



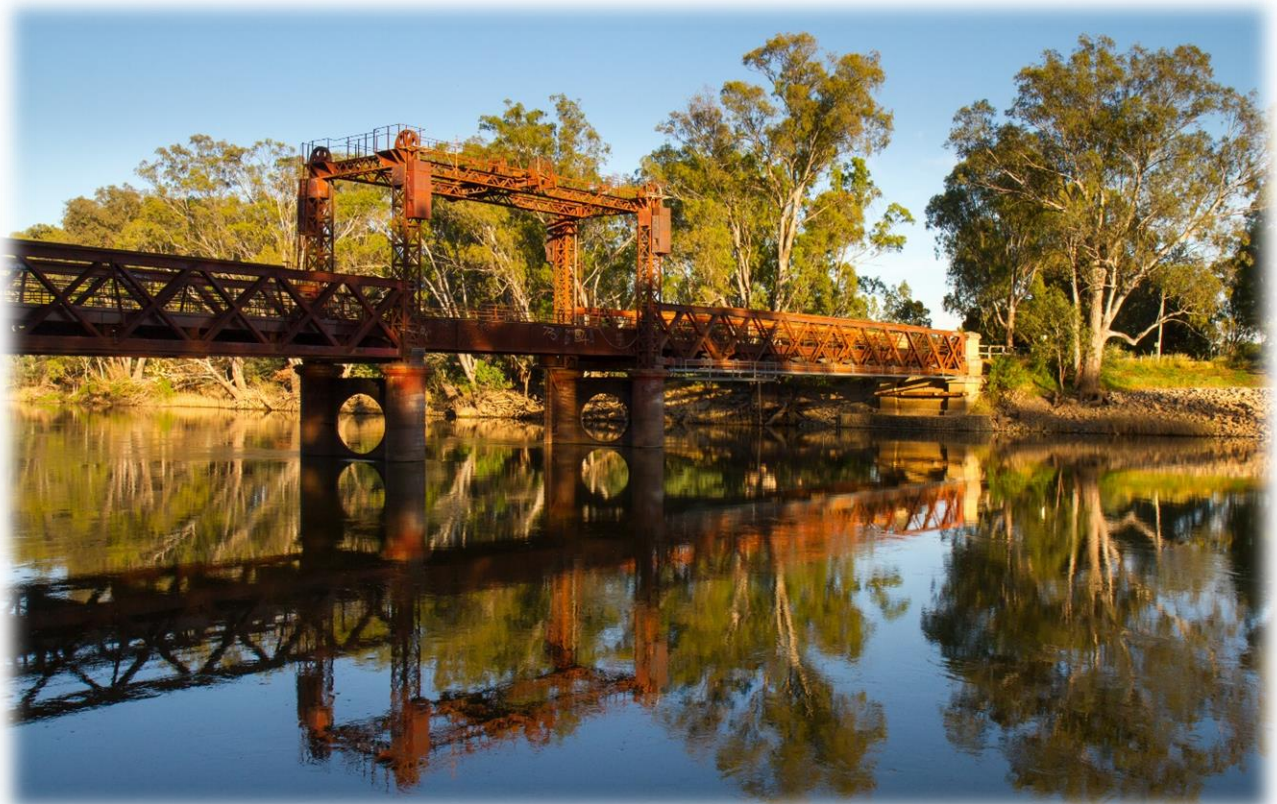
ORDINARY MEETING OF COUNCIL

Wednesday 17 February 2021

at 11:00am

Council Chambers

56 Chanter Street, Berrigan



Agenda

The Ordinary Meeting of the Council of the Shire of Berrigan will be held in the **Council Chambers**, Berrigan, on **Wednesday 17 February, 2021** when the following business will be submitted:-

ITEMS OF BUSINESS

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

ROWAN PERKINS
GENERAL MANAGER



Council Meeting

Wednesday 17 February, 2021

BUSINESS PAPER

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

1. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

2. DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTERESTS

3. VISITORS

Nil

4. CONFIRMATION OF MINUTES

Recommendation: That the Minutes of the Ordinary Council meeting held in the Council Chambers on Wednesday 20 January, 2021 and the Minutes of the Extraordinary Council meeting held on Wednesday 3 February, 2021 be confirmed.

5. MAYORAL MINUTES

Nil

6. NOTICES OF MOTION

6.1 Notice of Motion – Small Lot Development Guidelines

By memo to the General Manager on 10 February, 2021 Cr John Bruce indicated that he intends to move the following motion:

“that the Council adopt the following guidelines set out below:

- (A) Guidelines for the approval of a Development Application to construct a Residence (home) on an existing lot, smaller than the minimum lot size of 120 hectares, which was created prior to 2013.**

Existing Lots Created before 2013.

1. The lot has frontage to a sealed road.
2. Be no greater distance than 10 kilometres from a Town Post Office.
and/or
3. The Lot has frontage to a main waterway (Murray River) and must have constructed to the lot an all-weather access road.

and/or
4. The Lot has an established viable and financially sustainable agricultural enterprise (which has been established for two years with written evidence provided that there has been an investment of at least one million dollars in the enterprise)
5. All lots must have access to water infrastructure and all utilities that will sustain the enterprise.

- (B) Guidelines for the creation of lots smaller than the minimum lot size of 120 hectares on which there is an existing Residence (home).**

Creation of a lot on which there is an existing Residence (home).

1. A lot can be created on which there is an existing Residence (home), provided there is clear physical and written financial evidence, (investment of at least one million dollars), that there is established a viable and financially sustainable agricultural enterprise on the lot. (Enterprise must have been established for at least two years).

7. ITEMS FOR RESOLUTION

Council Meeting

17 February, 2021

7.1 Finance - Accounts

Report by: Finance Manager, Tahlia Fry

Strategic Outcome: 2. Good government

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

Recommendation: that the Council:

- a) Receive the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 January 2021,
- b) Confirm the accounts paid as per Warrant No. 01/21 totaling \$8,158,396.23, and
- c) Note the report on investments attached as **"Appendix 7.1-A"**.

Report:

- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 31 January 2021 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 January 2021.
- c) The Finance Manager certifies the Accounts, including the Petty Cash Book made up to 31 January 2021, totaling \$8,158,396.23 and will be submitted for confirmation of payment as per Warrant No. 01/21
- 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) January has seen an increase in total funds held due to the loan drawdown for Barooga Water Treatment Plant. When the loan drawdown is factored out Council has seen a small decrease for the month of January which is in line with the same period last year and represents the general pattern in cash holdings over the year. Overall funds have increased by \$9M since the same period last year.

February will see the receipt of the third Rate instalment and as a result funds are expected to remain stable.

- f) Further information regarding Council's investments is attached to this Agenda as "Appendix 7.1-B".

Statement of Bank Balances as at 31 JANUARY 2021

Bank Account Reconciliation

Cash book balance as at 1 JANUARY 2021	\$ 8,013,590.15
Receipts for JANUARY 2021	\$ 11,688,217.97
Term Deposits Credited Back	\$ -
	<u>\$ 19,701,808.12</u>
<i>Less Payments Statement No 01/21</i>	
No Chq Payments	\$ -
Electronic Funds Transfer (EFT) payroll	\$ 576,794.30
Electronic Funds Transfer (EFT) Creditors E036252-E036432	\$ 1,552,486.28
Term Deposits Invested	\$ -
Loan repayments, bank charges, etc	\$ 6,029,115.65
Total Payments for JANUARY 2021	<u>\$ 8,158,396.23</u>
Cash Book Balance as at 31 JANUARY 2021	<u>\$ 11,543,411.89</u>
<i>Bank Statements as at 31 JANUARY 2021</i>	\$ 11,543,411.89
Plus Outstanding Deposits	\$ -
Less Outstanding Cheques/Payments	\$ -
Reconciliation Balance as at 31 JANUARY 2021	<u>\$ 11,543,411.89</u>

INVESTMENT REGISTER

INSTITUTION	DEPOSIT NO.	TERM (days)	RATE	MATURITY DATE	INSTITUTION TOTAL	S&P RATING
AMP	144/19	365	**1.80%	23/03/2021	\$ 2,000,000.00	BBB+
AMP	133/17	182	**0.70%	24/05/2021	\$ 1,000,000.00	BBB+
AMP	125/16	182	**0.70%	31/05/2021	\$ 2,000,000.00	BBB+
AMP	136/18	365	**0.60%	19/10/2021	\$ 2,000,000.00	BBB+
Goulburn Murray Credit Union	124/16	365	1.30%	13/05/2021	\$ 2,000,000.00	UNRATED
Bendigo Bank	141/18	364	*0.85%	13/09/2021	\$ 2,000,000.00	BBB+
Bendigo Bank	142/18	365	*0.80%	26/09/2021	\$ 2,000,000.00	BBB+
Bendigo Bank	146/20	365	*0.80%	28/09/2021	\$ 5,000,000.00	BBB+
Central Murray Credit Union	126/16	365	1.00%	31/08/2021	\$ 2,000,000.00	UNRATED
Defence Bank Limited	102/14	364	1.65%	5/04/2021	\$ 2,000,000.00	BBB
Defence Bank Limited	106/14	365	1.35%	29/06/2021	\$ 2,000,000.00	BBB
Defence Bank Limited	146/19	365	0.80%	31/08/2021	\$ 2,000,000.00	BBB
Defence Bank Limited	138/18	365	0.70%	10/01/2023	\$ 2,000,000.00	BBB
G&C Mutual Bank	145/19	364	1.70%	6/04/2021	\$ 2,000,000.00	BBB-
NAB	143/18	365	0.55%	18/11/2021	\$ 2,000,000.00	AA-
					<u>\$ 32,000,000.00</u>	

Total Funds Held at 31 JANUARY 2020

\$43,543,411.89

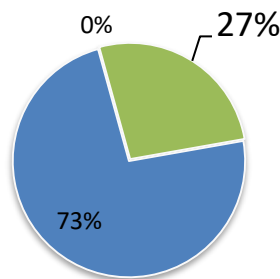
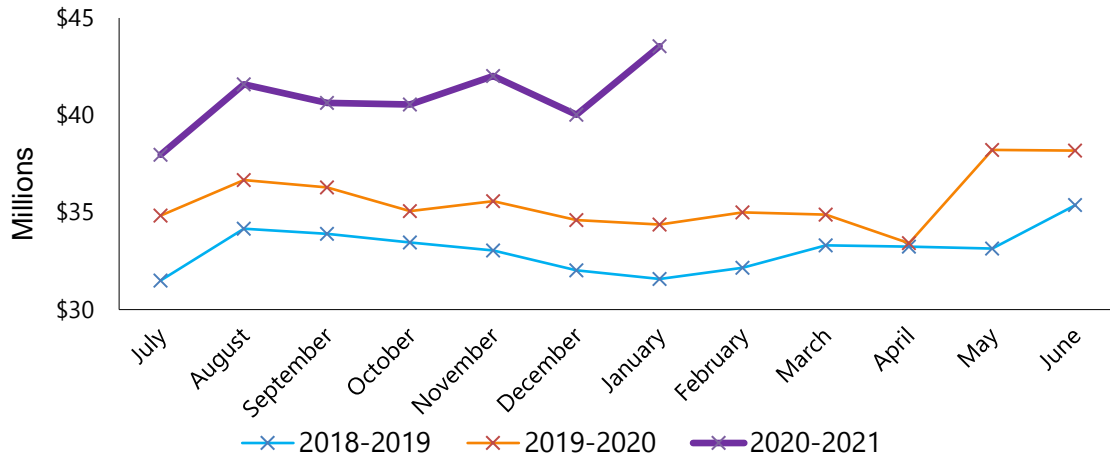
Tahlia Fry - Finance Manager

*The Council also receives an additional 0.25% commission

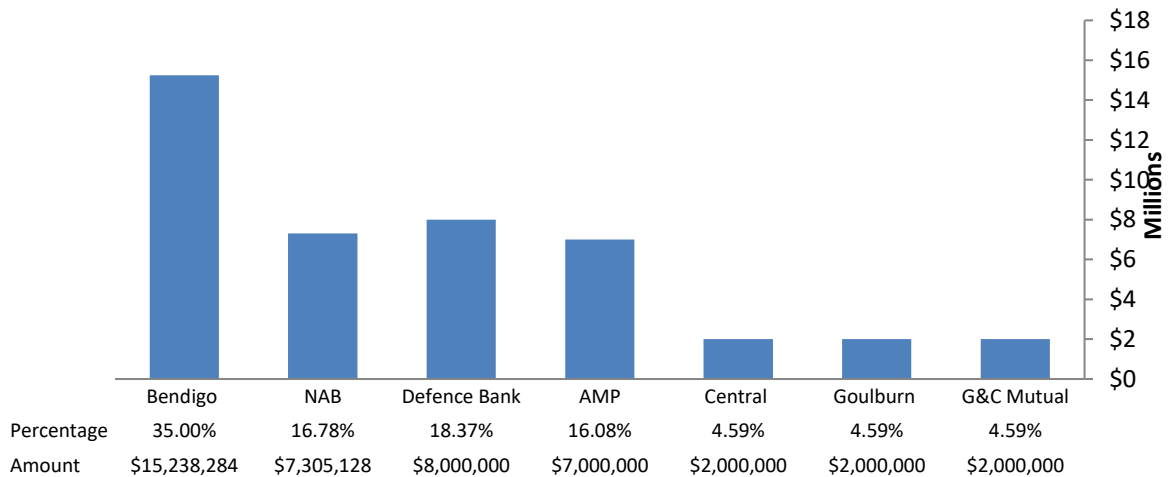
**The Council also receives an additional 0.20% commission



Total Cash and Investments



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

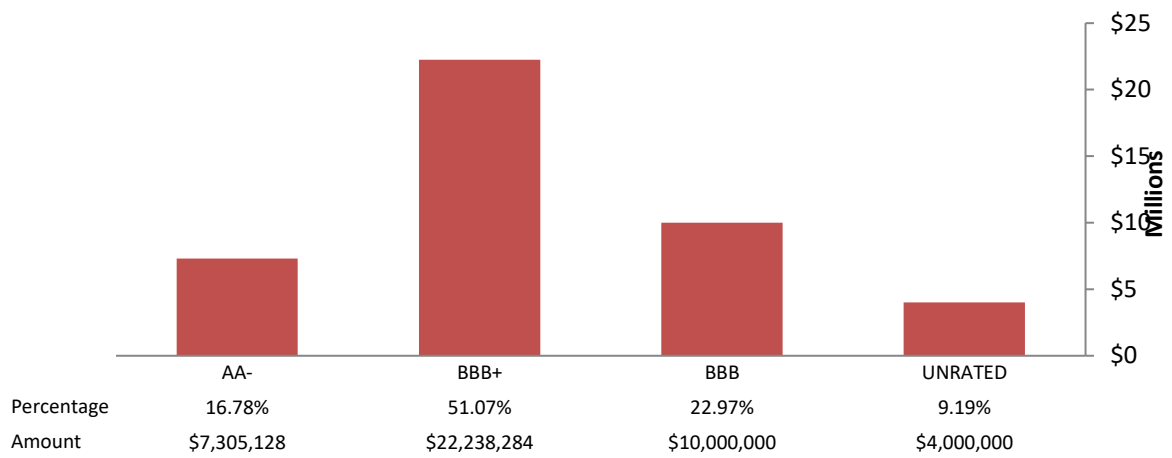


Term Deposits Credited Back

Prior Financial Institution	Term (Days)	Amount	Interest Rate	Maturity Date
DEFENCE BANK	366	\$ 2,000,000.00	1.70%	11/01/2021

Term Deposits Invested / Reinvested

Current Financial Institution	Term (Days)	Amount	Interest Rate	Maturity Date
DEFENCE BANK	730	\$ 2,000,000.00	0.70%	11/01/2023



Council Meeting

17 February 2021

7.2 Corporate Workshop Outcomes

Report by: General Manager, Rowan Perkins

Strategic Outcome: 2. Good government

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

Recommendation: that the Council:

1. in terms of reporting the impact of implementing its Delivery Program:
 - Benchmark against itself on a year by year or term by term basis; and
 - Include new decision making indicators;
 - Aim to demonstrate continuous improvement of impact;
 - Include reporting against the Integrated Planning and Reporting principles.
2.
 - Further consider how to progress the development of industrial land at a future Strategy and Policy Workshop;
 - Continue steps to purchase or secure suitable land for an industrial development;
 - Identify a due diligence process to better understand the likely costs, development options, risks and market potential for such a development;
 - Identify risk capital for the due diligence process.
3.
 - develop a policy position to clarify its approach to responding to the emergence of an electric vehicle industry.
4.
 - Develop and implement a program to encourage residents to support local hospitality businesses;
 - Distribute its most recent Official Visitors Guide to residents with an explanatory letter from the Mayor;
 - Follow up the State's proposed dining vouchers program to determine why this has not progressed in this area;
 - Develop and implement a three year marketing program targeting Leeton and Griffith support by an annual budget of \$75,000 for three years; and
 - Continue to target traditional visitor markets through Murray River Tourism.

5. Council identify the following projects as its forward priorities and, where required, develop strategic plans for these:

- Public Art/Murals, Sculpture /Silo Arts Projects/silhouettes
- Linking Towns - cycling trails - connections within towns
- Land Purchase Barooga (Vermont Street)
- Indoor Play Centre at Finley
- Urban Tree Strategy
- Industrial Precinct
- Parking - Tocumwal (Concept or Precinct Structure Plan) Murray/Deniliquin Streets area
- Finley Stormwater improvements
- Mary Lawson Wayside Rest improvements
- Barooga Netball court replacement.

6. Review its Financial Strategy to include a new objective around economic and community growth and also review its Long Term Financial Plan to reflect the inclusion of that new objective and also the current market situation.

7. Develop a policy position or guidelines to allow it to address existing issues with the creation of or development of small rural holdings with the following as a basis:

- A residence home cannot be built, on a newly created lot, until there is a clear physical and financial evidence that a viable and financially sustainable enterprise has been established on the newly created lot. (two year timeframe to establish enterprise);
- A proposed lot on which there is an existing home can be created provided there is clear physical and financial evidence that there is an established a viable and financially sustainable enterprise on the lot. (Enterprise must have been established for at least two years).
- Evidence that the proposed lot has a water allocation which will sustain the enterprise.

At the next review of its Local Environmental Plan include an RU4 zone and identify suitable land for its application.

8. • lobby relevant governments or service providers and seek grants for upgrading of Power Supplies for the public /property owners;
- not spend it's own funds on upgrading power supplies for the sole benefit of the public / property owner.

- Allocate a budget amount between \$50-100k p.a. to fund the projects that come out of the energy strategy.
9. Both continue to advocate for the creation of child care services at Tocumwal and also support those considering providing such a service.
-

Report:

For clarification, the following is a summary of the outcomes of the recently held Corporate Workshop. Given that all Councillors were in attendance the focus of this report upon what I believe were the agreed outcomes.

Heavy Vehicle Network

This item was for information only.

End of Term Report

That the Council, in terms of reporting the impact of implementing its Delivery Program:

- Benchmark against itself on a year by year or term by term basis; and
- Include new decision making indicators;
- Aim to demonstrate continuous improvement of impact;
- Include reporting against the Integrated Planning and Reporting principles.

Development of Industrial Land

That the Council;

- Further consider how to progress this issue at a future Strategy and Policy Workshop;
- Continue steps to purchase or secure suitable land for an industrial development;
- Identify a due diligence process to better understand the likely costs, development options, risks and market potential for such a development;
- Identify risk capital for the due diligence process.

Electric Vehicles

That the Council develop a policy position to clarify its approach to responding to the emergence of an electric vehicle industry.

COVID-19 Impacts

That the Council:

- Develop and implement a program to encourage residents to support local hospitality businesses;

- Distribute its most recent Official Visitors Guide to residents with an explanatory letter from the Mayor;
- Follow up the State's proposed dining vouchers program to determine why this has not progressed in this area;
- Develop and implement a three year marketing program targeting Leeton and Griffith support by an annual budget of \$75,000 for three years; and
- Continue to target traditional visitor markets through Murray River Tourism.

Priority Projects

That the Council identify the following projects as its forward priorities and, where required, develop strategic plans for these:

- Public Art/Murals, Sculpture /Silo Arts Projects/silhouettes
- Linking Towns - cycling trails - connections within towns
- Land Purchase Barooga (Vermont Street)
- Indoor Play Centre at Finley
- Urban Tree Strategy
- Industrial Precinct
- Parking - Tocumwal (Concept or Precinct Structure Plan) Murray/Deniliquin Streets area
- Finley Stormwater improvements
- Mary Lawson Wayside Rest improvements
- Barooga Netball court replacement.

Financial Strategy

That the Council reviews its Financial Strategy to include a new objective around economic and community growth and also review its Long Term Financial Plan to reflect the inclusion of that new objective and also the current market situation.

Small Rural Holdings

That the Council develop a policy position or guidelines to allow it to address existing issues with the creation of or development of small rural holdings with the following as a basis:

- A residence home cannot be built, on a newly created lot, until there is a clear physical and financial evidence that a viable and financially sustainable enterprise has been established on the newly created lot. (two year timeframe to establish enterprise);
- A proposed lot on which there is an existing home can be created provided there is clear physical and financial evidence that there is an established a viable and financially

sustainable enterprise on the lot. (Enterprise must have been established for at least two years).

- Evidence that the proposed lot has a water allocation which will sustain the enterprise.

That the Council at its next review of its Local Environmental Plan include an RU4 zone and identify suitable land for its application.

Electricity Sustainability Plan

That the Council:

- lobby relevant governments or service providers and seek grants for upgrading of Power Supplies for the public /property owners;
- not spend it's own funds on upgrading power supplies for the sole benefit of the public / property owner.
- Allocate a budget amount between \$50-100k p.a. to fund the projects that come out of the energy strategy.

Child Care - Tocumwal

That the Council both continue to advocate for the creation of child care services at Tocumwal and also support those considering providing such a service.

Council Meeting

17 February 2021

7.3 Low Cost Loans Initiative - Application of the Council's seal

Report by: Director Corporate Services, Matthew Hansen

Strategic Outcome: 2. Good government

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

Recommendation: That the Council execute the Low Cost Loans Initiative funding agreement for the Lewis Crescent project through application of the Council's common seal.

Report:

The Council was successful in obtaining a \$1m subsidised loan to fund the development of residential lots at Lewis Crescent at Finley along with associated open space. The funding agreement provides the Council with a subsidy of up to 50% of the interest payable on the loan.

The loan has been drawn down and the funding agreement (a copy of which is attached as "Appendix 7.3-A") subsequently finalised and is ready to be signed under seal subject to a resolution of the Council.

Council Meeting

17 February 2021

7.4 Suspension of Alcohol-Free Zone – Mild2Wild Rod Run

Report by: Director Corporate Services, Matthew Hansen

Strategic Outcome: 3. Supported and engaged communities

Strategic Objective: 3.1 Create safe, friendly and accessible communities

Recommendation:

That the Council, subject to Police approval and development consent being given:

1. suspend the Alcohol Free Zone for the area closed to traffic on Deniliquin Road and Anzac Avenue from 5:00pm to 11:59pm on Saturday, 6 March 2021 in accordance with Section 645 of *the Local Government Act 1993*.
2. Suspend the notice under Section 632 of the Local Government Act prohibiting the consumption of alcohol at the Tocumwal Foreshore Area (Reserve 53211) from 6:00pm to 11:59pm Saturday 6 March 2021

Report:

The Mild2Wild Rod and Custom Club are proposing to hold a two-day street rod and custom car event in Tocumwal on the weekend of Saturday, 6 March and Sunday 7 March 2021. The event will involve a motor vehicle parade and the temporary closure of some streets over part of this period.

Elements of the event will require Development Consent and this will take place through the existing Council procedures.

On the evening of Saturday, 6 March 2021, the club proposes to hold a static display along Anzac Avenue and in the car parking spaces adjacent to the foreshore park. During this period, the adjacent roads will be closed to traffic from 6:00pm to 10:30pm – subject to Council and police approval.

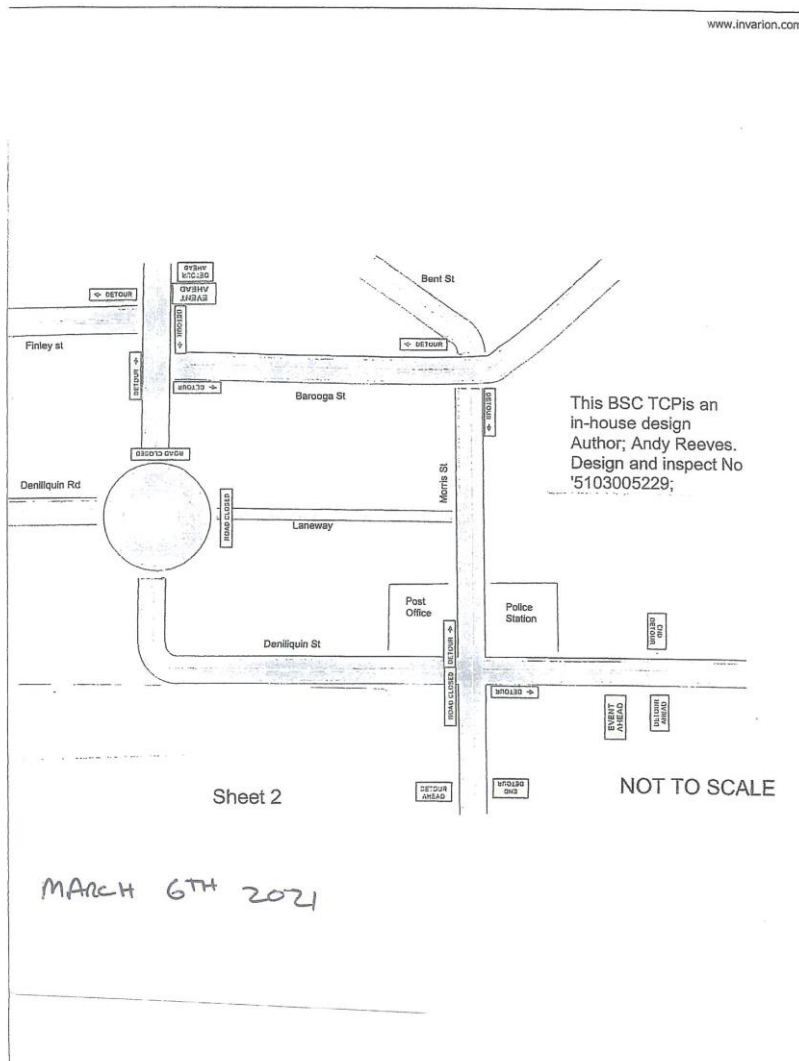
The Club have requested the restrictions on alcohol consumption in the area closed to traffic be lifted during this period and for a short period following.

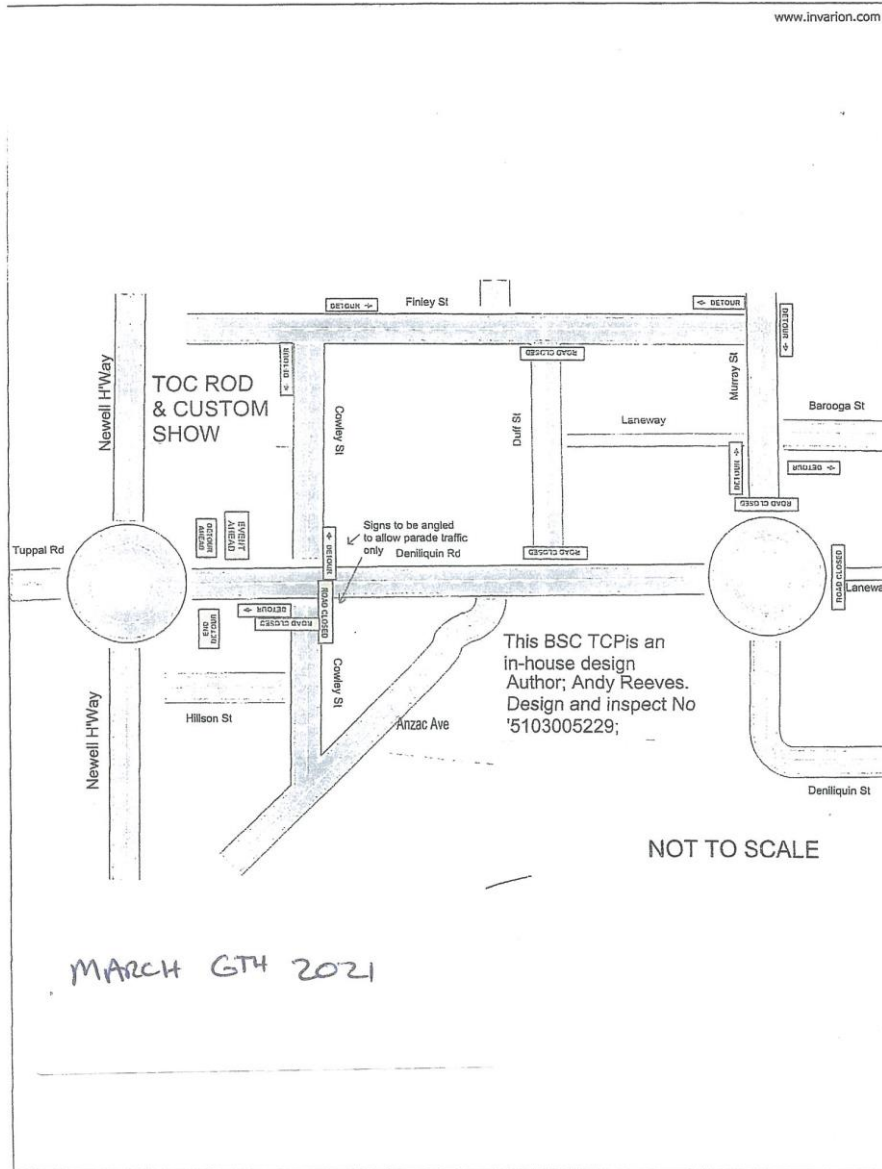
The area in question is covered by two separate alcohol restrictions. The road reserve, including the road and footpath and much of the foreshore area on the “road” side of the levee, is covered by the Alcohol Free Zone restrictions under s644B of the Local Government Act 1993 (the Act) These restrictions prohibit the consumption of alcohol at all times.

The foreshore area itself (i.e. the area that is not in a road reserve or carpark) is covered by a notice issued by the Council under s632 of the Act, which prohibits the consumption of alcohol between sunset and sunrise.

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 club have not created any public disturbance issues and the event does attract a significant number of visitors to the town.

Under s645 of the Act, the Council may suspend the operation of an Alcohol Free Zone if desired. If so, the Council must publish notice of the suspension in a newspaper circulating in the area concerned. In addition, the Alcohol-Free Zone guidelines advise that the Council must liaise with the police.





Council Meeting

17 February 2021

7.5 Employee Leave Policy

Report by: Enterprise Risk Manager, Michelle Koopman

Strategic Outcome: 2. Good government

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

Recommendation: That the Council:

1. Revoke the Leave Policy adopted on 18 March 1998 and;
2. Adopt the Employee Leave Policy set out below:



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EMPLOYEE LEAVE

Strategic Outcome:	Good government		
Date of Adoption:	17 February 2021	Minute Number:	
Date for Review:	19 February 2025		
Responsible Officer:	Enterprise and Risk Manager		
Document Control:	Replaces and revokes the Leave Policy adopted 18 March 1998		
Delivery Program Link:	2.1.3.1 Coordinate Council investments, financial management, financial operations and processing.		

1. POLICY STATEMENT

Berrigan Shire Council ensures leave entitlements and requests for leave are managed in accordance with relevant legislation and the Local Government (State) Award 2020 (the Award).

2. PURPOSE

The purpose of this policy is to support the conditions set out in the Award, and to clarify Council requirements in relation to accessing and using leave, and to provide guidance for those staff overseeing the application and use of leave.

3. SCOPE

This policy relates to all Berrigan Shire Council staff employed under full-time, part-time or limited tenure arrangements.

It sets out requirements for using annual leave, sick leave, rostered days off, and time in lieu. Other leave types not covered by this policy and are outlined in the Award.

4. DEFINITIONS

Rostered Day Off (RDO) leave of one day per fortnight, available to full-time staff

Statutory declaration a legal document that contains a written statement about something (in this case supporting information for the purposes of taking sick leave) that is true. It must be witnessed by an approved person such as a Justice of the Peace or a person from an approved occupation. Refer Australian Government, Attorney-General's department,



<https://www.ag.gov.au/legal-system/statutory-declarations/who-can-witness-your-statutory-declaration#lis>

Time in lieu Leave granted for overtime worked instead of receiving an overtime payment. Time off is paid at normal time.

5. POLICY IMPLEMENTATION

5.1 General principles

Where possible, Council and employees will work together to ensure leave is taken when it is mutually convenient.

Nothing in the policy is to be read as contrary to the requirements of the Local Government Act 1993, the Annual Holidays Act 1944, the Fair Work (Cth) Act 2009 and the Award.

5.2 Applying for leave

5.2.1 Arranging leave

Any employee wishing to take leave should first discuss this with their Manager.

Where possible, the Council will work with the employee to meet their request for leave, subject to the operational requirements of the Council. This is made easier if the employee provides the Council with adequate notice of their intention to take leave.

In the case of Annual Leave or Long Service Leave, a minimum of four weeks' notice must be given.

5.2.2 Applications

Employees must submit applications for leave using Council's software program.

Leave will not be permitted unless an application is made and the employee's Manager explicitly grants approval.

Leave taken without the appropriate approvals will be treated as unauthorised leave, payment will not be made, and disciplinary action will be taken.

5.2.3 Notification of sick leave

Employees taking sick leave must notify their Manager, Supervisor or Overseer via phone. Notification of sick leave via text message or email is not permitted and will result in sick leave being denied.



5.3 Sick leave

Employee entitlement to sick leave (including carer's leave and bereavement leave) is in accordance with the Award. The entitlement to sick leave is subject to the employee's Manager being satisfied that the illness or injury (or situation if relating to carer's leave or bereavement leave):

- Is such that it justifies the time off; and
- Does not arise from engaging in other employment.

5.3.1 Certificates

In accordance with the Award, employees are able to take three separate periods of sick leave per year of service without producing a certificate or statutory declaration. Such periods are not to be more than two working days each.

Notwithstanding the above, the Council may still require an employee to produce a certificate or statutory declaration where:

- It is reasonable for the employer to require the employee to provide proof of illness or injury having regard to the employee's pattern of sick and/or amount of sick leave taken by the employee, and
- The employer has provided the employee with prior written notice of the requirement to provide proof of illness or injury.

The employee must produce a medical certificate or statutory declaration for:

- Third and subsequent periods of leave, and/or
- Leave that falls:
 - o Either side of a weekend where the employee has not worked;
 - o Either side of annual leave or an RDO taken by the employee;
 - o Either side of a public holiday where the employee has not worked,

These cannot be backdated, i.e. an employee cannot go to a doctor and request a certificate covering previous time taken even if it is the day before. Sick leave periods requiring medical certificates where a certificate is not provided will be processed as unauthorised leave, the employee shall not receive payment for this period, and disciplinary action will be taken.

5.4 Parental leave

Parental Leave is provided in accordance with the Award and the *Fair Work Act 2009 (Cth)*. Eligible staff must submit a written request to the General Manager, at a minimum of 12 weeks



prior to their intended finishing date, outlining their preference for payment (i.e. full or half pay), and their intended return date. This is necessary to allow Council time to plan and replace staff on parental leave.

5.5 Time in lieu

Where there is prior agreement between the Council and the employee, an employee directed to work in excess of ordinary hours may elect to either be paid the appropriate overtime rate or be granted time in lieu equivalent to the actual hours worked.

Employees electing time in lieu must ensure they have explicit approval from the Supervisor/Manager for this arrangement. A record of time in lieu is kept by the Supervisor/Manager.

This does not apply to employees who are on call, called back to work or employees working on their RDO.

5.6 Leave without pay

As a general rule, the Council will not allow employees to take leave without pay. Employees are expected to manage their leave entitlements to ensure they have sufficient leave to meet their ordinary circumstances.

The General Manager is the only person with authority to approve any application for leave without pay.

The General Manager will only approve leave without pay where:

- The employee has exhausted all other leave entitlements, and
- The General Manager is satisfied that the employee has a bona-fide personal emergency that requires leave without pay

5.7 Double-pay and half-pay

In accordance with the Award and the *Annual Holidays Act 1944*, s.14A, employees, with the consent of the General Manager, can elect to take their annual leave, long service leave or RDO entitlements at double-pay (i.e. less time at double the ordinary rate of pay) or half-pay (i.e. more time at half the ordinary rate of pay).

Employees electing to utilise the double-pay option for annual leave must have accrued an annual leave entitlement of not less than four weeks.

5.8 Cashing out



In accordance with the Award and the *Annual Holidays Act 1944*, s.14A, employees, with the consent of the General Manager, can request to be paid out of their annual leave, long service leave or RDO entitlements. Employees electing to use the annual leave cashing out option must have accrued an annual leave entitlement of not less than four weeks.

5.9 Annual close-down

At its discretion, the Council may put in place an annual close-down for part or all of its operations — in line with the relevant provisions of the *Annual Holidays Act 1944*

Employees subject to the annual close-down will be entitled to:

- Take leave without pay, or
- Have paid leave taken deducted from future leave entitlements (i.e. "go into credit")

5.10 Accumulated leave

5.10.1 Annual leave

Where practical, employees should not accumulate more than eight weeks' annual leave entitlement at any one time.

Where an employee's annual leave entitlement exceeds eight weeks, the employee and the manager must jointly prepare an annual leave plan. The annual leave plan will set out a timetable for scheduled leave to bring the accumulated balance back within the limit set by the policy. The annual leave plan will also address any resource constraints to ensure the employee can take their scheduled leave.

In cases where an annual leave plan cannot be put in place or is not followed, the Council may direct the employee to take annual leave after giving the employee four weeks' notice.

5.10.2 Long service leave

Where practical, employees are expected to take long service leave within five years of it falling due. Long Service Leave will not be permitted to accumulate beyond 13 weeks.

In cases where an employee has accumulated excess long service leave, Council and the employee may prepare a long service leave plan. The long service leave plan will set out a timetable for scheduled leave to bring the accumulated balance back within the limit set by the policy. The long service leave plan will also address any resource constraints to ensure the employee can take their scheduled leave



In cases where a long service leave plan cannot be put in place or is not followed, the Council may direct the employee to take annual leave after giving the employee four weeks' notice

5.10.3 Rostered Days Off

Employees who work their RDO will be permitted to accumulate RDO hours up to a maximum of five days.

The General Manager may approve the accrual of more than five days in exceptional circumstances. Employees will be required to reduce their accumulated leave through discussion, and at a mutually agreeable time.

5.10.4 Time in lieu

Time in lieu can accumulate up to a maximum of five days, following that, employees will be required to reduce their time in lieu through discussion, and at a mutually agreeable time.

6. RELATED LEGISLATION, POLICIES AND STRATEGIES

- [Local Government Act 1993](#)
- [Fair Work Act \(Cth\) 2009](#)
- [Annual Holidays Act 1944](#)
- [Long Service Leave Act 1955](#)
- [Industrial Relations Act 1996](#)
- [Local Government \(State\) Award 2020](#)
- Berrigan Shire Council Salary Policy
- Berrigan Shire Council Human Resource Manual

Report:

Concerns raised during the Council's recent Audit around leave balances, and concerns raised by Overseers in managing staff leave, sparked the need for a review of the existing Leave policy.

The existing policy had never been completely developed and did not outline the Council's position in relation to leave management.

Whilst the Local Government State Award 2020 outlines leave entitlements and processes to be followed, there are areas that require further clarification, and gaps that need to be filled with additional Council processes. Specifically, the policy has been developed to address:

- The requirements around notifying and applying for leave;
- Notification and justification for taking sick leave;
- Managing Time in Lieu arrangements;
- The requirements for applying for leave without pay;
- Taking leave at double or half pay;
- Cashing out excess leave;
- Leave during Council's annual closure;
- Accumulating leave and managing leave balances;

It is expected that the development of a clear leave policy will assist staff in managing leave, allow Overseers and Managers to enforce rules around taking and accumulating leave, and assist Council in ensuring leave balances are maintained at acceptable levels.

Council Meeting

17 February 2021

7.6 General Manager's Mid-Year Performance Review

Report by: General Manager, Rowan Perkins

Strategic Outcome: 2. Good government

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

Recommendation: That the Council:

Not conduct the General Manager's mid-year performance review.

Or

The Council conduct the General Manager's mid-year performance review at its March 2021 meeting.

Report:

The Council would normally conduct my mid-year performance review at this meeting.

Following discussion with the Mayor and given my impending retirement, conducting the review appears pointless.

That said, if the Council does wish to proceed with the review this could be conducted at the next Council meeting.

Council Meeting

17 February 2021

7.7 Foreign Arrangements Scheme

Report by: Director Corporate Services, Matthew Hansen

Strategic Outcome: 2. Good government

Strategic Objective: 2.2 Strengthen strategic relationships and partnerships with community, business and government

Recommendation: That the Council note:

1. the report on the requirements of the *Australia's Foreign Relations (State and Territory Arrangements) Act 2020* (the Act), and
2. it is not party to any foreign arrangements as defined in the Act and is not in the process of negotiating, or entering into, such an arrangement.

Report:

In December 2020, The Parliament of Australia passed the [*Australia's Foreign Relations \(State and Territory Arrangements\) Act 2020*](#) (the Act).

The legislation requires local governments to:

1. From 10 March 2021, notify the Minister for Foreign Affairs (the Minister) of any proposal to enter into a foreign arrangement. If the local government enters into a foreign arrangement, it must notify the Minister within 14 days.
2. Before 19 June 2021, notify the Minister of pre-existing foreign arrangements already in operation.

The Minister may make a declaration prohibiting a local government from negotiating or entering into a foreign arrangement or varying or terminating any agreement in place.

Approved foreign arrangements will be listed on a public register.

The definition of "foreign arrangement" in the Act is quite broad however for local government it would generally include sister city relationships and international staff secondment arrangements.

Fact sheets issued by the Department of Foreign Affairs and Trade are attached as "**Appendix 7.6-A**".

The Council does not have in place any foreign arrangements and I am unaware of any plans to enter into any such arrangement. As such, the Council does not need to take any action at this stage.

Council Meeting

17 February 2021

7.8 End of Term Report Performance Monitoring Framework

Report by: Strategic & Social Planning Coordinator, Joanne Ruffin

Strategic Outcome: 2. Good government

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

Recommendation:

That the Council adopt the End of Term Report Performance Monitoring Framework appended as **"Appendix 7.8-A"**

Report:

New South Wales Councils, as part of the Integrated Planning and Reporting Framework are required to provide a report to their communities on the Council's implementation of their Delivery Program and achievements in implementing the Community Strategic Plan during a Council's term of office per s428(2) of the Local Government Act 1993.

The appended End of Term Monitoring Framework **"Appendix 7.8-A"** has been developed to:

1. Measure and report on the implementation of the Community Strategic Plan: Berrigan Shire 2027
2. Inform the preparation of Council's End of Term Report.
3. Measure and report on the implementation and effectiveness of the Council's Delivery Program
4. Fulfil statutory requirements pursuant to *Local Government Act 1993*

Council Meeting

17 February 2021

7.9 Development Application 126/21/DA/D6 Dwelling Additions

Report by: Development Manager, Laurie Stevens

Strategic Outcome: 1. Sustainable natural and built landscapes

Strategic Objective: 1.1 Support sustainable use of our natural resources and built landscapes

Recommendation:

That Development Application 126/21/DA/D6 for Dwelling Additions to 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 plan/drawing no: UCS Drafting Services Job 0050 sheet 1-3 and 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) has notified the Council of the appointment
- d) has given the Council at least 2 days' notice of the intention to commence erection of the building.

(Section 81A EP&A Act 1979)

3. Construction Certificate

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

4. 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)

5. Owner Builder Permit
Prior to any building work being undertaken on site an Owner-Builder Permit issued by the NSW Department of Fair Trading must be submitted to the Council in accordance with the provisions of the Environmental Planning and Assessment Regulation 2000.
6. BASIX
Prior to the issue of a Final Occupation Certificate, documentary evidence must be provided to the Principle Certifying Authority to demonstrate fulfilment of the commitments listed in each relevant BASIX Certificate for this development, as required by the Environmental Planning & Assessment Act 1979.
7. 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)
8. Demolition
The demolition shall be conducted and the site maintained in a safe condition during the process of the demolition in accordance with Australian Standard 2601-2001 the Demolition of Structures, Workcover guidelines and Occupational Health and Safety Regulations.
9. Hours of Operation
The hours of operation for the Construction works on the site shall be limited to the daylight hours, between 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 without the prior written consent of the Council.
10. Waste Material
All material and rubble arising from the demolition works shall be recycled and separated wherever possible. Any waste material must be disposed of in an approved landfill in accordance with EPA guidelines and Berrigan Shire Council requirements.
11. Compliance with Building Code of Australia
All building work must be carried out in accordance with the provisions of the Building Code of Australia
12. 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).

13. Smoke Alarms

The Environmental Planning and Assessment Amendment (Smoke Alarms) Regulation 2006 requires that all buildings used for sleeping must be fitted with smoke alarms that comply with Australian Standard (AS) 3786-1993 and the National Construction Code 2019. Prior to the issuing of a Final Occupation Certificate for the works specified in this consent, the Principle Certifying Authority must be satisfied that the smoke alarm/s are installed and operate correctly.

a) Smoke alarms must be connected to the consumer's main power where the consumer power is supplied to the building

b) and be interconnected where there is more than one alarm.

14. 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 the public place.

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

15. Waste

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

16. Road Reserve

Demolition waste, recycled materials or the like is not permitted to be stored on the road reserve. The road reserve is to be kept clean, tidy and in a safe condition while the demolition is being carried out.

17. Stormwater

Roof water from the building must be piped underground and connected to the existing dwellings drainage system or alternatively drained to the Forest Court kerb in accordance with the Building Code of Australia and Relevant Australian Standards.

18. Works in Road Reserve

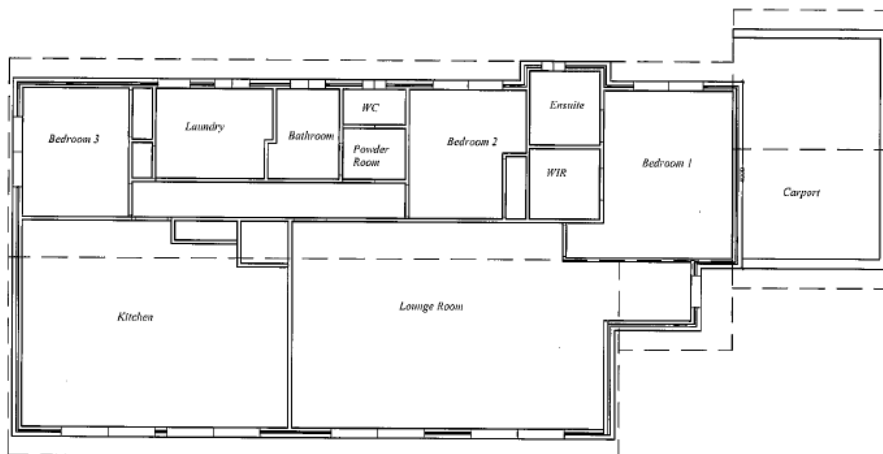
No work is to be carried out beyond the property boundary on any road reserve, naturestrip, footpath, concrete kerb, paved area, building or supply service without the prior written consent of the Council, in order to protect community assets and eliminate potential hazards to the community in the "public place".

An "Application for Works, Structures and Activities on a Council Road" must be submitted to Council, along with relevant plans and the determined fee. Consent must be obtained, before commencement of any work.

Report:

Proposal

The proposed addition involves the Construction of a new ensuite, walk in robe and Double garage to the existing dwelling. The materials used in the construction include colour bond roofing, Hebel panel walling with a rendered finish, and aluminum windows to match the existing, with a new concrete floor. (see "Appendix 7.9-A")



EXISTING FLOOR PLAN
SCALE 1:100

Figure 1- existing floor plan

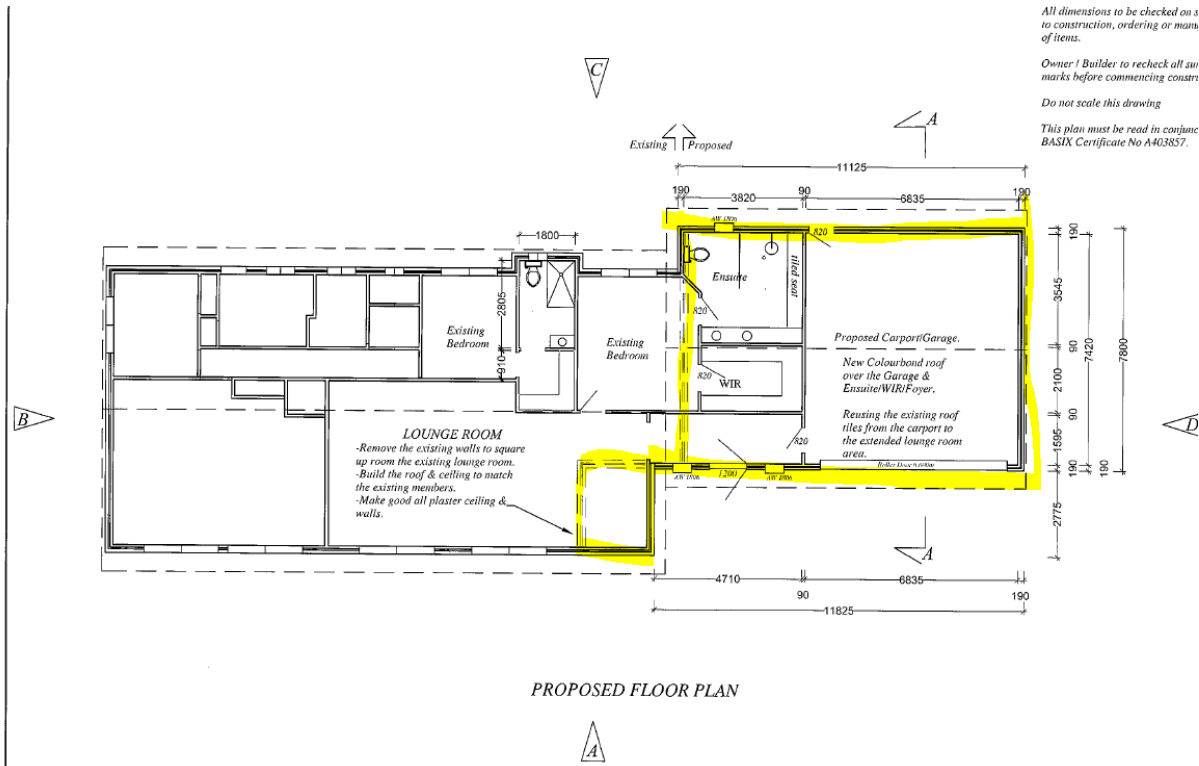


Figure 2 – Proposed Floor Plan

Subject site and Locality

Under the *Berrigan Local Environmental Plan 2013*, the subject site is zoned RU5 Village and the total area is 791.9metres². There is an existing dwelling on the subject site with a Pergola and a small outbuilding in the rear of the yard.

The neighboring environment has established residential dwellings and outbuildings in Forest Court and along Tongs Street, it is in a well-developed part of the township of Finley with the Finley showgrounds and a Power Substation to the South of the property.



Figure 3 – Aerial image of subject site

Assessment

A number of factors must be considered in assessing the proposed addition. Under the *Berrigan Local Environmental Plan 2013* dwelling additions are permissible within the RU5 Village zone.

Access

The applicant has submitted in writing that the access will be gained via the existing concrete cross over and no works are proposed to the existing crossover. Access to the new garage will be done solely within the property boundary. There will be a condition of the consent that prior consent will need to be obtained from Council if any works are proposed to the Crossover. As the existing driveway will be utilized there will be no impact on sight distances or on the any traffic movements.

An assessment of the proposal against the relevant development controls of the Berrigan DCP is provided in the table below and the potential impacts on the surrounding neighbouring environment.

Berrigan DCP Chapter 2 Residential Development	Assessment of proposal
2.1 Neighbourhood character Objectives of the controls is to create aesthetically pleasing	The neighboring environment has established residential dwellings with varying setbacks along Tongs street. Given the proposal will be located facing Forest

<p>residential neighbourhoods and high levels of amenity. The design of residential development is to suit the existing setbacks and character of the neighbourhood.</p>	<p>Court (West) the front of the dwelling, it is proposed to have the side setback of 975 millimeters from the Southern (secondary setback). This has been assessed as keeping in with the existing setbacks and character of the neighboring environment which would have a minor impact on the neighboring residential amenity. The construction materials used in the development and the design will help the addition blend in with the natural environment, as the building design is similar to the existing dwelling.</p>
<p>2.2 Streetscape Objectives of the controls is to ensure residential design makes a positive contribution to the streetscape and the integration of new development into the streetscape and neighbourhood. The bulk and scale should be kept to a compatible size with the existing development in the residential precinct.</p>	<p>The proposals physical appearance has been lessened with the new addition having a setback in the roof line. This helps the development keeping in character of the existing neighbourhood. By having a break in the roof its softens its external appearance. The proposed addition will have a 2775mm setback from the front of the building creating the setback in the roof line and giving of a more pleasing appearance to the streetscape.</p>
<p>2.5 Building Setbacks Objectives of the controls is to ensure attractive streetscapes through consistency of developments on Corner Lots. There is a minimum 3 metre secondary setback required for all corner lots.</p>	<p>The proposal does not meet the development objective being a 3 metre secondary side setback for corner lots. The proposed addition is 975 millimetres from the secondary side boundary. There is a property to the East (rear) see figure 3 which is also a corner lot having an outbuilding within 900mm to the secondary side boundary. Other developments along the Tongs street have varying setbacks, trying to achieve a consistent building setback will be inappropriate in this instance for this property as the encroachment shall have a minimal impact to the appearance on the streetscape in the area.</p>

The proposal does not comply with the development control Part 2.5 Building setbacks of the Berrigan DCP. However the proposal has been assessed as still adding a positive contribution to the existing Environment with the materials and finishes proposed in the development. And it is consistent with adjacent developments.

The applicant has stated in writing that the new garage is to be used for an additional secure car parking space, given the block size and its constraints the only way possible to do this on the property is to encroach on the site setback, I believe that this will not create a precedent

for future developments should Council approve, given the area where it is located in the township of Finley with surrounding developments with the similar setbacks.

Conclusion

In assessing this development application, the relevant parts of Section 4.15 of the *Environmental Planning and Assessment Act 1979* have been taken into account. The proposal has been assessed as not complying with one control in the Berrigan DCP Chapter 2. However upon assessment the development has been as assessed as having a minimal impact and the proposal be recommended for Approval.

Council Meeting

17 February 2021

7.10 Request for Financial Assistance

Report by: General Manager, Rowan Perkins

Strategic Outcome: 4. Diverse and resilient business

Strategic Objective: 4.1 Strengthen and diversify the local economy and invest in local job creation and innovation

Recommendation:

That the Council advise the applicant that no financial assistance can be provided for relief of recycling charges.

Report:

The Council has received the following request for the provision of two free recycling services:

From: [REDACTED] <[REDACTED]>
Sent: Thursday, 28 January 2021 2:41 PM
To: Mail <mail@berriganshire.nsw.gov.au>
Subject: Ref [REDACTED]

R Perkins
Berrigan Shire
Without prejudice.
Ref Assessment [REDACTED]

[REDACTED]
Ref account rendered issued by the shire regarding a Re cycling bin attached to the above property that was supplied to the property by the shire without request by the owners.

The bins service a [REDACTED] shop, [REDACTED] and [REDACTED]. What is the standard issue for a property taking into consideration the shire attitude to re cycling ? If the shire is to charge for 1 extra re cycle bin the issue is in sufficient for the re cycle volume produced by the occupants.

Contact has been made to [REDACTED] who has not been able to re assess the charge and requested the matter be referred to the G M for consideration to the re assessment of this extra charge.

Rates have always been paid on time for this and several other properties in the shire and ask if consideration could be taken into account as to the benevolence of [REDACTED] for the donation of building blocks for the [REDACTED] area in Deniliquin street and employment of residents of the shire through the Engineering works and shop and the operators and residents in this address.

Trust your re assessment would be in favour of the rate payers .

[REDACTED]

I advised the applicant that I could not, in effect, waive the fees as requested and I would refer the matter for its consideration.

Subsequent to that advice the following, further, email was received:

From: [REDACTED] <[REDACTED]>
Sent: Tuesday, 2 February 2021 10:33 AM
To: Perkins, Rowan <RowanP@berriganshire.nsw.gov.au>
Subject: RE: BERRIGAN SHIRE

Rowan,

Request fore consideration is for a Re cycle bin only; Not Domestic waste, and understanding of the Council attitude to Re Cycling would have thought assistance to residents would have been taken into account, as no official request has been made by this rate payer for the bin in the first instance, as Council have supplied to this address without request from these rate payers.

Thank you.

By way of background it appears that two uncharged recycling services have been provided to the premise since 2002. The facts about why these were provided without charge since that time are unavailable.

When rates staff became aware of the situation they raised 2 x pro-rata domestic waste charges against the property which has stimulated the above request.

The premises are rated as "Business" and can therefore elect to receive a Garbage service (1 x 240l garbage bin), a Domestic waste Management Service (1x 240l recycling bin + 1 x 120l garbage bin) or to have a private contractor manage their waste services.

The property is levied for 2 x garbage services servicing one shop and three units.

The basis for the request for financial assistance appears to be:

- Rates are paid on time;
- Local people are employed; and
- Land has been previously provided for the provision of a community facility.

Whilst the above is appreciated and understood it is not clear why this is an exceptional circumstance that would warrant the requested financial assistance. If the circumstances did warrant financial assistance it would be required to be provided to the many other whose circumstances are exactly the same.

In any case the service has already been provided for free for about 19 years.



The actual details regarding the request that have been excluded from the above email is included in the confidential section of this agenda.

Council Meeting

17 February 2021

7.11 Land Classification

Report by: General Manager, Rowan Perkins

Strategic Outcome: 4. Diverse and resilient business

Strategic Objective: 4.1 Strengthen and diversify the local economy and invest in local job creation and innovation

Recommendation:

That pursuant to S31 of the Local Government Act, the Council classify Lot 11 DP 1047241, Lots 1 & 2 DP511822 and Lot 1 DP101725 as "Operational" Land.

Report:

All Council land is required to be classified as "Community" or "Operational" land. The Council must before or within 3 months of purchase resolve such classification. Any land not so classified is "community" land.

"Operational" Land is broadly that, land that the Council uses in its business operations or purchases for development and resale etc. and is not generally available for unrestricted community use

"Community" Land is land that is generally available for community use.

The Council has recently negotiated the purchase of the above Lots and while the sale process is not complete it would be appropriate to classify the land as recommended.

Council Meeting

17 February 2021

7.12 Delivery Program Progress Report

Report by: Strategic & Social Planning Coordinator, Joanne Ruffin

Strategic Outcome: 2. Good government

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

Recommendation:

That the Council note and adopt the appended Delivery Program Progress Report and December Quarter Review of the Council’s Annual Operational Plan 2020/21






Report:

Circulated with this Agenda as “**Appendix 7.12-A**” is the Council’s Delivery Program Progress Report and December Quarter Review of the Council’s *Annual Operational Plan 2020/21*.

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

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

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

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

Additional information in the Delivery Program Progress Report and Operational Plan Performance Review and includes:

1. A Year to Date (YTD) assessment by the responsible Council Officer of progress toward completion and or the achievement of the set target.

2. Comments from the Responsible Council Officer highlighting service achievements and or the challenges relevant to the Council operation and action being reported and its status.
3. Activity data: measuring and reporting on indicators designed to report on the contribution of the Council’s 4-year Delivery Program actions toward the achievement of the Council’s Delivery Program Objectives.

The following tables (Table 1 and Table 2) provide a summary by strategic outcome of Council’s progress and performance as at 31 December 2020. Table 1 lists the actions which are past due or not on target with Officer Comments for each included in the appended review.

Table 1 Operational Plan Actions Not on Target or Past Due/Deferred or No Status

OP Code	Action
1.1.1.1	Commence review of Local Environment Plan
1.2.1.2	Participation in roadside vegetation projects
1.2.1.3	Undertake tree assessments and establish a tree register
1.2.1.5	Undertake a review of the plans of management for Crown Lands controlled by Council or Council Committees of Management
2.1.1.1	Promote and support the engagement of Shire residents, local business and agencies in the development and implementation of Berrigan Shire 2027
2.1.2.4	Manage human resource and workforce development activities through the implementation of the Berrigan Shire’s Workforce development Plan 2017 - 2021
2.1.3.4	Conduct service review and develop the Corporate Services Strategic Plan
4.2.1.3	Provide support to event proponents and organisers
4.3.1.1	Continue to advocate for the development of hardstand and serviced truck parking Tocumwal, Finley and Berrigan

Table 2 Performance by Outcome

	Completed	On target	Not on target	Past Due	Deferred / Not due to start	Total
Sustainable natural and built landscapes	2	14	1	0	3	20
Good government	0	12	2	0	1	15
Supported and engaged communities	0	13	0	0	0	13
Diverse and resilient business	0	14	0	0	2	16
Total Actions	2	53	3	0	6	64

Council Meeting

17 February 2021

7.13 Financial Review February 2021

Report by: Director Corporate Services, Matthew Hansen

Strategic Outcome: 2. Good government

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

Recommendation: That the Council:

1. Note the second quarterly review of the 2019/20 budget and vote the funds contained therein as shown in **"Appendix 7.13-A"**.
2. Note the Quarterly Budget Review Statement attached also as **"Appendix 7.13-B"**.

Report:

Circulated with the Agenda as Appendix A is the Quarterly Financial Review for the period 1 October 2020 to 31 December 2020. This report takes into account all known factors and work variations until 31 December 2020 and later where possible, including budget allocations for the 2020/21 financial year.

The report shows distribution of funds allocated to capital works in the original 2019/20 budget allocated to the specific jobs identified in the capital works program.

It also shows any brought-forward amounts as approved in the final review of the 2019/20 budget. The variations showed in the far-right column of the report shows changes to line budgets after the effect of any brought-forward amount has been considered.

The revised budget deficit is \$123,972.

This deficit however includes a \$570,000 drawdown from working capital as per Council's decision at the July 2020 council meeting and an internal loan from the Council's sewer fund of \$1,000,000 as foreshadowed in the Council's 2019/20 operating budget. Without these items, the budgeted cash deficit would be \$1,693,972.

This budget deficit does however include the entire budgeted cost of the \$1m Finley Saleyards upgrade as well as fully funding the Council's financial commitments to the Tocumwal Foreshore building and Tocumwal Air Museum along with other grant funded projects.

The revised budget has also taken a conservative view towards Council revenue with likely increases in planning and building revenue as a result of increased development not included in this budget.

This budget review also reflects major changes in the Council’s water and sewer funds to fully reflect the water treatment plant upgrades at Barooga and Finley as well as the grant and loan drawdowns to fund this work.

Significant variations are detailed below. Variances which are unfavourable to the Council’s result are shown with a (U) next to them and variances which are favourable are denoted with a (F).

JOB/GL CODE	TITLE/DESCRIPTION	AMOUNT		COMMENT
1001-0346	ADMIN AUDIT FEES	21,000	U	Revised Audit Fees from Crowe due to increased Work Required
1002-0350	COMMUNITY WORKS - GENERAL	15,476	U	S335 1/3 Loans
1008-0124	MANAGEMENT TEAM PROGRAM	18,571	U	Empowered Performers
1010-0107	ADMIN SALARIES - COMMUNICATION	35,000	U	New Communications Officer Position
1010-0121	CORP SERVICES - CONSULTANCY	50,000	U	Laurie Knight & GM recruitment consultant
1010-0195	ADMIN INSUR - OTHER	16,168	U	Due to itemisation
1010-0270	ASSET REVALUATION EXPENSE	11,393	U	APV Asset Revaluations
1010-0290	RAMJO JOINT PROJECTS CONTRIBUT	10,000	U	Pipe Software, Energy Audits & Strategy
1010-0509	UPGRADE TELEPHONE SYSTEM	19,000	F	Project Completed 2019/2020.
1011-0545	PUBLIC WORKS PLANT PURCHASE	84,167	U	Purchase Of Motor Vehicles
1011-0546	PUBLIC WORKS UTILITY PURCHASE	71,977	U	Purchase Of Motor Vehicles
1050-0180	WAGES ACCIDENT PAY TO EMPLOYEE	25,031	U	Work Cover
1055-0050	UNALLOCATED STORE COST VARIATI	20,557	U	Store Stocktake
1070-0145	PAID PARENTAL LEAVE	13,619	U	Maternity Leave
1200-1951	CROWN LANDS MANAGEMENT GRANT	65,697	F	Unspent grant funding 2019/2020
1300-1950	TRAINEESHIP GRANT - WAGE SUBSIDY	53,462	F	Certificate III in Construction Subsidy
1320-1205	MOTOR VEHICLE DISPOSAL	113,319	F	Sales Of Motor Vehicles
1400-1500	ACCIDENT PAY RECOUP	52,741	F	Work Cover
1400-1510	WORKERS COMPENSATION INSURANCE REFUND	22,183	F	2020/2021 Safety, Health & Wellbeing Incentive
1411-0145	ENV. SERV LEGAL EXPENSES	13,109	U	Increased Legal Expenses

JOB/GL CODE	TITLE/DESCRIPTION	AMOUNT		COMMENT
1417-0807	COREE STREET UPGRADE DSPF	149,528	U	Allocation of Budget for NSW Drought Stimulus Package
1510-0571	COREE ST RAW WATER MAIN REPLAC	294,114	U	Raw Water Main Replacement - Coree St Upgrade
1611-0110	SEWER TREATMENT - OP EXP - BGA	10,161	U	Budget Reallocation Sewer Operating Expense
1611-0125	SEWER TREATMENT - OP EXP - BGN	10,437	F	Budget Reallocation Sewer Operating Expense
1611-0185	RETIC - OP EXP - BGN	20,095	F	Budget Reallocation Sewer Operating Expense
1611-0216	RETIC OP EXP ELECTRICITY - TOC	10,186	U	Budget Reallocation Sewer Operating Expense
1611-0233	PUMPING STATIONS OP EXP TOC	14,979	F	Budget Reallocation Sewer Operating Expense
1710-0500	LIBRARY CAR PARK UPGRADE	15,000	F	Project Completed 2019/2020.
1717-0501	BGA LED LIGHT UPGRADES SCCF3	45,020	U	Budget Reallocation Sportsground Lighting Upgrade
1717-0502	BGN LED LIGHT UPGRADES SCCF3	64,259	F	Budget Reallocation Sportsground Lighting Upgrade
1717-0503	FIN LED LIGHT UPGRADES SCCF3	39,881	F	Budget Reallocation Sportsground Lighting Upgrade
1717-0505	TOC LED LIGHT UPGRADE LRCIP	93,898	U	Budget Reallocation Sportsground Lighting Upgrade
1718-0500	TOC FORESHORE STAGED DEVELOP	73,136	U	Variations to the Tocumwal Visitor Information Centre
1718-0502	RAILWAY PARK UPGRADE	77,518	U	25% Contingency of Budget
1718-0553	TOC WAAAF CREEK WALK - ART	20,000	U	Allocation of Budget for Create NSW
1718-0555	BERRIGAN HAYES PARK SCCF3	38,473	U	Allocation of Budget for SCCF 3
1905-0807	COREE STREET UPGRADE DSPF	106,120	U	Allocation of Budget for NSW Drought Stimulus Package
1910-0809	RESEAL DENISON ST FIN 466-1409	15,366	F	Budget Reallocation Urban Road Local Reseals
1910-0810	RESEAL DENISON ST FIN 1409-161	10,092	U	Budget Reallocation Urban Road Local Reseals
1911-0010	RESEAL COLDWELLS RD 3621-MR363	30,038	U	Budget Reallocation Rural Roads Reseals

JOB/GL CODE	TITLE/DESCRIPTION	AMOUNT		COMMENT
1911-0180	RESEAL LOGIE BRAE RD	62,000	F	Budget Reallocation Rural Roads Reseals
1911-0209	RESEAL BURMA RD 00-1.3	33,661	U	Budget Reallocation Rural Roads Reseals
1912-0041	RESHEET STONEBRINK ROAD	19,908	U	Budget Reallocation Rural Roads Resheets
1912-0121	FIRE BREAKS - RURAL UNSEALED R	18,290	U	Budget Reallocation Rural Roads Resheets
1912-0136	RESHEET MIECHELS RD SH17 - 3.1	41,058	F	Budget Reallocation Rural Roads Resheets
1913-0807	COREE ST - MEDIAN STRIPS DSPF	474,466	U	Allocation of Budget for NSW Drought Stimulus Package
1914-0001	YARRAWONGA RD 2.1-4.5KM	168,134	U	Budget Reallocation Rural Roads Construction
1914-0077	BUSHFILEDS RD 00-5KM	124,460	F	Budget Reallocation Rural Roads Construction
1914-0094	MELROSE RD 9637/10653	72,784	U	Budget Reallocation Rural Roads Construction
1914-0095	PEPPERTREE RD 3.5/4.2	24,927	U	Budget Reallocation Rural Roads Construction
1914-0110	WOOLSHED RD 2.4/2.9 & 3.5/4.8	185,007	F	Budget Reallocation Rural Roads Construction
1914-0216	LOWER RIVER RD CAUSEWAYS	100,000	F	Budget Reallocation Rural Roads Construction
1914-0316	YARRAWONGA RD 00 to 2676	183,622	U	Budget Reallocation Rural Roads Construction
1914-0317	YARRAWONGA RD 20607-22607	40,000	F	Budget Reallocation Rural Roads Construction
1916-0807	COREE STREET UPGRADE DSPF	170,028	U	Allocation of Budget for NSW Drought Stimulus Package
1917-0807	COREE ST FINLEY TONGS-MCNAMARA DSPF	97,043	U	Allocation of Budget for NSW Drought Stimulus Package
1920-0500	TOC AERODROME SECURITY FENCE	47,241	F	Shortfall in Expenditure for RAPI1
1920-0501	TOC AERODROME TERMINAL TOILETS	11,831	U	Over Budget - Tocumwal Aerodrome Refurbishment
2014-0500	SALEYARDS FACILITY UPGRADE	515,000	U	Stage 2 Upgrade Saleyards Facilities
2015-0205	BGN BOWLS MACHINERY SHED DC2	10,405	F	Shortfall in Expenditure for DC2
2015-0529	FIN SUBDIVISION - LEWIS CR	119,341	U	25% Contingency of Budget
3600-1814	CONSTRUCTION CERTIFICATE FEES	13,812	F	Increase in Budget Construction Certificates

JOB/GL CODE	TITLE/DESCRIPTION	AMOUNT		COMMENT
3600-1816	DEVELOPMENT APPLICATION FEES - APPLI	25,463	F	Increase in Budget Development Applications
3750-1807	COREE STREET UPGRADE DSPF	149,528	F	Allocation of Budget for NSW Drought Stimulus Package
4110-1504	SALE OF HIGH SECURITY WATER	105,220	F	Increase in Budget High Security Water
4110-1604	SECT. 64 CONT. WATER - TOC	12,185	F	Increase in Budget Tocumwal Water Contributions
4110-1700	EXTERNAL WATER LOAN PROCEEDS LCLI 400	4,000,000	F	Drawdown of NAB Loan for Barooga WTP
4110-1702	INTERNAL WATER LOAN PROCEEDS	2,600,000	F	Budgeted drawdown of Internal Sewer Fund loan to Water Fund
4110-1955	GRANT - SAFE & SECURE WATER	4,000,000	F	Budget for Grant
5110-2500	Internal Loans Drawdown	3,600,000	U	Budgeted drawdown of Internal Sewer Fund loan to Water Fund
5280-1500	TRUCK WASH (AVDATA) INCOME	35,707	F	Increase in Budget - Avdata Income
6100-1951	LIBRARY LOCAL SPECIAL PROJECTS GRANT	18,156	F	Unspent grant 2019/2020
6200-1605	TOC HISTORIC AIR MUSEUM CONTRIBUTION	60,000	F	Tocumwal Historic Aerodrome Museum Contributions
6200-1750	LCLI LOAN PROCEEDS 405	12,992	U	Incorrectly allocated budget
6400-1950	DC1 DROUGHT COMMUNITIES PROGRAM - FIN POOL	32,020	F	Budget Allocation Drought Communities 1
6500-1969	BERRIGAN SPORTSGROUND TOILET GRANT	52,749	F	Budget Allocation LRCIP2
6600-1601	TOC FORESHORE COMMITTEE CONTRIB	120,000	F	Tocumwal Foreshore Committee Contributions
6600-1605	TOC FORESHORE BUILDING CONTRIBUTIONS	60,000	U	Invoice Incorrectly Raised for Contribution
6600-1700	TOC FORESHORE LOAN PROCEEDS	1,000,000	F	Drawdown of internal loan from sewer fund
6600-1950	DC1 DROUGHT COMMUNITIES PROGRAM - BGN PARKS	53,035	F	Budget Allocation Drought Communities 1
6600-1951	CREATE NSW TOC CREEK WALK PLAN GRANT	55,000	F	Budget Allocation Create NSW
6600-1952	BAROOGA ADVENTURE PARK DC2	49,500	F	Budget Allocation Drought Communities 2

JOB/GL CODE	TITLE/DESCRIPTION	AMOUNT		COMMENT
6600-1953	BERRIGAN HAYES PARK SCCF3	12,110	F	Budget Correction SCCF3
7060-1807	COREE STREET UPGRADE DSPF	583,401	F	Allocation of Budget for NSW Drought Stimulus Package
7060-1950	DC1 DROUGHT COMMUNITIES PROGRAM - Scollour St	14,994	F	Budget Allocation Drought Communities 1
7300-1807	K&G COREE STREET UPGRADE DSPF	170,028	F	Allocation of Budget for NSW Drought Stimulus Package
7500-1807	FOOTPATH COREE STREET UPGRADE DSPF	97,043	F	Allocation of Budget for NSW Drought Stimulus Package
7700-1952	TOC AERODROME SECURITY FENCE RAPI	23,620	U	Shortfall in Expenditure for RAPI1
8300-1952	TOWN CBD REFURBISHMENTS DC2	75,000	F	Budget Allocation Drought Communities 2
8400-1952	BUSINESS DEVELOPMENT DC2	163,000	F	Budget Allocation Drought Communities 2
8900-1505	PRIVATE WORKS TECH SERVICES GST FREE	20,611	F	Increase in Budget Private Works

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

Quarterly Budget Review Statement

The December Quarterly Budget Review Statement is attached as “Appendix 7.13-B”

The QBRS is designed to:

- Facilitate progress reporting against the original and revised budgets at the end of the quarter
- Provide explanations for major variations
- Enable the Responsible Accounting Officer (RAO) to indicate if the Council will be in a satisfactory financial position at the end of the financial year.

This QBRS does not make any additional changes to the Council budget over and above the changes identified in the “line-item” report above. The QBRS simply shows the budget changes in another format to arrive at the same result.

The line-item budget report, while prepared on an accrual basis, delivers a “cash” report to the Council – i.e. what is the net cash position of the Council given the budget it has adopted. It

gives the Council some comfort that has sufficient cash to undertake the program of works adopted in the budget.

The line-item budget also provides the Council with a complete list of all Council job cost accounts thus ensuring transparency regarding changes to Council programs and /or cost overruns. It is possible however to lose track of the important changes in the large report.

The QBRS, on the other hand, is prepared strictly on an accrual basis and in a format that is consistent with the Annual Financial Statements. While some of the basic transparency of the line-item budget has been lost, it does allow for tracking of the Council's operating result from quarter to quarter to the end of the financial year.

Statements

The QBRS consists of six statements:

1. **Responsible Accounting Officer's statement** – This is a statement from the RAO advising the Council of her opinion regarding the Council's financial position.

If the RAO advises the Council that its financial position is not satisfactory, the RAO must provide the reasons for her concern and advice on what is required to remedy the situation.

2. **Income and Expenditure Budget Review Statement** – This is the budget equivalent of the Income Statement in the Annual Financial Statements. This report shows an updated projected operating result for the year and the effect of the proposed budget changes to the operating result.

- The first column shows the Council's original budget as reflected in the Management Plan adopted by the Council in June.
- The next five columns show budget changes previously approved by the Council. In this case, this reflects Council's works brought forward from 2019/20 and other internal adjustments.
- The Revised Budget column shows the Council's budgeted result prior the changes adopted by the Council in the September quarter review.
- The highlighted Variations this Quarter column shows the effect of the changes adopted by the Council at the review; and
- The Projected Year End Result shows the Council's current position.
- Finally, the actual YTD figures show what the Council's actual result for the quarter. As the Council raises much of its rate revenue at the start of the

financial year, this will be significantly more than the projected result for the year.

The December QBRS shows the Council is estimating to return an operating **deficit** after capital items for the 2020/21 year of \$335,000; a slight improvement from the September estimate of a \$925,000 operating surplus. Note this deficit is entirely a result of the decision by the Federal Government to pay 50% of the 2020/21 FAG in June 2020. There was a corresponding increase in the 2019/20 operating surplus.

3. Capital Budget Review Statement – This statement presents the Council’s budgeted capital works program.

The first half of the table shows how much the Council is proposing to spend on capital projects while the second half demonstrates how the Council is preparing to pay for them. The statement also splits Council’s expenditure into sub-categories of New Assets, Renewal Assets and Loan Repayments.

As per the Income and Expenditure Budget Review Statement, the Capital Budget Review Statement works from left to right from the original budget through the previously adopted changes through to the proposed changes and followed by the revised budget.

Since all expenditure should be funded in some manner, the Capital Expenditure and Capital Funding sections of this report should balance.

The significant change this quarter is the inclusion of a series of grant funded projects and loan drawdowns.

4. Cash & Investments Budget Review Statement – This statement attempts to show the movements in the Council’s cash position and cash reserves as well as duplicating some of the investment and bank reconciliation detail provided in the monthly warrant report to the Council.

Again the columns in this statement track the changes made as the year progress in the same manner as the previous two columns.

This report is in my opinion a very useful one for the Council as it allows the Council to track changes in its commitments and unrestricted cash.

The changes in this statement largely reflect the additional brought forward surplus and the FAG advance payment as well as the significant loan drawdowns

5. **Key Performance Indicators Budget Review Statement** – This statement is designed to provide some simple financial indicators to give the Council a snapshot of how it is performing financially.

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

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

The Debt Service Ratio is higher than previous years, reflecting the Council’s planned borrowings.

The Rates and Annual Charges Coverage ratio is lower than previous years, reflecting the increased grant revenue received by the Council.

The third indicator shows that the Council’s projected asset renewal ratio is 430%. This is well above the Fit for the Future benchmark of 100% for this ratio and is largely a result of the scheduled water treatment plant replacement at Finley.

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

8. ITEMS FOR NOTING

Recommendation: that Items for Noting numbered 8.1 to 8.4 inclusive be received and noted.

Council Meeting

17 February 2021

8.1 Barooga Public School – Letter of Thanks

Report by: General Manager, Rowan Perkins

Strategic Outcome: 3. Supported and engaged communities

Strategic Objective: 3.2 Support community engagement through life-long learning, culture and recreation

Report:

The Barooga Public School has written to thank the Council for its continued, and hopefully future, support of the annual Outstanding Leadership Award.



Barooga Public School

ABN 68487718097
P.O. Box 200 Hughes Street, Barooga NSW 3644
Ph: 03-58734242 Mobile: 0407 568097 Fax: 03-58734700
Visit our website: www.barooga-p.schools.nsw.edu.au
e-mail: barooga-p.school@det.nsw.edu.au (Staff/General)
e-mail: john.francis@det.nsw.edu.au (Principal/Confidential)

15th December 2020

General Manager
Mr Rowan Perkins
Berrigan Shire Council
PO Box 137
Berrigan NSW 2712

Dear Mr Perkins,

On behalf of the students and staff at the Barooga Public School I would like to thank the Berrigan Shire Council for the kind donation of a book award to a Year 6 pupil for Outstanding Leadership.

This year's recipient was Porsha Fisher.

We thank you for your support over the many years that you have been associated with our school and look forward to your continued support.

Yours sincerely,



John Francis
Principal.

Council Meeting

17 February 2021

8.2 Information in Support of Proposed Subdivision Development Application

Report by: General Manager, Rowan Perkins

Strategic Outcome: 4. Diverse and resilient business

Strategic Objective: 4.1 Strengthen and diversify the local economy and invest in local job creation and innovation

Report:

The Council has been considering how to deal with subdivision of land zoned RU5 that does not meet the present minimum lot size and therefore excludes any residential use of the land.

While the Council continues to explore this issue the following information has been received from a potential subdivider impact by the above constraint:

MURRAY RIVER POMEGRANATES, 2521 MULWALA-BAROOGA ROAD, BOOMANOOMANA: POMEGRANATES



Acreage / Number of Trees:	25ha / 21,750 trees
Total development costs:	\$5.3m : Earthworks, Irrigation, trees, fencing, trellising, orchard tractor/sprayers from local suppliers
Gross value of production	\$2,250,000
Direct Labour requirements	4 people full time. +15 people part time annual picking
Indirect Labour in immediate area	Locally sourced sorting, packaging, transport and wholesale marketing
Future value-added plans	Small Juicing plant sales: \$350,000 In-Season, on-site, restaurant café: \$110,000
Total annual economic value:	\$2,710,000 p.a

MURRAY PARK, GNAWE RD, BAROOGA: AVOCADOES



Acreage / Number of Trees:	20 ha / 8,000
Total development costs:	\$4m : Earthworks, Irrigation, trees, fencing, trellising, orchard tractor/sprayers from local suppliers
Gross value of production	\$5,000,000 - \$7,000,000
Direct Labour requirements	6-8 people full time. +20 people part time annual picking
Indirect Labour in immediate area	Locally sourced sorting, packaging, transport and wholesale marketing
Future value-added plans	Self-sufficient packing plant: \$450,000
Total annual economic value:	\$5,450,000-7,450,000 p.a

SQUIRES WINERY, 6900 MURRAY VALLEY HIGHWAY, BUNDALONG : GRAPES



squires
WINERY

Acreage / Number of Trees:	25ha
Total development costs:	\$3.2m : Earthworks, Irrigation, trees, tree-ties fencing, trellising, orchard tractor/sprayers from local suppliers
Gross value of production	\$4,500,000 including cellar door sales
Direct Labour requirements	4 people full time. +10 people part time during peak picking
Indirect Labour in immediate area	Locally sourced sorting, packaging, transport and wholesale marketing
Future value-added plans	None.
Total annual economic value:	\$4,500,000 p.a

RICH GLEN OLIVE, MURRAY VALLEY HIGHWAY, YARRAWONGA : OLIVES

RICH GLEN
olive estate



Acreage / Number of Trees:	40ha / 44,000 trees
Total development costs:	\$1.5m : Earthworks, Irrigation, trees, fencing, trellising, orchard tractor/sprayers from local suppliers, front retail business set up.
Gross value of production	\$2,000,000
Direct Labour requirements	6 people full time. +10 people part time annual picking
Indirect Labour in immediate area	Locally sourced sorting, packaging, transport and wholesale marketing, retail sales direct to public.
Future value-added plans	Recently established Yarrawonga Shopfront established. \$100,000
Total annual economic value:	\$2,100,000

These 4 businesses are representative of the high value / smaller acreage businesses which are operating already within the region. There are other examples of cherries, strawberries, cherry tomatoes, boutique dairy, brewery and citrus which offer similarly high value adding opportunities for the region.

At a macro level, the collective value to the region of having more numerous high value businesses, has positive flow-on effects for tourism. This is in addition to the more quantifiable benefits of employment, wealth creation and water utilisation within the region.

It is counterintuitive that any zoning restrictions would preclude having these types of high values businesses set up in our council area.

Chris Brooks,
Brooks Farms Pty Ltd

Council Meeting**17 February 2021****8.3 Location of Tocumwal Glider**

Report by: General Manager, Rowan Perkins
Strategic Outcome: 4. Diverse and resilient business
Strategic Objective: 4.2 Diversify and promote local tourism

Report:

The Council, at its January 2021 meeting considered a report regarding a future location of the glider that was removed from the Tocumwal Foreshore.

Following consideration of the issue the Council resolved *“that the Council make a decision on the location of the Tocumwal Glider after consultation with the Tocumwal Aviation Museum operators and then consultation with the wider Tocumwal community”*.

Following the above resolution the Council consulted with the proposed operators of the Tocumwal Aviation Museum that have responded as follows:

“Thank you for your letter reference the request from Tocumwal Soaring Centre with respect to future location of the glider which was at the foreshore. We have no preference for it to be located within the vicinity of the Museum building. Our suggestion would be either at the Sportavia / Tocumwal Soaring Centre facility given the significant gliding history that facility represents and I believe another suggestion was appropriately within Ingo Renner Park. We agree that as something that has been a central attraction to the town for so many years, it would be something that a consultation process to get the input of residents would be worthwhile”.

Given the response received, staff will now commence the wider community consultation as proposed in the second part of the Council’s resolution.

Council Meeting

17 February 2021

8.4 Development Determinations for Month of January 2021

Report by: Executive Support Officer, Rebecca Ware

Strategic Outcome: 2. Good government

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

Report:

APPLICATIONS DETERMINED FOR JANUARY 2021

Application	Description	Property Location	Applicant	Owner	Status	Value	Days Taken	
80/21/DA/D1	DWELLING	BUSHLANDS ROAD, TOCUMWAL NSW 2714 (Lot6//DP286078)	Mr Timothy Morgan	MR T D MORGAN AND MS N E MOLONEY	Approved 07-01-2021	\$ 260000.00	Active 28	Total 59
89/21/DA/DM	FUEL FACILITY	1 HARLEY COURT, FINLEY NSW 2713 (Lot11//DP713898)	Brunker Fabrications	NIANGBY SUPERANNUATION PTY LTD	Approved 19-01-2021	\$ 200000.00	Active 49	Total 49
107/21/DA/D9	3 LOT SUBDIVISION	100 BURMA ROAD, TOCUMWAL NSW 2714 (Lot4//DP802330)	Eslers & Associates	MR P J CULLEN AND MRS J C CULLEN	Approved 29-01-2021	\$ 0.00	Active 35	Total 35
108/21/DA/D5	STORAGE SHED	95 NANGUNIA STREET, BAROOGA NSW 3644 (Lot11//DP787922)	O'Halloran Property Service	MR JD DREW AND MS ER WALKINGTON	Approved 15-01-2021	\$ 51229.00	Active 25	Total 25
110/21/DA/D5	RESIDENTIAL STORAGE SHED	265 MURRAY STREET, FINLEY NSW 2713 (Lot6/23//DP758412)	Kevin Linton	MS M F LINTON	Approved 06-01-2021	\$ 11000.00	Active 15	Total 15
116/21/DA/D2	INSTALLATION OF SHADE SAILS	10-16 BURKINSHAW STREET, BAROOGA NSW 3644 (Lot240//DP41479)	Barooga Sports Club	BAROOGA SPORTS CLUB LIMITED	Approved 08-01-2021	\$ 35000.00	Active 14	Total 14
118/21/DA/D1	BV DWELLING & ATTACHED GARAGE	7 BELINDA COURT, TOCUMWAL NSW 2714 (Lot20//DP270154)	Ms Constructions Pty Ltd	MRS MC HARRISON	Approved 21-01-2021	\$ 554723.00	Active 23	Total 23
121/21/DA/D1	BV DWELLING & ATTACHED GARAGE	36 COBRAM STREET, TOCUMWAL NSW 2714 (Lot2//DP1251575)	Stoneway Constructions	MR S D PERRYMAN	Approved 05-01-2021	\$ 391214.00	Active 9	Total 9
122/21/DA/D1	BV DWELLING & ATTACHED GARAGE	33 TAKARI STREET, BAROOGA NSW 3644 (Lot52//DP1123204)	D & M Bowden Construction	MR W R ROBINSON	Approved 08-01-2021	\$ 275435.00	Active 4	Total 4
25/21/CD/M1	BV DWELLING & ATTACHED GARAGE	53 HUGHES STREET, BAROOGA NSW 3644 (Lot2//DP1257753)	Simonds Homes	MR DC WINCHCOMB	Approved 08-01-2021	\$ 244205.00	Active 3	Total 3

APPLICATIONS PENDING DETERMINATION AS AT 31/01/2021

Application No.	Date Lodged	Description	Property Location
52/20/DA/D2 - M	24-10-2019	MODIFICATION OF EXISTING DWELLING TO COMMERCIAL PREMISES & CONSTRUCTION OF 1 SHOP & NEW DWELLING	42-48 DENILQUIN ROAD, TOCUMWAL NSW 2714 (Lot1//DP972176)
108/20/DA/D1- M	23-01-2020	BV DWELLING & ATTACHED GARAGE - MODIFICATION	58-62 SNELL ROAD, BAROOGA NSW 3644 (Lot25//DP1049419)
119/20/DA/DM	21-02-2020	AMPHITHEATRE, FISHING PLATFORM & ACCESS TRACKS	DENILQUIN STREET TOCUMWAL (Lot7002//DP1019579)
40/21/DA/DM	14-08-2020	4.95MW SOLAR FACILITY BROUGHANS ROAD	BROUGHANS ROAD, FINLEY NSW 2713 (Lot126//DP752299)
59/21/DA/D9	16-09-2020	2 LOT SUBDIVISION/BOUNDARY REALIGNMENT	2521 MULWALA-BAROOGA ROAD, BOOMANOOMANA NSW 3644 (Lot96//DP752280)
91/21/DA/D9	12-11-2020	24 LOT SUBDIVISION	2-16 BANKER STREET, BAROOGA NSW 3644 (Lot194//DP752274)
99/21/DA/DM	23-11-2020	GRANITE WAR MEMORIAL	122 JERILDERIE STREET, BERRIGAN NSW 2712 (Lot33//DP1189220)
100/21/DA/D5	26-11-2020	RESIDENTIAL STORAGE SHED	19 MOORE STREET, TOCUMWAL NSW 2714 (Lot21//DP545305)
104/21/DA/DM	04-12-2020	9 HOLE MINI GOLF COURSE	18-38 BURKINSHAW STREET, BAROOGA NSW 3644 (LotPT261//DP1138087)
109/21/DA/D5	11-12-2020	RESIDENTIAL STORAGE SHED & TREE REMOVAL	11 BAROOGA ROAD, TOCUMWAL NSW 2714 (Lot11//DP1265195)
112/21/DA/D9	18-12-2020	17 LOT SUBDIVISION	HUGHES STREET, BAROOGA NSW 3644 (LotPT 10//DP1257753)
115/21/DA/D9	18-12-2020	9 LOT SUBDIVISION	HUGHES STREET, BAROOGA NSW 3644 (LotPT 10//DP1257753)
26/21/CD/M6	13-01-2021	VERANDAH	250 GOLF COURSE ROAD, BAROOGA NSW 3644 (Lot6//DP791909)
123/21/DA/DM	15-01-2021	RELOCATE EXISTING DWELLING	25 HANNAH STREET, TOCUMWAL NSW 2714 (Lot164//DP752296)
124/21/DA/D5	18-01-2021	CARPORT & VERANDAH	23 EMILY STREET, TOCUMWAL NSW 2714 (Lot21//DP588306)
125/21/DA/D1	18-01-2021	CONSTRUCT TRANSPORTABLE DWELLING	193 QUICKS ROAD, TOCUMWAL NSW 2714 (Lot65//DP877159)
126/21/DA/D6	26-01-2021	ADDITIONS TO DWELLING	5 FOREST COURT, FINLEY NSW 2713 (Lot16//DP39698)
27/21/CD/M5	28-01-2021	INGROUND FIBREGLASS SWIMMING POOL	6 IVIE AVENUE, BAROOGA NSW 3644 (Lot35//DP1093869)

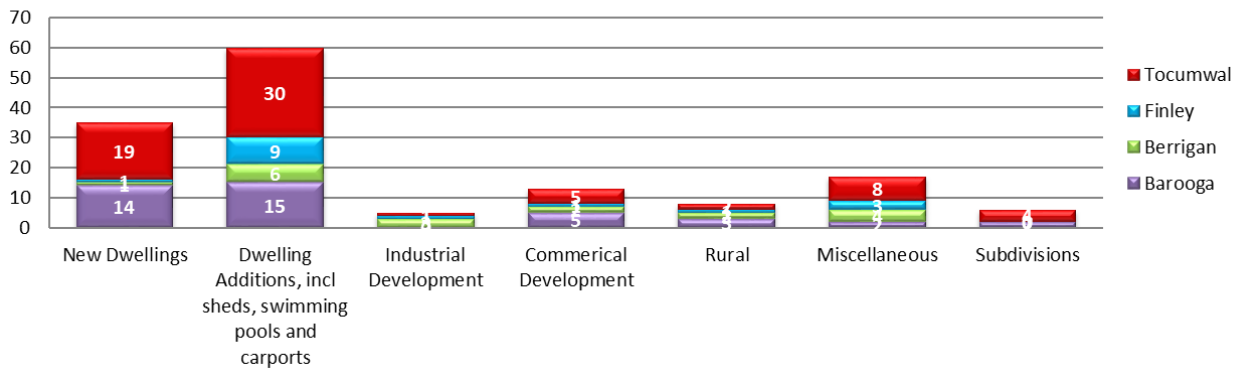
TOTAL APPLICATIONS DETERMINED / ISSUED (including modifications)

	This Month (January)	Year to Date	This Month's Value (January)	Year to Date Value
Development Applications (DA)	9	120	\$1,778,601	\$20,993,307
Construction Certificates (CC)	6	91	\$1,316,372	\$11,183,060
Complying Development Certificates (CDC)	1	24	\$244,205	\$3,217,126
Local Activity (s.68)	9	53	0	0

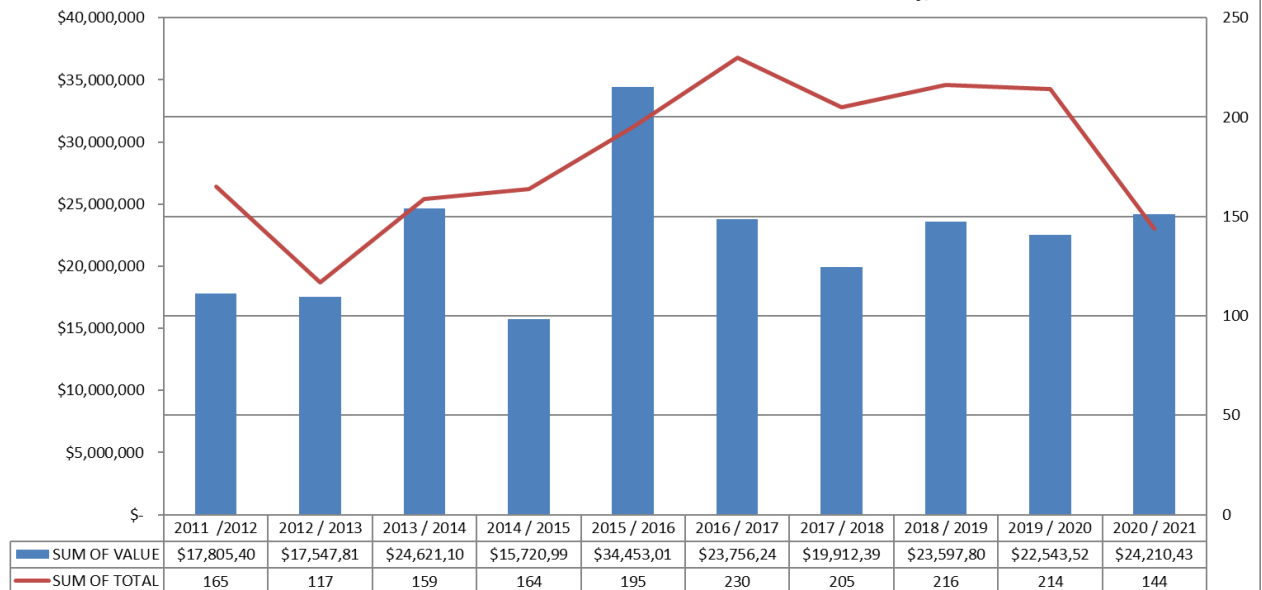
OTHER CERTIFICATES ISSUED FOR JANUARY 2021

	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	
	JAN	Year Total	JAN	Year Total	Jan	Year Total	JAN	Year Total	JAN	Year Total	JAN	Year Total
BAROOGA	6	65	0	0	0	1	0	1	0	0	1	4
BERRIGAN	3	36	0	0	0	5	0	0	0	1	0	1
FINLEY	14	76	0	0	0	4	0	0	0	0	0	0
TOCUMWAL	23	103	0	2	0	1	0	0	0	1	1	8
TOTAL	46	280	0	2	0	11	0	1	0	2	2	13

DEVELOPMENT ACTIVITY 2020/2021 as at 31 January, 2021



DEVELOPMENT ACTIVITY as at 31 January, 2021



9. CLOSED COUNCIL

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

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

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than councillors)
- (b) the personal hardship of any resident or ratepayer
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret
- (e) information that would, if disclosed, prejudice the maintenance of law
- (f) matters affecting the security of the council, councillors, council staff or council property
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

9.1 Tocumwal Car Parking

This item is classified CONFIDENTIAL under section 10A(2) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

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

It is not in the public interest to reveal the information provided by the consultant.

9.2 Request for Financial Assistance

This item is classified CONFIDENTIAL under section 10A(2) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

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

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

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

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

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



Open Council resumed at

RESOLUTIONS FROM THE CLOSED COUNCIL MEETING

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



10. COMMITTEES

11. MAYOR'S REPORT

Recommendation: That the Mayor's Report be received.

12. DELEGATES REPORTS

13. BUSINESS ARISING

14. CLOSE OF MEETING