



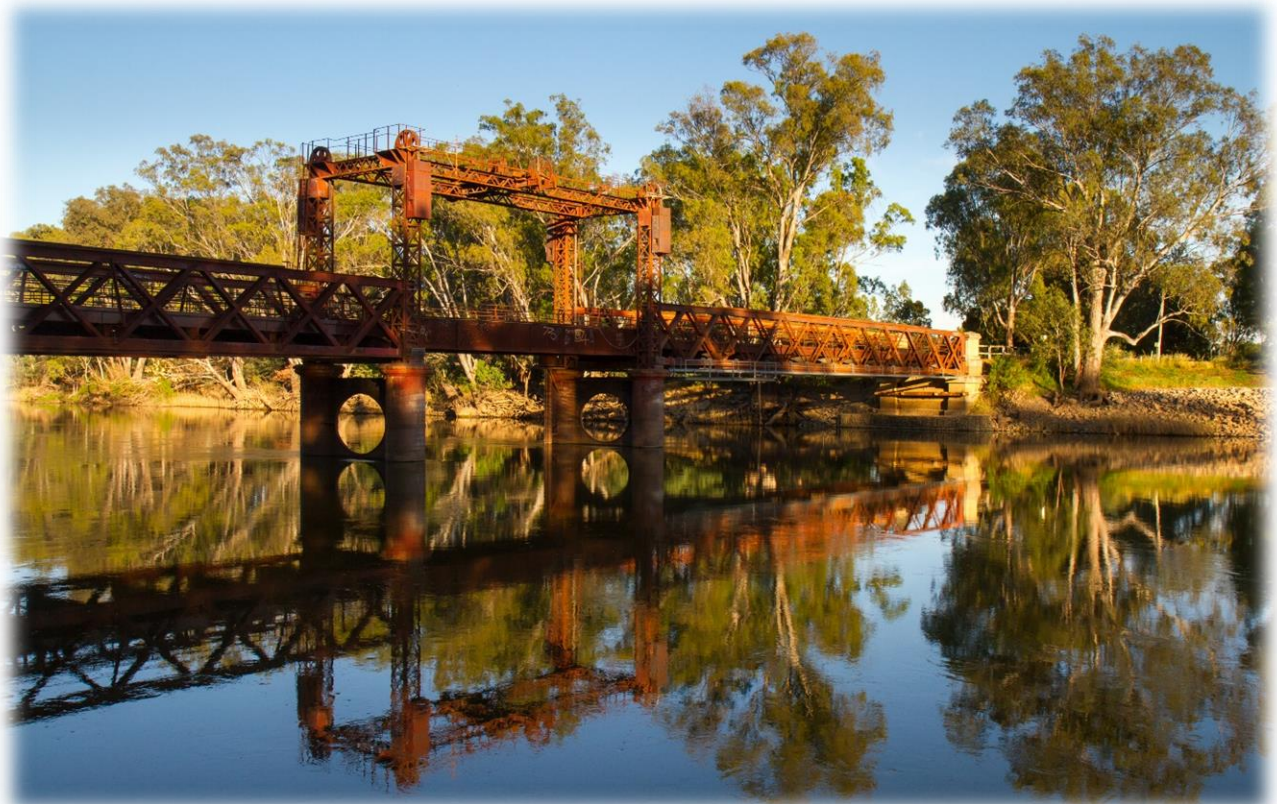
## ORDINARY MEETING OF COUNCIL

Wednesday 19 May, 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 19 May, 2021** when the following business will be submitted:-

## ITEMS OF BUSINESS

<b>1.</b>	<b>APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE</b>	<b>4</b>
<b>2.</b>	<b>DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTERESTS</b>	<b>4</b>
<b>3.</b>	<b>VISITORS</b>	<b>4</b>
<b>4.</b>	<b>CONFIRMATION OF MINUTES</b>	<b>4</b>
<b>5.</b>	<b>MAYORAL MINUTES</b>	<b>4</b>
<b>6.</b>	<b>NOTICES OF MOTION</b>	<b>4</b>
<b>7.</b>	<b>ITEMS FOR RESOLUTION</b>	<b>4</b>
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<b>14.</b>	<b>CLOSE OF MEETING</b>	<b>66</b>

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

MATTHEW HANSEN  
ACTING GENERAL MANAGER



## Council Meeting

Wednesday 19 May, 2021

### **BUSINESS PAPER**

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

1. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE
2. DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTERESTS
3. VISITORS
4. CONFIRMATION OF MINUTES

**Recommendation:** That the Minutes of the Ordinary Council Meeting held in the Council Chambers on Wednesday 21 April, 2021 and the Minutes of the Extraordinary Council Meeting held in the Council Chambers on Wednesday 28 April, 2021 be confirmed.

#### 5. MAYORAL MINUTES

Nil

#### 6. NOTICES OF MOTION

Nil

#### 7. ITEMS FOR RESOLUTION

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Council Meeting

19 May 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 30 April 2021,
- b) Confirm the accounts paid as per Warrant No. 04/21 totaling \$2,267,011.11, and
- c) Note the report on investments attached as **"Appendix 7.1-A"**

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**Report:**

- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 30 April 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 30 April 2021.
- c) The Finance Manager certifies the Accounts, including the Petty Cash Book made up to 30 April 2021, totaling \$2,267,011.11 and will be submitted for confirmation of payment as per Warrant No. 04/21
- 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) Funds have decreased in April, as expected, due to the continuous payment of large contracts. The movement in cash holdings is largely comparable with the same period last year.

Overall funds are \$7.986M higher compared to the same period last year and are expected to remain stable in the coming months.

f) Further information regarding Council’s investments is attached to this Agenda as Appendix “7.1-A”.

**Statement of Bank Balances as at 30 APRIL 2021**

**Bank Account Reconciliation**

Cash book balance as at 1 APRIL 2021	\$ 10,550,471.72
Receipts for APRIL 2021	\$ 1,114,941.06
Term Deposits Credited Back	\$ 2,000,000.00
	<b><u>\$ 13,665,412.78</u></b>

*Less Payments Statement No 04/21*

Bank Transfers	\$ -
Electronic Funds Transfer (EFT) payroll	\$ 586,870.59
Electronic Funds Transfer (EFT) Creditors E036933-E037156	\$ 1,613,368.98
Term Deposits Invested	\$ -
Loan repayments, bank charges, etc	\$ 66,771.54
Total Payments for APRIL 2021	\$ 2,267,011.11

**Cash Book Balance as at 30 APRIL 2021** **\$ 11,398,401.67**

*Bank Statements as at 30 APRIL 2021* \$ 11,395,963.76

Plus Outstanding Deposits \$ 2,437.91

Less Outstanding Cheques/Payments \$ -

**Reconciliation Balance as at 30 APRIL 2021** **\$ 11,398,401.67**

**INVESTMENT REGISTER**

INSTITUTION	DEPOSIT NO.	TERM (days)	RATE	MATURITY DATE	INSTITUTION TOTAL	S&P RATING
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+
AMP	144/19	365	**0.30%	23/03/2022	\$ 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	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	102/14	365	0.50%	6/04/2022	\$ 2,000,000.00	BBB
Defence Bank Limited	138/18	365	0.70%	10/01/2023	\$ 2,000,000.00	BBB
NAB	143/18	365	0.55%	18/11/2021	\$ 2,000,000.00	AA-
					<b><u>\$ 30,000,000.00</u></b>	

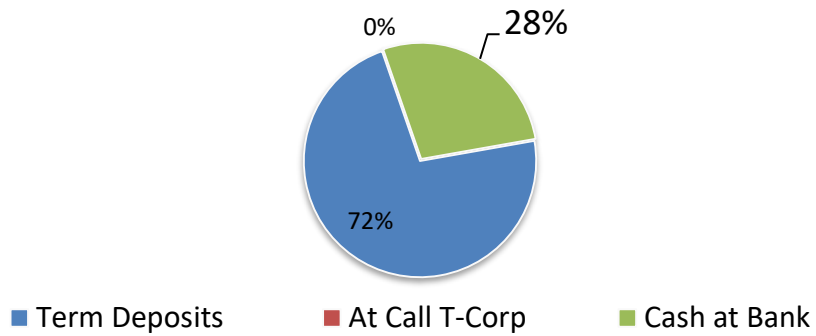
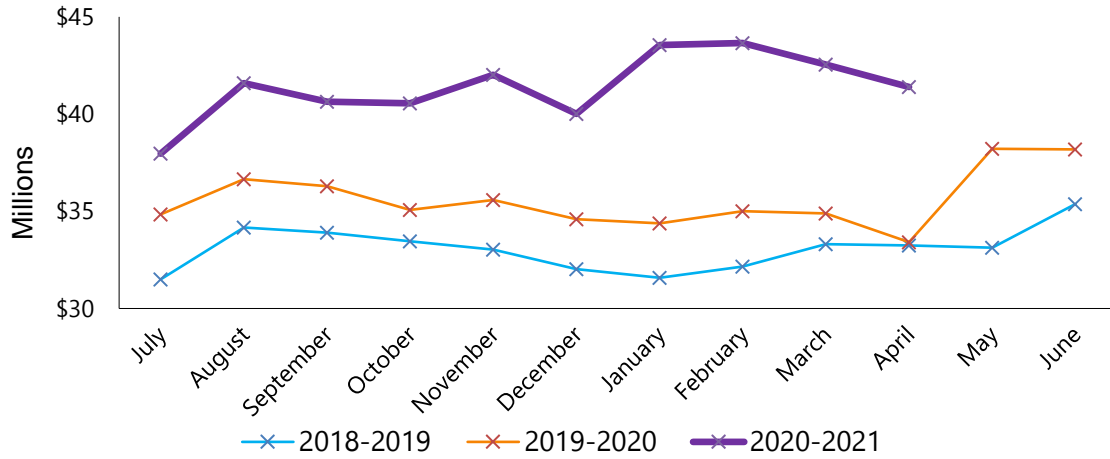
**Total Funds Held at 30 APRIL 2021** **\$41,398,401.67**

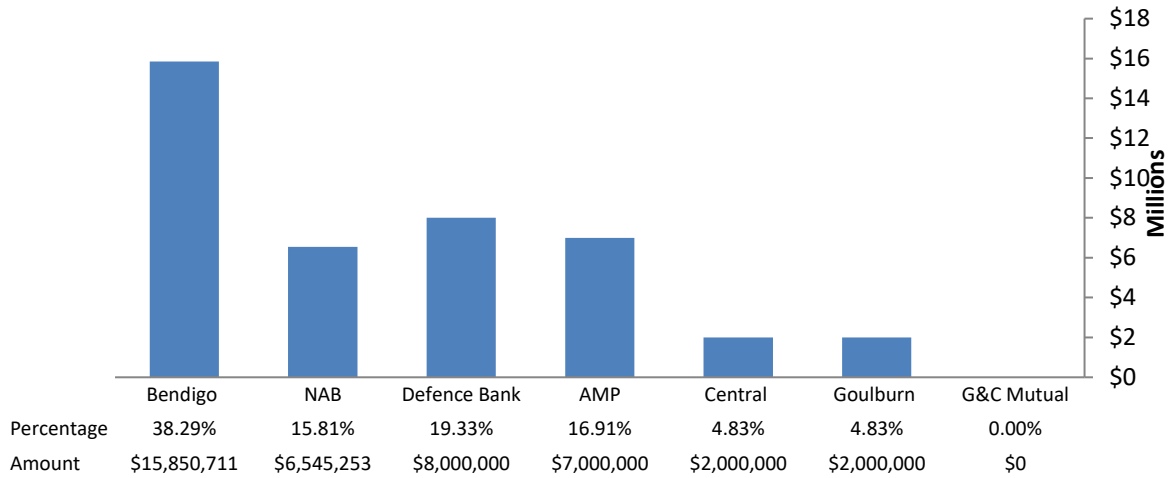
**Tahlia Fry - Finance Manager**

\*The Council also receives an additional 0.25% commission

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

### Total Cash and Investments



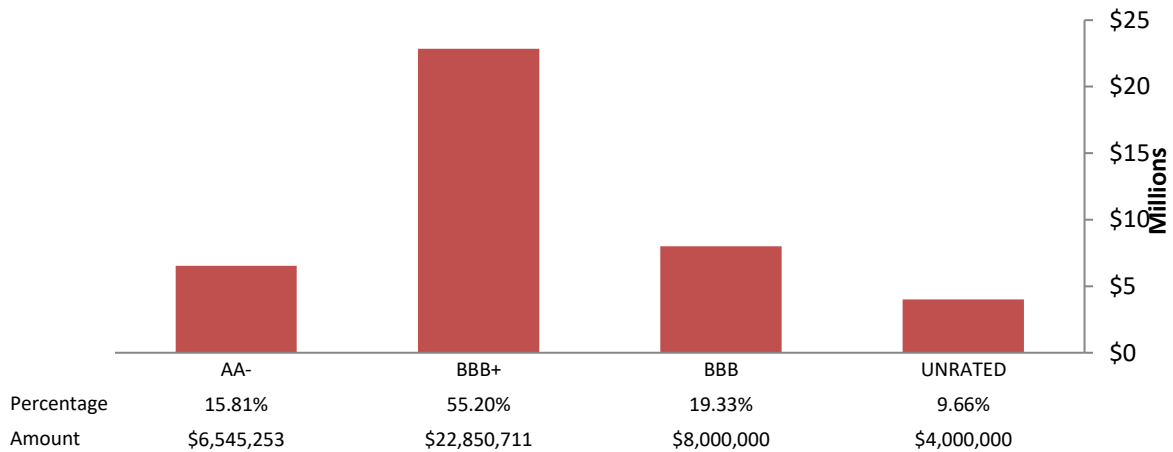


**Term Deposits Credited Back**

Prior Financial Institution	Term (Days)	Amount	Interest Rate	Maturity Date
DEFENCE BANK LTD	366	\$ 2,000,000.00	1.65%	6/04/2021
G&C MUTUAL BANK	365	\$ 2,000,000.00	1.70%	6/04/2021

**Term Deposits Invested / Reinvested**

Current Financial Institution	Term (Days)	Amount	Interest Rate	Maturity Date
DEFENCE BANK LTD	365	\$ 2,000,000.00	0.50%	6/04/2022





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Council Meeting

19 May 2021

7.2 149/21/DA/D5 – Residential Storage Shed and Rainwater Tank

Report by: Acting Development Manager, Matthew Miller

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 149/21/DA/D5 for a Residential Storage Shed and Rainwater Tank be approved subject to the following:

1. Approved Plans

The development shall be implemented substantially in accordance with the details set out on the approved plans Amended Site Plan and Ranbuild Shed Structural's dated 16.02.2021 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) notified the Council of the appointment
- d) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved.
- e) given the Council at least 2 days notice of the intention to commence erection of the building. (Section 81A EP&A Act 1979)

3. Occupation

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

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

(Section 6.3 and 6.18 EP&A Act 1979)

4. Construction Certificate

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

5. Use

This approval is granted for the shed to be used for storage purposes normally associated with a residence. No other use is permitted for the shed unless prior approval is obtained from Council.

6. 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 6.5 EP&A Act 1979)

7. Permitted hours for building work

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

8. Stormwater

Roofwater from the structure is to be retained on site and should be collected and stored for recycling and reuse.

9. Water and Sewer Connections

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

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

10. Compliance with Building Code of Australia

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

11. Excavations and backfilling

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- (a) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
- (b) All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

12. 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. Roofwater

Roofwater from the structure is to be piped underground to the street gutter or alternatively collected and retained on site for recycling and reuse. Stormwater from the structure must not discharge over ground to cause a nuisance to any neighbours.

14. Erosion & Sediment Control

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

15. Driveway/Access

An all weather access driveway must be provided and designed to Australian Standards prior to issue of an Occupation Certificate. This is to ensure safe vehicular movements on the site.

**Division:**

In Favour:

Against:

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**Report:**

**Purpose of Report**

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This report is provided to Council for the determination of a Development Application (DA) as Council Officers do not have delegation to determine this particular application due to the receipt of submissions during the notification period and cannot be determined under delegation.

### **Proposal**

The subject Development Application seeks consent for the construction of a residential storage shed and installation of a 15m antenna tower.

The residential storage shed is proposed to be located on the rear boundary of 25 Anthony Avenue, Tocumwal and clad in colourbond materials. The shed is proposed to 4 bays wide (3m wide bays) at a total of 12m by 8m wide. The shed is located 3m from the rear boundary (to avoid an existing easement) and 4.5m from the southern boundary and 3.5m from the northern boundary. The Development Application also seeks consent for a rainwater tank to the northern side of the shed. The rainwater tank is proposed to be 10kl in volume and by a total diameter of 2.6m and height of 2.1m.

The application also seeks development consent for the installation of a 15m antenna tower.

### **Notification**

The application was notified to adjoining neighbours due to the potential amenity impacts associated with the proposed antenna tower from 10 March 2021 until 31 March 2021. Council received multiple submissions in response to the notification relating to the proposed antenna tower.

Council officers met with the applicant to discuss the issues raised in the submissions and they were advised that the installation of the antenna tower be withdrawn and removed from the subject application. The applicant confirmed in writing that they withdrew the part of the application that related to the proposed tower.

### Submissions

A total of one (1) submission and seven (7) proforma letters were received during the notification period.

Issues regarding the antenna tower included:

- Security of structure to prevent local children from accessing and climbing the structure
  - Risk of interference with local technical equipment
  - Visual and amenity issues/impacts
  - De-valuation of property
  - Materials of construction (new/existing)
  - Questions regarding is suitability of use in a residential zone
  - Structural concerns relating to whether structure could withstand strong winds
-

The applicant was advised that it was in his best interest to withdraw the portion of the application that related to the antenna tower. The applicant was also advised that any future application for the structure needed to include additional information and clarity that addresses the concerns raised above.

As the antenna tower was withdrawn from the subject application, the concerns and objections raised by the submitters are considered to be satisfied.

Another single objection was received in relation to the shed location and materials of construction. The applicant has amended plans to satisfy the concerns of the objector and has also confirmed the proposed colours and finishes will not be reflective.

This objector was notified that the proposal was amended and was provided a copy of the amended plan. The objector confirmed that they were satisfied with the changes as proposed. No further action was required and it is considered that all objections relating to the shed have been satisfied.

### **Impacts**

Council should note that the applicant could submit a future application for the antenna tower. It is noted that if this eventuates the application will be duly notified to the neighbours again as per Council's notification requirements. If submissions are received, the application will be referred to a Council meeting for determination.

Council should also note that the applicant may have provision under *State Environmental Planning Policy (Exempt and Complying Development) 2008* to carry out development for the purposes an antenna tower under the 'exempt provisions' of the SEPP without the consent of Council. The applicant would be required to comply with the 'development standards' as outlined under the relevant section of the SEPP. Council does not hold the power to prohibit development carried out as exempt development (i.e. not requiring Council's consent).

### **Conclusion**

As such, the Development Application only seeks development consent for the construction of the residential storage shed and water tank. A full development assessment report is provided as "**Appendix 7.2-A**". The report assesses the application as required under s4.15 of the *Environmental Planning and Assessment Act 1979*.

Also attached as "**Appendix 7.2-B**" is the amended plan.



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Council Meeting

19 May 2021

7.3 ALGA National General Assembly and Regional Forum

Report by: Acting General Manager, 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 Mayor and Chief Executive Officer attend the ALGA National Assembly and Regional Forum in Canberra from 20 June to 23 June, 2021.

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**Report:**

The ALGA has advised the Council that its National General Assembly and Regional Forum will be held at Canberra from Sunday 20 June until Wednesday 23 June 2021.

Early Bird registration for the Assembly is \$989 and \$225 for the Regional Forum (if attending the Assembly or otherwise \$425). The Networking dinner is \$150 and the General Assembly dinner is \$175. Transport, accommodation and sustenance are additional.

The Council normally does not attend the National General Assembly, however the Mayor has expressed his interest for both he and the Chief Executive Officer to attend this year.

A copy of the Program is attached at **"Appendix 7.3-A"**.

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Council Meeting

19 May 2021

7.4 Good Times in Tocumwal Street Festival Temporary Road Closure –  
Application 58/21/RA/R14

Report by: Assets & Operations Manager, Gary George

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 approve Application 58/21/RA/R14 for the Temporary Road Closure submitted by Strawberry Music Group Pty Ltd to hold the ‘Good Times in Tocumwal Street Festival’ on Saturday 19 June, 2021. The festival will be held in Deniliquin Street, between the Murray Street roundabout and Morris Street, Tocumwal during the hours of 12:30pm to 2:00am, subject to Transport NSW, NSW Police and Berrigan Shire Council being listed as interested parties on the organiser’s Certificate of Currency.

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**Report:**

An application for the Temporary Road Closure has been received from Strawberry Music Group Pty Ltd to hold an On Road Event on Saturday 19 June, 2021, in Deniliquin Street, between the Murray Street roundabout and Morris Street, Tocumwal during the hours of 12:30pm and 2:00am.

The event is the ‘Good Times in Tocumwal Street Festival’ and comprises of a lantern parade and live music being played in a number of venues.

The Local Traffic Committee members have all given their approval of this event, subject to Transport NSW, NSW Police and Berrigan Shire Council being listed as interested parties on the organiser’s Certificate of Currency.

The Council is supporting this event by supplying traffic control plans, implementation of signage, extra bins and media and promotional outlets throughout the Shire.

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Council Meeting

19 May 2021

7.5 Lifting of Alcohol-Free Zone restrictions - Good Times Festival

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, suspend the Alcohol Free Zone for the area closed to traffic on Deniliquin St from 3.00pm to 11.59pm on Saturday, 19 June 2021 in accordance with Section 645 of *the Local Government Act 1993*.

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**Report:**

Strawberry Music Group Pty Ltd are proposing to hold a “Good Times in Tocumwal” two-day family-focused music event in Tocumwal on the weekend of Saturday, 19 June and Sunday 20 June 2021. The event will involve 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, 19 June 2021, the organisers propose to have an outdoor live music event on Deniliquin St. During this event, the road will be closed to traffic from 3.00pm to 11:59pm – subject to Council and police approval.

The organisers 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 road reserve, including the road and footpath, is covered by the Alcohol Free Zone restrictions adopted by the Council under s644B of the *Local Government Act 1993* (the Act) These restrictions prohibit the consumption of alcohol at all times.

The Council has no set policy on the lifting of alcohol restrictions but it has lifted these restrictions on alcohol consumption for similar events in the past. These events have not created any public disturbance issues and this event is expected to 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 manner that the council is satisfied is likely to bring the notice to the attention of members of the public in the area as a whole or in a part of the area that includes the zone concerned. In addition, the Alcohol-Free Zone guidelines advise that the Council must liaise with the police.





The suspension of an Alcohol-Free Zone must be made via Council resolution - it cannot be delegated to the General Manager/Chief Executive Officer.

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Council Meeting

19 May 2021

7.6 163/21/DA/DM – Good Times In Tocumwal Street Festival

Report by: Acting Development Manager, Matthew Miller

Strategic Outcome: 3. Supported and engaged communities

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

**Recommendation:** That Development Application 163/21/DA/DM for the Good Times In Tocumwal Street Festival be approved subject to the following:

1. Approved Plan

The development shall be implemented substantially in accordance with the details set out on the approved Site Plan and any supporting information received with the application except as amended by the conditions specified hereunder.

2. Approval limitations

This application is for one event only during 2021 with no subsequent events approved by this application.

3. Temporary event signage

All signage proposed must comply with the requirements of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

The standards specified for that development are that the development must—

- a) not have a surface area of more than 6m<sup>2</sup>, and
- b) not be higher than 5m above ground level (existing), and
- c) not be permanently fixed to a building, fence or wall, and
- d) not be illuminated, and
- e) not be displayed earlier than 1 day before the event, and
- f) be removed within 1 day of the event.

4. Other approvals

*Traffic Management Plan*

Prior to the event a Traffic Management Plan must be submitted and endorsed by Council's Local Traffic Committee.

*Temporary Road Closure Application*

Prior to the event a Temporary Road Closure Application must be approved by Council.

5. Staff and contractors requirements

All Staff and Contractors must;

- Provide SWMS (where available)

- Provide Public Liability Insurance and any other insurance legally required.
- Adhere to all site policies and rules outlined by promoters

#### 6. Waterways Pollution

All necessary precautions must be taken to ensure that pollution of waterways does not occur in accordance with the provisions of section 120 of the Protection of the Environment Operations Act 1997.

#### 7. Food Stall Holders

All food stall holders must operate in accordance with the NSW Food Act 2003 to ensure that the health and well-being of patrons is maintained.

Temporary food stalls must be:

- located in a dust free area
- away from toilets and garbage bins
- supplied with sufficient potable water
- suitably constructed, including floor, walls and ceiling
- fitted with food handling facilities for storage, cooking, hot/cold holding, preparation, serving and handwashing.

Mobile food vendors need to ensure the construction and operation of the vehicle is appropriate for the preparation and sale of food. This includes:

- surfaces that are easy to clean
- handwashing facilities
- Satisfactory waste disposal.

Ensure food counters are accessible to attendees using wheelchairs.

#### 8. Public Health

All toilets and drinking water management systems must comply with NSW Health Requirements and the Public Health Act 2012 and Regulation 2012. This also includes meeting the Australian Drinking Water Guidelines 2011 and any subsequent amendments.

#### 9. Communications with Murrumbidgee Local Health District

A direct line of contact to the event medial team must be provided to the on-call Murrumbidgee Local Health District's HSFAC to enable early coordination of health resources if a mass casualty incident occurs. The number should be provided prior to the event by email to [MLHD-HSFAC@health.nsw.gov.au](mailto:MLHD-HSFAC@health.nsw.gov.au). Should there be any questions regarding this request, the Public Health Unit can be contacted on 02 6080 8900.

#### 10. Emergency Services

All emergency service organisations in the locality must be notified at least two weeks prior to the event to ensure that all resources will be available in case of emergency.

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- Police Schedule 1 form may be required- Notice of Intention to Hold a Public Assembly. Please liaise with the local Police to organise this documentation.
- Any conditions or instructions Police place on this event are to be met.

All instructions given by the Police and/or other Authorities are to be followed.

11. First Aid and Medical Services

First aid and medical services must be provided. The provision of adequate facilities and qualified personnel to administer first aid and medical treatment are to be provided. The location of the first aid and medical services must be clearly identifiable to attendees.

12. Security Personnel

All security personnel must be licensed and sufficient security presence must be maintained from throughout the entirety of the event.

13. Waste Removal

Sufficient waste facilities are to be provided onsite to ensure all waste is contained appropriately onsite during the event. All waste must be appropriately managed throughout the event being removed and disposed of appropriately as required during the event to ensure all waste is contained appropriately. All waste is to be removed and disposed of appropriately at the completion of the event with no waste from the event being permitted onsite. A site inspection must be carried out with Council officers on the completion of the event to ensure that all waste has been removed and the site has been remediated to its former condition.

14. Human Waste

That no human waste (blackwater, solids or the like) be disposed of onsite (composting included). An authorised human waste collection contractor is to be engaged to collect and dispose of all human waste to an approved sewerage treatment facility. A written statement prepared by the human waste collection contractor is to be submitted to Council upon disposal of all human waste to this facility. Further details of effluent disposal are to be provided to Council prior to commencement of the event.

15. Trade Waste

Onsite amenities must be provided to adequately cater for all employees and attendees at the event. Any Contractor awarded the contract to remove wastewater for offsite disposal, is required to apply to Council for a trade waste approval. This is to ensure there is adequate amenity for all employees /visitors and to ensure that waste from the development is affectively managed. Council's Trade Waste Officer can be contacted on 03 5888 5100 to assist with all approvals as required.

16. Toilets

Prior to the event, the applicant shall provide definitive details of the number of toilet facilities proposed in relation to the estimated number of patrons and evidence that the

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number of toilet facilities will be adequate. Council reserves the right to require additional toilet facilities if not satisfied with this justification.

- All portable toilet facilities be located on a flat surface and at least 100m away from any watercourse.
- Toilet facilities within existing business premises may be utilised in the offsetting the calculation of the number of required toilets.

Refer to: <https://www.dpc.nsw.gov.au/tools-and-resources/event-starter-guide/health/> to assist in calculating the required number of toilets needed.

17. Site Inspection

An inspection by Council officers prior to the event must be arranged and undertaken to ensure all conditions of consent have been met and the proposal has been implemented in accordance with the submitted documents.

18. Traffic Management

All recommendations of the endorsed Traffic Management Plan must be in place and complied with.

19. Liquor Licensing

A valid liquor license issued by the NSW Liquor and Gaming Authority must be in place for the event and all persons responsible for the sale of alcohol must possess accredited Responsible Service of Alcohol certificates. Evidence of this must be provided to Council prior to commencement of the event.

20. Fire Pits

All fire pits must be fenced to ensure appropriate standard of occupational health and safety for the festival participants.

Any fuel/wood used in the designated fires, be controlled by the festival staff, with access to all fuel and wood restricted from festival patrons. No other fires will be permitted during the festival other than designated camp fires.

Appropriate fire safety equipment must be located in a readily identifiable and accessible area for use in the case of an emergency.

21. Compliance with Protection of the Environment Operations Act 1997

Operations on the site must comply with relevant environmental legislation including *Protection of the Environment Operations Act 1997*.

22. Damage to Council property

That prior to the event the applicant arrange inspections with Council's Asset's and Operations Manager to establish the existing condition of Deniliquin Street (within events approved extent). Once the event has been completed, any damage evident on Deniliquin Street is to be rectified at full cost to the applicant, with any works to be undertaken to be in correlation to advice and the supervision of Council's Asset's and Operations Manager.

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23. Structures

Stage structures, stalls, marquees and any other temporary structures are to be erected and maintained in accordance with the manufacturer's specifications OR approved details prepared by a practising structural engineer. Upon erection and prior to use, stages and the like are to be inspected by Council.

24. Post Event Requirements

All temporary structures, portable toilets, waste (and waste receptacles), signage and other items used as part of the festival must be clear or removed as required by the conditions of consent prior to the opening of Deniliquin Street to the public and through traffic.

25. Incident reports

You should have a system in place at your event to record any incidents, accidents or near misses that occur.

All staff, volunteers and contractors working at the event must have a clear understanding of how to record incidents and what to do with this record at the end of the event. This should be done during site inductions and briefings.

26. Emergency Management Plan (EMP)

An Emergency Management Plan (EMP) must be prepared and be in place prior to the start of the event. When completed, copies of your EMP should be provided to:

- Relevant emergency services
- Berrigan Council
- any agencies providing services in support of the event
- staff, volunteers, contractors and performers (during a pre-event briefing)
- suppliers who will be present at the event.

27. Notification to surrounding property owners

Notification to surrounding property owners in Deniliquin Street and any surrounding affected streets must be notified at least two weeks prior to the event. The notification at a minimum must outline how they will be effected including the proposed traffic changes.

28. Child-safe and child-friendly events

A procedure implementing effective child-safe policies and practices must protect the children involved in or present at an event.

A designated area must be set up where lost children can be looked after and where carers can find them. This area must be communicated to event attendees before and during the event.

Briefing staff and volunteers on the procedures to be followed for lost children, such as incident report forms, use of public announcements, and circumstances under which the police should be contacted.

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The lost children's area should be staffed by appropriately qualified employees or volunteers. All volunteers or employees that have contact or are working in a child related position must hold a valid Working with Children's Check.

29. Drones

Flying remotely piloted aircraft (RPA) are regulated in Australia by the Civil Aviation Safety Regulations 1998. A Remote Pilot Licence (RePL) allows individuals to fly for commercial operators, who in turn must hold an RPA Operator's Certificate (ReOC).

While RPAs less than two kilograms do not require a ReOC, you must notify the Civil Aviation Safety Authority (CASA) five business days prior to your event. Operators must also adhere to CASA's standard operating conditions (or apply for approvals or exemptions). Note that the event is proposed to be held in an area in proximity to the Tocumwal Aerodrome. You must ensure you comply with all relevant legislation, Federal and State Government Agency requirements.

**Division:**

In Favour:

Against:

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**Report:**

**Purpose of Report**

This report is provided to Council for the determination of a Development Application (DA) as Council Officers do not have delegation to determine the application.

The Development Application cannot be determined under delegation as the event may have some significant impact to the Township of Tocumwal.

**Proposal**

The subject Development Application seeks consent for the Good Times Festival In Tocumwal that is situated in the CBD Part of Deniliquin Street, Tocumwal.

General overview of the main Event:

- Friday, 18 June 2021
  - A show in Terminus Hotel. The event will operate under hotels approvals and operational requirements.
- Saturday, 19 June 2021
  - 1300 hours - Shut Down Deniliquin Street
  - Live music in Street
  - Live music in Memorial Hall (proposed licensed area)
  - 1800 hours - Lantern Parade
  - Midnight - Close event

The event will be a free event to all patrons and attendance of around 3500 people.

### **Impacts**

This event will support local businesses in the area as it will bring much needed economic support to the township of Tocumwal and surrounding communities. Given the past 12 months with the COVID -19 Restrictions the event will be welcomed by all involved both socially and economically.

With previous events help by the same applicant at professional standard and with minimal complications the Conditions of consent are recommended to ensure relevant safety, environmental and operational matters are complied with to ensure a satisfactory and low impact event

The applicant has applied for the other relevant approvals for this event to go ahead. They are currently in the process of obtaining those approvals.

No formal correspondence from the community against the event has been received, the organiser has adverted on social media and in shops all with positive responses to the event.

### **Conclusion**

The Development Application only seeks development consent Good Times Festival In Tocumwal for a one off event. A full development assessment report is provided as "**Appendix 7.6-A**". The report assesses the application as required under s4.15 of the *Environmental Planning and Assessment Act 1979*.

Also attached as "**Appendix 7.6-B**" is a site plan for this development application.



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Council Meeting

19 May 2021

7.7 Stronger Country Communities Fund - Round 4

Report by: Director Corporate Services, Matthew Hansen

Strategic Outcome: 2. Good government

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

**Recommendation:** The direction of the Council is sought.

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**Report:**

The Department of Regional NSW (DRNSW) has opened a fourth round of funding under the Stronger Country Communities Fund (SCCF)

SCCF Round 4 will provide \$100m for community projects in NSW with 50% of the funds reserved for projects that increase female participation in sport and enhance female sporting facilities.

The share of the funding pool reserved for projects in Berrigan Shire is \$801,248.

Note that while Berrigan Shire has been allocated a set amount of funding, this is a competitive grant round and community not-for-profit organisations are free to apply as well as the Council.

DRNSW have prepared a [Frequently Asked Questions](#) page providing more information on eligibility and

Applications close on Friday 25 June 2021. If the Council is to submit a quality application, Council staff need clear direction as soon as possible.

**Potential projects**

Barooga Aquatic and Recreation Centre pool

The Council has been approached by the Barooga Aquatic and Recreation Centre (BARC) advisory committee to support an application from Sporties Barooga to fund much needed remediation works on their indoor pool. An estimated cost of the proposed works follows in this report.

The advisory committee believe this project is an excellent fit for the funding program. They also advised the Council that these works need to be completed in the near future if the facility is to continue to operate.

Attached as “**Appendix 7.7-A**” is an email from Barooga Aquatic Recreation Centre describing their proposal.

The Council may wish to support this application as its main funding priority.

#### Barooga Recreation Reserve netball courts

The Council has had replacement of the netball courts at Barooga on its agenda for 18 months now – part of a broader strategy to replace all the netball courts across Berrigan Shire with modern, low maintenance, fit-for-purpose facilities.

This project has been delayed as the Barooga Recreation Reserve Committee of Management have not been able to agree on a site for the courts. The Mayor and Cr Bruce are trying to derive some agreement from stakeholders.

Even if consensus is reached, the Council does not have detailed plans and estimates for this work that would support a high quality application. The short period until applications close will make preparing a quality application difficult.

Ideally, any application would be supported by a reserve master plan that shows the courts as an integrated part of the entire reserve - including female change facilities. This will not be possible by 25 June.

A letter from Barooga Recreation Reserve Committee of Management is attached as “**Appendix 7.7-B**” outlining their position for the netball courts.

#### Finley War Memorial Hall renovations

The Finley War Memorial Hall Committee of Management has contacted the Council requesting permission and support for an application under this program to undertake required refurbishment works on the floor and walls.

#### Barooga Recreation Reserve - other projects

The recently adopted Barooga Recreation Reserve strategic plan identifies some other projects that may be suitable

1. Replacement of the cricket nets – the practice nets are dated, in poor repair and dangerous. Barooga Cricket Club are looking to promote women’s cricket and this project would be a step towards that.
2. Construction of a new equestrian arena – the equestrian facilities do not meet contemporary expectations. Cobram-Barooga Equestrian Club is run mostly for and by women.

While both groups have obtained some preliminary costings, again any application would be better supported with detailed design and a masterplan.

#### Other projects

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The Council may wish to consider other projects that are not related to Barooga Recreation Reserve or to women's sport.

The Council has a concept plan for the Tocumwal WAAAF Creek Walk and an application could be made to fund a further stage of those works.

The Council has also been requested by Finley RS Club to support an application under this program to refurbish their squash courts and associated facilities.

Councillors may have other suggestions



## NSW Stronger Country Communities - budget

Program	Estimate/Budget (exc GST)
Coordination	13,250
Filtration Renewal	163,416
Chemical Dosing Renewal	71,000
Concourse and changeroom floor Re-Surfacing	201,000
Solar Panel replacement	30,000
Heating	4,000
Filtration Renewal	3,000
Electrical	30,000
Roof Access	20,000
Contingency	50,000
TOTAL	585,666

Council Meeting

19 May 2021

7.8 Low Cost Loans Initiative Funding Agreement for Barooga Water Treatment Plant

Report by: Acting General Manager, 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 sign and seal the documents for the Low Cost Loans Initiative Funding Agreement for the Barooga Water Treatment Plant.

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**Report:**

The Council and the Office of Local Government have agreed on the terms of the Low Cost Loans Initiative subsidy agreement relating to the loan undertake for the upgrade of the Barooga Water Treatment Plant.

It would now be appropriate to sign the funding agreement under the Council's seal.

A copy of the agreement is attached as "**Appendix 7.8-A**".

**Note:** *the Council has already drawn down these funds. This agreement relates to the NSW government interest rate subsidy and not the loan itself.*

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**Council Meeting**

**19 May 2021**

**7.9 Barooga Recreation Reserve Committee of Management**

Report by: Acting General Manager, 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:

- a) revoke existing members of the Barooga Recreation Reserve Committee of Management.
- b) pursuant to Section 355 of the Local Government Act, 1993, appoint the following persons to the Barooga Recreation Reserve Committee of Management:

President:	Max Steward
Vice President:	Wes Sutton
Secretary:	Marcia Nolan
Treasurer:	Natasha Bignell
Committee:	
	Darrell Bowden
	Gabe Florence
	Stacey Ware
	Sheila Keamy
	Dave Stevens
	Jackie Vogel
	Craig Adkins
	Paula Kerr

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**Report:**

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

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Council Meeting

19 May 2021

7.10 Communication Strategy

Report by: Communications Officer, Keelan McDonald

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 Communication Strategy attached as "Appendix 7.10-A".

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**Report:**

Attached, as "Appendix 7.10-A" is a proposed Communication Strategy for Berrigan Shire Council. If adopted, this will be the Council's first Communication Strategy.

The Communication Strategy has been prepared as part of the Council's overall Integrated Planning and Reporting model. The strategy is designed to inform the communications of Council, both internal and external.

The Communication Strategy identifies five objectives:

1. **Develop a social media strategy**
2. **Build the capacity of staff to communicate, engage and champion council business**
3. **Use communications to build trust and increase councils reputation through ongoing messaging and engaging visual presence**
4. **Develop an ongoing communications plan that enables the community to easily access information they need**
5. **Support and connect local communities and businesses**

To achieve these five objectives, the strategy identifies ten key actions:

- 1.1 Develop and implement a social media strategy
- 1.2 Develop a communications toolkit
- 1.3 Be our own news station
- 1.4 Build trust by showcasing Council expertise and capability
- 1.5 Explore new ways to deliver information and connect council with community
- 1.6 Facilitate greater self-service of information
- 1.7 Ensure content is easily digestible by the community
- 1.8 Improve effectiveness of communications channels
- 1.9 Create opportunities for local and tourism related engagement
- 1.10 Share the stories that make Berrigan shire a great place for both residents and visitors

All objectives and actions feed into both the overall communications vision identified in the strategy:

*To build and foster a stronger connection between Berrigan Shire Council and its communities through informative, consistent and engaging communications that promote trust and support Council's vision to 'attract residents, families and tourists.'*

These actions will require ongoing review as the communication space evolves.



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Council Meeting

19 May 2021

7.11 Berrigan Golf and Community Bowls Club – Water

Report by: Director Technical Services, Matthew Clarke

Strategic Outcome: 1. Sustainable natural and built landscapes

Strategic Objective: 1.3 Connect and protect our communities

**Recommendation:** That the Council volumetrically bill Berrigan Golf and Community Bowls Club for the usage of unchlorinated irrigation water at a rate of \$0.15 / kiloliter on a quarterly basis.

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**Report:**

The purpose of this report is to inform Council of the current water supply arrangements with Berrigan Golf and Community Bowls Club and recommend a strategy moving forward.

At present, The Berrigan Golf and Community Bowls club takes water Councils raw feed line to the Berrigan water treatment plant (prior to chlorination) at no cost. The water passes through a meter, however, it appears that no charge has been passed on to the Club operator since 2008. It is unclear as to why billing and water meter reads ceased. From the existing billing information it was found that on average the club uses approximately 100ML of water per year. Council also directs the majority of its storm water network towards the club, which is controlled by valves, which allows the club to reduce the volume of metered water being used. The uptake of stormwater from the club has been quite poor in recent years, as there has been no financial incentive for the club to utilize stormwater.

It was previously assumed that the Berrigan Golf and Community Bowls Club held a water allocation through Murray Irrigation Ltd, however, no material has been provided to support this assumption and the reality is that the consumption is being taken from Councils water allocation.

Moving forward it is recommended that the Berrigan Golf and Community Bowls Club be volumetrically billed for their consumption of raw water at reduced rate of \$0.15/ KL (which would amount to approximately \$15k per year based on 100ML usage) to give an incentive for the uptake of stormwater and maintain consistency with other golf clubs in the Local Government Area.

\$0.15/KL is has been derived from assuming a water value of approximately \$100 per ML water value plus pumping and operation costs of \$0.05 per KL.

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Council Meeting

19 May 2021

7.12 Draft Integrated Plans

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:

1. Adopt the following draft plans and strategies and policy for public exhibition:
  - Review of the Long Term Financial Management Plan 2021 - 2031 (“**Appendix 7.12-A**”);
  - Review of the Asset Management Strategy 2021 – 2031 (“**Appendix 7.12-B**”);
  - Review of Workforce Development Plan 2021 – 2025 (“**Appendix 7.12-C**”);
  - Review of Delivery Program 2017 – 2022 (“**Appendix 7.12-D**”);
  - Draft Annual Operation Plan 2021/22 (“**Appendix 7.12-E**”); and
  - Draft Revenue Policy included in the Draft Operational Plan 2021/22
2. Re-adopt the Financial Policy 2021 included in review of the Long Term Financial Plan
3. Resolves that it convene an extraordinary meeting to be held on Wednesday 23 June, 2021 commencing at 9:00am to consider and order the submissions received in relation to its suites of draft Integrated Plans and to fully adopt with any amendments such Plans.
4. Place the suite of Integrated Plans on public exhibition for 28 days closing at 5:00pm on 17 June, 2021.

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**Report:**

At the Council’s Ordinary Council Meeting 18 November 2020, the Council resolved that Council staff would present to the Council for endorsement and public exhibition and comment:

- Reviewed Long Term Financial Management Plan 2021 – 2031;
- Reviewed Asset Management Strategy 2021 – 2031;
- Reviewed Workforce Development Plan 2021 – 2025;
- Reviewed Delivery Program 2017 – 2022;
- Draft Operational Plan 2021 – 2022 inclusive of:
  - Draft Rating and Revenue Policy 2021 – 2022
  - Draft Fees and Charges 2021 – 2022

- Draft Annual Budget and Draft Capital Works Program 2021 – 2022; and
- Draft Capital Works Plan 2021 – 2021

In accordance with the timetable adopted by the Council at its Ordinary Council Meeting 18 November 2020, Council Officers presented for adoption as Draft the following:

- Reviewed Delivery Program 2017 – 2022 (17 March 2021 Ordinary Council Meeting )
- Reviewed Financial Strategy 2021 (17 March 2021 Ordinary Council Meeting )
- Reviewed Fees & Charges 2021 – 2022 (21 April 2021 Ordinary Council Meeting)
- Reviewed Revenue Policy 2021 – 2022 (21 April 2021 Ordinary Council Meeting)
- Annual Budget and Capital Works Plan (21 April 2021 Ordinary Council Meeting)

Presented for Council consideration is a draft and reviewed Resourcing Strategy 2021 – 2031. The Draft Resourcing Strategy 2021 – 2031 includes:

- Draft Long Term Financial Plan 2021 – 2031
- Draft Asset Management Strategy 2021 – 2031
- Draft Workforce Development Plan 2021 – 2021

As part of the review conducted there a no material changes to the appended Draft Long Term Financial Strategy 2021 – 2031 other than the inclusion of an updated Financial Strategy 2021 nor are there material changes to the Draft Asset Management Strategy 2021 – 2031.

The appended reviewed and Draft Workforce Development Plan 2021 – 2025 includes a number of new actions designed to strengthen the operations of the Council's human resource function. The Draft Workforce Plan is also informed by an updated profile of the staffing complement and the current organisational structure.

The appended Draft Annual Operational Plan 2021/21 includes new actions discussed at the Council's Corporate Workshop and endorsed for inclusion in the Council's Delivery Program as year 5 actions hence, their subsequent inclusion in the Council's Draft Annual Operational Plan at the Council's Ordinary Council Meeting held 17 March these included:

- The strategic purchase or securing of land suitable for an industrial development;
- The development of a policy position in response to the emergence of an electric vehicle industry.
- The implementation of a tourism marketing program targeting Leeton and Griffith supported by an annual budget of \$75,000
- The development of Public Art Strategy in response to community requests for Public Art/Murals, Sculpture /Silo Arts Projects/silhouettes
- An investigation of the extent of community support for Indoor Play Centre at Finley
- The development of an Urban Tree Strategy
- Addressing parking at Tocumwal through the development of a concept or Precinct Structure Plan Murray/Deniliquin Streets - Tocumwal
- Finley Stormwater improvements
- Mary Lawson Wayside Rest improvements

- Barooga Netball court replacement.

The Draft Operational Plan 2021/22 also includes summary commentary on the Council's draft budget, the draft budget and the detail of the draft Capital Works budget.

As the next Ordinary Council Meeting is scheduled for the 16 June 2021, an Extraordinary Meeting will need to be convened to comply with the statutory requirement that the Council's draft suite of integrated plans are exhibited, and public comment sought for a minimum of 28 days.

Council Meeting

19 May 2021

7.13 Naming Finley Park

Report by: Communications Officer Keelan McDonald

Strategic Outcome: 3. Supported and engaged communities

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

**Recommendation:** That the Council select their top 3 suggested names, inclusive of Murray Street Park and re-survey the community, with council to make the final decision.

**Report:**

Per the new Engagement Strategy, adopted at the 21 April, 2021 Council meeting, Council staff have conducted an open community consultation on the name of the new park in Finley.

Attached, as “**Appendix 7.13-A**” is the survey raw data and outlined below are the outcomes of consultation:

- **92** respondents indicated they would like to complete the online survey and **1** for hard copy survey
- Of those **92** respondents, **51%** indicated they would like to suggest a name, whilst **49%** indicated they would like to vote on a preferred name
- Of the **49%** who voted on their preferred name, *Murray Street Park* was the favored name, followed by *Murray Hut Park* and *Foundry Park*
- Of the **51%** that indicated they would like to suggest a name, **65%** read the NSW Geographic Board Requirements and **30%** of those went on to follow the requirements and suggest a name
- **75%** of respondents had a place of residence or business in Finley

Of the **30%** of respondents that both provided their contact details and suggested a name, the following names for the park were suggested:

	Suggested Name	Rationale
<b>1</b>	<b>Theme – Commemorative</b>	
<b>1.1</b>	Con Carr Park	'Ordinary People do make a Difference'. Con Carr earned his community reputation from the site of the said park. He served the community for over 50 yrs both as an employee and as a business proprietor. He served his country

	Suggested Name	Rationale
<b>1</b>	<b>Theme – Commemorative</b>	
		during the War. He served the Shire as a Councillor. He served the community as a Rotarian. He worked with Councillor Marsden and MLA Joe Lawson for the benefits to Finley like the Caravan Park
<b>1.2</b>	Avril McBurnie Park	Avril McBurnie was the instigator of building the Biralee Pre School, Ulupna Lodge and Berriquin Nursing Home (now Finley Regional Care) the Finley Community Help Group shop as well as total commitment to the Finley Pony Club, Retreat Hall Dances, the Finley Show, THACA, and everything else to support the young and the old.
<b>1.4</b>	Carr's Park	Con Carr was the occupant on the land running an electrical business since the early 60th until recent. He was a returned WW2 soldier and Berrigan Shire Councillor for many years. A main instigator of the establishment of the Finley Lake and Caravan Park as well the Murray Street lighting
<b>1.4</b>	Con Carr Memorial Park	Con and Thelma Carr ironically owned this land, he served on the Council, ran a business for many years. A great achiever.
<b>1.5</b>	Carr Memorial Park	Con Carr was a WW2 veteran served two terms on Berrigan Shire Council, tragically killed and was the original owner of the land.
<b>1.6</b>	The Carr Memorial Park	As a Memorial. Con Carr saw service during World War 2 during bombing raids on Darwin which he survived. He and his wife Thelma Carr were the owners of the land for the proposed park operating an electrical goods business thereon. Con served 2 terms as a Councillor on Berrigan Shire Council, was instrumental in getting the Lake created for Finley along with the caravan park and other assets. In 1982 Con and Thelma Carr were tragically killed in a road accident at Strathmerton, therefore this park

	Suggested Name	Rationale
<b>1</b>	<b>Theme – Commemorative</b>	
		should be named as a Memorial to them on light of the contribution they made to Finley.
1.7	JT Close Park	Individual that did a lot for Finley and there is nothing in the town to recognise him
1.8	Halligans Rest	I would like to submit a name for the new park in Finley. "Halligans Rest". The reason being that on the site many years ago there was a Blacksmith shop owned and ran by a Mr Halligan. He supplied horse shoes for the area and he also repaired farm machinery.
<b>2</b>	<b>Theme – Locational</b>	
2.1	Central Park	Follows existing name structure as locations in New South Wales, including "Central Rail Station" in Sydney.
2.2	Murray Street Park	It identifies where the park is
<b>3</b>	<b>Theme – Connection to Place</b>	
3.1	Carawatha Park	According to website aussietowns.com.au it is said that before Finley was settled, the local Wiradjuri Aborigines called the area "Carawatha" meaning "place of pines". This acknowledges the culture and heritage of Finley and helps to connect us all to our new park.
3.2	Rosella Park	Native colourful bird to the area and indigenous dreamtime legends as among the first birds to have sung here
3.3	Fincity Park	This name has been used regularly to name our town Finley. A more modern, upbeat with the times name.
3.4	Pioneer Park	Heritage of the town. It's right on the railway line. History of small towns with tourists travelling by to get a glimpse at what our town is about, especially the caravans park near there
<b>4</b>	<b>Theme – Miscellaneous</b>	

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4.1	Tudor place	Represents an icon of Finley that has passed away, Col Tudor. Everyone loved him
4.2	Welcome Park	I have come up with this proposed name due to the nature of the Finley community people in which our town's people are so friendly, shops are inviting and our community smile simply welcomes you. The word Welcome is to show gratitude if you will, a way of saying your visit, short rest, enjoyment etc. is appreciated by our town that is Finley. Welcome Park the name can stand for all diverse cultures are accepted and this reflected within our community. In a world full of political correctness and for ever changing outlooks of our country and the world the name Welcome Park seems very fitting. I hope I have touched base on the NSW GBR and please note I've never done this before.

Based on survey responses it is evident that respondents preferred place names that in the first instance are commemorative. It is also evident from the survey that there is a strong preference for a place name that identifies the location of the park.

The Council may resolve to either:

- 1) Adopt a name of their choice; being one of the preferred names, a name that was suggested from the respondents or an entirely different name; or
- 2) Undertake further consultation. One model could be to select its top 3 suggested names, inclusive of Murray Street Park and re-survey the community, with the Council to make the final decision taking into consideration the results of the re-survey;



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Council Meeting

19 May 2021

7.14 179/21/DA/D5 – Commercial Storage Shed and Signage

Report by: Acting Development Manager, Matthew Miller

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 179/21/DA/D5 for a Commercial Storage Shed and signage be approved subject to the following:

1. Approved Plans

The development shall be implemented substantially in accordance with the details set out on the approved plans Entegra Signature Structures Pages GO1 To GO8 Entegra Signature Structures Drawing NO: ENT Sheet AO1 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 Principal Certifying Authority and Notice of Commencement

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

- f) obtained a Construction Certificate for each structure,
- g) appointed a Principal Certifying Authority,
- h) notified the Council of the appointment ,
- i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved.
- j) given the Council at least 2 days notice of the intention to commence erection of the building. (Section 81A EP&A Act 1979)

3. Occupation

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

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

(Section 6.3 and 6.18 EP&A Act 1979)

4. Construction Certificate

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

5. Critical Stage Inspections

The Principal Certifying Authority for building or subdivision work carried out on a site is required to be satisfied that the work has been inspected on such occasions as are prescribed by the regulations or other occasions required by the principal certifying authority, before the issue of a Certificate of Occupancy or Subdivision Certificate for the building or work. (Section 6.5 EP&A Act 1979)

6. Permitted hours for building work

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

7. Stormwater

Roofwater from the structure is to be retained on site and should be collected and stored for recycling and reuse and any overflow from onsite storage is to be directed to the James Court Kerb.

8. Water and Sewer Connections

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

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

9. Compliance with Building Code of Australia

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

10. Excavations and backfilling

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

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

11. Signs to be erected on building & demolition site

- a. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
  - (iii) stating that unauthorised entry to the work site is prohibited, and
  - (iv) 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).

15. Erosion & Sediment Control

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

16. Roof Cladding

The cladding on the roof will need to be clad in a non-reflective colour type the colour will need to be confirmed prior to the issue of the Construction Certificate this is to ensure that any potential glare from the roof will be mitigated.

17. Fire Safety Schedule

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

- a) that the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so and
- b) that as at the date of the assessment the measure was found to be capable of functioning at a standard not less than that required by the Schedule attached to the Construction Certificate.

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

18. Comply with Noise Control Act

Operations on the site must comply with relevant environmental legislation (including Noise Control Act).

19. 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) the 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

20. 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.

21. Landscaping

Landscaping is required to be provided along the eastern boundary that fronts the Newell Highway and the northern boundary to the rear of the subject Lot. The landscaping must be provided a width of 2m (minimum) along the length of these boundaries.

The landscaping must:

- Be protected from vehicle movement areas to prevent damage to these vegetated areas,
- Be designed to ensure low maintenance
- Where possible native plant species are to be utilised in landscaping with the preference given to drought tolerant species
- A range of plant species of various heights are to be used in the landscaping to create interest, improve visual amenity and to help screen the development.
- Provide irrigation where required for the maintenance and establishment of the landscaping

This condition has been included to improve the visual quality and amenity of industrial development through the provision of effective, low maintenance landscaping. To ensure appropriate screening of outdoor areas from adjoining properties and from public places (including roads) and provide a buffer between industrial developments and adjoining or nearby non-industrial land uses.

22. Landscaping Completion

Landscaping must be established (i.e. planted) prior to the issuance of an occupation certificate.

23 Maintenance of landscaping

Landscaping must be maintained at all times throughout the life of the development.

**Division:**

In Favour:

Against:

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**Report:**

**Purpose of Report**

This report is provided to Council for the determination of a Development Application (DA) as Council Officers do not have delegation to determine this particular application due the subject DA requests a variation to the parking requirements under Part 3.4 of the Berrigan Development Control Plan. As such, the DA is required to be determined by Council.

**Proposal**

The subject Development Application seeks consent for the construction commercial storage shed and signage.

The commercial storage shed is proposed to be 40m x 40m wide. The shed is located 3m from the rear northern boundary and 4.5m from the western Boundary. The Development Application also seeks consent for new signage which is 4x 1.35m having an area of 5.4m<sup>2</sup>.

**Variation to DCP**

This variation proposed to Part 3.4 'parking and access' of the Berrigan DCP 2014 is for the Council to allow for a dispensation for the required onsite parking for the subject lot. This is justified given the use of the proposed is a machinery shed associated with the existing business it is also appropriate given that the site clearly provides significant room to enable provision of off-street parking in the future should the land be sold and a change of use to the premises is proposed. The subject site will still provide sufficient on-site parking for employees and visitors and enable safe movement within the site. Based on the justification provided by the applicant and that the development can facilitate the provision of off-street parking in the future the variation is supported.

**Impacts**

Any implications Council may have in the future to varying this part of the DCP will be low as the possibly of this becoming a common occurrence is unlikely. Given that the zoning is in the General Industrial zone and should have minimal conflicts with surrounding developments.

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## Conclusion

As such, the Development Application only seeks development consent for the construction of the Commercial Storage Shed and Signage. A full development assessment report is provided as "**Appendix 7.14-A**". The report assesses the application as required under s4.15 of the *Environmental Planning and Assessment Act 1979*.

Also attached as "**Appendix 7.14-B**" is the development plans.

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**Council Meeting****19 May 2021****7.15 Tocumwal Glider**

Report by: Communications Officer, Keelan McDonald

Strategic Outcome: 4. Diverse and resilient business

Strategic Objective: 4.2 Diversify and promote local tourism

**Recommendation:** That the Council:

1. Note the Engagement Report relating to the future location of the Tocumwal Glider attached as **"Appendix 7.15-A"**
2. undertake further investigation on alternate sites to display the glider and reconsider the matter at a future meeting

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**Report:**

At its ordinary meeting on 20 January 2021, the Council made the following resolution

*Crs Bodey and Morris 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. **CARRIED***

Subsequent to that resolution, please attached as **"Appendix 7.15-A"** is an Engagement Strategy and Report regarding the community consultation held for the future location of the Tocumwal Glider.

All participants commented that the Glider has historical importance to the town of Tocumwal and needs to be relocated back in the community.

Possible relocation sites were discussed, as well as the pros and cons of each. During these conversations, it became evident that the majority of participants were in support of Ingo Renner Park as a suitable location for the Glider's permanent residency.

However, during conversations with Transport for NSW (TfNSW), it became clear that Ingo Renner Park is not a suitable location as it considers Ingo Renner Park to be too close to "decision-making points" for drivers negotiating the Newell Highway/Denilquin Road roundabout.

This leaves the Council at a point of stalemate where the Council will almost certainly be refused permission to install the glider at the community's preferred location. The Council will need to undertake further investigation of potential, and suitable, sites for the display of the glider - noting that TfNSW are unlikely to approve anywhere where it will be visible from the Newell Highway.

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**Council Meeting**

**19 May 2021**

7.16 T14/20/21 – Civil Works Jersey Street, Tocumwal

Report by: Project Manager, Nathan O'Connell

Strategic Outcome: 1. Sustainable natural and built landscapes

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

**Recommendation:** that the Council:

1. accepts the tender submission from Crawford Civil Pty Ltd for the civil works at Jersey Street, Tocumwal for the contract sum of \$420,936.60 including GST;
2. sign the contract documents on behalf of Council in relation to 1 above; and
3. appoint the Director of Technical Services as the Contract Superintendent.

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**Report:**

This tender is for T14/20/21 the Civil Works at Jersey Street, Tocumwal

The tender is a quality assured, lump sum contract.

Grant funding has been allocated through the Building Better Regions Fund Round 3 for 50% of the eligible costs.

Tenders closed at 2:00pm Wednesday 28<sup>th</sup> April, 2021 and at the time of closing a total of 3 conforming submissions were received.

The three submissions received were from the following organisations in the order of opening:

Tenderer 1. CIVIL & CIVIC CORPORATION PTY LTD

Tenderer 2. DISHAA PTY LTD

Tenderer 3. CRAWFORD CIVIL PTY LTD

**Panel Membership**

The submissions were evaluated by the following staff in accordance with the Councils adopted Tender Evaluation policy:

Matthew Clarke	Director of Technical Services
Fred Exton	Engineering Services Manager
Nathan O'Connell	Project Manager



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## Consideration of the Tenders

Each tender was evaluated in accordance with the evaluation criteria set out below:

<b>Criteria</b>	<b>Highest Possible Score</b>	<b>Weighting</b>
1. Price	4	5
2. Compliance with Specification	4	5
3. Track Record	4	3
4. Quality Systems	4	2
5. Availability of Appropriate Skills & Resources	4	2
6. Work Health & Safety Considerations	4	3
7. Contract completion date	4	3

A summary of each tender evaluation by the tender assessment panel is provided in a confidential report of this Agenda.

### Summary

Based on the evaluation criteria, the tender assessment panel has selected the tender submission of Crawford Civil Pty Ltd as the preferred tender.

### Supervisor

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

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Council Meeting

19 May 2021

7.17 Mayoral and Councillor Allowances

Report by: Acting General Manager, 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 adopt the following Mayoral and Councillor allowances effective from September, 2021:

Mayoral allowance:	\$27,060
Councillor allowance:	\$12,400

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**Report:**

The Local Government Remuneration Tribunal has reviewed allowances paid to Councillors and the additional allowance paid to the Mayor. Following this review, the Tribunal has determined fees effective from 1<sup>st</sup> July, 2021 which reflect a 2% increase.

Set out below is a summary of the existing and proposed fees:

The Council must therefore adopt allowance within the following range:

	Existing	Proposed		Budget
		Min	Max	
Mayor	\$26,530	\$9,980	\$27,060	\$27,000
Councillor	\$12,160	\$9,370	\$12,400	\$98,000

The maximum increase would require a budget increase of \$1,260 if the maximum allowable fees are adopted from 1<sup>st</sup> July, 2021.

If the maximum fees were applied from September, 2021 as is the Council's usual practice, a budget increase of \$770 will be required.

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

A copy of the determination is circulated with this agenda as "Appendix 7.17-A".

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## 8. ITEMS FOR NOTING

**Recommendation:** that Items for Noting numbered 8.1 to 8.5 inclusive be received and noted.

### 8.1 Caretaker Period

Report by: Acting General Manager, 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

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#### Report:

The 2021 Local Government elections will be held on Saturday 4 September 2021.

[Clause 393B of the Local Government \(General\) Regulation 2005](#) puts in place a “caretaker period” in the lead up to the elections. During this period, the Regulation places restrictions on the exercise of certain functions by the Council.

#### ***393B Exercise of council functions during caretaker period***

*(1) The following functions of a council must not be exercised by the council, or the general manager or any other delegate of the council (other than a Joint Regional Planning Panel or the Central Sydney Planning Committee), during a caretaker period—*

*(a) entering a contract or undertaking involving the expenditure or receipt by the council of an amount equal to or greater than \$150,000 or 1% of the council’s revenue from rates in the preceding financial year (whichever is the larger),*

*(b) determining a controversial development application, except where—*

*(i) a failure to make such a determination would give rise to a deemed refusal under section 82 of the [Environmental Planning and Assessment Act 1979](#), or*

*(ii) such a deemed refusal arose before the commencement of the caretaker period,*

*(c) the appointment or reappointment of a person as the council’s general manager (or the removal of a person from that position), other than—*

*(i) an appointment of a person to act as general manager under section 336(1) of the Act, or*

(ii) a temporary appointment of a person as general manager under section 351(1) of the Act.

(2) Despite subclause (1), such a function may be exercised in a particular case with the consent of the Minister.

(3) In this clause—

**caretaker period** means the period of 4 weeks preceding the date of an ordinary election.

**controversial development application** means a development application under the [Environmental Planning and Assessment Act 1979](#) for which at least 25 persons have made submissions under section 79(5) of that Act by way of objection

While the Office of Local Government has not yet issued formal advice on the caretaker period, it would appear to come into place from Saturday, 7 August 2021. This is some months away however the Council may wish to consider how this may impact on their deliberations in the next few months.

For the purposes of sub-clause 1(a) above, 1% of the Council's revenue from rates is \$51,400. On this basis, the larger figure would apply and the Council may not enter into new commitments greater than \$150,000 during the caretaker period.

Council Meeting

19 May 2021

8.2 Tocumwal RSL Sub-Branch

Report by: Acting General Manager, Matthew Hansen

Strategic Outcome: 3. Supported and engaged communities

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

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**Report:**

Following the 2021 Tocumwal ANZAC Day Ceremony, the Secretary of the Tocumwal RSL Sub-Branch has emailed the Council, extending gratitude to those who assisted with this event.

A copy of the email is attached as **"Appendix 8.2-A"**.

Council Meeting

19 May 2021

8.3 Local Government Amendment Bill 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

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**Report:**

Attached as “**Appendix 8.3-A**” is a letter from David Shoebridge MP informing the Council of the NSW Greens’ proposed amendments to the Local Government Amendment Bill 2021.

The proposed amendments relate to rate pegging and the exclusion of the Emergency Services Levy from the rate cap.

Council Meeting

19 May 2021

8.4 Development Determinations for Month of April 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 APRIL 2021**

APPLICATION	DESCRIPTION	PROPERTY LOCATION	APPLICANT	OWNER	STATUS	VALUE	DAYS TAKEN		
140/21/DA/DM	EXTEND EXISTING EASTERN BOUNDARY FENCE HEIGHT	22 ANTHONY AVENUE, TOCUMWAL NSW 2714 (LOT59//DP1131677)	MR R.D ROWE	MR R D ROWE	APPROVED 08-04-2021	\$ 1000.00	ACTIVE	TOTAL	31 31
146/21/DA/DO	RURAL SHED	83-87 SNELL ROAD, BAROOGA NSW 3644 (LOT12//DP1138900)	DARREN & PAULA NOLAN	MR DP NOLAN AND MRS PT NOLAN	APPROVED 08-04-2021	\$ 43284.00	ACTIVE	TOTAL	25 25
150/21/DA/D5	RESIDENTIAL STORAGE SHED	11 PUTTER COURT, BAROOGA NSW 3644 (LOT106//DP1133352)	O'HALLORAN PROPERTY SERVICE	MRS NJ BOULTON AND MR PA BOULTON	APPROVED 06-04-2021	\$ 17824.00	ACTIVE	TOTAL	20 20
151/21/DA/D1	BV DWELLING & ATTACHED GARAGE	35 HADLEY STREET, TOCUMWAL NSW 2714 (LOT11//DP1250358)	KENNEDY BUILDERS	MR TJ WILLETT AND MS CL WEAVER	APPROVED 01-04-2021	\$ 379000.00	ACTIVE	TOTAL	14 14
152/21/DA/D1	DWELLING & ATTACHED GARAGE	25 FINLEY STREET, FINLEY NSW 2713 (LOT78//DP865663)	MATT AND WENDY DANIEL	MR MS DANIEL AND MRS WM DANIEL	APPROVED 08-04-2021	\$ 370000.00	ACTIVE	TOTAL	19 19
153/21/DA/D5	RESIDENTIAL STORAGE SHED	18 DAWE AVENUE, FINLEY NSW 2713 (LOT17//DP247524)	LAURIE FYFFE	MR LD FYFFE	APPROVED 08-04-2021	\$ 10000.00	ACTIVE	TOTAL	8 19
154/21/DA/D1	BV DWELLING & ATTACHED GARAGE	73 HOWE STREET, FINLEY NSW 2713 (LOT2//DP398039)	CAVALIER HOMES GOULBURN VALLEY	MR MD RENDELL AND MRS LG RENDELL	APPROVED 01-04-2021	\$ 345024.00	ACTIVE	TOTAL	12 12
155/21/DA/D5	RESIDENTIAL STORAGE SHED	14 ANDERSON STREET, FINLEY NSW 2713 (LOT19//DP819958)	MATT CLARKE	MR MD CLARKE AND MISS KS WATERFALL	APPROVED 08-04-2021	\$ 8000.00	ACTIVE	TOTAL	16 16
156/21/DA/D5	RESIDENTIAL STORAGE SHED	95 MURRAY STREET, TOCUMWAL NSW 2714 (LOT13//DP1148243)	O'HALLORAN PROPERTY SERVICE	MR A R FOSTER	APPROVED 29-04-2021	\$ 42363.00	ACTIVE	TOTAL	31 31
157/21/DA/D5	TIMBER DECK	27-29 WIRUNA STREET, BAROOGA NSW 3644 (LOT2//DP607443)	D JARZYNA & N MCDONALD	MR D JARZYNA AND MS NJ MCDONALD	APPROVED 13-04-2021	\$ 9100.00	ACTIVE	TOTAL	18 18
158/21/DA/D6	GARAGE	86 COREE STREET, FINLEY NSW 2713 (LOT B//DP391182)	PETER IBOTT	MR P J IBOTT	APPROVED 08-04-2021	\$ 9200.00	ACTIVE	TOTAL	15 15
161/21/DA/D7	INGROUND FIBREGLASS SWIMMING POOL	10 IVIE AVENUE, BAROOGA NSW 3644 (LOT33//DP1093869)	POOLSIDE COBRAM	MR W A GRIFFIN AND	APPROVED 14-04-2021	\$ 47740.00	ACTIVE	TOTAL	19 19

159/21/DA/D5	RESIDENTIAL STORAGE SHED	37 DENISON STREET, TOCUMWAL NSW 2714 (LOT41//DP833073)	TIMOTHY ARKLAY	MR T D ARKLAY	APPROVED 21-04-2021	\$ 10000.00	ACTIVE 23	TOTAL 23
160/21/DA/D5	RESIDENTIAL STORAGE SHED	14 ANDERSON STREET, FINLEY NSW 2713 (LOT622//DP1025155)	WAANDER & PAM VAN BEEK	MR W VAN BEEK AND MRS PE VAN BEEK	APPROVED 23-04-2021	\$ 9000.00	ACTIVE 25	TOTAL 25
164/21/DA/D1	BV DWELLING & ATTACHED GARAGE	50 TESSIER DRIVE, TOCUMWAL NSW 2714 (LOT35//DP1250358)	KENNEDY BUILDERS	MR T O SHARP	APPROVED 29-04-2021	\$ 300000.00	ACTIVE 20	TOTAL 20
165/21/DA/D1	DWELLING	74 HOWE STREET, FINLEY NSW 2713 (LOT4//DP1250196)	MICHAEL SCHIRMER	MR MP SCHIRMER	APPROVED 29-04-2021	\$ 149300.00	ACTIVE 20	TOTAL 20
166/21/DA/D1	BV DWELLING & ATTACHED GARAGE	88 BRUTON STREET, TOCUMWAL NSW 2714 (LOT2//DP1250358)	KENNEDY BUILDERS	MR A W HAY	APPROVED 29-04-2021	\$ 325000.00	ACTIVE 20	TOTAL 20
169/21/DA/D2	SITE OFFICE	257 SANDHILLS ROAD, BERRIGAN NSW 2712 (LOT1//DP1092046)	JAMES WHELAN	ACMII AUSTRALIA 2 PTY LTD	APPROVED 16-04-2021	\$ 20000.00	ACTIVE 7	TOTAL 7
188/21/DA/DM	AMENITIES BLOCK	127-1410 HAMILTON STREET, FINLEY NSW 2713 (LOT1//DP402452)	BERRIGAN SHIRE COUNCIL	BERRIGAN SHIRE COUNCIL	APPROVED 29-04-2021	\$ 23772.00	ACTIVE 5	TOTAL 5
190/21/DA/DM	AMENITIES BLOCK & OPEN SHADE STRUCTURE	115-117 MURRAY STREET, FINLEY NSW 2713 (LOT1//DP384299)	BERRIGAN SHIRE COUNCIL	BERRIGAN SHIRE COUNCIL	APPROVED 29-04-2021	\$ 40000.00	ACTIVE 5	TOTAL 5

**APPLICATIONS PENDING DETERMINATION AS AT 30/04/2021**

APPLICATION NO.	DATE LODGED	DESCRIPTION	PROPERTY LOCATION
7/19/DA/DM-M	17-07-2018	MODIFICATION TO AIRCRAFT HANGAR ADDITIONAL WINDOWS & MEZZANINE	23 WIRRAWAY COURT, TOCUMWAL NSW 2714 (Lot42//DP1233177)
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)
119/20/DA/DM	21-02-2020	AMPHITHEATRE, FISHING PLATFORM & ACCESS TRACKS	ANZAC AVENUE TOCUMWAL NSW 2714 (LOT7002//DP1019579)
40/21/DA/DM	14-08-2020	4.95MW SOLAR FACILITY BROUGHANS ROAD	BROUGHANS ROAD, FINLEY NSW 2713 (LOT126//DP752299)
91/21/DA/D9	12-11-2020	24 LOT SUBDIVISION	2-16 BANKER STREET, BAROOGA NSW 3644 (LOT194//DP752274)
124/21/DA/D5	18-01-2021	CARPORT & VERANDAH	23 EMILY STREET, TOCUMWAL NSW 2714 (LOT21//DP588306)
130/21/DA/D5	05-02-2021	DECK	46 LAWSON DRIVE, BAROOGA NSW 3644 (LOT43//DP1045702)
136/21/DA/D9	23-02-2021	2 LOT SUBDIVISION	16 FLIGHT PLACE, TOCUMWAL NSW 2714 (LOT1//DP847411)
137/21/DA/D1	23-02-2021	2 STOREY DWELLING & ATTACHED GARAGE	1C RIVERVIEW COURT, BAROOGA NSW 3644 (LOT1//DP1172277)
148/21/DA/DM	10-03-2021	HAY SHED, COMMODITY SHED & FEED PAD	WOOLSHED ROAD, FINLEY NSW 2713 (LOT66//DP752283)
149/21/DA/D5	08-03-2021	RESIDENTIAL STORAGE SHED & RAINWATER TANK	25 ANTHONY AVENUE, TOCUMWAL NSW 2714 (LOT231//DP1135941)
162/21/DA/D9	01-04-2021	17 LOT SUBDIVISION	100 BURMA ROAD, TOCUMWAL NSW 2714 (LOT4//DP802330)



163/21/DA/DM	01-04-2021	GOOD TIMES IN TOCUMWAL - STREET FESTIVAL	DENILQUIN STREET, TOCUMWAL NSW 2714 (LOT11//DP523802)
167/21/DA/D7	06-04-2021	INGROUND FIBREGLASS SWIMMING POOL	53 COLLIE STREET, BAROOGA NSW 3644 (LOT1//DP509326)
168/21/DA/D5	07-04-2021	RESIDENTIAL STORAGE SHED	11 FINLEY STREET, TOCUMWAL NSW 2714 (LOT1//DP513049)
170/21/DA/D1	08-04-2021	BV DWELLING & ATTACHED GARAGE	33 EMILY STREET, TOCUMWAL NSW 2714 (LOT62//DP1256882)
171/21/DA/D5	09-04-2021	RESIDENTIAL STORAGE SHED	16 MAVIS STEWARD DRIVE, BAROOGA NSW 3644 (LOT8//DP1102913)
172/21/DA/D5	09-04-2021	RESIDENTIAL STORAGE SHED	72 COLLIE STREET, BAROOGA NSW 3644 (LOT73//DP570014)
173/21/DA/D2	13-04-2021	CAFE FIT OUT/USE AS AVIATION MUSEUM	205 BURMA ROAD, TOCUMWAL NSW 2714 (LOT51//DP1246486)
174/21/DA/D5	13-04-2021	RESIDENTIAL STORAGE SHED	8 MALONE MEWS, FINLEY NSW 2713 (LOT9//DP1097289)
175/21/DA/D6	13-04-2021	ADDITIONS TO DWELLING	1951 WOOLSHED ROAD, TOCUMWAL NSW 2714 (LOT11//DP1176571)
176/21/DA/D5	14-04-2021	RESIDENTIAL STORAGE SHED & TREE REMOVAL	68-70 MURRAY STREET, TOCUMWAL NSW 2714 (LOT11/6/DP6464)
177/21/DA/D9	14-04-2021	2 LOT SUBDIVISION	58-60 HENNESSY STREET, TOCUMWAL NSW 2714 (LOT6/3/DP758981)
178/21/DA/D9	14-04-2021	2 LOT SUBDIVISION	37 BANKER STREET, BAROOGA NSW 3644 (LOT5/6/DP758057)
179/21/DA/D2	14-04-2021	COMMERCIAL STORAGE SHED	6-10 JAMES COURT, FINLEY NSW 2713 (LOT6//DP713895)
180/21/DA/D6	16-04-2021	ADDITIONS TO DWELLING	138 DENISON STREET, FINLEY NSW 2713 (LOT2//DP24073)
181/21/DA/D5	16-04-2021	RESIDENTIAL STORAGE SHED & CARPORT	3 MAJUDA COURT, TOCUMWAL NSW 2714 (LOT64//DP1131677)
182/21/DA/D9	16-04-2021	3 LOT SUBDIVISION	21-23 KELLY STREET, TOCUMWAL NSW 2714 (LOT1311//DP1045176)
183/21/DA/DM	16-04-2021	CHANGE OF USE - STUDY TO HAIR DRESSING SALON	30 HOWARD STREET, BAROOGA NSW 3644 (LOT12/2/DP758057)
184/21/DA/D1	16-04-2021	BV DWELLING & ATTACHED GARAGE	4 MOORE STREET, TOCUMWAL NSW 2714 (LOT71//DP1254608)
185/21/DA/D5	16-04-2021	RESIDENTIAL STORAGE SHED/ DEMOLITION OF DWELLING	62 CHARLOTTE STREET, TOCUMWAL NSW 2714 (LOT1491//DP737393)
186/21/DA/D3	16-04-2021	MILK PROCESSING FACTORY	87-123 HAMILTON STREET, FINLEY NSW 2713 (LOT118//DP752299)
187/21/DA/D5	19-04-2021	RESIDENTIAL STORAGE SHED	58 DENISON STREET, FINLEY NSW 2713 (LOT B//DP402348)
189/21/DA/DM	22-04-2021	DEMOLITION OF MOTEL	11 MURRAY STREET, TOCUMWAL NSW 2714 (LOT1//DP511822)
191/21/DA/D6	22-04-2021	ADDITIONS TO DWELLING	70 DALES ROAD, FINLEY NSW 2713 (LOT1202//DP774166)
192/21/DA/D5	27-04-2021	RESIDENTIAL STORAGE SHED	23 KAMAROOKA STREET, BAROOGA NSW 3644 (LOT7//DP248812)
193/21/DA/D5	27-04-2021	RESIDENTIAL STORAGE SHED	9 LA BELLE COURT, TOCUMWAL NSW 2714 (LOT8//DP1194758)
194/21/DA/D5	30-04-2021	RESIDENTIAL STORAGE SHED	19 MORRIS DRIVE, TOCUMWAL NSW 2714 (LOT38//DP270154)

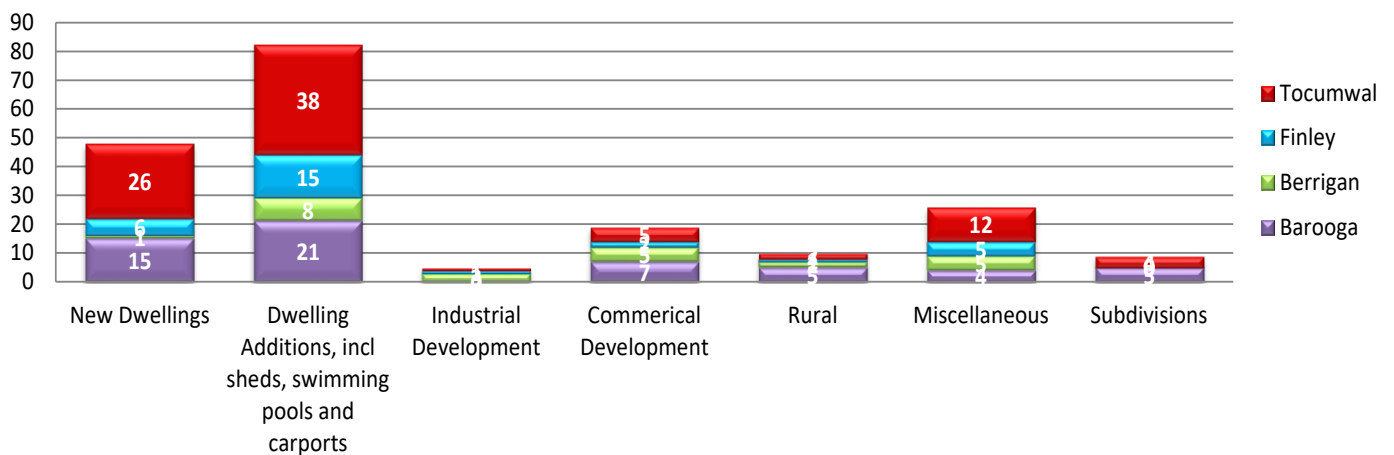
TOTAL APPLICATIONS DETERMINED / ISSUED (including modifications)

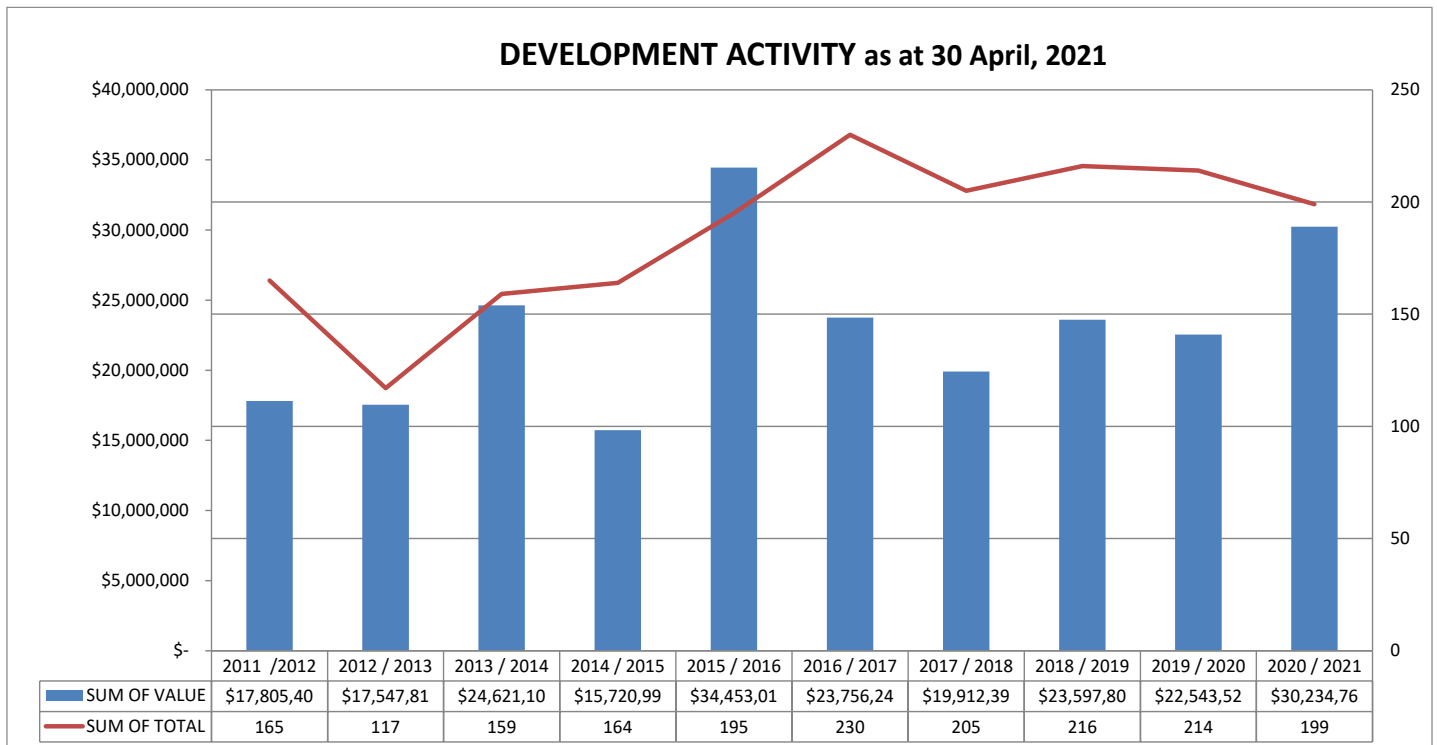
	This Month (April)	Year to Date	This Month's Value (April)	Year to Date Value
<b>Development Applications (DA)</b>	20	169	\$2,159,607	\$26,546,143
<b>Construction Certificates (CC)</b>	15	125	\$735,149	\$14,044,809
<b>Complying Development Certificates (CDC)</b>	0	30	\$0.00	\$3,688,624
<b>Local Activity (s.68)</b>	7	82	0	0

OTHER CERTIFICATES ISSUED FOR APRIL 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	
	APR	Year Total	APR	Year Total	APR	Year Total	APR	Year Total	APR	Year Total	APR	Year Total
BAROOGA	8	90	1	2	0	1	0	1	0	0	1	9
BERRIGAN	1	51	0	0	1	7	0	0	0	1	0	2
FINLEY	15	115	1	2	1	5	0	0	0	0	1	2
TOCUMWAL	16	162	1	3	0	1	0	0	0	1	0	14
<b>TOTAL</b>	<b>40</b>	<b>418</b>	<b>3</b>	<b>7</b>	<b>0</b>	<b>14</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>27</b>

DEVELOPMENT ACTIVITY 2020/2021 as at 30 April, 2021





**Council Meeting**

**19 May 2021**

**8.5 Local Roads and Community Infrastructure (LRCI) Program**

Report by: Acting General Manager, Matthew Hansen

Strategic Outcome: 3. Supported and engaged communities

Strategic Objective: 3.1 Create safe, friendly and accessible communities

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**Report:**

Following the announcement of the Federal Budget 2021-22, Council has received advice that there is an additional investment in the Local Roads and Community Infrastructure (LRCI) Program.

Berrigan Shire Council has been allocated \$1.7 million as part of Phase 3 of the LRCI Program and will be able to access funding through this Program from 31 January, 2022 with the program extended until 30 June 2023.

The Council will have the opportunity to consider this further at a future meeting.

## 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 T14-20-21 Civil Works, Jersey Street, Tocumwal

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

- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or

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

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

And further that pursuant to section 10A(1)-(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is

classified confidential under the provisions of section 10A(2) as outlined above and that the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.

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

Nil

## 11. MAYOR'S REPORT

**Recommendation:** That the Mayor's Report be received.





## 12. DELEGATES REPORTS



**13. BUSINESS ARISING**

**14. CLOSE OF MEETING**