



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 19th September, 2018** when the following business will be submitted:-

9:00AM
9:15AM

Public Question Time
Extraordinary Council Meeting

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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 19th September, 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 Council meeting held in the Council Chambers on Wednesday 15th August, 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:

RECOMMENDATION: - that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 August 2018, be received and that the accounts paid as per Warrant No. 08/18 totaling \$2,668,514.93 be confirmed.

Items requiring Council Resolution

REPORT:

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- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 31 August 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 August 2018.
 - c) The Finance Manager certifies the Accounts, including the Petty Cash Book made up to 31 July 2018, totaling \$2,668,514.93 and will be submitted for confirmation of payment as per Warrant No. 08/18
 - 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) August has seen an increase in total funds held compared to the end of July. This increase results from:
 - i. Receipt of the normally scheduled Financial Assistance Grant (still being paid in advance, and including indexing increase),
 - ii. Payment of the first instalment (and in some instance the full year balance) of Council Rates.
 - iii. Significant increase in receipt of tip fees due to public works
 - iv. Works backlog being held in carried forward works balance
 - v. Receipt of grant funds in advance

Funds are expected to increase slightly in September with receipts from the sale of water allocation.

Items requiring Council Resolution

Statement of Bank Balances as at 31 AUGUST 2018

Bank Account Reconciliation

Cash book balance as at 1 AUGUST 2018	\$ 6,493,286.16
Receipts for AUGUST 2018	\$ 4,323,979.40
Term Deposits Credited Back	\$ -
	\$ 10,817,265.56
<i>Less Payments Statement No 08/18</i>	
Cheque Payments V075848-V075853	\$ 11,843.90
Electronic Funds Transfer (EFT) payroll	\$ 500,447.45
Electronic Funds Transfer (EFT) Creditors E029574-E029828	\$ 1,128,089.00
Term Deposits Invested	\$ 1,000,000.00
Loan repayments, bank charges, etc	\$ 28,134.58
Total Payments for AUGUST 2018	\$ 2,668,514.93
Cash Book Balance as at 31 AUGUST 2018	\$ 8,148,750.63
Bank Statements as at 31 AUGUST 2018	\$ 8,156,610.63
Plus Outstanding Deposits	
Less Outstanding Cheques/Payments	\$ 7,860.00
Reconciliation Balance as at 31 AUGUST 2018	\$ 8,148,750.63

INVESTMENT REGISTER

INSTITUTION	DEPOSIT NO.	TERM (days)	RATE	MATURITY DATE	INSTITUTION TOTAL
AMP	136/18	273	2.65%	17/10/2018	\$ 2,000,000.00
AMP	133/17	365	2.75%	28/05/2019	\$ 1,000,000.00
AMP	125/16	365	2.75%	5/06/2019	\$ 2,000,000.00
Goulburn Murray Credit Union	124/16	365	2.75%	15/05/2019	\$ 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	126/16	365	2.70%	31/08/2018	\$ 2,000,000.00
Defence Bank Limited	138/18	275	2.80%	10/01/2019	\$ 2,000,000.00
Defence Bank Limited	102/14	365	2.80%	4/04/2019	\$ 2,000,000.00
Defence Bank Limited	106/14	365	2.90%	29/06/2019	\$ 2,000,000.00
ME Bank	139/18	272	2.80%	25/03/2019	\$ 2,000,000.00
ME Bank	132/17	212	2.83%	8/08/2019	\$ 2,000,000.00
ME Bank	140/18	365	2.83%	8/08/2019	\$ 1,000,000.00
WESTPAC	137/18	94	2.76%	8/10/2018	\$ 2,000,000.00
T-CORP HOURGLASS AT CALL		AT CALL			\$ -
					\$ 26,000,000.00

Total Funds Held at 31 AUGUST 2018 **\$34,148,750.63**

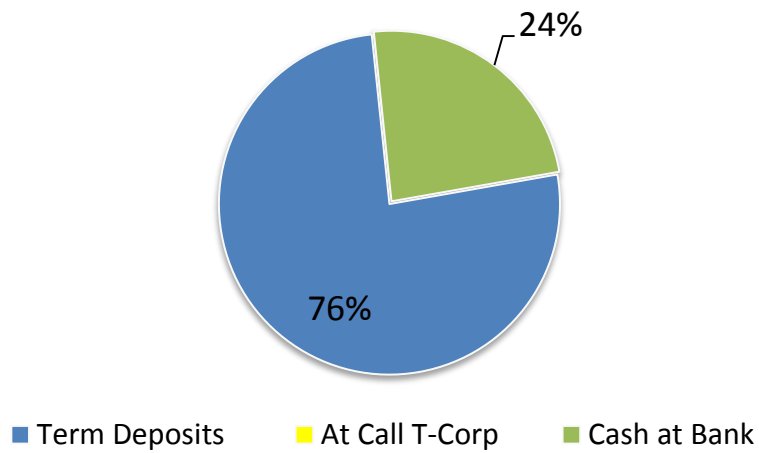
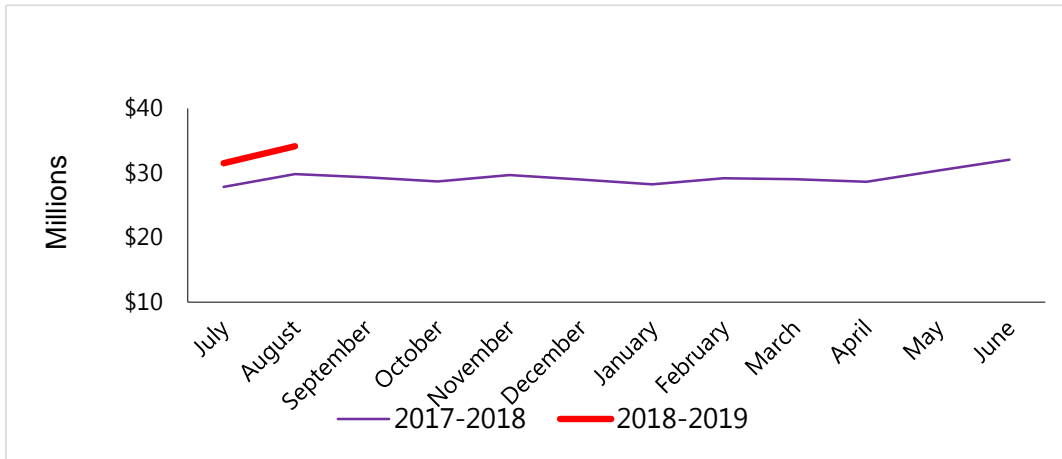
Carla von Brockhusen - Finance Manager

RESOLUTION

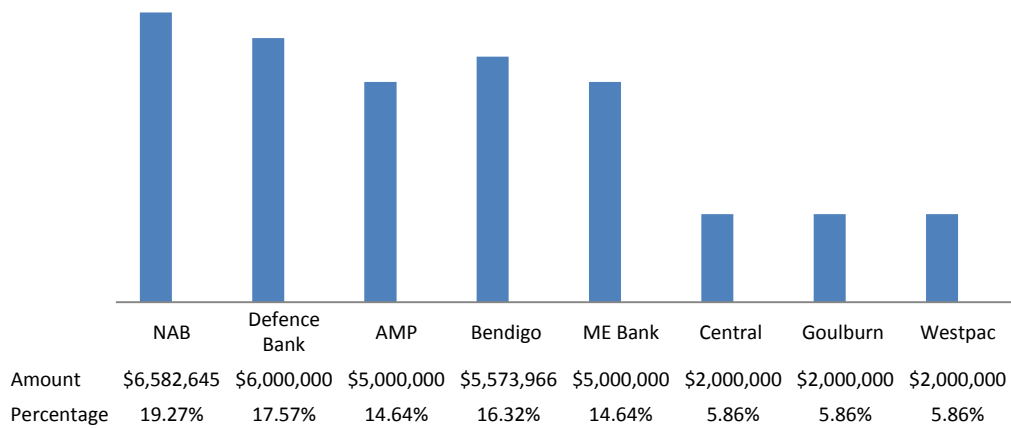
Items requiring Council Resolution

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Total Cash and Investments



Items requiring Council Resolution



Prior Financial Institution	Term (Days)	Amount	Interest Rate	Current Financial Institution	Term (Days)	Amount	Interest Rate
				ME BANK	365	\$1,000,000.00	2.83%

RESOLUTION

Items requiring Council Resolution

5.2 PERMANENT WATER SAVING

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO: 32.108.3

RECOMMENDATION: - that the Council:

1. revoke its existing policy for Permanent Water Saving
2. adopt the policy for Permanent Water Saving as set out below:

48 PERMANENT WATER SAVING

Version: 02

File Reference No: 32.108.3

Strategic Outcome: Supported and engaged communities

Date of Adoption: 19/09/2018

Date for Review: 20/09/2022

Responsible Officer: Director Technical Services

1. POLICY STATEMENT

The following permanent water saving restrictions and prohibitions have been introduced to regulate the responsible use of water resources and prevent waste and misuse

The policy will do this by:

- Setting out permanent restrictions and prohibitions on the use of water in areas of Berrigan Shire served by reticulated water; and
- Specifying principles for the consideration of applications for exemption from particular restrictions or prohibitions

2. PURPOSE

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Items requiring Council Resolution

The purpose of the policy is to regulate the responsible use of water resources and prevent the waste and misuse of water within the Berrigan Shire local government area

3. SCOPE

The policy applies to water supplied by Berrigan Shire Council from all water reticulation pipes within the Shire.

This policy does not apply to water sourced from other sources such as:

- Recycled water supplied by Berrigan Shire Council; or
- Grey water; or
- Water sourced from a bore or well.
- Rainwater collected by an occupier of land in a rainwater tank from the roof of a building on that land, provided that rainwater within the tank is not augmented in any way by water supplied by Berrigan Shire Council

It should be read in conjunction with the definitions.

4. OBJECTIVE

This Policy has been developed to assist the Council with Delivery Plan Objective 3.1.4

Coordinate and facilitate the delivery of potable water, public health and safety services

5. DEFINITIONS

Automatic Watering System:	A watering system capable of being set to turn on and off automatically at pre-determined times, without human intervention.
Dripper:	A device that drips water at a low rate of flow directly onto the root zone of plants.
DST:	Daylight Savings Time
EST:	Eastern Standard Time
Fountain:	Any indoor or outdoor ornamental fountain: <ul style="list-style-type: none">▪ With a volume of less than 500 litres and that projects water more than 20cm above the water outlet; or

Items requiring Council Resolution

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	<ul style="list-style-type: none">▪ With a volume greater than 500 litres and that emits water for ornamental purposes.
Greywater:	Household waste water from bath tubs, showers, laundry troughs and clothes washing machines, but excludes water from kitchens, dishwashing machines and toilets.
Hand-held hose:	A hose that is held by hand when it is used.
High pressure cleaning device:	A machine which has a pump to increase the pressure of the water delivered from a trigger nozzle forming part of the device.
Manual Watering System:	A watering system which is not an automatic system; or an automatic watering system, operated other than automatically.
Microspray:	A device that incorporates a nozzle made to emit a fine spray.
Paved Area:	Includes any courtyard, decking, footpath, driveway or other area, with a concrete, asphalt, brick, tile, bitumen, timber or similar impervious surface.
Person:	Includes any type of entity or body of persons, whether or not it is incorporated or has a separate legal identity and any executor, administrator or successor in law of the person.
Public Authority:	Anybody constituted by or under an Act; or exercising powers under an Act, for a public purpose and includes a Council under the <i>Local Government Act 1993</i> .
Public Garden:	Any garden, lawn, nature strip, plantation, park or reserve (other than a sports ground) managed or controlled by a public authority, but does not include a residential or commercial garden.

Items requiring Council Resolution

Recycled Water:	Water supplied by Berrigan Shire Council that is recovered from sources such as stormwater or treated sewage.
Residential:	Land used or intended to be used as a garden or lawn, from which produce (including vegetables) is
Retail Garden Nursery	Any land primarily used to propagate, grow or display plants of any description, or their produce (including vegetables) for the purpose of sale or other distribution for profit, primarily to the public.
Season:	Summer, autumn, winter or spring.
Sprayer:	A device that incorporates a nozzle made to emit a broad spray.
Sprinkler:	A device designed to distribute, disperse, sprinkle or spray water.
Test:	A short, trial run of the equipment to make sure it is working correctly.
Trigger Nozzle:	A nozzle controlled by: <ul style="list-style-type: none">▪ A trigger which must be depressed continuously, or locked in the “on” position, by hand for water to flow; or▪ A discrete switch which can be turned off or on by hand, with a single movement.
Vehicle:	Includes every type of vehicle and any vessel (including the hull, any attachment thereto and any trailer for that vessel) or aircraft.
Watering System:	Every component of a system to distribute water to a garden, lawn or other vegetation, including sprinklers, sprayers, microsprayers and drippers.
Wholesale Garden Nursery:	Any land primarily used to propagate, grow or display plants of any description or their produce (including vegetables) for

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Items requiring Council Resolution

the purpose of sale or other distribution for profit, primarily to retailers, rather than the public.

6. POLICY IMPLEMENTATION

6.1. Permanent restrictions and prohibitions

The following permanent water restrictions will apply in Berrigan Shire.

PURPOSE	RESTRICTION / PROHIBITION
Residential or Commercial Gardens (including lawns)	<ul style="list-style-type: none"> • An automatic watering system must not be used, except between 10.00pm and 10.00am on any day of the week. No restriction applies at any time to the testing of automatic watering systems to ensure that they are operating correctly. • A manual watering system must not be used, except between: <ul style="list-style-type: none"> ○ 8.00pm and 10.00am on any day of the week DST; or ○ 6.00pm and 10.00am on any day of the week EST. • No restriction applies at any time to the use of a hand-held hose fitted with a trigger nozzle, a watering-can or a bucket.
Public Gardens (including lawn) and Sports Grounds / Recreational Areas	<ul style="list-style-type: none"> • An automatic watering system must not be used, except between 10.00pm and 10.00am on any day of the week. No restriction applies at any time to the testing of automatic watering systems to ensure that they are operating correctly. • A manual watering system must not be used, except between: <ul style="list-style-type: none"> ○ 8.00pm and 10.00am on any day of the week DST; or ○ 6.00pm and 10.00am on any day of the week EST. • No restriction applies at any time to the use of a hand-held hose fitted with a trigger nozzle, a watering-can or a bucket.
Fountains	<ul style="list-style-type: none"> • A fountain which does not re-circulate water must not be operated. • No restriction applies to topping up a fountain at any time, provided that no more water than is necessary for that purpose is used.

Items requiring Council Resolution

PURPOSE	RESTRICTION / PROHIBITION
Wholesale, Retail Garden Nurseries	<ul style="list-style-type: none"> No restriction or prohibition applies to the watering of plants of any description (including vegetables).
Vehicle Cleaning (all vehicles)	<ul style="list-style-type: none"> A hand held hose must not be used at any time to clean a vehicle unless it is fitted with a trigger nozzle. No restriction applies to using a bucket. No restriction applies to using a high pressure water cleaning device, a commercial car wash, or a Council run vehicle cleaning facility.
Paved Areas – Cleaning	<ul style="list-style-type: none"> A paved area must not be cleaned with water from a hose unless cleaning is required as a result of: <ul style="list-style-type: none"> An accident, fire, health hazard or other emergency; An identifiable safety hazard that has developed and a hand held hose fitted with a trigger nozzle or a high pressure water cleaning device is used; Staining to the surface has developed, and a hand held hose fitted with a trigger nozzle or a high pressure water cleaning device is used, and then only once per season; Construction or renovation work to the surface and a high pressure water cleaning device is used.
Construction Industry	<ul style="list-style-type: none"> A hose must not be used unless it is: <ul style="list-style-type: none"> Fitted with a trigger nozzle; and Is in good condition and does not leak.

6.2. Exemptions

6.2.1. General exemptions

Berrigan Shire Council may prepare, adopt and publish general exemptions that specify generally applicable exemptions from the restrictions and prohibitions set out in the above table and the conditions under which the exemption is granted.

Exemptions under this clause may be granted without a written application being made by an applicant for an exemption, and general exemptions may be amended or revoked by the Council at any time.

RESOLUTION

Items requiring Council Resolution

The following general exemptions apply to commercial operations supplied with reticulated water by Berrigan Shire Council:

PURPOSE	CONDITIONS
Finley Livestock Exchange	Paved areas may be cleaned at any time as long as: <ul style="list-style-type: none"> • The hose used is in good condition; and • Water wastage is minimized.
Commercial Car Wash Facilities	<ul style="list-style-type: none"> • An exemption to the restrictions on vehicle cleaning is available to commercial car wash facilities that have received development consent to operate. • The facility must be operated in a way that minimizes water wastage.
Commercial Truck Wash Facilities	Commercial truck wash facilities are exempted from the restrictions for “vehicle cleaning” as long as: <ul style="list-style-type: none"> • The hose used is in good condition; and • Water wastage is minimized.

6.2.2. Applications

A person may apply to the Council for a temporary or permanent exemption from a restriction or prohibition imposed by this policy. The application must be made in writing and addressed to the General Manager.

All applications for an exemption will be considered, and the Council may:

- Grant the application in full or in part and subject to the conditions deemed appropriate; or
- Refuse the application.

The exemption ends at the date or time specified in the exemption, and may be amended or revoked at any time by the Council.

6.2.3. Assessment

Exemptions will not be granted in relation to a particular restriction or prohibition unless the Council officer determining the application is reasonably satisfied that the proposed exemption:

- Is necessary to avoid an inequitable and disproportionately adverse impact on the livelihood of the applicant, which would be caused by that restriction or prohibition, and is consistent with the water saving policy of the Council; or
- Is necessary to avoid any adverse effect on public health or safety.

Items requiring Council Resolution

6.3. Penalties

Section 637 of the *Local Government Act 1993* specifies that a person who wilfully or negligently wastes or misuses water from a public water supply or causes any such water to be wasted is guilty of an offence.

The penalty for an offence under this Section is set out in Schedule 12 of the Local Government (General) Regulation 2005. At the date this policy was adopted the penalty for an offence was \$220.

If an offence against this section is committed, the occupier of the premises on which the offence was committed is guilty of the offence as if the occupier were the actual offender unless the occupier proves that the waste or misuse constituting the offence:

- Was not reasonably within the occupier's knowledge; and
- Was caused by the act of the person other than a member of the occupier's household or other than a person employed on the premises by the occupier.

If the offending continues the offender may be prosecuted. At the date this policy was adopted the maximum penalty that could be issued was \$2200 or 20 penalty units

7. RELATED POLICIES

7.1. Legislation

- *Local Government Act 1993*
- Local Government (General) Regulation 2005

7.2. Policies and other Council plans

- Integrated Water Cycle Management Plan
- Water Asset Management Plan
- User Fees and Charges Policy

REPORT:

The Council's Permanent Water Saving Policy is due for review by the Council. The timing is topical given that Council staff are starting to take enquiries from the public regarding the permissible use of town water

The revised policy is essentially the same as the Council's existing permanent water saving rules. The only change is a re-format into the Council's new policy template.

Items requiring Council Resolution

The policy only applies to water supplied via the Council's water reticulation system. It does not apply to water sources from bores, grey or recycled water or harvested rainwater.

The policy sets out:

- the acceptable use of town water,
- the exemptions that may apply,
- the process of applying for an exemption, and
- the penalties for breaches.

The restrictions set out here apply permanently, unless the Council resolves to apply a set of temporary restrictions (i.e. Stage 1 to 4 restrictions). Any such restrictions will be made outside this policy.

As this policy makes no change to the existing permanent water saving rules, the Council could adopt this policy immediately. Alternatively the Council could, if it wished, place the policy on display and seek submissions from the public before considering its adoption.

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Items requiring Council Resolution

5.3 WASTE COLLECTION AND DISPOSAL POLICY

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities

FILE NO: 03.160.3

RECOMMENDATION: - that the Council:

3. revoke its existing policy for Waste Collection and Disposal
4. adopt the policy for Waste Collection and Disposal as set out below:

78 WASTE COLLECTION AND DISPOSAL POLICY

Version 02

File Reference No: 31.160.3

Strategic Outcome: Sustainable natural and built landscapes

Date of Adoption: 19/09/2018

Date for Review: 21/09/2022

Responsible Officer: Director Technical Services

1. POLICY STATEMENT

Management of a waste collection disposal and recycling system for Berrigan Shire is one of the core responsibilities of Berrigan Shire Council.

This policy puts in place a framework under which the Council will deliver these services.

2. PURPOSE

The purpose of this policy is to plan and provide for an environmentally sustainable and effective system for waste disposal in line with the *Waste Avoidance and Resource Recovery Act 2001*, other legislation and community expectations.

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Items requiring Council Resolution

3. SCOPE

This policy applies to all waste management activities undertaken by Berrigan Shire Council

4. OBJECTIVE

This policy is developed to assist the Council with Delivery Plan Objective 1.3.2:

Manage landfill, recycling and waste disposal

5. DEFINITIONS

Hardwaste – Includes waste that is neither putrescible (organic) or recyclable

Greenwaste – Includes garden waste, tree lopping and lawn clippings

Putrescible – Organic waste that is capable of decomposing (i.e. food scraps etc.)

Recyclables – Includes materials able to recycled in accordance with national standards e.g. cardboard, paper, plastics, metal, batteries, tyres and whitegoods etc.

Scavenging – the removal of items previously left as waste from a waste management facility by the public.

Special Event – A special event includes the following

- Picola Football Netball League and Murray Football Netball League Grand Finals (if held in Berrigan Shire)
- Berrigan and Finley Agricultural and Horticultural Shows
- Berrigan Gold Cup
- Finley Ricestrippers Ball
- Other events as determined by the General Manager on a case-by-case basis.

6. POLICY IMPLEMENTATION

6.1 Waste management facilities

6.1.1 Location

Berrigan Shire Council will operate the following facilities

- Berrigan Waste Management Facility – receives all waste

Items requiring Council Resolution

- Tocomwal Waste Management Facility – receives only clean hardwaste, recyclables and greenwaste
- Finley Recycling Centre – receives only recyclables

6.1.2 Opening hours

Opening hours for these facilities are set as:

Facility	MON	TUES	WED	THURS	FRI	SAT	SUN
Berrigan	Closed	1:30pm – 4:00pm	Closed	1:30pm – 4:00pm	Closed	Closed	12:30pm – 4:00pm
Tocomwal	Closed	Closed	1:30pm – 4:00pm	Closed	1:30pm – 4:00pm	Closed	1:30pm – 4:00pm
Finley	Closed	Closed	Closed	Closed	Closed	Closed	8:30am – 12:00pm

Opening hours for these facilities will only be modified by resolution of the Council.

All waste management facilities will be closed on the following days:

- Christmas Day
- Good Friday
- ANZAC Day

While open, use of the facility will be supervised by an authorised Council employee at all times. Access to the facility outside normal opening hours is prohibited, except as otherwise allowed for in this policy.

6.1.3 Fees and charges

Fees and charges for these facilities will be set annually in the Fees and Charges Register.

As a general rule, all users of the facility will be charged the appropriate fee at the time of disposal. There is to be no free use of any of the waste management facilities.

Requests for the Council to donate the cost of use of the facility are to be directed to the Council for assessment under the Donations and Financial

RESOLUTION

Items requiring Council Resolution

Assistance Policy. Unless the Council has expressly given notice that it will donate the cost of the fees, payment must be made at the time of disposal.

Commercial entities frequently using the Council's Waste Management Facilities may be granted credit facilities in line with the Council's Commercial Credit Policy. Until access to credit is expressly provided, payment must be made at the time of disposal.

6.1.4 Opportunity and Second-Hand shops

On application, not-for-profit community-operated Opportunity Shops selling second-hand furniture may be allowed to dispose of up to 4m³ of non-putrescible waste per calendar year free of charge at the Council's Waste Management Facilities.

Organisations seeking this allowance must apply annually and in writing. The General Manager will determine the eligibility for this allowance. The Environmental Engineer will keep a register of those organisations eligible for the allowance

The Environmental Engineer will keep a record of the quantities of waste disposed by these organisations and submit this information to the Council by way of a report to a Council meeting on an annual basis as well as in the Council's Annual Report.

6.1.5 Special events

The Council will cooperate with the organisers of "special events" regarding collection and disposal of waste associated with the event.

Generally, this will be by way of providing bins to allow for the normal kerbside collection service to collect.

Where this is not possible or practicable, the Council may allow access outside normal hours to a waste management facility for "special events".

If access is allowed, the following arrangements will apply

1. Before the event an authorised representative of the organisers of the "special event" will arrange an suitable time with an appropriate Council representative for after-hours access to the facility.
2. Before the event, the representative will pay any appropriate tipping fees based on an estimate of the type and quantity of the refuse expected to be disposed of. An adjustment to these fees may be made after the event if the types and quantities are materially different.
3. The normal fee charged for opening the facility outside normal hours will be waived.

Items requiring Council Resolution

Requests for subsidised tipping fees and the like will be considered as per the Council's Requests for Donations and Financial Assistance Policy.

6.1.6 Scavenging rights

The Council will not allow any scavenging at any of its waste management facilities under any circumstances.

6.2 Kerbside collection

6.2.1 Services

The Council will offer the kerbside collection services shown in the table below:

Name	Service
Domestic Waste Collected	1 x Weekly pick up of 120 litre small garbage bin. (Green) 1 x Fortnightly pick up 240 litre recycling bin. (Blue)
Additional Service (Collected)	1 x Weekly pick up of 120 litre small garbage bin (Green)
Uncollected (vacant)	Charged on vacant land within the collection zone – no service is provided.
Business / Non Residential Garbage	1 x Weekly pick up of 240 litre big bin. (Green)
Garbage and Recycling	1 x Weekly pick up of 240 litre big garbage bin. (Green) 1 x Fortnightly pick up of 240 litre recycling bin. (Blue)
Recycling Collected	1 x Fortnightly pick up of 240 litre recycling bin. (Blue)

6.2.2 Serviced area

The Garbage and Recycling services are normally only provided to those that are within the town boundary.

Items requiring Council Resolution

Under certain circumstances Council's service provider will collect outside the town boundary if a significant number of people request the service

6.2.3 Voluntary service

Residents outside the service area may avail themselves of the waste kerbside collection service. A request for this service will be passed on the Environmental Engineer to assess in line with this policy.

The Environmental Engineer will determine the nearest collection point where the resident will need to bring their bins for collection.

Any property provided with a garbage service under this section will also receive a recycling collection service.

6.2.4 Fees and charges

Fees and charges for these facilities will be set annually, via the:

- Fees and Charges Register,
- Rating and Revenue Policy, and
- through the Council's rates and charges resolution.

6.2.5 Compassionate service

The Council will provide a larger 240 litre bin for the garbage service for Residents with special waste collection needs relating to their medical care – i.e. dialysis machine and adult incontinence aids etc.

Each request for a larger bin under this section will be assessed on their merits by the Environmental Engineer.

Residents will be asked to provide evidence – i.e. a medical certificate or a statutory declaration – in support of their request.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation and other documents

- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- *Waste Avoidance and Resource Recovery Act 2001*
- *Reducing Waste: Implementation Strategy 2011-2015*

7.2 Relevant Council documents

- Fees and Charges Register
- Waste Management Asset Management Plan
- User Fees and Charges Policy

Items requiring Council Resolution

- Commercial Credit Policy
 - Requests for Donations and Financial Assistance Policy
-

REPORT:

Over the past 12 months the Council has been approached by several second-hand shops for free or discounted tipping charges to dispose of unwanted items such as mattresses, furniture and the like that have been “donated” to them - i.e. dumped at their premises.

Until recently, the Council has historically refused similar requests, primarily because of the precedent this would create and difficulty in defining the scope of any such concession. However, in recent times, the Council has approved requests for assistance from Berrigan Red Cross Shop, Hunters Haven Anglican Opportunity Shop and Finley Community Help Group.

The Council resolved in January 2018 that staff prepare a draft policy for consideration regarding waste disposal charges by such organisations. Rather than develop a new policy, staff have prepared a modification of the Council’s existing Waste Collection and Disposal Policy.

The revised policy allows for not-for-profit community-operated Opportunity Shops selling second-hand furniture to be allowed to dispose of up to 4m³ of non-putrescible waste per calendar year free of charge at the Council’s Waste Management Facilities.

This allowance is in line with recent Council decisions.

Organisations seeking this allowance must apply annually and in writing. The General Manager will determine the eligibility for this allowance. The Environmental Engineer will keep a register of those organisations eligible for the allowance.

The Environmental Engineer will keep a record of the quantities of waste disposed by these organisations and submit this information to the Council by way of a report to a Council meeting on an annual basis as well as in the Council’s Annual Report.

A further revision of this policy has altered the availability of access to the Council’s Waste Management Facilities outside ordinary hours for community groups cleaning up after community events. Instead of being given a key, community groups will need to arrange a Council staff member to open up for them. The special opening fee will be waived but normal tipping charges will apply.

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Items requiring Council Resolution

5.4 UNDETECTED LEAKS POLICY

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

FILE NO: 32.101.5

RECOMMENDATION: - that the Council adopt policy for undetected leaks:

94. UNDETECTED LEAKS POLICY

Version 01

File Reference No: 32.101.5

Strategic Outcome: Supported and engaged communities

Date of Adoption: 19/09/2018

Date for Review: 21/09/2022

Responsible Officer: Director Corporate Services

1. POLICY STATEMENT

Undetected water leaks causing a number of higher than usual water consumption notices being issued to ratepayers can cause an amount of distress to ratepayers and places strain on Council resources.

While the Council is not legally or morally responsible for these leaks, the Council often receives requests from ratepayers for assistance or consideration on these matters.

2. PURPOSE

To provide a framework for processing and assessing requests for a reduction in significantly higher water charges resulting from undetected water leaks.

The objectives of this policy are to:

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Items requiring Council Resolution

1. provide some financial relief to property owners when water is lost due to an undetected leak, whilst demonstrating to property owners that they have a responsibility for maintaining their private water infrastructure and services; and
2. provide a consistent and fair approach in dealing with requests for financial relief when water is lost due to an undetected leak.

3. SCOPE

Council provides potable water to the boundary of a property; water that has subsequently passed through a metered service connection becomes the responsibility of that property owner.

This policy is not intended to provide full compensation to customers for water consumption, charges because of an undetected water leak on their property.

However, as an act of good faith and in the interest of good public relations, Council provides a means by which some assistance for higher consumption and treatment charges can be obtained, subject to the provisions of this policy being met.

4. OBJECTIVE

This policy is developed to assist the Council with Delivery Plan Objective 3.1.4

Coordinate and facilitate the delivery of potable water, public health and safety services

5. DEFINITIONS

Significant leak - the water consumption on the water notice issued immediately prior to or immediately after the repair being completed is 1.5 times greater than the previous three equivalent billing periods average consumption

Undetected leak - occurring within pipeline breaks or connections in the ground, under slabs or within walls, etc. and are clearly not visible to the owner

6. POLICY IMPLEMENTATION

6.1 Application

Items requiring Council Resolution

Claims for assistance under this policy must be made by application. Applications must include:

- A statutory declaration indicating that:
 - The abnormally high water consumption was attributable to an undetected water leak.
 - repairs have been made in accordance with Australian Standard AS/NZS 3500
 - a full check of internal plumbing has been made to ensure no other leaks exist, and
 - no internal plumbing is defective and requiring replacement
- supporting documentation that the water leak was repaired immediately (within 30 days of an notice being issued or after the customer learnt of its existence). This may include a statement or invoice from a licensed plumber indicating the cause and location of the water leak,
- acknowledgement that subsequent claims within five years under this policy will not be accepted

6.2 Eligibility

6.2.1 Eligible claims

A complying claim must meet the following criteria:

- The claimant must be the owner/s of the property for which the claim applies.
- Council must receive the claim within 30 days of the issue of the water notice being issued.
- The claim must involve a **significant leak** at the property.
- The application must involve an **undetected leak** in a pipeline.

6.2.2 Ineligible claims

The following claims will not be eligible for assistance

- Claims that are the result of a second occurrence at the same property and by the same owner regardless of whether it is a related event or separate undetected leak within five years of the first leak occurrence being determined by Council..

Items requiring Council Resolution

- Claims that are the result of a leak from an appliance, pump, hot water system, pressure release or float valves, solar panels or pool heaters, pool or pond lines or liners, taps, cisterns and other water fittings, etc. where the leak would have been reasonably detectable.
- Claims that involve a leak caused directly by way of accidental or wilful damage.
- Claims that are due to a change in consumption pattern by the occupier of the property.
- Claims that do not contain the documentation or meet the terms of a complying claim.

6.3 Assessment

6.3.1 Authority to assess and approve claims

The Revenue Coordinator will initially assess for eligibility claims received under this Council. The Revenue Coordinator will then make a recommendation to the General Manager, who will approve the claim or otherwise.

Council will advise applicants in writing of the decision within 30 days of receipt of the application.

6.3.2 Eligible periods

Council will only consider adjustment to water notices issued for the billing periods immediately before and/or immediately after the leak has been detected and repaired.

It is at the discretion of the Revenue Coordinator to determine if an account warrants adjustment to more than one billing period where the applicant is unable to demonstrate definitively that a leak has occurred over more than one billing period.

6.4 Assistance

The limit to which Council will provide assistance under this policy will be a 50% reduction of the volume of the estimated leak.

This is calculated as the difference between the mean water consumption for the previous three equivalent billing periods and the consumption recorded on

Items requiring Council Resolution

the water notice issued immediately after the repairs being completed for complying claims.

The maximum reduction that can be offered for water consumption charges is \$2,000 in aggregate.

Council will **not** waive interest charges accrued on unpaid water accounts that are subject to a claim under this policy.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 External legislation and standards

- *Local Government Act 1993*
- Australian Standard AS/NZS 3500: 2003 Plumbing and Drainage

7.2 Council policies and publications

- Operational Plan and associated Schedule of Fees and Charges
- Statement of Revenue Policy
- Financial Hardship Policy
- Fraud Control Policy
- Permanent Water Saving Policy
- User Fees and Charges Policy
- Water and Sewer Supply Policy

REPORT:

The Council's Water and Safety Officer has recently completed water meter reads for Water Consumption Notice 1 of 2018-2019. On analyzing the data from these reads, a number of leaks were identified. Two of these leaks were categorised as significant due to the amount of water lost. The ratepayers have written to council requesting a review of the outstanding balances on their water notices.

At present Council does not have a policy for processing and assessing requests for a reduction in significantly higher water charges resulting from undetected water leaks.

It is anticipated that by implementing this policy it will provide Council with a consistent and fair approach in reviewing any future significant leaks. All water meters will be replaced in late 2018 and this policy will likely negate any issues that may arise during the changeover process, and the forecast drier than usual spring and summer seasons.

Items requiring Council Resolution

This policy is not intended for Council to provide full compensation to ratepayers for water consumption charges because of undetected water leaks on their property. However, as an act of good faith and in the interest of good public relations, Council provides a means by which some assistance for higher consumption charges can be obtained, subject to the provisions of this policy being met.

Ratepayers making an application for consideration under this policy **must** provide a Statutory Declaration indicating the following

1. The high water consumption is attributed to an undetected water leak.
2. Repairs have been made in accordance with Australian Standard AS/NZS 3500.
3. Checks of internal plumbing have been conducted to confirm no other leaks exist.
4. No internal plumbing is defective and requiring replacement.

Supporting documentation that the leak was repaired within 30 days of the water notice being issued or noticed by the rate payer must be produced. This can include a statement or invoice from a plumber indicating the cause and location of the water leak.

A claim made by a ratepayer must meet the following criteria; the claimant must be the owner of the property to which the claim refers. Council must receive the claim within 30 days of the water notice being issued. It **must** involve a significant and undetected leak.

The Revenue Coordinator will review claims with a recommendation forwarded to the General Manager for consideration. Council will advise the Rate Payer in writing of the decision within 30 days of receipt of the application.

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Items requiring Council Resolution

5.5 INFORMATION AND COMMUNICATION TECHNOLOGY 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

FILE NO: 17.048.1

RECOMMENDATION: That the Council adopt the following policy for Information and Communication Technology:

95 INFORMATION AND COMMUNICATION TECHNOLOGY POLICY

Version: 01

File Reference No: 17.048.1

Strategic Outcome: Good government

Date of Adoption: 19/09/2018

Date for Review: 21/09/2022

Responsible Officer: Director Corporate Services

1. POLICY STATEMENT

Berrigan Shire Council needs to have an information technology framework that assists Council to carry out its duties to the public. The Information and Communication Technology (ICT) services need to be secure, functional, flexible and robust to meet the digital changes in local government.

2. PURPOSE

This policy provides direction to Councillors and Council staff on the operation and facilitation of Council ICT infrastructure and services.

2. SCOPE

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Items requiring Council Resolution

This policy applies to all Councillors, Council staff, third party vendors and Council's ICT department and functions.

3. OBJECTIVE

This policy was developed to assist the Council with the following Delivery Plan Action:

2.1.3.6 Provide information technology and associated support for Council operations

4. DEFINITIONS

Anti-virus - Software designed to detect and destroy computer viruses.

Backup - A copy of a file or other item of data made in case the original is lost or damaged.

BYOD (Bring Your Own Device) - The practice of allowing the employees of an organisation to use their own computers, smartphones, or other devices for work purposes.

Cloud service – A cloud service is any service made available to users on demand via the Internet from a cloud computing provider's servers as opposed to being provided from a company's own on-premises servers.

Cryptographic key – A cryptographic key is a string of bits used by a cryptographic algorithm to transform plain text into cipher text or vice versa.

Data - The quantities, characters, or symbols on which operations are performed by a computer, which may be stored and transmitted in the form of electrical signals and recorded on magnetic, optical, or mechanical recording media.

Hardware - The machines, wiring, and other physical components of a computer or other electronic system.

Mail filter - Email filtering is the processing of email to organize it according to specified criteria.

Mobile device - A portable computing device such as a smartphone or tablet computer

Software - The programs and other operating information used by a computer.

Items requiring Council Resolution

SSL Certificate - SSL Certificates are small data files that digitally bind a cryptographic key to an organisation's details.

Replication - The action of copying or reproducing something.

Virus - A piece of code, which is capable of copying itself and typically has a detrimental effect, such as corrupting the system or destroying data.

VPN (Virtual Private Network) - A virtual private network (VPN) is a technology that creates a safe and encrypted connection over a less secure network, such as the internet.

Wi-Fi - A facility allowing computers, smartphones, or other devices to connect to the Internet or communicate with one another wirelessly within a particular area.

5. POLICY IMPLEMENTATION

Security

Council takes steps to ensure that its network and data is kept secure and its data integrity is maintained.

Access to Council server infrastructure and equipment is restricted in the server room and access will only be permitted by the General Manager, Directors and the IT Officer.

Council has in place an appropriate anti-virus and mail filtering systems.

Council blocks all ports other than those that are required for Council services to run. Council reviews the firewall access, remote access, logs and ports on an annual basis.

Council will provide remote access and Virtual Private Network (VPN) access where a business case is demonstrated. The IT Officer regularly reviews and revokes remote access where it is no longer required.

SSL certificates are purchased and renewed to ensure Councils website and public facing access points are secure.

Where Council makes use of cloud services it will ensure that those services are secure, have backups, are access controlled and if services cease Council has a way to maintain data integrity.

User Permissions

Items requiring Council Resolution

User permissions can only be set or altered by the IT Officer on request from General Manager, Directors or the Finance Manager. Council have developed a procedure to ensure new council staff are given appropriate permissions and access levels (software, email, domain, Wi-Fi, network drives) to undertake their role and that permissions are removed as appropriate if they change roles or leave Council.

Council keep a register of user permissions and access levels for all Council officials and third parties. This is reviewed on a three monthly basis or as required.

Devices & Hardware

Procurement of devices and hardware i.e. PCs, mobile phones, tablets, printers and other peripherals to be purchased through Council's IT Officer. A business case is to be demonstrated before procurement of new equipment (as opposed to replacements).

Procurement is done in line with the Council's procurement policy and framework.

Council keeps a register of all devices and hardware issued to Councillors and Council staff. Council officials are responsible for safe keeping and appropriate use of this equipment.

Bring Your Own Device (BYOD) may be permitted with permission from the Director of Corporate Services and is assessed on a case-by-case basis.

Data Usage can be monitored to ensure no inappropriate use occurs. Directors and Managers are notified of any anomalies with data usage.

Software

Procurement of software is obtained with permission of directors and advice from IT officer. A business case is to be undertaken before purchase of a new software product.

Procurement is done in line with the Council's procurement policy and framework.

Installation is undertaken by IT officer or by a third party with permission and access from the IT officer. Individuals are not permitted to purchase or install their own software.

Items requiring Council Resolution

All software installed by council is appropriately licensed and renewed. A register is kept by the IT officer of all software being used by Council. No unlicensed software is installed.

Backup, Replication and Recovery

Backup and replication

Council has a backup and disaster recovery procedure in place. This consists of replication and frequent backups of the virtual server environment. Council runs incremental backups every workday on the hour between 8AM and 6PM and a full backup on Sunday. Backup logs are emailed to IT Officer for every backup and replication instance.

Daily backups are taken and transferred off-site on a daily basis. An End of Financial Year backup is taken and provided to the Finance Manager for safe keeping.

Councils Virtual Server environment are replicated two times every day.

Council has backups of its website. Monthly backups are taken and tested every three months or as required.

Disaster Recovery

Council tests backup data integrity every three months or as required. Virtual Server replication is tested on a daily basis.

Use and misuse

Information protection

The Council ensures that information stored on its Information Technology and Communications systems is stored, accessed and used in line with its legislative obligations and its Privacy Management Plan.

Private use

Council officials are expected to use Council's Information and Communications Technology resources in line with both the letter and the spirit of the Council's Code of Conduct and other appropriate Council policies relating to private use.

6. RELATED LEGISLATION, POLICIES AND STRATEGIES

External Legislation Policies and Strategies

Items requiring Council Resolution

- *Local Government Act 1993*
- *Workplace Surveillance Act 2005*
- *Privacy and Personal Information Protection Act 1998*
- Audit Office of NSW – Detecting and Responding to Cyber Security Incidents

Internal Policies

- Code of Conduct
- Privacy Management Plan
- Procurement & Disposal Policy
- Payment of Expenses & The Provision of Facilities for Mayors & Councillors Policy
- Public Internet Usage Policy
- Risk Management Policy & Framework
- Expenses and Facilities Guidelines for Staff
- Communication Devices Policy
- Social Media Policy
- Fraud Control Policy

REPORT:

In its Audit Management Letter issued after its interim audit visit in April 2018, the Audit Office of New South Wales made the following recommendation

RESOLUTION

Items requiring Council Resolution



Our insights inform and challenge government to improve outcomes for citizens

Issue 2: No formal IT policies

Likelihood	Consequence	Systemic issue	Category	Risk assessment
Possible	High	Yes	Operational	Moderate

Observation

The Council does not have formal policies in place that address IT Security, Change Management, User Access or Anti-Virus.

These policies set out the Council's security requirements for digital information, detailed processes for system changes and overall access restrictions. The policy and supporting procedure documents provide guidelines for both standard user and privileged access management.

Implications

Lack of a formal policies may result in inconsistent IT security practices and an increased likelihood of inappropriate access to key systems.

Recommendation

The Council should implement formal policies covering all critical IT processes.

The policy should be:

- available to all relevant users and be subject to periodic update and review (including when significant system or process changes occur)
- supplemented by additional standards and guidelines as necessary.

While the Council has systems in place to address each matter raised in the Audit recommendation, these systems were not formally documented. This policy is the first step in the process of formal documentation.

The policy has been developed in conjunction with the Council's Information Technology Officer. The intent of the policy is not to change the Council's current systems but to document the systems the Council already has in place.

Once adopted, Council staff will document procedures in more detail to put into practice the high-level positions identified in the policy.

The policy includes direction on

- Security
- User permissions
- Devices and Hardware
- Software
- Backup and recovery, and
- Use and Misuse

The proposed policy is designed to be read in conjunction with other Council policies such as the Payment of Expenses and the Provision of Facilities for Mayors and Councillors Policy and the Communication Devices Policy.

Items requiring Council Resolution

5.6 2018 NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS

AUTHOR: Director Technical Services

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 4.4 Connect local, regional and national road, rail, and aviation infrastructure

FILE NO: 04.039.1

RECOMMENDATION: that Cr and the Director Technical Services attend the 2018 National Local Roads and Transport Congress to be held in Alice Springs, Northern Territory from the 20th to the 22nd November, 2018.

REPORT:

Registration information has been released for the 2018 National Local Roads and Transport Congress to be held in Alice Springs, Northern Territory from the 20th to the 22nd November, 2018.

The theme of the Congress is Connecting Transport Networks now and into the Future and it will focus on the impending changes in consumer demand, technology changes and economic imperatives.

A copy of the program for the Congress is attached as **Appendix "A"**.

The Congress has generally been attended by the Director Technical Services and one Councillor. I am recommending that we continue to support this important event as good attendance numbers highlight the continuing importance of roads and transport funding to the higher levels of government.

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Items requiring Council Resolution

5.7 ANNUAL RETURNS – VOLUNTEER COMMITTEES OF MANAGEMENT

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged communities

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

FILE NO: 04.074.4

RECOMMENDATION: that the Council note the annual returns submitted by the following Volunteer Committees of Management:

Tocumwal Swimming Pool
Finley Showgrounds
Retreat Hall
Barooga Recreation Reserve
Finley War Memorial Hall and School of Arts
Berrigan Conservation Group
Tocumwal Historic Aerodrome Museum
Tocumwal Recreation Reserve
Tocumwal War Memorial Hall

REPORT:

The Council has a range of volunteer committees of management established under s355 of the *Local Government Act 1993* who provide local government services on behalf of the Council.

These volunteer committees are required to submit an annual return to the Council at the end of every financial year.

The return contains information on the membership of their committee, their income, and expenditure, their assets and other information required for various reports required by the Council's auditors and/or other levels of government.

Committees were given until 31 August 2018 to submit their annual returns.

The table below summarises the financial position of those committees who submitted their return by the due date.

Items requiring Council Resolution

Committee	Income \$	Expenditure \$	Cash and Investments \$
Tocumwal Swimming Pool	57,844	45,490	76,250
Finley Showgrounds	36,402	24,299	16,629
Retreat Hall	7,162	7,679	6,419
Barooga Recreation Reserve	59,643	68,843	10,793
Finley War Memorial Hall and School of Arts	12,166	8,041	20,617
Berrigan Conservation Group	11,291	6,985	8,585
Tocumwal Historic Aerodrome Museum	21,183	4,141	111,187
Tocumwal Recreation Reserve	37,624	27,996	10,241
Tocumwal War Memorial Hall	19,507	34,185	32,285
TOTALS	\$277,101	271,571	368,794

At the time of writing, the following committees have not submitted returns:

- Barooga Community Botanical Gardens
- Tocumwal Friends of the Library
- Barooga Advancement Group
- Berrigan War Memorial Hall
- Berrigan Sportsground
- Tocumwal Rail Preservation Group
- Finley Recreation Reserve
- Finley War Memorial Swimming Pool
- Mary Lawson Wayside Rest and Finley Log Cabin Museum
- Tocumwal Foreshore
- Finley Railway Park
- Youth Development
- Boomanoomana Landcare
- Fullers Road Landcare

The Tocumwal Rail Preservation Group and the Mary Lawson Wayside Rest and Finley Log Cabin Museum have both asked the Council for an extension.

Reminder letters have been sent to the other committees.

Copies of the submitted returns are available for perusal at the Council administration office.

One issue that has arisen is the practice of some committees of a different financial year than the one used by the Council. – I.e. 1 July to 30 June. This often makes it difficult for these committees to prepare annual financials for the Council's purposes.

RESOLUTION

Items requiring Council Resolution

5.8 FINLEY SHOWGROUND & SPORTING COMPLEX COMMITTEE OF MANAGEMENT

AUTHOR: General Manager

STRATEGIC OUTCOME: Good government

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

FILE NO: 04.074.1

RECOMMENDATION: - that the Council:

- A) revoke existing members of the Finley Showground & Sporting Complex Committee of Management.
- B) pursuant to Section 355 of the Local Government Act, 1993, appoint the following persons to the Finley Showground & Sporting Complex Committee of Management:

President:	Rodger Sutton
Secretary/Treasurer:	Carol Kennedy
Committee:	
	Matthew Mueller
	Trent Royston
	Jake Rees
	Mick Wane
	Katy Wallace
	Troy Marshall
	Keith Kennedy
	David Webb
	Stacey Ware

REPORT:

Advice of committee members has been received and should be endorsed by the Council.

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Items requiring Council Resolution

5.9 RETREAT HALL FINLEY COMMITTEE OF MANAGEMENT

AUTHOR: General Manager

STRATEGIC OUTCOME: Good government

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

FILE NO: 04.074.1

RECOMMENDATION: - that the Council:

- A) revoke existing members of the Retreat Hall Finley Committee of Management.
- C) pursuant to Section 355 of the Local Government Act, 1993, appoint the following persons to the Retreat Hall Finley Committee of Management:

President:	Steven Kydd
Vice President:	John Beer
2nd Vice President:	Stephen Barnes
Secretary:	Rosemary Tilley
Treasurer:	Kerryanne Kydd
Committee:	
	Ruth Kydd
	Marg Maxwell
	Gill Taylor
	Lorraine Beer
	Dorothy Wright

REPORT:

Advice of committee members has been received and should be endorsed by the Council.

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Items requiring Council Resolution

**5.10 WATER CONSUMPTION CHARGES –
BERRIGAN COMMUNITY GOLF AND BOWLS
CLUB**

AUTHOR: General Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities

FILE NO: 32.138.2

RECOMMENDATION: That the Council advise Berrigan Community Golf and Bowls Club that it will not reduce its ongoing by water consumption charges 90% as requested.

REPORT:

The Council has received a request from the Berrigan Community Golf and Bowls Club for a 90% reduction in its unfiltered water consumption charges.

The Club advises that its actual charges for the last two readings for the October to March period were a total of \$2,330. The water is used predominately for bowling green watering, according to the Club. Based on a charge of \$0.47c k/l the consumption charge indicates usage of almost five megalitres for a six month period.

The golf course itself is watered via an MIL allocation that is pumped by the Council to an onsite holding dam. The Club pays a calculated cost from the supplied pumping.

The Council as a part of its annual fees and charges provides concession water costs to Council controlled Recreation Reserves and Swimming pools which sees committees of management pay an amount of 10% of the actual consumptive charges and this appears to be what the Berrigan Community Golf and Bowls Club is basing its request upon.

In setting the reduced consumptive charges for its Recreation Reserves and swimming pools the Council recognises that these facilities have high water needs and are funded by both Council and user contributions both of which would need to be increased significantly if the Council did not reduce the water charges.

Unlike those facilities currently in receipt of the water charge concession, the Berrigan Community Golf and bowls Club is a Registered Club.

Items requiring Council Resolution

Whilst the operation is undoubtedly a community facility, if the Council granted the concession to this type of user it would, in fairness, have to extend the concession to other Registered Clubs providing similar facilities.

While such a concession may not be significant at Tocumwal and Barooga where synthetic greens are used it certainly would be at the two similar Registered Clubs at Finley. This obviously assumes that there is no flow on to golf courses.

If the Council was to considered the requested concession favourably it would need to meet the cost of the concession from its General Fund.

Additionally the Council would need to publicly advertise its intention to grant a concession in accordance with s356 of the Local Government Act – which states:

356 Can a council financially assist others?

- (1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.
- (2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.
- (3) However, public notice is not required if:
 - (a) the financial assistance is part of a specific program, and
 - (b) the program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and
 - (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and
 - (d) the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.
- (4) Public notice is also not required if the financial assistance is part of a program of graffiti removal work.

From a policy perspective granting the requested is not supported for two reasons.

Firstly, is the Council's ability to contain the granting of the concession, in an equity sense, to other like organisation.

Secondly, is that the Club is already a very high user of water and to reduce the pricing signal is not entirely appropriate.

Items requiring Council Resolution

What is unclear is why the Club is not using its own water allocation to water the bowling greens.

If the Council is sympathetic to assisting the Club helping to get its own water to the bowling greens may be a better option which does not create the policy risks.

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Items requiring Council Resolution

**5.11 SUSPENSION OF ALCOHOL FREE ZONE –
CHANTER STREET BERRIGAN**

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO: 24.128.1

RECOMMENDATION: that the Council, subject to Police approval and development consent being given, suspend the Alcohol Free Zone for the area closed to traffic on Chanter Street, Berrigan from 6:00pm to 11:00pm on Friday 7 December 2018 in accordance with Section 645 of the *Local Government Act 1993*.

REPORT:

The Berrigan and District Development Association (BDDA) are proposing to hold their annual Market Night in Berrigan on Friday, 7 December 2018.

For this event, the adjacent roads will be closed to traffic from 6:00pm to 11:00pm – subject to Council and police approval.

Elements of the event require approval under the *Local Government Act 1993* and this is taking place through other existing Council procedures.

The BDDA has requested the restrictions on alcohol consumption be lifted during this period for the area closed to traffic. A map of the area is shown at the end of the report.

The Council has no set policy on the lifting of alcohol restrictions but it has lifted these restrictions on alcohol consumption for this event in the past. Previous events conducted by this organisation have not created any public disturbance issues.

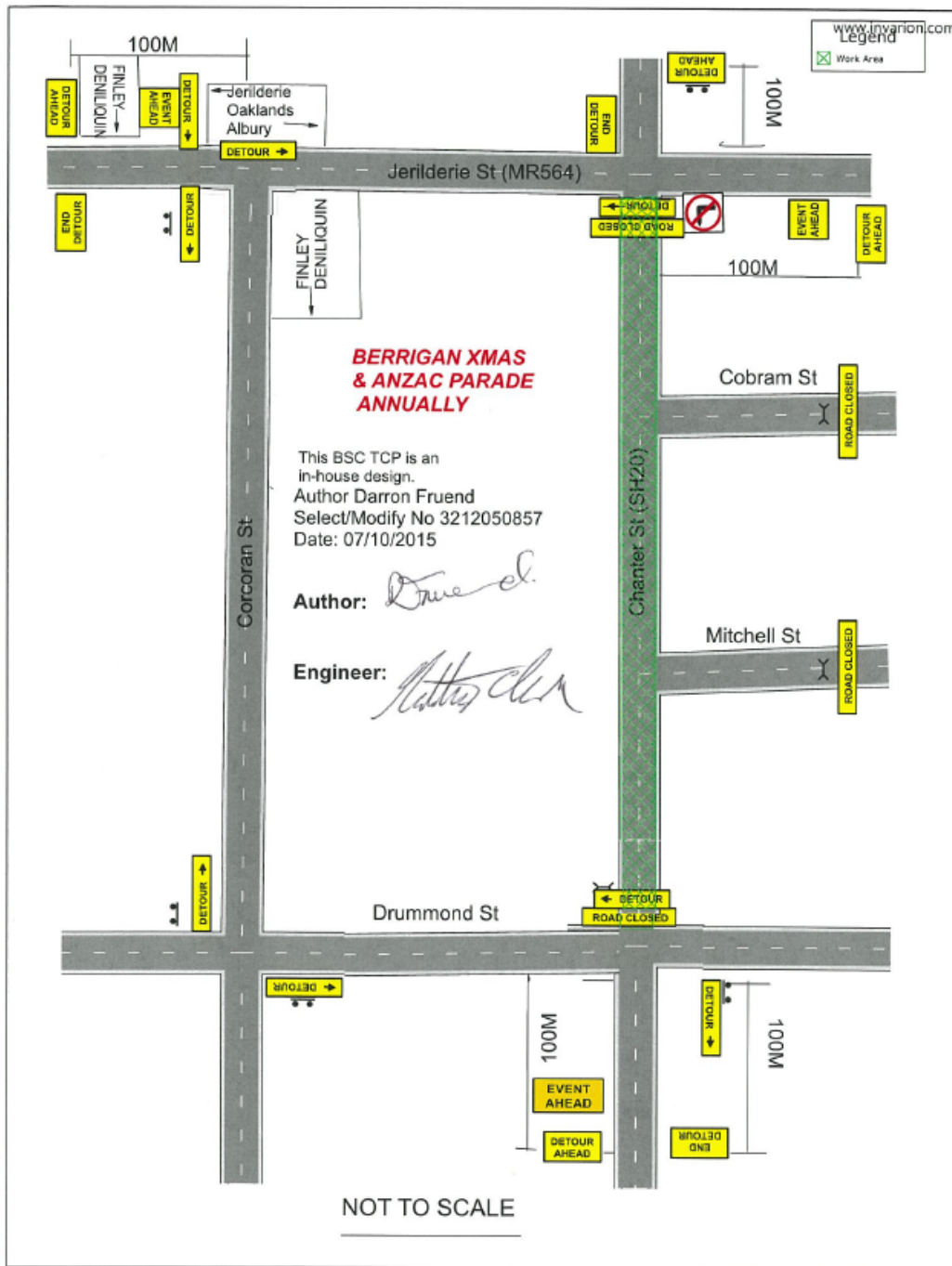
Under s645 of the *Local Government Act 1993*, the Council may suspend the operation of an Alcohol Free Zone if desired. This power cannot be delegated. If the Council wishes to suspend the operation of the Zone, it must publish notice of the suspension in a newspaper circulating in the area concerned.

In addition, the [Ministerial Guidelines on Alcohol-Free Zones](#) advise that the Council must liaise with the police.

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Items requiring Council Resolution

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Items requiring Council Resolution

5.12 CLASSIFICATION OF COUNCIL'S BUSINESS ACTIVITIES

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, for the purposes of National Competition Policy, the Council will continue to classify its Water Supply function and its Sewer Service function as Category 2 business activities.

REPORT:

Background

As part of the NSW Government's commitment to the National Competition Policy, the Council is required to consider the principles of competitive neutrality when carrying out business activities.

The principle of competitive neutrality is based on the concept of a 'level playing field' between persons competing in a market place, particularly between private and public sector competitors. Essentially, the principle is that government businesses, whether Commonwealth, State or local, should operate without net competitive advantages over other businesses as a result of their public ownership.

In 1997 the (then Department, now Office) of Local Government issued [*Pricing and Costing for Council Businesses: A Guide to Competitive Neutrality*](#) (the Guide) to assist Councils in meeting their National Competition Policy requirements

Councils may receive a number of competitive advantages which private sector competitors will not have, or may not include certain costs which the private sector includes in pricing. This may include items such as income and payroll tax and access to cheaper loans.

Where these advantages exist, the Council needs to adjust its pricing model to allow private firms to compete on an equal basis. It must also separately report on those activities in its financial statements – the Council does this in its Special Purpose Financial Statements.

Items requiring Council Resolution

It should be noted that the principle of competitive neutrality applies only to the business activities of Councils and not to their non-business, non-profit activities.

At present, the Council has determined that only two of its activities should be classified as business activities; its town water supply and its sewer service. While these businesses do not compete against the private sector in our region, the Guide makes classification of these activities as businesses mandatory.

As well as determining its business activities, the Council also needs to classify these business activities to determine what its obligations are under National Competition Policy. Businesses classified as Category 1 have more onerous obligations than businesses classified Category 2. This classification is based on annual sales turnover – a business activity with sales turnover of over \$2m is classified as Category 1.

Type of business activity	
Category 1 – annual sales turnover \$2m or above	Category 2 – annual sales turnover less than \$2m
Establish a complaints handling mechanism for competitive neutrality issues	Establish a complaints handling mechanism for competitive neutrality issues
Separate internal reporting for business activity	Council may determine the extent of separation of the activity
Apply full cost attribution including <ul style="list-style-type: none"> • Tax equivalent payments • Debt guarantee fees • Return on capital 	Adopt full cost attribution where practicable. Can use % rule of thumb margin
Make subsidies to business activities an explicit transaction	Make subsidies to business activities an explicit transaction
Comply with the same regulation as the private sector	Comply with the same regulation as the private sector
Source: <i>Pricing and Costing for Council Businesses: A Guide to Competitive Neutrality</i> (2007), p. 4	

Issue

When the Council originally classifies its water and its sewer business, it classified both as Category 2. Both businesses has sales turnover comfortably below the \$2m threshold.

Items requiring Council Resolution

Over time, with residential growth and inflation, both of these activities have exceeded the \$2m threshold for sales turnover (Interim 2017/18 figures – Water \$3.6m and Sewer \$2.2m). On a strict reading of the Guide, the Council is expected to reclassify these activities as Category 1.

The re-categorisation has no impact on the complaints handling mechanism, the treatment of subsidies and compliance with regulation. It also has no impact on the application of full cost attribution as the Council is required to do this even for its Category 2 activities under the [NSW Local Government Code of Accounting Practice and Financial Reporting](#).

Where the re-categorisation will have an impact is with the separate internal reporting requirement (i.e. a 'corporatisation' model) for those activities and the Council should consider the implications carefully.

In regard to corporatisation, the Guide states

Firstly, It is emphasised that council does not have to form a corporation or other separate legal entity (although it may choose to) Further, there is no particular internal business structure which is required by national competition policy.

The requirement for corporatisation will be satisfied if.

- *the business is capable of being separately identified within the operations of council; and*
- *it has a separate internal accounting and reporting framework to council*

The Guide makes the following note on separate internal reporting.

Separate internal reporting for business activities will include the same issues which other activities of councils report on. For example, this will include management Issues such as human resources, tendering, compliance with legislation etc. It will also encompass financial and strategic reporting which is individual to the business

This means that councils may need to review their management structure, or the management responsibilities of staff, so that it is clear who is required to report on certain issues. The traditional reporting structure adopted by councils has tended not to be based on separate activities. Local government unions and any other council employee groups will need to be consulted regarding workplace issues.

Clearly formal corporatisation (i.e. forming a separate legal entity) of the water and sewer functions is not a reasonable suggestion in this instance. The

Items requiring Council Resolution

question is – what would be reasonable in the light of the requirements of the Guide?

As it stands, the Council has separated to some degree its financial management of its water and sewer activities. The operations of both are contained within their own funds and shown as separate and distinct entities in financial reporting. It is not clear to me that there is much to be gained by the Council or for those business activities in going further and providing entirely separate financial reports for those businesses.

It is also unclear what benefit the Council would derive from separating out reporting on matters such as human resources, tendering and compliance for water and sewer activities. It is also difficult to see the benefit of changing the Council's management structure to meet the requirements of the guide. The current reporting and management structures appear to be adequate for the Council's requirements.

Options

The Council has three options open to it.

1. Reclassify as Category 1 and implement a "corporatisation" model with separate internal reporting mechanisms
2. Reclassify as Category 1 and commission an independent benefit/cost analysis to determine if it should or should not implement a "corporatisation" model with separate internal reporting mechanisms
3. Retain the existing Category 2 classification.

As discussed above, Option 1 would require the Council to make significant changes to its management and reporting structure for little perceived benefit.

Choosing Option 2 would allow the Council to (potentially) avoid the requirement for to alter its management and reporting for its water and sewer functions – at the cost of commissioning an independent benefit/cost analysis. Based on past history, the cost of commissioning such an analysis could be up to \$10,000.

Option 3 is seemingly not an option for the Council. Both its water and sewer functions exceed the \$2m threshold.

However, this threshold was set over 20 years ago and has not adjusted for inflation since. The effects of inflation have the consequence of dragging the Council's water and sewer revenue over this threshold even though their scope has not changed greatly over that time.

The Consumer Price Index (CPI) indicates that shows that prices have increased by 69% between June 1997 and June 2018. Using this figure to gross up the \$2m threshold would provide an inflation-adjusted threshold of around \$3.4m. This would bring the sewer function well under the threshold

Items requiring Council Resolution

and leave the water function marginally above it – at least in 2017/18. There is every chance the water function will fall back under the threshold in 2018/19

The Guide does not specifically allow for indexation of the threshold but there is no good reason why the threshold should not be indexed. Without indexation eventually many activities of Councils will exceed the threshold not through real growth but inflation alone. This could not be the intent of the Guide or of National Competition Policy as a whole.

Overall, the Council has reasonable grounds to continue classifying its water and sewer activities as Category 2 activities until such time as it is directed otherwise.

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Items requiring Council Resolution

5.13 REFURBISHMENT OF FINLEY SCHOOL OF ARTS AND WAR MEMORIAL HALL

AUTHOR: Development Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

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

FILE NO: 8/19/DA/D8

RECOMMENDATION: That Development Application No. 8/19/DA/D8 be approved subject to the following conditions:

1. Approved Plans

The development shall be implemented substantially in accordance with the details set out on the plans by GPG Architecture and Design drawing numbers 1630-A0001 to A0003, on the application form and on any supporting information received with the application except as amended by the conditions specified hereunder.

2. Appointment of PCA and Notice of Commencement

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

- a) Obtained a Construction Certificate for each structure
- b) Appointed a Principal Certifying Authority
- c) Notified the Council of the appointment
- d) Appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved.
- e) Given the Council at least 2 days notice of the intention to commence erection of the building. (Section 81A EP&A Act 1979)

3. Occupation

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

A Final Occupation Certificate must not be issued unless all required certificates have been received and the building is suitable for occupation or use in accordance with its classification under the Building Code of Australia. (Section 109C(1)(c) and 109H EP&A Act 1979)

Items requiring Council Resolution

4. 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)

5. Critical Stage Inspections

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

6. Permitted hours for building work

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

7. Water and Sewer Connections

All water supply and sewer work must be carried out by a NSW Licenced Plumber and Drainer. All plumbing and drainage works must be carried out in accordance with AS3500 (National Plumbing and Drainage Code) and any conditions applied to the approval to do water and sewer work issued under Section 68 of the Local Government Act 1993.

Such conditions may include the necessity for the Council to undertake inspections of all drains and pipework before they are covered or provision of Compliance Certificates or works as executed drawings prior to issue of an Occupation or Subdivision Certificate.

8. Compliance with Building Code of Australia

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

9. 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.

Items requiring Council Resolution

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10. Protection of public places

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

11. 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)

12. Toilet Facilities

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

Items requiring Council Resolution

- if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.

- c) The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.

13. Sewer Extension Plan

A sewer extension plan must be submitted to Council for approval. All lots within the subdivision must then be provided with a sewer connection prior to the issue of a Subdivision Certificate.

14. Erosion & Sediment Control

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

15. 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:

- 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.

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REPORT:

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Items requiring Council Resolution

The site is identified as Lots 1 and 8 Section 3 DP 758412 with an area of 2023m², 83-87 Murray Street, Finley. The land is Crown Reserve No. 97513 of which Council is the Trustee. The Department of Industry – Lands and Water, being the owners of the land, has granted Land Owners Consent to enable the submission and consideration of this development application. The land is located in the RU5 – Village Zone under the provisions of Berrigan Local Environmental Plan 2013. The School of Arts is identified as an item of local heritage significance under the aforementioned plan.

Proposal

It is proposed to upgrade the Finley School of Arts and War Memorial Hall in the following manner:

- Demolition of the structure (foyer and annex) located between the two halls including the ladies toilet block.
- Demolition of the old men's toilet block located at the rear of the halls.
- Part demolition of the eastern section of the kitchen adjoining the School of Arts.
- Construction of a new toilet block and refurbishment of the kitchen adjoining the southern side of the School of Arts.
- Installation of new doors in each hall and construction of covered walkway between the two halls for access between the two buildings.
- Painting exterior of the School of Arts.
- Landscaping.

Statutory matters

The proposed development is able to be considered and determined under the provisions of Berrigan Local Environmental Plan 2013.

Background

A review of Council assets undertaken in 2014/15 indicated that the War Memorial Hall was significantly underutilised and would require substantial modifications and continuing maintenance to meet current community standards. Due to the significant costs associated with the ongoing maintenance of Council buildings a number of proposals were considered, one of which was the demolition of the War Memorial Hall, and upgrading of the School of Arts to provide a modern facility with increased amenity by providing on site car parking and enhanced landscaping. This action was initiated due to the limited times the War Memorial hall was being utilised and the large number of alternative venues located in the town that could be used for sporting and social events. Whilst the War Memorial Hall was the venue for a thriving basketball competition some years ago changing demographics and

Items requiring Council Resolution

other sporting opportunities resulted in the cessation of that sport at the hall except for the occasional use for pickup games by a small group of friends. The annual football club ball has been held at the hall as well as a small number of additional functions.

Due to concerns with the above proposal from the community, who formed a committee called the “Save the Finley War Memorial Hall Association” to garner support for the retention of the hall, further options were canvassed resulting in a consultant being commissioned by Council to prepare an alternative plan for the redevelopment of the site. This has resulted in the current plan the subject of this application being presented to the community which includes the retention of the War Memorial Hall albeit as a stand-alone venue.

In addition, another section of the community initiated the “Finley Says Yes” campaign and later provided Council with a petition which indicated that a large section of the community was in support of the proposal by Council to proceed with the refurbishment of the School of Arts.

It should be noted that the Council has imposed a moratorium on a decision on the future of the War Memorial Hall pending evidence that it can be demonstrated that the hall can be utilised to its fullest extent in an ongoing sustainable manner for the benefit of the community.

The Save the Finley War Memorial Hall Association has not been in favour of Councils plan with regard to the future of the two halls and has commissioned its own preferred alternative plan for the redevelopment of the site which has been touted as “Option 4”. This option is not for consideration when assessing this development application.

Report

At present there are a number of issues associated with the two halls that are required to be addressed to ensure that the halls continue to function and meet community expectations as well as minimising future costs to Council and the community.

The addition of the annex and foyer erected between the two halls in 1987 created stormwater drainage issues resulting in an infestation of termites which has seriously undermined the integrity of the structure. A structural engineer has investigated the site which has resulted in temporary bracing being installed to ensure the safety of the public accessing the buildings.

The ladies toilets located between the halls are also subject to termite infestation and are of a design that no longer meets current standards particularly with regard to disabled access.

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Items requiring Council Resolution

RESOLUTION

The men's toilet block located at the rear of the halls also does not meet current standards and the only access to this facility is through a door at the rear of the War Memorial Hall and is not accessible from the School of Arts when the that hall is in use.

The kitchen is quite large and appears to have been developed internally in an ad hoc manner which has reduced its functionality to some extent.

The School of Arts, a heritage item, requires a refurbishment to ensure that the building remains an important social and cultural venue with appropriate facilities that can cater for the needs of the community and has an appealing presence in the streetscape.

To address the issues associated with the two buildings Council has proposed to undertake the works as outlined in **Appendix "B"** and submitted a development application for consideration.

The development proposal was advertised and submissions invited from the community for a period of 30 days.

A total of 51 submissions were received by Council. A range of issues were addressed and a summary of the main points include:

- The location of the proposed toilets reduce accessibility from the War Memorial Hall.
- The removal of the foyer and annex is a waste of space that could be utilised as a new foyer.
- The removal of the foyer and annex will create a wasteland between the two halls.
- Removal of foyer and annex may result in vandalism.
- The appearance of the toilet additions will detract from the heritage significance of the School of Arts.
- There will be reduced space in the kitchen limiting the ability to cater for large functions.
- Access to the kitchen for deliveries difficult.
- Safety of children accessing toilets externally particularly if School of Arts in use.
- No toilets to be demolished until new ones are built.
- New toilets should be erected at the rear of the halls.
- Alternative car parking arrangements could be provided in Wollamai Street.

Eleven of the twenty individual submissions received addressed the planning issues associated with this development proposal the subject of this application all or in part however many also referred to and promoted "Option 4" which is not the subject of this development application. Four submissions referred to the demolition of the War Memorial Hall and have been discounted

Items requiring Council Resolution

as they did not address the proposal. Five of the twenty supported the proposal or had no objection.

A further thirty one submissions received were copies of one individuals personal submission that were signed by other members of the community. Whilst this particular submission raised some pertinent points, they are the personal views of one individual and these submissions carry much less weight than that would have been given to individual submissions that express personal points of view that are relevant to this development application. These submissions were also in support of "Option 4" which is not the subject of this development proposal.

A further submission was received subsequent to a public meeting called by the Save the Finley War Memorial Hall Association whereby a motion was passed opposing this particular development and that "Option" 4 be built in stages as the preferred option for modernisation of both halls. A petition signed by 40 of the participants accompanied the submission. Note that a number of the attendees at the meeting have also submitted separate submissions.

A copy of the submissions is circulated with this agenda as '**Appendices "C" & "D"**

In considering the submissions received the following comments are provided:

- The proposed location of the toilets will enable access to users of the War Memorial hall through the covered walkway and School of Arts. In the unlikely event that both halls are in use at the one time the toilets will be accessible externally without disrupting patrons of the School of Arts. It should be noted that at present patrons of the School of Arts are required to access the men's toilets through the War Memorial Hall which is not able to be done if there are separate functions or the hall is in use for basketball or other sporting pursuit.
- The existing foyer and annex has contributed to the damage that has occurred in the past any retention may contribute to further costs that would be incurred by Council and the community.
- The development proposal indicates that the area between the halls will be landscaped and this will be maintained into the future as an attractive place.
- The removal of the foyer and annex will result in an open area that will be subject to passive surveillance by members of the community which should not attract acts of vandalism.
- The addition of the toilets on the southern side of the School of Arts should not have a detrimental impact upon the heritage significance of the building as the design and colour scheme of the structure is complimentary to the proposed structure whilst also deliberately being an obvious addition to the heritage structure. The addition of the

Items requiring Council Resolution

kitchen and verandah to the side of the building some years ago had already compromised the southern elevation of the building however it is considered that the new addition to this section of the building will have minimal impact on the aesthetic significance of the building.

- The kitchen at present is quite large and does not utilise space effectively. The proposed design of the upgrade will enable the kitchen to operate in a more functional manner than has been achieved in the past.
- A two metre wide hallway provides external access to the kitchen which is considered to be satisfactory. It can be expected that all deliveries to the kitchen will be undertaken prior to functions commencing which will have minimal impact with patrons utilising the adjacent toilet facilities.
- Whilst there is a perceived issue with the safety of children accessing the toilet facilities externally it is unlikely that the two halls would be in use at the same time. It would be expected that children attending the War Memorial Hall would access the toilet facilities adjoining the School of Arts via the covered walkway and through the hall. In the event that both halls were in use then it would be the responsibility of those caring for the children to ensure their safety.
- Should this development proceed then it would be a requirement of any consent granted that appropriate toilet facilities are provided for the duration of the works.
- The construction of toilets at the rear of the halls has been discounted principally due to access issues. The space between the halls towards the rear of the buildings is not sufficient to allow for two way pedestrian access.
- At present there are no designated car parking spaces available on site and patrons to the facilities are expected to park on surrounding streets. Whilst Council recognises this issue it is anticipated that this will be addressed in the future and as funding becomes available.
- A number of submissions have made reference to "Option 4" however this particular option is not the subject of this development application. In saying that this proposed option has the potential to exacerbate the current issues being experienced with trying to enclose a space between two different buildings. This proposal also indicates that the toilets would be accessible through the War Memorial hall thereby precluding access to patrons of the School of Arts should both facilities be in use at the same time which occurs at present. The proposed toilets would have external access however are hidden at the rear of the site and difficult to access. This proposal also includes the replacement of the foyer/annex which has the potential to further denigrate the integrity of the two halls.

Discussion

Items requiring Council Resolution

The proposed redevelopment of the Finley School of Arts and War Memorial Hall, the subject of this application, has attracted widespread discussion throughout the community.

Council, in considering the future of the War Memorial Hall, listened to the concerns of the community and has deferred any decision with regard to this building until such time as it can be demonstrated that it can be fully utilised for its intended purpose. Should the hall continue to be patronized on a regular basis going forward consideration for the provision of individual amenities could be canvassed.

The construction of the foyer and annex between the two halls has resulted in stormwater and moisture issues which has attracted infestations of termites which has significantly impacted its structural integrity. The removal of this structure would appear to be the most appropriate option to ensure that further damage to both buildings do not occur in the future.

The ladies toilet block is an add on to the School of Arts and incorporated into the annex. The timbers in the toilets are also subject to termite damage. The toilets are dated and do not meet current standards and do not allow disabled access.

The men's toilets located behind the School of Arts are very old and also do not meet current standards or allow disabled access. The toilets are only accessible through the War Memorial Hall which limits the use of the School of Arts. It could be argued that the proposed new toilets pose a similar problem however they are accessible from the outside and are located in close proximity to the War Memorial Hall.

The extension of the kitchen to incorporate new toilets will not have a detrimental impact on the heritage significance of the School of Arts as the structure will be complimentary to the existing building and be located behind the building line of the hall resulting in the façade of the hall will still presenting well in the streetscape. The proposed development is consistent with the heritage controls contained in Berrigan Local Environmental Plan 2013.

Notwithstanding the small number of objections that actually addressed this particular development proposal and taking into consideration the submissions that support the proposal that is the subject of this development application it is considered that this proposal achieves the objectives of refurbishing the School of Arts into a facility that will serve the community for years to come. The War Memorial Hall will have adequate access to the proposed facilities and will be able to function independently of the School of Arts. Further consideration to upgrading the War Memorial Hall can be undertaken in the future should that be warranted.

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Items requiring Council Resolution

Summary

In considering all the issues associated with this development proposal it is considered that Development Application No. 8/19/DA/D8 – Refurbishment of Finley School of Arts and War Memorial Hall should proceed and be granted consent.

The provisions of section 4.15 of the Environmental Planning & Assessment Act 1979 have been taken into consideration when assessing this development proposal.

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Items requiring Council Resolution

5.14 CONTRIBUTION – LEGAL EXPENSES

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 14.165.7

RECOMMENDATION: That the Council contribute \$1,788.41 to Local Government NSW towards the legal expenses of City of Sydney Council, North Sydney Council and Bayside City Council as requested.

REPORT:

The Council has received a request from Local Government NSW (LGNSW) for assistance with Legal Costs for City of Sydney Council, North Sydney Council and Bayside City Council under LGNSW's legal assistance policy. The request is for the amount of \$1,788.41 including GST.

Where a council has a matter before a court where the outcome is of interest to the industry in NSW as a whole, LGNSW may seek the financial assistance of other councils in NSW to defray costs.

[Local Government NSW Policy and Guidelines - Requests for Assistance with Legal Costs](#) states:

A Council may apply for the support of the Association in seeking contributions from all Councils to assist with its legal costs where that Council is involved in litigation and the principle in question in the matter:

- *involves a major Local Government principle which may be eroded but for pursuing the matter; and*
- *is one which should not be eroded merely because the Council involved is not itself, so seriously affected by the outcome of the case that the legal costs associated with pursuing the principle outweigh any other consequences. That is, just because the council involved itself, has decided in all the circumstances not to further pursue the matter, legal assistance can be provided where the matter is of such significance and broader concern to the whole of local government to warrant pursuing the principle;*

In July 2013, the Council resolved to revoke its policy to deal with such matters and directed that requests of this nature – regardless of the amount – were to be brought to the Council for consideration.

Items requiring Council Resolution

By way of background, the case concerns the interpretation of section 516 (1) (a) of the *Local Government Act* 1993, being the categorisation of ratable land as "residential".

The Land and Environment Court held that land, on which development for the purposes of a residential development was being carried out in accordance with a development consent, is to be categorised as "residential", even though building construction was not complete and occupation certificates for use of buildings for residential accommodation had not been granted.

The Court also found that the developer is entitled to refunds of any rates paid for the land as a result the land being categorised by the councils as "business".

The three councils appealed the Land and Environment Court's decision. The Court of Appeal heard the matter in late July and has reserved its decision. Judgement is expected later in the year.

The matter has no direct impact on Berrigan Shire Council; however this Council has been the beneficiary of the LGNSW legal assistance policy in the past.

There is no obligation on the Council to provide assistance should it choose not to do so.

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Items for Noting

RECOMMENDATION – that Items for Noting numbered 6.1 to 6.8 inclusive be received and noted.

6.1 FINANCIAL ASSISTANCE GRANT – 2018/19

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: 15.128.5

REPORT:

The NSW Local Government Grants Commission (LGGC) informed the Council that its 2018/19 Financial Assistance Grant (FAG), including the Rural Local Road (RLR) component, had been determined.

FAG is the Council's second-largest source of untied funds (i.e. available for use as the Council determines, as opposed to tied for specific purposes), after ordinary rates.

FAG is paid on a formula determined by the LGGC that takes into account a series of factors such as population, road network length, distance from urban centres population distribution among others. A fact sheet on FAG released by LGGC is attached as **Appendix "E"**

Overall, the Council's FAG allocation for 2018/19 has increased by 5.4% from the 2017/18 grant. This is a larger increase than the 3.7% for NSW as a whole.

The table below sets out the 2018/19 allocation, along with the estimated amount shown in the Council's 2018/19 budget:

	Allocation		
	Budget	Actual	Difference
FAG	\$ 3,120,119	\$ 3,308,743	\$ 188,624
RLR	\$ 1,316,361	\$ 1,390,904	\$ 74,543
Total	\$ 4,436,480	\$ 4,699,647	\$ 263,167

This is obviously positive news for the Council however it has been the practice of past Councils to wait until the December quarterly budget review to

NOTING

Items for Noting

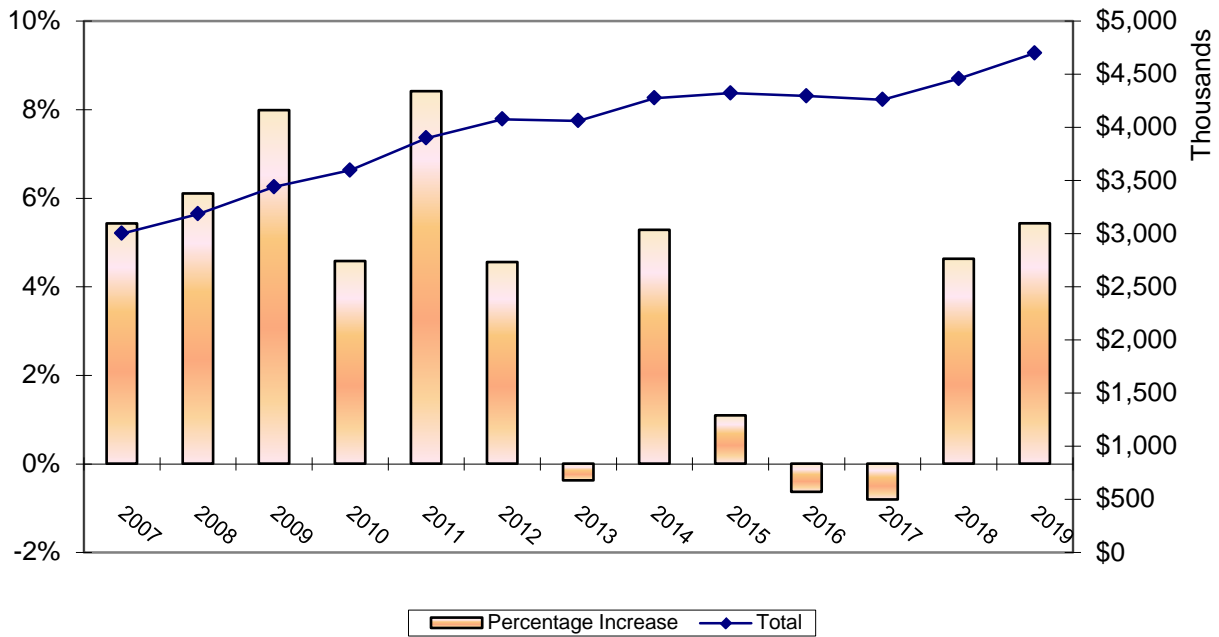
allocate over-budget FAG payments. Note that Council was paid approximately 50% of this allocation in June 2018.

If it wishes the Council may make a special submission setting out any factors specific to its circumstances that it believes LGGC should consider when calculating FAG. Attachment C (**Appendix “F”**) sets out this process.

Submissions should be based only on inherent disabilities and problems, which are outside Council's control. Additional costs that result from deliberate policy decisions made by Council to provide a higher than average standard of service are not considered disabilities.

GZ-10N

**Berrigan Shire Council
Financial Assistance Grant**



Items for Noting

6.2 NSW AUDIT OFFICE – 2018/19 WORK 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

FILE NO: 12.019.1

REPORT:

The NSW Audit Office has released in 2018/19 Annual Work Program – attached as **Appendix “G”**

The 2018/19 program sets out the financial and performance audits that the NSW Audit Office will conduct over the next twelve months.

As well as the financial audits for the 128 general-purpose and 12 special-purpose Councils, the NSW Audit Office will conduct three performance audits in the Local Government sector.

- Waste Management in Local Government
- Council’s management of an activity
- Amalgamation: Managing staffing implications

It is unknown at this stage if Council will be involved in any of the above performance audits.

NOTING

Items for Noting

6.3 DONATION TO MOIRA FOODSHARE

AUTHOR: General Manager

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO: 02.163.1

REPORT:

The CEO of Moira Healthcare Alliance has written to thank the Council for its recent donation to the Moira Foodshare program.

The Council donated \$5,000 to the program conditional upon the provision of information regarding services it provides to residents of Shire which has been agreed to.

NOTING

Items for Noting

6.4 IPART DETERMINATION OF RATE PEG FOR 2019/20

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

FILE NO: 25.138.1

REPORT:

The Independent Pricing and Regulatory Tribunal (IPART) have released their determination of the Variation of General Income for Local Government for 2019/20 – the “Rate Peg”. IPART has set the rate peg as 2.7%.

This rate peg is the maximum percentage that the Council can increase its overall General Rate income for the 2019/20 financial year (this Rate Peg percentage does not apply to Council’s service charges), other than an increase derived from growth in assessable properties.

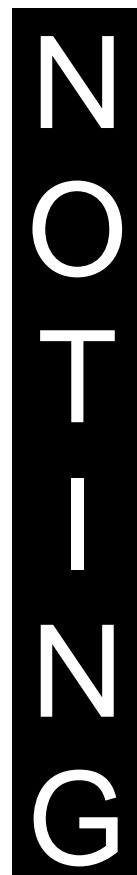
The rate peg does not apply to individual ratepayers’ rates. The rate peg applies to the council’s General Rate in total. The Council has significant discretion to determine how to allocate this increase between different ratepayer categories.

Individual rates are also affected by other factors, such as individual land valuations. Note that all properties in Berrigan Shire were revalued for rating purposes prior to the 2017/18 levy. Land Valuations are due to occur again in 2019.

The rate peg will now be set in early September each year rather than the beginning of September. This will allow more time to prepare annual budgets, even if not applying for a special variation. This change will improve the community consultation component of the special variation process for councils and enable ratepayers to have a clearer understanding of what is proposed.

The rate peg has been calculated as follows:

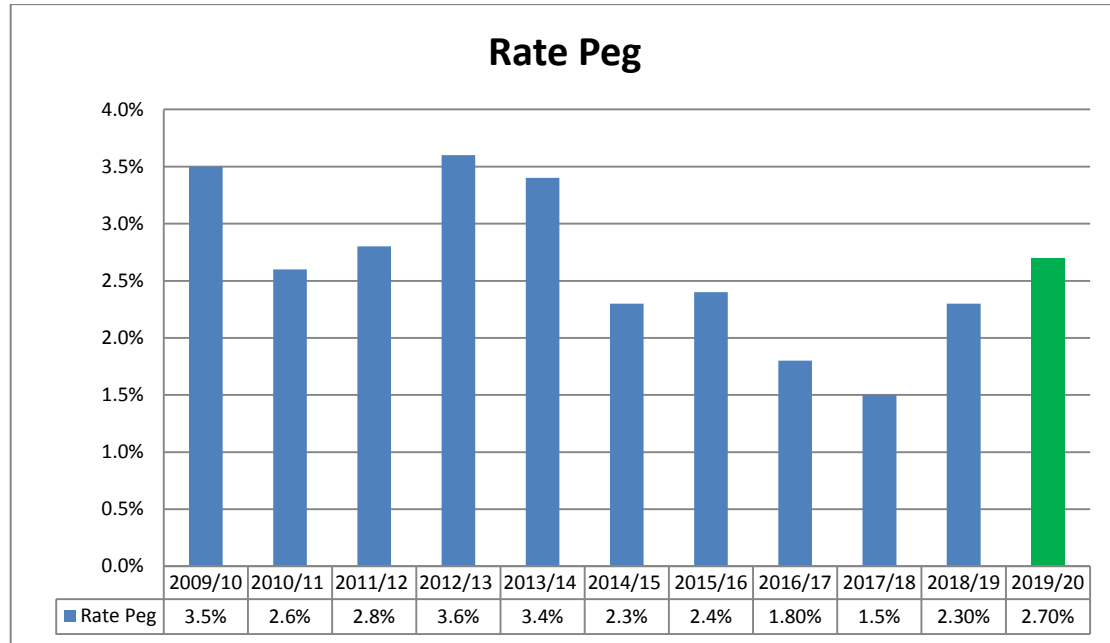
- A base amount of 2.7% derived by incorporating four quarters of annual data by using a proxy for the September 2018 quarter.



Items for Noting

- A deduction of a 0.00% “productivity factor” has been set this year because improvements in productivity are reflected in the components of the LGCI

This resulted in a rate peg of 2.7% for 2019/20.



Council's Long Term Financial Plan (LTFP) was based on an assumed 2.0% increase in permissible rates income. The actual IPART determination of a 2.7% increase would see the Council's ordinary rate income slightly increase (approximately \$35,000) when compared to the current estimates – should the Council maintain its usual position and take up the entire increase.

An IPART fact sheet on the rate pegging system and the 2018/19 determination is attached as **Appendix “H”**

Items for Noting

6.5 T14/17/18 DESIGN AND CONSTRUCTION OF TOCUMWAL SPLASH PARK

AUTHOR: Director Technical Services

STRATEGIC OUTCOME: Supported and engaged communities

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

FILE NO: T14/17/18

REPORT:

As it is anticipated that Berrigan Shire Council will spend \$1,227,625.00 inclusive of GST on the supply, delivery and construction of the Tocumwal Splash Park Development, amenities block and associated works as part of the Regional Growth – Environmental & Tourism Fund.

Berrigan Shire Council has accepted a tender for the supply, delivery and construction of the Tocumwal Splash Park Development component only from Water Features by Design for the estimated total amount of \$909,194.00.

Consideration of the Tenders

All tenders were considered by the Tender Evaluation Committee consisting of Matthew Clarke, Fred Exton, and Nathan O'Connell.

All tenders were deemed compliant.

Supervisor

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

NOTING

Items for Noting

6.6 RIVERINA AND MURRAY JOINT ORGANISATION

AUTHOR: General Manager

STRATEGIC OUTCOME: Good government

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

FILE NO: 14.099.2

REPORT:

Circulated with this agenda as **Appendix "I"** Are the minutes of a meeting of the Riverina and Murray Joint Organisation held on 5th September 2018.

Items for Noting

6.7 BERRIGAN STREET TREE POLL

AUTHOR: Strategic & Social Planning Coordinator

STRATEGIC OUTCOME: Sustainable natural and built landscapes

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

FILE NO: 04.121.5

REPORT:

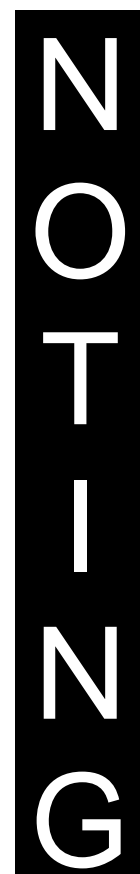
The Council resolved on 18 July 2018 as part of the Drainage and Streetscape Improvements Engagement Strategy Jerilderie Street Berrigan that residents via a letter box drop be invited to choose the tree species that will replace the trees on the eastern side of the Jerilderie Street, Berrigan.

The results of the poll are as follows:

Number of Flyers distributed to Berrigan Households	600
Number of Poll respondents	75
Returned survey to Council	30
Online via Face Book	32
Online via Web	12
Chinese Pistachio	40 / 5
Chinese Elm	30

A 4-week poll of residents was conducted and closed 31 August 2018. Seventy-five responses were received with residents provided with the option of responding via Facebook link, web link or via reply paid post. Five online respondents did not select a tree

Of the valid responses received the Chinese Pistachio was selected by poll 58% of respondents as the preferred replacement tree for Jerilderie Street, Berrigan.



Items for Noting

6.8 DEVELOPMENT DETERMINATIONS FOR MONTH OF AUGUST 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 AUGUST

APPLICATION	DESCRIPTION	PROPERTY LOCATION	APPLICANT	OWNER	STATUS	VALUE	DAYS TAKEN	
111/18/DA/D5	CARPORT	11 TOWN BEACH ROAD, TOCUMWAL NSW 2714 (LOT41//DP616085)	GEOFF TERRY	MR GK TERRY	REFUSED 01-08-2018	\$ 9000.00	ACTIVE 50	TOTAL 99
149/18/DA/DM	STRAWBERRY FIELDS FESTIVAL 2018	TUPPAL ROAD, TOCUMWAL NSW 2714 (LOT9//DP752296)	STRAWBERRY MUSIC GROUP PTY LTD	SANDLOFT PTY LTD	APPROVED 15-08-2018	\$ 0.00	ACTIVE 45	TOTAL 45
4/19/DA/D5	RESIDENTIAL STORAGE SHED	56 COLLIE STREET, BAROOGA NSW 3644 (LOT3//DP786750)	REKLAW CONSTRUCTIONS PTY LTD	MR S L JUKES AND MS R A JUKES	APPROVED 14-08-2018	\$ 10000.00	ACTIVE 15	TOTAL 28
5/19/DA/D8	AMENITIES BUILDING	MOMALONG STREET, BERRIGAN NSW 2712 (LOT7300//DP1143043)	BERRIGAN SHIRE COUNCIL	BERRIGAN SHIRE COUNCIL	APPROVED 01-08-2018	\$ 25000.00	ACTIVE 16	TOTAL 16
9/19/DA/DM	WEIGHBRIDGE	1-4 JAMES COURT, FINLEY NSW 2713 (LOT1,2,3 //DP713895)	PREMIER FEED & FIBRE	PREMIER FEED & FIBRE PTY LIMITED	APPROVED 09-08-2018	\$ 80000.00	ACTIVE 16	TOTAL 16
10/19/DA/DO	RURAL SHED	163 RACECOURSE ROAD, TOCUMWAL NSW 2714 (LOT1//DP1242015)	R J & M A DIXON	MR RJ AND MRS MA DIXON	APPROVED 02-08-2018	\$ 9500.00	ACTIVE 9	TOTAL 9
11/19/DA/D2-M	MODIFICATION TO 137/18/DA/D6 ADDITIONS TO SHOP	43-45 CHANTER STREET, BERRIGAN NSW 2712 (LOT1//DP220131)	CARLA VON BROCKHUSEN	MS C VON BROCKHUSEN	APPROVED 15-08-2018	\$ 25000.00	ACTIVE 18	TOTAL 18
12/19/DA/D5	GARAGE	38 HANNAH STREET, TOCUMWAL NSW 2714 (LOT15//DP790166)	MR J BAKER	MR JW BAKER & MRS PA BAKER	APPROVED 10-08-2018	\$ 12000.00	ACTIVE 15	TOTAL 15
13/19/DA/D5	RESIDENTIAL STORAGE SHED	98 TOCUMWAL STREET, FINLEY NSW 2713 (LOT19/21/DP758412)	MR R & MRS H BEARD	MR RR AND MRS HJ BEARD	APPROVED 10-08-2018	\$ 8500.00	ACTIVE 13	TOTAL 13
14/19/DA/D3	2 SHIPPING CONTAINERS	149 CHANTER STREET, BERRIGAN NSW 2712 (LOT2//DP708125)	BERRIGAN SHIRE COUNCIL	BERRIGAN SHIRE COUNCIL	APPROVED 10-08-2018	\$ 1000.00	ACTIVE 13	TOTAL 13

Items for Noting

15/19/DA/D3	SHIPPING CONTAINER	31 HILL STREET, TOCUMWAL NSW 2714 (LOT12//DP555203)	BERRIGAN SHIRE COUNCIL	BERRIGAN SHIRE COUNCIL	APPROVED 10-08-2018	\$ 1000.00	ACTIVE 13	TOTAL 13
16/19/DA/DO	RURAL SHED	268 GOLF COURSE ROAD, BAROOGA NSW 3644 (LOT2//DP791909)	O'HALLORAN PROPERTY SERVICE	MR GD AND MRS JM LYONS	APPROVED 13-08-2018	\$ 23652.00	ACTIVE 14	TOTAL 14
17/19/DA/D5	GARAGE & AWNINGS	70 HENNESSY STREET, TOCUMWAL NSW 2714 (LOTA//DP376979)	MR P & MRS M MENHENNITT	MR P MENHENNITT AND MRS M A MENHENNITT	APPROVED 15-08-2018	\$ 27600.00	ACTIVE 15	TOTAL 15
2/19/CD/M6	ADDITIONS TO DWELLING	3 STILLARD COURT, BAROOGA NSW 3644 (LOT27//DP248812)	CARDILLO CONSTRUCTIONS	MR AP AND MRS MK MANUEL	APPROVED 03-08-2018	\$ 18000.00	ACTIVE 6	TOTAL 6
18/19/DA/D1	BV DWELLING & ATTACHED GARAGE	37 WIRUNA STREET, BAROOGA NSW 3644 (LOT8//DP237525)	B CAMPBELL & S WILSON	MR BR CAMPBELL & MS SR WILSON	APPROVED 16-08-2018	\$ 336730.00	ACTIVE 15	TOTAL 15
3/19/CD/M5	INGROUND FIBREGLASS SWIMMING POOL	26 CLAIRE DRIVE, TOCUMWAL NSW 2714 (LOT14//DP844053)	POOLSIDE COBRAM	MR GA AND MRS SA COX	APPROVED 03-08-2018	\$ 56770.00	ACTIVE 5	TOTAL 5
21/19/DA/D1	BV DWELLING & ATTACHED GARAGE	3053 MULWALA-BAROOGA ROAD, BAROOGA NSW 3644 (LOT91//DP1128142)	DENNIS FAMILY HOMES	MR MJ AND MRS AG SULLIVAN	APPROVED 27-08-2018	\$ 308313.00	ACTIVE 16	TOTAL 16
4/19/CD/M5-M	MODIFICATION TO 55/18/CD/M5 INGROUND FIBREGLASS SWIMMING POOL	21 AVA COURT, TOCUMWAL NSW 2714 (LOT25//DP270154)	POOLSIDE COBRAM	MR TP & MRS M HACK	APPROVED 03-08-2018	\$ 31700.00	ACTIVE 1	TOTAL 1
22/19/DA/D6	ADDITIONS TO DWELLING	38 KAMAROOKA STREET, BAROOGA NSW 3644 (LOT20//DP238626)	RICHES HOMES & IMPROVEMENT	MR GO AGUIRRE & MRS MC AGUIRRE	APPROVED 29-08-2018	\$ 99300.00	ACTIVE 18	TOTAL 18
27/19/DA/D1	BV DWELLING & ATTACHED GARAGE	496 CASEYS ROAD, BERRIGAN NSW 2712 (LOT104//DP570028)	MS CONSTRUCTION PTY LTD	MR RKG BAUER & MRS BM BAUER	APPROVED 31-08-2018	\$ 476730.00	ACTIVE 11	TOTAL 11
5/19/CD/M5	INGROUND FIBREGLASS SWIMMING POOL	11 ANTHONY AVENUE, TOCUMWAL NSW 2714 (LOT13//DP1068277)	POOLSIDE COBRAM	MR J AND MRS CA MOLINARO	APPROVED 29-08-2018	\$ 42330.00	ACTIVE 3	TOTAL 3

APPLICATIONS PENDING DETERMINATION AS AT 06/09/2018

APPLICATION NO.	DATE LODGED	DESCRIPTION	PROPERTY LOCATION
135/18/DA/D1	15-05-2018	DWELLING	BUSHLANDS ROAD, TOCUMWAL NSW (LOT19//DP286078)
136/18/DA/D1	18-05-2018	DWELLING	BUSHLANDS ROAD, TOCUMWAL NSW 2714 (LOT5//DP286078)
8/19/DA/D8	18-07-2018	REFURBISHMENT OF FINLEY SCHOOL OF ARTS & MEMORIAL HALLS (DEMOLITION, ADDITIONS & ALTERATIONS)	83-87 MURRAY STREET, FINLEY NSW 2713 (LOT1/3//DP758412)
19/19/DA/D9	27-07-2018	3 LOT SUBDIVISION	43-49 SNELL ROAD, BAROOGA NSW 3644 (LOT134//DP752274)
29/19/DA/D5	21-08-2018	RESIDENTIAL STORAGE SHED	94 KELLY STREET, TOCUMWAL NSW 2714

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Items for Noting

			(LOT72//DP611198)
30/19/DA/D1	29-08-2018	BV DWELLING & ATTACHED GARAGE	2 PUTTER COURT, BAROOGA NSW 3644 (LOT108//DP1133352)
31/19/DA/D5	05-09-2018	PERGOLA	1/3 MACFARLAND STREET, BAROOGA NSW 3644 (LOT3//SP54745)

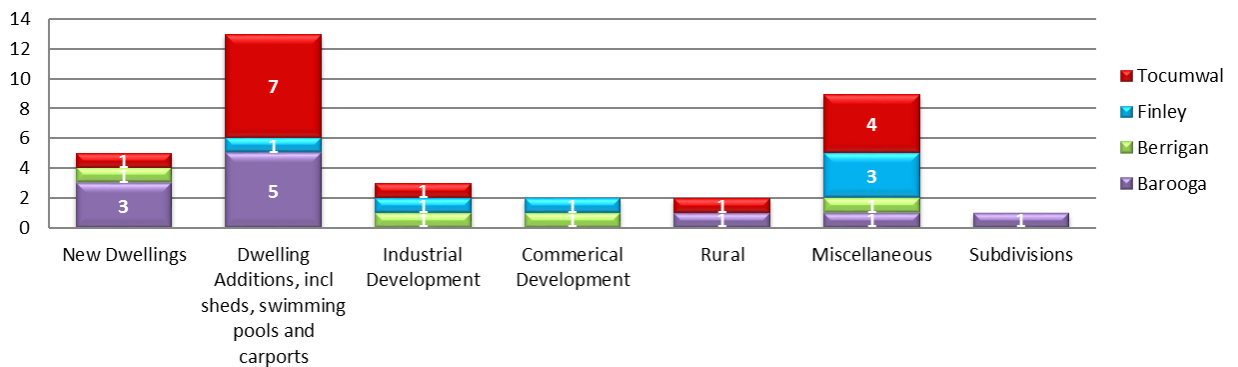
TOTAL APPLICATIONS DETERMINED / ISSUED (including modifications)

	This Month (Aug)	Year to Date	This Month's Value (Aug)	Year to Date Value
Development Applications (DA)	17	31	\$1,453,325	\$3,728,418
Construction Certificates (CC)	11	20	\$1,300,534	\$2,221,937
Complying Development Certificates (CDC)	4	4	\$148,800	\$148,800
Local Activity (s.68)	7	14	0	0

OTHER CERTIFICATES ISSUED FOR AUGUST

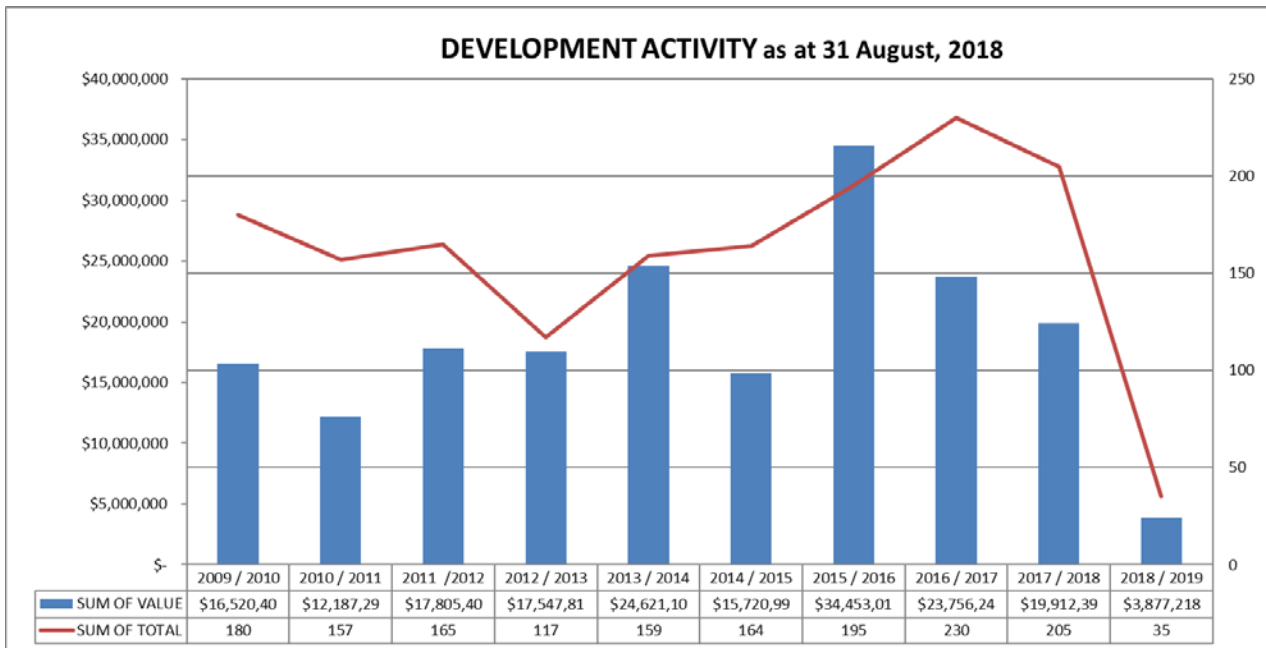
	s10.7(2) Planning Certificate		s10.7(5) Certificate		735A Certificate Outstanding Notices or Orders under LG Act 1993		s9.34 Certificate Outstanding Notices or Orders under EP&A Act 1979		s6.24 Building Certificate		Swimming Pool Certificate	
	Aug	Year Total	Aug	Year Total	Aug	Year Total	Aug	Year Total	Aug	Year Total	Aug	Year Total
BAROOGA	10	18	0	0	0	0	0	0	0	0	0	2
BERRIGAN	10	13	0	0	0	1	0	0	0	0	0	0
FINLEY	12	21	2	2	3	3	2	2	0	0	0	1
TOCUMWAL	12	21	1	1	2	3	0	0	1	3	1	1
TOTAL	44	73	3	3	5	7	2	2	1	3	1	4

DEVELOPMENT ACTIVITY 2018/2019 as at 31 August, 2018



GZ-TON

Items for Noting



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Committee meeting reports

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

RECOMMENDATION – that recommendations numbered 5 of the Technical Services Committee Meeting held on 5th September, 2018 be adopted.

5. **CHANTER STREET, BERRIGAN PEDESTRIAN CROSSING**

AUTHOR: Engineering Services Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities

FILE NO:28.101.1

RESOLVED: Crs Reynoldson and Morris that the Council approves the removal of the existing informal pedestrian crossing on Chanter Street, Berrigan and replaces it with a crushed rock sealed pavement and that the works be carried out in conjunction with the water main works.

Committee meeting reports

8.2 MINUTES OF THE CORPORATE SERVICES COMMITTEE MEETING

RECOMMENDATION – that recommendations numbered 5 to 8 inclusive of the Corporate Services Committee Meeting held on 5th September, 2018 be adopted.

5. REDEVELOPMENT OF TOCUMWAL VISITOR INFORMATION CENTRE

AUTHOR: General Manager
STRATEGIC OUTCOME: Diverse and resilient business
STRATEGIC OBJECTIVE: 4.2 Diversify and promote local tourism

FILE NO: 08.160.3

RESOLVED Crs Bodey and Morris that the Council:

- Commence the subdivision and lease process for the site at the proposed commercial facility at the Tocumwal Foreshore.
- Develop an entirely new commercial facility at the Tocumwal Foreshore including demolition of the existing Visitor Information Centre and public toilets.
- Seek independent advice regarding the commercial viability of a future commercial facility at Tocumwal Foreshore.

6. MANAGEMENT OF CORELLA'S

AUTHOR: General Manager
STRATEGIC OUTCOME: Sustainable natural and built landscapes
STRATEGIC OBJECTIVE: 1.2 Retain the diversity and preserve the health of our natural landscapes and wildlife

FILE NO: 11.011.4

RESOLVED Crs Reynoldson and Bodey that staff report back to the Council on cost of implementation on an intensified management of Corellas.

7. ACTION PLAN – AUDIT MANAGEMENT LETTERS

AUTHOR: Director Corporate Services

Committee meeting reports

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

RESOLVED Crs Morris and Jones that the Committee note the Action Plan – Audit Management Letters September 2018 review attached as **Appendix “C”**

8. 2019 BERRIGAN SHIRE BUSINESS AWARDS LAUNCH

AUTHOR: Economic & Industry Development Liaison

STRATEGIC OUTCOME: Diverse and resilient business
STRATEGIC OBJECTIVE: 4.1 Strengthen and diversify the local economy and invest in local job creation and innovation

FILE NO:02.023.2

RESOLVED Crs Morris and Jones that:

1. Council allocates up to \$10,150.00 to finance the “launch event” for the new concept of the Business Awards.
2. A theme for the 2019 Business Awards be explored at the launch.

Items requiring Council Resolution

9. **MAYOR'S REPORT**

RECOMMENDATION – that the Mayor's Report be received.

RESOLUTION

Items requiring Council Resolution

10. DELEGATES REPORT

RESOLUTION

Items requiring Council Resolution

11. GENERAL BUSINESS

RESOLUTION