronger Country Communities Program – these projects are now being scoped by Council staff, and an online survey is being conducted to determine the extent of community support
- Tourism Infrastructure Development – promoting hospitality and food – an action item in the draft Operational Plan 2018/19.
- Launch of Amazon – an action item in the draft Operational Plan related to online opportunities for local retailers and business
- Electricity/ Street Lights/ Solar – investigation action item in draft Operational Plan.
- Business Awards discussed and resolved at the Corporate Workshop
- Upstairs use at the new Visitor Information Centre – discussed and resolved at the Corporate Workshop that this is to be commercial space.

Preparatory to the consideration by the Council of the full suite of draft Integrated Plans and the adoption at the 17 May 2018 Ordinary Council Meeting of 'draft plans' for public exhibition and comment also prepared for the Council to review and to provide comment at this meeting is:

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- Reviewed Asset Management Strategy 2018 – 2028
- Reviewed Workforce Management and Development Plan 2017 – 2021 incorporating changes in the previous 12-months to the Council's organisational structure.

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Items requiring Council Resolution

5.10 FINANCIAL REVIEW

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 12.066.1

RECOMMENDATION: - that the Council:

- Note the third quarterly review of the 2017/18 budget and vote the funds contained therein as shown in Appendix “G”
- Note the Quarterly Budget Review Statement attached also as “Appendix “H”

REPORT:

Circulated with the Agenda as **Appendix “G”** is the Quarterly Financial Review for the period 1 January 2018 to 31 March 2018. This report takes into account all known factors and work variations until 31 March 2018 and later where possible, including budget allocations for the 2017/18 financial year.

The summarised results are as follows:

	\$
Revised budget deficit as at 30/12/17	(359,132)
Increased expenditure as per this report	(493,958)
Reduced revenue as per this report	448,098
Revised budget deficit as at 31/03/18	(404,992)

Significant changes proposed in this review include:

Favourable

The budget recognises \$219,000 in revenue received for disposal of sleepers from works on the Oaklands railway line at the Berrigan waste management facility. This amount has been placed into the Waste Management Facility reserve.

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Unfavourable

The Council has brought forward its water meter replacement program to this financial year. The meters will now be replaced in their entirety concurrently with the installation of an automated meter reading system.

Significant variations contained in the attached quarterly review document are detailed below. Variances which are unfavourable to the Council's result are shown with a (U) next to them and variances which are favourable are denoted with a (F).

Councillors are invited to make comments or ask questions about any of the variances in this report.

JOB/GL CODE	TITLE / DESCRIPTION	AMOUNT	COMMENT
1010-0202	ADMIN LEGAL EXPEN - DEBT/COLL	15,040 F	TRANSFER TO ADMIN POSTAGE
1010-0205	ADMIN POSTAGE	13,760 U	POSTAGE COSTS INCREASED INTERNAL DEBT RECOVERY
1200-1670	INSURANCE REBATE	20,000 U	NOT EXPECTED. OFEST BY WORKCOVER REBATE
1200-1680	WORKCOVER INCENTIVE PAYMENTS	20,386 F	REBATE RECIEVED
1200-1870	LEGAL COSTS RECOVERED	30,000 U	REDUCED LEGAL RECOVERIES IN LINE WITH COSTS
1011-0103	TECH SERVICES SALARIES - WORK	35,000 U	REDISTRIBUTION OF SALARIES
1011-0165	DEPOT BLDG MTCE	12,274 F	REALLOCATION OF BUILDING MAINTENANCE BUDGET
1011-0545	PUBLIC WORKS PLANT PURCHASE	12,327 U	REALLOCATION OF PLANT BUDGET
1011-0550	PURCHASE MINOR PLANT	12,983 F	REALLOCATION OF PLANT BUDGET
1015-0000	PLANT EXPENSES	10,649 F	TO 1020-0100
1020-0100	PLANT WORKSHOP EXPENSES	10,649 U	FROM 1015-0000
1320-1205	MOTOR VEHICLE DISPOSAL	24,637 F	TRANSFER 1320-1926
1320-1926	PLANT REPLACE TRANSFER FROM RESERVE	25,764 U	TRANSFER 1320-1205
1050-0320	WAGES SUPERANNUATION - LG RET	13,846 U	BALANCING OF SUPERANNUATION CONTRIBUTIONS
1050-0340	WAGES SUPERANNUATION - LG ACC	70,688 U	BALANCING OF SUPERANNUATION CONTRIBUTIONS
1050-0720	WAGES OTHER TRAINING EXPENSES	11,949 F	ADDITIONAL TRAINING FOR BUILDING SURVEYORS

Items requiring Council Resolution

JOB/GL CODE	TITLE / DESCRIPTION	AMOUNT	COMMENT
1070-0320	STAFF SUPERANNUATION - LG RET	16,099 U	BALANCING OF SUPERANNUATION CONTRIBUTIONS
1070-0340	STAFF SUPERANNUATION - LG ACC	100,633 F	BALANCING OF SUPERANNUATION CONTRIBUTIONS
3200-1926	EARLY INT TRANSFER FROM RESERVE	138,982 F	WIND UP OF EI PROGRAM
3200-2675	EI - TRANSFER KURRAJONG WARATAH	58,838 U	WIND UP OF EI PROGRAM
3200-2026	EARLY INTERVENTION TRANSFER TO RESERVE	93,680 U	WIND UP OF EI PROGRAM
1412-0527	BGN - NEW LANDFILL HOLE	34,500 F	REDUCED CAPITAL COSTS ??
1414-0110	RUBBISH COLLECTION BEACH AREAS	25,000 U	INCREASE BUDGET - OVERRUN
3660-1500	DWM TIPPING FEES	219,460 F	INCREASED INCOME – SLEEPER TIPPING
3670-2026	DWM TRANSFER TO RESERVE	244,505 U	TRANSFER ADDITIONAL INCOME TO RESERVE
1416-0110	STORM WATER DRAINAGE MTCE	19,000 U	OVERRUN BALANCED FROM UNEXPENDED FUNDS
1417-0854	DRAINAGE TELEMETRY UPGRADE	26,320	TO 1416-0110
3850-1812	CEMETERY CHARGES - SHIRE INCLUDING G	20,000 U	FEWER BURIALS THAN PROJECTED
1510-0564	BGA - MAJOR PUMP REPLACEMENT	14,500 U	ADDITIONAL COST FOR RIVER PUMP
1510-0615	FIN - FILTERED & UNFILTERED MAIN TONGS/HOWE STS	14,500 F	TO 1510-0564
1510-0669	METER CYBAL REPLACEMENT	344,000 F	CONSOLIDATE TO CAPITAL JOB 1511-0398
1511-0398	AUTOMATE CENTRALISED METER READ	344,000 U	FROM 1610-0669
1510-0886	FIN - UPGRADE ALUM DOSING	25,000 F	TRANSFER TO 1510-0893
1510-0887	FIN - LAKE EROSION CONTROL	12,500 F	TRANSFER TO 1510-0893
1510-0893	STANDPIPE STATION UPGRADES	47,479 U	UNFUNDED WORKS
1511-0130	PURCHASE OF WATER - BGA	10,000 U	INCREASE BUDGET
1511-0135	PURCHASE OF WATER - BGN	10,000 U	INCREASE BUDGET
1511-0140	PURCHASE OF WATER - FIN	16,000 U	INCREASE BUDGET
1511-0150	WATER TREATMENT - OP EXP - BGA	15,000 F	SAVINGS ON BUDGET

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Items requiring Council Resolution

JOB/GL CODE	TITLE / DESCRIPTION	AMOUNT	COMMENT
1511-0180	WATER TREATMENT - OP EXP - FIN	16,000 F	SAVINGS ON BUDGET
1511-0197	WATER TREATMENT-TOC ELECTRICITY	15,000 F	SAVINGS ON BUDGET
4110-1000	WATER CHARGES - BGA	31,661 F	INCREASED INCOME
4110-1500	WATER CONSUMPTION - BGN SHIRE	43,369 F	INCREASED INCOME
4110-1504	SALE OF HIGH SECURITY WATER	101,403 F	INCREASED INCOME
4110-1926	WATER TRANSFER FROM RESERVE	200,742 U	BALANCE WATER
1610-0512	PUMP REPLACEMENT	10,000 U	CONSOLIDATED FROM 1610-0621
1610-0600	TOC SEWER MAIN UPGRADES	10,000 F	WORK DEFERRED
1610-0621	BGA UPGRADE PUMP STATION	10,000 F	CONSOLIDATED FROM 1610-0621
1610-0890	BGA-DESILT PRIMARY POND	24,350 U	UNFUNDED WORKS
1610-0895	FIN-MINOR REPAIR/REPLACE	15,000 F	NOT REQUIRED
1610-0897	TOC-MINOR REPAIR/REPLACE	20,000 F	NOT REQUIRED
1611-0171	RETIC OP EXP ELECTRICITY - BGA	12,000 U	EXCEED BUDGET
1611-0215	RETIC - OP EXP - TOC	10,000 U	EXCEED BUDGET
1611-0233	PUMPING STATIONS OP EXP TOC	20,000 U	EXCEED BUDGET
1612-0501	FIN TRUCKWASH RESTART NSW	11,323 U	TOTAL COST NOT INCLUDED IN ORIGINAL BUDGET
5110-1926	SEWER TRANSFER FROM RESERVE	10,872 F	BALANCE SEWER
5280-1500	TRUCK WASH (AVDATA) INCOME	10,049 F	ADDITIONAL INCOME
1716-0156	POOLS - SUPERVISOR SALARY	23,174 F	NOT USED DURING POOL SEASON
1717-0231	FINLEY NETBALL PRMF	19,630 F	WORK NOT PROCEEDING
6500-1967	FIN RECREATION RESERVE PRMF GRANT	19,630 F	HAND BACK GRANT
6600-1700	TOC FORESHORE LOAN PROCEEDS	500,000 U	FULLY GRANT FUNDED – NO LOAN REQUIRED
6600-1963	TOC FORESHORE GRANT	500,000 F	FULLY GRANT FUNDED – NO LOAN REQUIRED
1905-0100	TOWN ENTRY - BAROOGA	-25,611 U	DISTRIBUTE BUDGET
0011-0000	RURAL SEALED ROADS - MAINTENANCE	34,891 U	ADDITIONAL FUNDS REQUIRED
0013-0000	RURAL UNSEALED ROADS - MAINTENANCE	80,000 U	ADDITIONAL FUNDS REQUIRED

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Items requiring Council Resolution

JOB/GL CODE	TITLE / DESCRIPTION	AMOUNT	COMMENT
0015-0356	MR356 BERRIGAN - OAKLANDS RD	28,428 U	FUNDED FROM RMS ALLOCATION
0015-0363	MR363 BERRIGAN - BAROOGA RD	13,642 U	FUNDED FROM RMS ALLOCATION
0015-0550	MR550 TOCUMWAL - MULWALA RD	33,728 U	FUNDED FROM RMS ALLOCATION
0015-0999	RTA MR BLOCK GRANT BUDGET ONLY	216,335 F	DISTRIBUTE RMS FUNDS
0021-0000	OTHER URBAN SEALED ROADS - MAINTENANCE	112,020 U	ADDITIONAL FUNDS REQUIRED
1905-0300	TOWN ENTRY - FINLEY	60,932 F	DISTRIBUTE BUDGET
1905-0400	TOWN ENTRY - TOCUMWAL	35,321 U	DISTRIBUTE BUDGET
1910-0837	RESEAL RILEY CRT 0-105	15,000 F	SEALING PRIORITY CHANGED
1913-0820	DENISON ST - WOLLAMAI TO WARMA	41,000 F	DEFERRED TO BALANCE OVERRUN
1914-0090	BARNES RD-MAXWELL TO STH COREE	222,476 U	SIGNIFICANT CHANGE TO SCOPE OF WORKS
1914-0588	LOWER RIVER RD	25,286 U	EXCEED BUDGET
1914-0590	TUPPAL RD - LEVEE SECT	39,827 F	BALANCED OVERRUN ELSEWHERE
1914-0598	JAMES CRT - LOWER RIVER RD	14,877 U	EXCEEDED BUDGET
1914-0600	STRATHVALE RD - MR356-MR564	14,541 U	FIXING COUNTRY ROADS WORKS
1911-0308	RESEAL MELROSE RD 4950-7250	21,663 F	CHANGED PRIORITIES
1911-0312	RESEAL PINEY RD 4576-6594	34,891 F	CHANGED PRIORITIES
1912-0066	RESHEET WAIT-A-WHILE RD	80,000 F	CHANGED PRIORITIES
1912-0100	RESHEET SANDHILLS RD	95,940 F	CHANGED PRIORITIES
1912-0138	RESHEET HAYFIELDS RD	113,546 F	CHANGED PRIORITIES
1912-0184	RESHEET JONES RD	12,991 F	CHANGED PRIORITIES
7100-1950	RURAL LOCAL ROADS GRANT (RLR) (FAG)	620,763 U	REDUCED RLR FAG (INCREASE FAG COMPONENT)
7100-1951	R2R ROADS TO RECOVERY GRANT	300,811 F	GRANT MONIES RECEIVED
7100-1954	RMS DISASTER RECOVERY FUNDING - FLOOD DAMAGE	265,030 F	GRANT MONIES RECEIVED
1920-0170	TOC AERODROME OPERATING EXPENS	10,221 F	TRANSFER TO 1920-184
1920-0184	TOC AERO RUNWAY 18-36 HEAVY PA	10,221 U	TRANSFER FROM 1920-0170
1956-1017	MR363 REHAB 8.937-9.93	15,232 U	FUNDED FROM RMS ALLOCATION
1956-1018	MR363 REHAB 24.813-25.529	113,584 U	REPAIR PROGRAM

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JOB/GL CODE	TITLE / DESCRIPTION	AMOUNT	COMMENT
7700-1827	AERODROME - SALE OF LAND	45,885 F	LAND SALE
7700-1828	AERODROME - SALE OF LAND (MARGIN SCHEME)	37,527 F	LAND SALE
2012-0196	TOURISM STRATEGIC PLAN	10,000 F	TO SPORTS EVENTS PROGRAM
2012-0200	TOURISM EVENTS GRANTS	15,870 U	EVENTS FUNDED
2012-0251	SPORTS EVENT PROGRAM	10,000 U	TO FUNDS NEW PROGRAM – TAKEN FROM TOURISM PROGRAM
2015-0165	BUSINESS & ENVIRONMENT AWARDS	18,360 F	NOT GOING FORWARD CURRENT YEAR
7700-2026	AERODROME TRANSFER TO RESERVE	83,412 U	TRANSFER LAND SALE TO RESERVE
9200-1950	FINANCIAL ASSISTANCE GRANT (FAG)	89,064 F	REDISTRIBUTE WITH RLR FAG

The Quarterly Budget Review Statement (QBRS) for the period 1 January 2018 to 31 March 2018 is attached as **Appendix “H”**.

The QBRS consists of six statements:

1. **Report by Responsible Accounting Officer** – The Responsible Accounting Officer is satisfied that the Council’s financial position at 31 March 2017 is satisfactory.
2. **Income & Expenses Budget Review Statement** – This statement projects the Council’s annual operating statement for the financial year based on the budget position on 31 March 2018.

The Council’s budgeted net operating result was projected to improve by \$181,000 during the December quarter.

The budgeted net operating result at the end of the December quarter is a \$940,000 surplus, becoming a deficit of \$2.4m after deducting \$3.5m of capital grants and contributions. This deficit is solely as a result of the Federal Government’s decision to pay 50% of the 2017/18 FAG in June 2017.

3. **Capital Budget Review Statement** – This statement tracks the Council’s capital expenditure and the sources of funding used to pay for the capital works.

The Council increased its capital works program by \$1.7m, with the bringing forward of the water meter replacement program accounting for the bulk of this increase.

Items requiring Council Resolution

4. **Cash and Investments Budget Review Statement** – This statement indicates what the Council's expected end-of-year cash position is likely to be taking into account all known budget changes until the end of the quarter.
5. **Key Performance Indicators Budget Review Statement** – This statement is designed to provide some simple financial indicators to give the Council a snapshot of how it is performing financially.

Unlike the earlier reports there is some freedom here for the Council to choose what indicators it would like to see included in the report. The finance team have chosen three that seem reasonably useful for the Council to track.

- Debt Service Ratio – an indicator of how much of the Council's income is used to service its debt
- Rates & Annual Charges Coverage Ratio – an indicator of how reliant the Council is on its rates revenue
- Building and Infrastructure Renewal Ratio – an indicator of the Council's effort in renewing its assets as they deteriorate.

All indicators show that the Council is on target to meet its overall objectives.

6. **Contracts and Other Expenses Budget Review Statement** – This statement is an attempt to provide the Council with some detail about the Council's new contractual arrangement and expenditure on consultancies and legal expenses.

Items requiring Council Resolution

5.11 OPERATIONAL PLAN QUARTERLY 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

FILE NO: 04.121.6

RECOMMENDATION: - that the Council
 1. Note the March Quarter Progress Report of the Annual Operational Plan 2017/18 circulated as Appendix "I"






REPORT:

Circulated with this Agenda as **Appendix "I"** is the March 2018 quarterly review and progress report of the Council's *Annual Operational Plan 2017/18*.

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 Department of Local Government's quadruple bottom line reporting requirements: Social, Economic, Environmental and Civic Leadership);
- *Delivery Program* Objectives;
- *Annual Operational Plan* Objectives; and
- *Annual Operational Plan* Actions.

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

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

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

Items requiring Council Resolution

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

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

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

	Completed	On target	Not on target	Past Due	Deferred / Not due to start	Total
Sustainable natural and built landscapes	0	17	0	0	1	18
Good government	0	14	0	0	2	16
Supported and engaged communities	1	14	0	0	0	15
Diverse and resilient business	1	15	0	0	1	17
Total Actions	2	60	0	0	4	66

Items requiring Council Resolution

5.12 SAFE AND SECURE WATER PROGRAM**AUTHOR:** Director Technical Services**STRATEGIC OUTCOME:** Sustainable natural and built landscapes**STRATEGIC OBJECTIVE:** 1.1 Support sustainable use of our natural resources and built landscapes**FILE NO:** 32.101.1 & 32.101.3**RECOMMENDATION:** - That Council lodge an expression of interest for funding under the Safe and Secure Water Program for grants of \$2m for the development of a new water treatment plant and Finley and \$850,000 for the provision of a second Dissolved Air Flotation and Filtration Unit at Barooga water treatment plant.

REPORT:

As previously advised to Council the State Government is calling for expressions of interest for grant funding under the Safe and Secure Water Program to enable local water utilities to upgrade water infrastructure to ensure safe water supplies for their communities going forward.

Staff have identified the need to replace the water treatment plant at Finley and to upgrade the water treatment plant at Barooga and these projects have been included in the draft budget papers for completion over the next two financial years.

The cost of the works are estimated at \$4m for Finley and \$1.7m for Barooga with grants being sought for 50% of the cost.

Expressions of interest for funding assistance have been prepared and will be submitted subject to Council approval.

Items requiring Council Noting

RECOMMENDATION – that Items for Noting numbered 6.1 to 6.2 inclusive be received and noted.

6.1 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – NATIONAL GENERAL ASSEMBLY

AUTHOR: General Manager

STRATEGIC OUTCOME: Good government

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

FILE NO: 14.064.1

REPORT:

The ALGA will be conducting its National General Assembly at Canberra from the 17th to the 20th June 2018.

The theme for the event is “Australia’s Future, Make it Local”.

Cost of attendance at the Assembly is \$969 (early bird by 4th May 2018) or \$1,290

Dinners on 18th and 19th June are \$100 and \$130 respectively.

A partners’ tour is available at additional cost.

Accommodation and travel are additional.

The Assembly is preceded by a Regional Development Forum to be held on 17th June 2018. Registration for this session is \$245 if booked in conjunction with Assembly registration or otherwise \$445.

A copy of the provisional program for the Assembly and the Regional Co-operation and Development forum are circulated with this agenda as **Appendix “J”**

The Council is invited to submit motions to the Assembly for its consideration.

Any submitted motions must:

Items requiring Council Noting

- Be relevant to the work of local government nationally;
- Be consistent with the Assembly theme;
- Compliment or build on policy objectives or the Council's state association;
- Propose a clear action and outcome;
- Not be advanced on behalf of a third party that may seek to use the Assembly to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the interests of, local government.

The Council does not usually attend the assembly.

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Items requiring Council Noting

6.2 DEVELOPMENT DETERMINATIONS FOR MONTH OF MARCH 2018

AUTHOR: Executive Support Officer

STRATEGIC OUTCOME: Good government

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

FILE NO: 7.143.7

REPORT:

APPLICATIONS DETERMINED FOR MARCH

APPLICATION	DESCRIPTION	PROPERTY LOCATION	APPLICANT	OWNER	STATUS	VALUE	DAYS TAKEN	
87/18/DA/D5	RESIDENTIAL STORAGE SHED	56 VERMONT STREET, BAROOGA NSW 3644 (LOT15//DP584047)	O'HALLORAN PROPERTY SERVICE	MR TB NORTH & MRS FC NORTH	APPROVED 29-03-2018	\$ 38639.00	ACTIVE 21	TOTAL 36
89/18/DA/D2	INSTALL BI FOLD DOORS	167-177 MURRAY STREET, FINLEY NSW 2713 (LOT4/13//DP758412)	COUNTRY CLUB (FINLEY) PTY LTD	COUNTRY CLUB (FINLEY) PTY LTD	APPROVED 21-03-2018	\$ 15000.00	ACTIVE 28	TOTAL 28
96/18/DA/DM	CARPORT WITH SOLAR PANELS	HAMILTON STREET, FINLEY NSW 2713 (LOT1//DP1236476)	KENNEDY BUILDERS PTY LTD	FINLEY REGIONAL CARE LIMITED	APPROVED 12-03-2018	\$ 146000.00	ACTIVE 17	TOTAL 18
98/18/DA/D5	RESIDENTIAL STORAGE SHED	75 FALKINER STREET, TOCUMWAL NSW 2714 (LOT32//DP581365)	MR BRUCE REID	MR B E REID & MRS M C REID	APPROVED 20-03-2018	\$ 7000.00	ACTIVE 16	TOTAL 20
99/18/DA/D1	BV DWELLING, ATTACHED GARAGE/CARPORT & RESIDENTIAL STORAGE SHED	14 RILEY COURT, TOCUMWAL NSW 2714 (LOT48//DP1054776)	FORTITUDE FRAMES	MR M G OSBORN & MS C L THOMPSON	APPROVED 07-03-2018	\$ 280000.00	ACTIVE 11	TOTAL 11
100/18/DA/D5	WATER TANK	64 BROOCKMANN'S ROAD, FINLEY NSW 2713 (LOT44//DP1000671)	BURTONS REPAIRS & SERVICES	MR SG BURTON & MRS LD BURTON	APPROVED 07-03-2018	\$ 5000.00	ACTIVE 11	TOTAL 11
43/18/CD/M4	CARPORT	5 HOYLE STREET, TOCUMWAL NSW 2714 (LOT1//DP434732)	MR MARK WHELAN	MR M J WHELAN & MRS J WHELAN	APPROVED 05-03-2018	\$ 5000.00	ACTIVE 9	TOTAL 9
101/18/DA/D9	2 LOT SUBDIVISION	205 BURMA ROAD, TOCUMWAL NSW 2714 (LOT49//DP1233177)	BERRIGAN SHIRE COUNCIL	BERRIGAN SHIRE COUNCIL	APPROVED 21-03-2018	\$ 0.00	ACTIVE 13	TOTAL 18
103/18/DA/D1	RELOCATED DWELLING	57-59 BRUCE BIRRELL DRIVE, TOCUMWAL NSW 2714 (LOT13//DP1091884)	CPE CONSTRUCTION	MR & MRS HENDERSON	APPROVED 16-03-2018	\$ 50000.00	ACTIVE 12	TOTAL 12
104/18/DA/DO	RURAL SHED	572 WILTONS ROAD, BOOMANOOMANA NSW 3644 (LOT51//DP752276)	JOHN BRUCE	MR J R BRUCE	APPROVED 13-03-2018	\$ 40000.00	ACTIVE 8	TOTAL 8
105/18/DA/D9	2 LOT SUBDIVISION	76-78 KELLY STREET, TOCUMWAL NSW 2714 (LOT6/19//DP758981)	BRADLEY PERKINS	MR B PERKINS	APPROVED 26-03-2018	\$ 0.00	ACTIVE 14	TOTAL 17
44/18/CD/M5	INGROUND CONCRETE SWIMMING POOL	2521 MULWALA-BAROOGA ROAD, BOOMANOOMANA NSW 3644 (LOT97//DP752280)	D & M BOWDEN CONSTRUCTION	HASADE PTY LTD	APPROVED 13-03-2018	\$ 19000.00	ACTIVE 3	TOTAL 3
106/18/DA/D5	RESIDENTIAL STORAGE SHED	5 MARY STREET, BERRIGAN NSW 2712 (LOT1//DP235492)	MARYANNE FERGUSON	MR P D BARNES & MISS M A L FERGUSON	APPROVED 19-03-2018	\$ 5000.00	ACTIVE 7	TOTAL 7

NOTING

Items requiring Council Noting

108/18/DA/D9	2 LOT SUBDIVISION	30-36 COBRAM STREET, TOCUMWAL NSW 2714 (LOT145/PART/DP752296)	NORTH EAST SURVEY DESIGN	MR R C PERRYMAN & MRS S E PERRYMAN	APPROVED 26-03-2018	\$ 0.00	ACTIVE 8	TOTAL 11
109/18/DA/D1	BV DWELLING & ATTACHED GARAGE	22-26 TONGS STREET, FINLEY NSW 2713 (LOT9//DP1234429)	PAUL & LIANA DUNDON	MR PA & MRS LN DUNDON	APPROVED 26-03-2018	\$ 405865.00	ACTIVE 11	TOTAL 11
110/18/DA/DM	DEMOLITION OF EXISTING DWELLING	25 PEPPERTREE ROAD, LALALTY NSW 3644 (LOT85//DP752287)	J P & M E SOCHA	MR J P SOCHA & MRS M E SOCHA	APPROVED 23-03-2018	\$ 5000.00	ACTIVE 7	TOTAL 7
45/18/CD/M4	CARPORT	14 FALKINER STREET, TOCUMWAL NSW 2714 (LOT3/10/DP758981)	TED GORMAN	MR TE GORMAN & MRS M GORMAN	APPROVED 22-03-2018	\$ 12500.00	ACTIVE 2	TOTAL 2
46/18/CD/M5 - M	MODIFICATION TO 29/18/CD/M5 INGROUND FIBREGLASS SWIMMING POOL	130 RACECOURSE ROAD, TOCUMWAL NSW 2714 (LOT1//DP1077318)	POOLSIDE COBRAM	MR CH MACMILLAN & MRS JM MACMILLAN	APPROVED 28-03-2018	\$ 31000.00	ACTIVE 3	TOTAL 3

APPLICATIONS PENDING DETERMINATION AS AT 9/04/2018

APPLICATION NO.	DATE LODGED	DESCRIPTION	PROPERTY LOCATION
95/18/DA/DD	14-02-2018	TOCUMWAL RAIL BRIDGE REPAIRS	TOCUMWAL RAIL BRIDGE, TOCUMWAL NSW 2714
113/18/DA/DM - M	20-03-2018	MODIFICATION TO 60/18/DA/DM OPERATING HOURS	34-36 COREE STREET, FINLEY NSW 2713 (LOT 9 SEC 7 DP758412)
114/18/DA/DM	23-03-2018	TRANSPORTABLE DWELLING	46 MURRAY STREET, TOCUMWAL NSW 2714 (LOT1 DP1224639)
115/18/DA/D1	27-03-2018	BV DWELLING & ATTACHED GARAGE	6 AVA COURT, TOCUMWAL NSW 2714 (LOT21 DP270154)
116/18/DA/D1	27-03-2018	BV DWELLING & ATTACHED GARAGE	6 BELINDA COURT, TOCUMWAL NSW 2714 (LOT12 DP270154)
117/18/DA/D5 - M	29-03-2018	MODIFICATION TO 98/18/DA/D5 RESIDENTIAL STORAGE SHED	75 FALKINER STREET, TOCUMWAL NSW 2714 (LOT32 DP581365)
118/18/DA/D5	29-03-2018	RESIDENTIAL STORAGE SHED	10 PUTTER COURT, BAROOGA NSW 3644 (LOT105 DP1133352)
119/18/DA/D9	09-04-2018	2 LOT SUBDIVISION	9 MALONE MEWS, FINLEY NSW 2713 (LOT10 DP1097289)

TOTAL APPLICATIONS DETERMINED / ISSUED (including modifications)

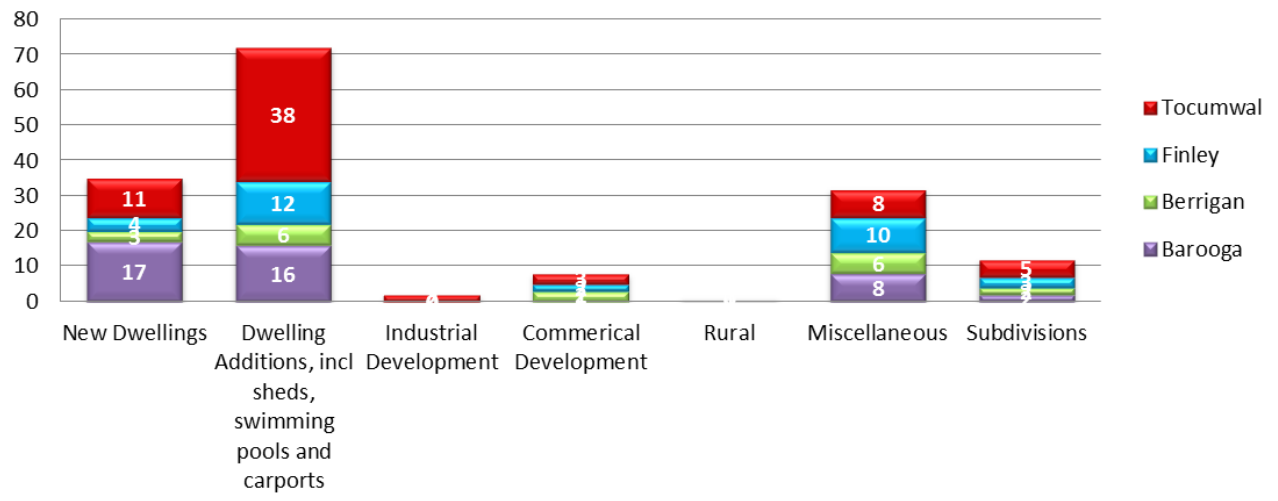
	This Month (Mar)	Year to Date	This Month's Value	Year to Date Value
<i>Development Applications (DA)</i>	14	116	\$997,504	\$11,941,285
<i>Construction Certificates (CC)</i>	8	77	\$1,240,865	\$9,447,548
<i>Complying Development Certificates (CDC)</i>	4	46	\$67,500	\$3,272,906
<i>Local Activity (s.68)</i>	7	52	0	0

NOTING

Items requiring Council Noting

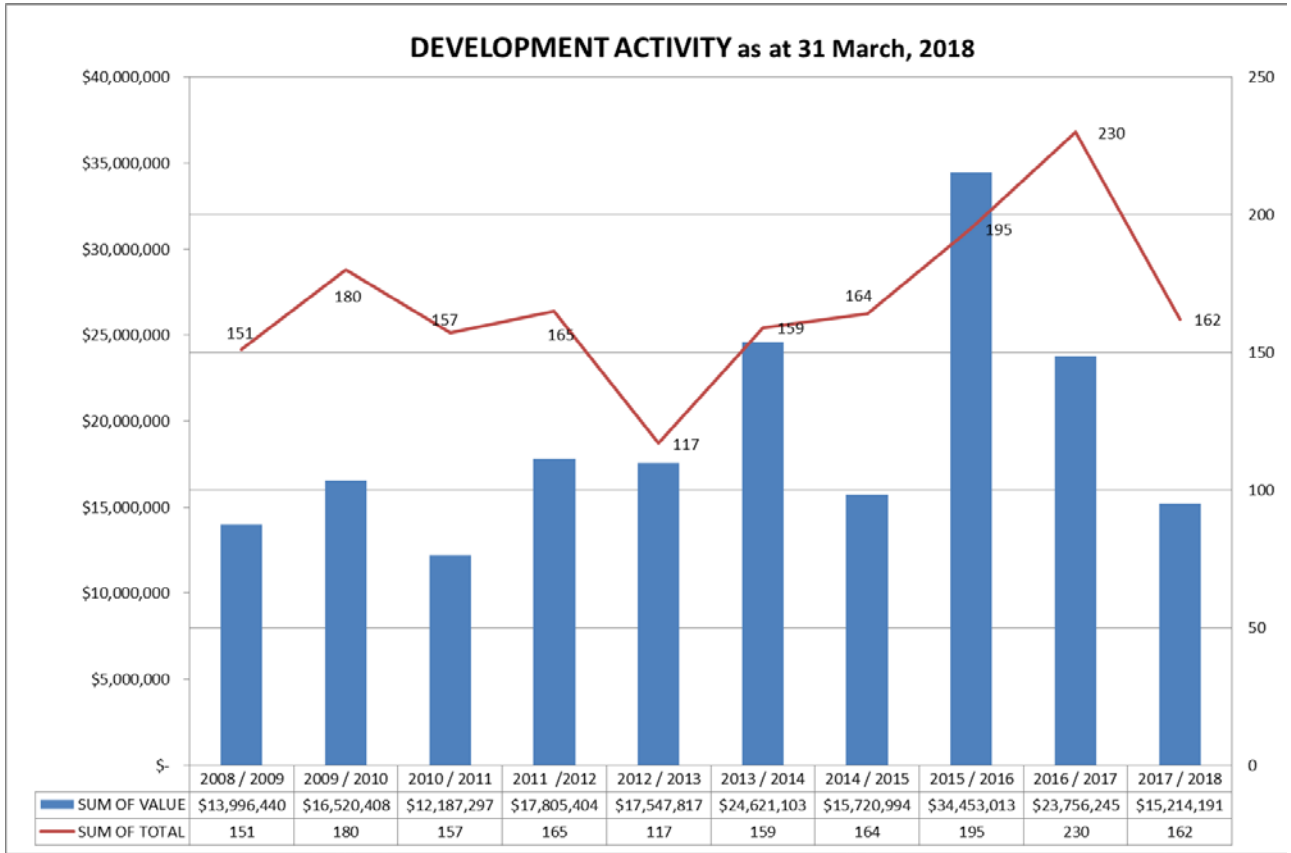
OTHER CERTIFICATES ISSUED FOR MARCH

	149(2) Planning Certificate		149(5) Certificate		735A Certificate Outstanding Notices or Orders under LG Act 1993		121zp Certificate Outstanding Notices or Orders under EP&A Act 1979		149(D) Building Certificate		Swimming Pool Certificate	
	Mar	Year Total	Mar	Year Total	Mar	Year Total	Mar	Year Total	Mar	Year Total	Mar	Year Total
BAROOGA	6	94	0	4	0	2	0	0	1	1	0	3
BERRIGAN	3	27	0	3	0	8	0	2	0	0	0	2
FINLEY	6	71	1	20	0	8	0	4	0	0	0	2
TOCUMWAL	13	101	0	0	1	3	1	1	1	4	0	5
TOTAL	28	293	1	27	1	21	1	7	2	5	0	12

DEVELOPMENT ACTIVITY 2017/2018 as at 31 March, 2018

Items requiring Council Noting

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Items requiring Council Resolution

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7.

MAYOR'S REPORT

RECOMMENDATION – that the Mayor's Report be received.

Items requiring Council Resolution

8. DELEGATES REPORT

RESOLUTION

Items requiring Council Resolution

9.

GENERAL BUSINESS

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