



Council Chambers,
BERRIGAN. 2712

Sir/Madam,

The Ordinary Meeting of the Council of the Shire of Berrigan will be held in the **Council Chambers**, Berrigan, on **16th December, 2015**, when the following business will be submitted:-

9.00AM

Public Question Time

COUNCIL MEETING

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

ROWAN PERKINS
GENERAL MANAGER



Council Meeting

Wednesday, 16th December, 2015

BUSINESS PAPER

1. **APOLOGIES**
2. **DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTEREST**
3. **VISITORS ATTENDING MEETING**
10.30 pm – Mr Matthew Bonaddio, Charles Sturt
University 2015 Scholarship recipient
4. **CONFIRMATION OF MINUTES**
RECOMMENDATION – that the Minutes of the meeting held in the Council Chambers on Wednesday 18th November, 2015 be confirmed.

5.1 FINANCE – ACCOUNTS

AUTHOR: Finance Manager

STRATEGIC OUTCOME: Good government

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

RECOMMENDATION – that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 30 November 2015, be received and that the accounts paid as per Warrant No. 11/15 totalling \$1,828,202.83 be confirmed.

Items requiring Council Resolution

REPORT

- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 30 November 2015 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 November 2015.
- c) The Finance Manager certifies the Accounts, including the Petty Cash Book made up to 31 July 2015, totalling \$1,828,202.83 and will be submitted for confirmation of payment as per Warrant No. 11/15
- 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) The Council's cash and investments increased in November. This is comparable with the same period last year in line with general cash holding patterns, although the overall cash position is still around \$6M higher than last year.

Total funds held are expected to decline in December as Council continues its large scale capital works projects and purchases of heavy plant. Investment returns remain low due to stagnant interest rates.

Berrigan Shire Council Business Paper, 16th December, 2015

Items requiring Council Resolution

Statement of Bank Balances

Statement of Bank Balances as at 30 November 2015

Bank Account Reconciliation

Cash book balance as at 1 November 2015	\$ 2,170,423.20
Receipts for November 2015	\$ 3,375,766.94
Term Deposits Credited Back	\$ -
	<u>\$ 5,546,190.14</u>

Less Payments Statement No 11/15

Cheque Payments V075589- V75601	\$ 26,567.49
Electronic Funds Transfer (EFT) payroll	\$ 465,515.14
Electronic Funds Transfer (EFT) Creditors E022447-E022670	\$ 1,290,032.25
Term Deposits Invested	\$ -
Loan repayments, bank charges, etc	\$ 32,872.83
Total Payments for November 2015	<u>\$ 1,814,987.71</u>
Cash Book Balance as at 30 November 2015	<u>\$ 3,731,202.43</u>

Bank Statements as at 30 November 2015

Plus Outstanding Deposits	\$ 3,742,638.52
Less Outstanding Cheques	\$ 11,436.09
Reconciliation Balance as at 30 November 2015	<u>\$ 3,731,202.43</u>

INVESTMENT REGISTER

INSTITUTION	DEPOSIT NO.	TERM (days)	RATE	MATURITY DATE	INSTITUTION TOTAL
AMP	115/15	180	2.90%	14/01/2016	\$ 2,000,000.00
AMP	117/15	180	2.90%	24/02/2016	\$ 2,000,000.00
Central Murray Credit Union	104/14	365	3.25%	19/03/2016	\$ 2,000,000.00
Defence Bank Limited	102/14	270	3.20%	29/12/2015	\$ 1,000,000.00
Defence Bank Limited	106/14	365	3.20%	4/04/2016	\$ 1,000,000.00
Hume	91/12	365	3.40%	10/01/2016	\$ 1,000,000.00
Hume	87/11	365	3.40%	27/01/2016	\$ 1,000,000.00
Hume	112/15	180	2.75%	7/03/2016	\$ 1,000,000.00
IMB	113/15	90	2.75%	7/12/2015	\$ 1,000,000.00
Bank of Queensland	119/15	183	2.80%	15/03/2016	\$ 2,000,000.00
ME Bank	114/15	91	2.85%	8/02/2015	\$ 2,000,000.00
ME Bank	118/15	182	2.90%	25/05/2016	\$ 2,000,000.00
NAB	108/14	90	2.85%	7/02/2016	\$ 1,000,000.00
NAB	109/14	180	2.95%	22/02/2016	\$ 1,000,000.00
NAB (LIRS LOAN)	110/15	90	2.95%	4/01/2016	\$ 1,630,000.00
					<u>\$ 21,630,000.00</u>

Total Funds Held at 30 November 2015

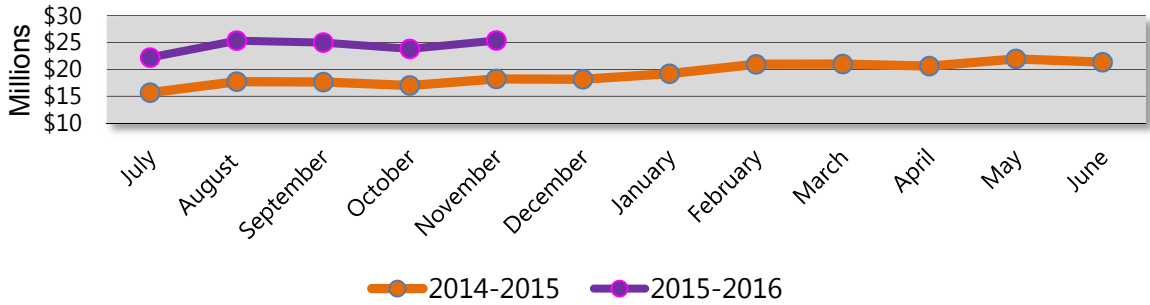
\$25,361,202.43

Carla von Brockhusen - Finance Manager

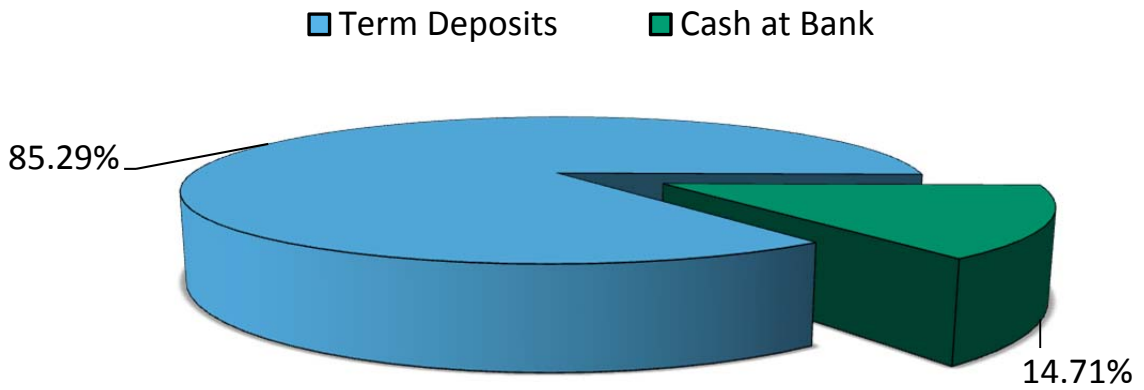
RESOLUTION

Items requiring Council Resolution

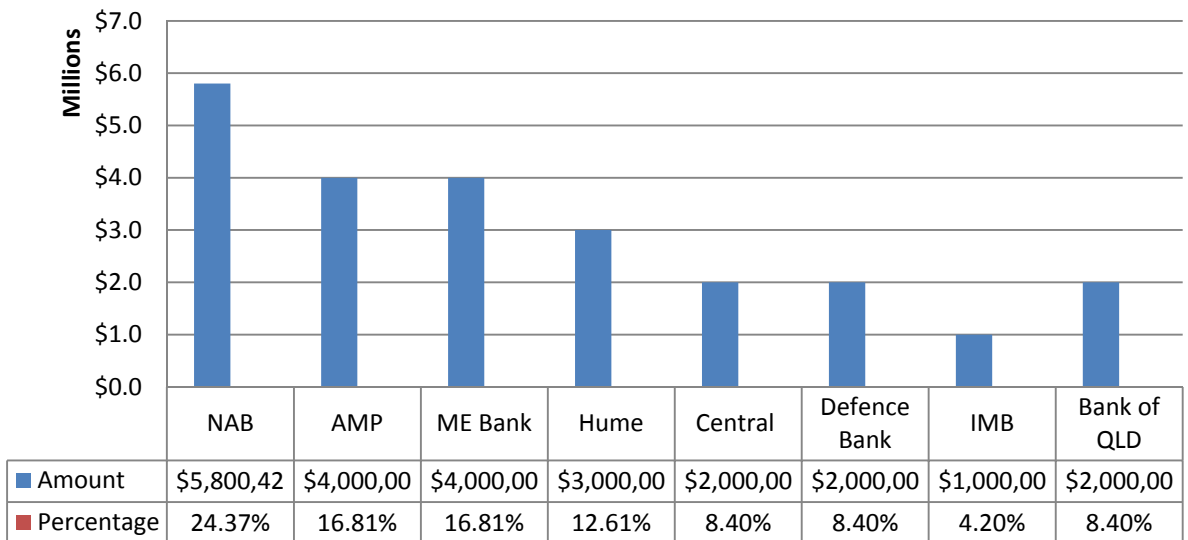
Total Funds Held



Funds Held By Type



Funds held by institution



Items requiring Council Resolution

Changes in Investment Portfolio for November 2015

Previous Investment			New Investment		
Prior Financial Institution	Amount	Interest Rate	Current Financial Institution	Amount	Interest Rate
ME BANK	\$2,000,000	2.80%	ME BANK	\$2,000,000	2.90%
ME BANK	\$2,000,000	2.98%	ME BANK	\$2,000,000	2.85%
NAB	\$1,000,000	2.90%	NAB	\$1000,000	2.85%

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Items requiring Council Resolution

5.2 KERBSIDE PICKUP CONTRACT (C067/07)

AUTHOR: Environmental Engineer

STRATEGIC OUTCOME: Sustainable natural and built landscapes

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

FILE NO: 31.042.3

RECOMMENDATION – that Council exercise its option to extend the current Kerbside Pickup contract (C067/07) for a further three years to expire in March 2019.

REPORT

Berrigan Shire Council in partnership with Moira Shire Council (Vic.) share a contract to collect and dispose of domestic waste within their respective shires. The contract term was initially set at seven (7) years, with an option of a further three (3) years extension based on mutual agreement between both parties. The start date was March 2009 and concluding in March 2016.

Considering the excellent performance under the contract of DS Kendall Waste Services, and a strong indication that Moira Shire intend to exercise the three (3) year option, staff are recommending that the Council also extend the aforementioned contract for a further three years to March 2019.

Urban household waste generated in Berrigan Shire is currently managed with twin mobile garbage bins per household for general waste and recycling. The bins are collected and transported under contract by a Numurkah based company in conjunction with Moira Shire under a shared waste management contract.

The contract is managed on Berrigan Shire's behalf by Moira Shire's contract management staff, as Berrigan is considered a junior partner within the contract.

Contractor performance within Berrigan Shire over the past four (4) years has been excellent, with few complaints registered, good communications established and all invoices received and paid within contract guidelines. In addition to the normal kerbside pickup services.

Under current arrangements, waste and administration staff at Berrigan Shire has found working with DS Kendall Waste Services a seamless experience. Feedback received from Moira Shire also reflects a positive relationship with their current kerbside collection contractor. Both of these statements reflect the reliability of DS

Items requiring Council Resolution

Kendall Waste Services and the willingness of staff to recommend the contract extension to March 2019.

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Items requiring Council Resolution

5.3 LEASES TO NBN CO. LTD – BERRIGAN NORTH SITE

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 05.005.4

RECOMMENDATION: - that the Council sign and seal the leases for the “Berrigan North” site to NBN Co Ltd.

REPORT:

Earlier this year, NBN Co Ltd. approached the Council to lease a site at the Berrigan water treatment site on Davis Street to construct a communications tower.

The tower will deliver a Fixed Wireless Broadband service to residents and businesses in Berrigan and surrounds.

NBN Co has prepared four leases – each with a five year term. Overall, the lease period starts on 6 June 2016 and finishes on 5 June 2036.

Rent is \$6,000 per annum, indexed by 2.5% per year.

Copies of the leases are available for perusal.

Items requiring Council Resolution

5.4 BERRIGAN SPORTIES SHOW 'N SHINE, SWAP MEET AND FARMERS MARKET

AUTHOR: Economic Development Officer

STRATEGIC OUTCOME: Diverse and resilient business

STRATEGIC OBJECTIVE: 4.2 Strengthen and diversify the local economy

FILE NO: 08.063.3

RECOMMENDATION: - that the Council funds a marketing campaign for the Berrigan Sporties Show 'n Shine valued at \$2,750 from its Events Fund with marketing campaign to be designed in consultation with the EDO.

REPORT:

The Berrigan Sporties Car Show Committee has submitted a funding application focused on financing a marketing program for the second year of the Show and Shine event. The aim of the committee is to substantially grow the event following a successful first year where they had approximately 200 people attend, with 95 cars, 15 bikes and 5 old trucks on display. The event is a display of vehicles and a competition. The new initiatives for 2016 are the swap meet and farmers market. Stall holders will not be charged for their selling space.

This is the first time that the event has applied for funding assistance. The event has potential to grow and attract visitors from the region. The planned marketing campaign into the Shepparton area is a sound idea but could be more targeted with a shorter lead time commencing after the main holiday period. To spend \$4500 with the target of attracting 300 extra visitors would overcapitalize the project.

The time of year for this event is a possible downside with the chance of adverse weather conditions affecting patronage.

The event funding application is included with this agenda as appendix "G".

Under Councils Event Funding criteria this event satisfies the following key indicators:

- It is a new event for Berrigan and the type of event that is known to attract crowds in this region. (Note the growth of the Cobram Swap Meet)
- The event is designed as an attractor and will also cater to visitors that are already here.
- As a sporting event this event is relevant to the Berrigan Shire Tourism Strategy and would satisfy tier two.

Items requiring Council Resolution

Event Impact Summary

Berrigan Shire - Berrigan Sporties Show and Shine - Modelling the effect of \$22,545 from a Sports and Recreation Activities event with Local significance

	Output (\$)	Value-added (\$)	Wages & salaries (\$)	Employment (annual FTE)	Resident Jobs (annual FTE)
Direct impact	20,511	9,809	6,126	0.2	
Industrial impact	2,615	1,012	696	0.0	
Consumption impact	17,262	7,897	5,488	0.1	
Total impact on Berrigan Shire economy	40,389	18,719	12,310	0.3	0.3

Source: [National Institute of Economic and Industry Research \(NIEIR\) \(opens a new window\)](#) ©2015. Compiled and presented in economy.id by [.id \(opens a new window\)](#), the population experts.

Note: All \$ values are expressed in 2012-13 base year dollar terms.



Items requiring Council Resolution

5.5 SCORES ON DOORS PROGRAM

AUTHOR: Building Surveyor

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities

FILE NO: 24.081.1

RECOMMENDATION: - that the 'Scores on Doors' program for its food businesses within the Berrigan Shire be adopted to promote compliance with hygiene and food safety standards, promote consumer trust in food businesses and to further the reputation and economy of food businesses in the area.

REPORT

The role that food businesses play in the local community is becoming more important, as people's lives get busier and they source their food from outside their home.

Food businesses also form an important part of the local economy creating economic activity, employment, bringing people into the area and retaining those who live and work in it by providing reliable meal options. Council and the community benefit from the local food industry and rely on food premises and the part they play in the diverse local economy. At the same time, consumer expectations are rising, in particular that:

- › Food premises have the highest levels of compliance with hygiene and food safety standards
- › Consumers are able to have access to official information so they can make their own decision about where they eat, and
- › Council activity such as food inspections are not only done, but are seen to be done.

Council staff undertake food inspections to ensure compliance with hygiene and food safety requirements. Where necessary, they undertake compliance action. Food premises issued with on-the spot Penalty Notices may appear on the NSW Food Authority's high profile Name & Shame register. However, the opportunity exists for council to be proactive in providing transparency around the inspections as well as an additional incentive for businesses to maintain and increase their inspection results, thereby improving the quality of local food premises.

RESOLUTION

Items requiring Council Resolution

To further support Council's significant work in this area, Council could also take part in the NSW Scores on Doors program. Program details Scores on Doors is the state-wide NSW program to display onsite the results of food premises inspections for hygiene and food safety. The program is focused on retail food service businesses that process and sell food that is ready to-eat, intended for immediate consumption, and potentially hazardous if not handled correctly and under the right conditions. These are the higher risk premises that have the greatest potential to cause foodborne illness if food is not handled correctly. These businesses include:

- › restaurants
- › pub bistros
- › hotels
- › cafes
- › bakeries
- › clubs, and
- › takeaway outlets

Scores on Doors is not intended for: supermarkets, delicatessens or greengrocers, and low risk food premises or businesses that serve prepackaged food such as service stations and convenience stores, temporary markets, mobile food vending vehicles, or businesses that hold a NSW Food Authority license and are separately audited such as butchers.

The voluntary program has been taken up by a number of Councils throughout NSW and the NSW Food Authority is now working with councils to provide marketing support and significantly increase that number.

Given the number of food businesses in the council, the Scores on Doors program would greatly assist promotion of the area as a food destination and reliable place to do business.

CONCLUSION

The Scores on Doors program rewards food premises that do the right thing by their customers. The program provides food premises throughout the area with a public incentive to raise standards, they offer the potential that higher standards in food premises could mean fewer compliance issues requiring follow up and fewer consumer complaints, and most importantly they will help provide our community with clean and healthy value-for-money food products and services which positively showcase the Council's many communities and culinary attractions.

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Items requiring Council Resolution

5.6 GRANT FUNDING

AUTHOR: Economic Development Officer

STRATEGIC OUTCOME: Diverse and resilient business

STRATEGIC OBJECTIVE: 4.2 Strengthen and diversify the local economy

FILE NO:

RECOMMENDATION: - that the Council:

1. supports local businesses to submit funding applications for the Regional Business Investment Fund.
2. develops an Industry Skills Program – Retail and Hospitality and submits a funding application for this program under the Energise Enterprise Fund.

REPORT:

In late 2012 the Commonwealth Government announced that Murray Darling Basin Communities would be able to share in \$100 million of funding for economic development projects and diversification initiatives to support the economic base of regional communities likely to be affected by the implementation of the Murray Darling Basin Plan. The total NSW allocation is \$32.5 million, of which \$18.4 Million was allocated in the first round leaving \$14.1 million remaining in the second round.

McCormacks Cabinets and Batescrew were successful applicants in the first round of funding.

There are two streams available in the second round: The Regional Business Investment Fund (\$10 Million) and the Energise Enterprise Fund (\$4.1 Million). The key criteria for each fund:

Regional Business Investment Fund

- The project must be able to demonstrate that new jobs will be created.
- Job creation must be ongoing and not just be part of infrastructure building phase.
- A project that diversifies within an existing business will be looked at favorably.
- \$ for \$ is just that and in-kind cannot be substituted for cash.
- Infrastructure projects are given the most weight
- Businesses and Not –for – profits will be given priority
- Must demonstrate financial viability
- Opens on the 30 November 2015 and closes on the 1st of March 2016

Energise Enterprise Fund

- Focus on skills capability building or economic development studies.

RESOLUTION

Items requiring Council Resolution

- Smaller grants up to \$25,000 unmatched or \$40,000 matched
- Applications open on 30th November and will be assessed bi-monthly from the 16th of February onwards until the funding pool is exhausted.
- Local Government and Not-for-profits will be given priority

The Government held an information session in Griffith to outline the focus of these funds and they also discussed some of the failings of applications in round one:

- Many claims were made without evidence to support them
- Many applications focused on a solution without first describing the issue
- Letters of support as an afterthought. Good letters of support are extremely valuable
- Failure to discuss the project with the relevant department prior to making a submission

The opportunity was made available at the information session to discuss possible Council projects with Margaret O'Dwyer from Trade and Investment NSW. Marg stressed the requirement for job creation in the Business Investment Fund stream and suggested that Council should play a lead role in encouraging businesses to submit applications. It is possible that this funding stream would be suited to Cydonia Glass in Tocumwal and the Riverina Dairy Group in Finley. The key to success in this funding round will be the proponents ability to clearly articulate and guarantee ongoing new employment opportunities.

I discussed the industry development projects – ***Baristas of the Bush and the Wine Knowledge Project*** – that Council has undertaken with the Chambers of Commerce over the past 15 months. Marg was very positive about these projects and felt that a combined industry development project along similar lines could be a worthwhile proposition to put through the Energise Enterprise funding application process.

Items requiring Council Resolution

5.8 REVIEW OF DETERMINATION – DA 59/15/DA/DM - FUNERAL CHAPEL

AUTHOR: Development Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO: 59/15/DA/DM

RECOMMENDATION: that subsequent to a review of Development Determination No. 59/15/DA/DM, as amended, the determination be modified to reflect the agreed changes as indicated below:

1. Approved Plans

The development shall be implemented in accordance with the details included on the amended plan dated 19/11/2015 and as set out on the plans North East Survey Design (Project No M2089 Version 3 Sheet 1) and on the application form and on any supporting information received with the application except as amended by the conditions specified hereunder.

2. Asbestos

Should any asbestos products be identified on site any removal must be undertaken in accordance with the provisions of the NSW Work Health and Safety Regulations 2011 and Council's Asbestos Policy as follows:

- (a) Written notice must be provided to Council five (5) working days (excluding public holidays) prior to commencement of any works.

Written notice is to include the following details:

- Date the demolition will commence;
 - Name, address, contact details (including after hours) and licence number of the demolisher and asbestos removalist (if different).
 - Work must not commence prior to the nominated demolition date.
- (b) The developer is to provide written notification to owners and occupiers of premises in the immediate vicinity of the development site on asbestos removal work, five (5) working days prior to demolition.
- (c) A WorkCover licensed Class B contractor must undertake removal of more than 10m² of bonded asbestos. Removal of friable asbestos

Items requiring Council Resolution

material must only be undertaken by a contractor that holds a current friable asbestos removal Class A licence.

(d) The licensed asbestos removalist must ensure that:

- Signs alerting persons to the presence of asbestos are placed to indicate
 - where the asbestos removal work is being carried out, and
 - barricades are erected to delineate the asbestos removal area.

(e) All asbestos waste must be stored, transported and disposed of in compliance with the Protection of the Environment Operations (Waste) Regulations 2005. All receipts detailing method and location of disposal must be submitted to Council as evidence of correct disposal.

(f) Where friable asbestos has been removed, an independent licensed asbestos assessor must conduct a clearance inspection and issue a Clearance Certificate. Where more than 10m² of bonded asbestos has been removed, a clearance inspection must be conducted by an independent competent person and a Clearance Certificate issued. A copy of the Clearance Certificate must be provided to Council before the area can be re-occupied for demolition or other work.

3. **Building work**

The owner of the premises must ensure that prior to any structural works being completed on any of the buildings, detailed plans of the proposed works must be submitted to council for approval.

4. The off-street car park layout associated with the proposed development including driveway design and location, internal aisle widths, ramp grades, parking bay dimensions and loading bays are to be in accordance with AS 2890.1-2004 "Off-street car parking" and AS 2890.2-2002 "Off-street commercial vehicle facilities". The proposed carpark is to be designed to allow for onsite circulation between the 2 movement aisles within the subject site.
5. The swept path of the largest vehicles entering and exiting the subject site and manoeuvrability through the site is to be in accordance with AS 2890.2-2002 "Off-street commercial vehicle facilities" and to Councils satisfaction. For road safety reasons, all vehicle access driveways, and the internal layout of the development, shall be designed to allow all vehicles to enter and exit the subject site in a forward direction and not be required to reverse onto the adjoining road reserve.
6. Any access driveway to the development site is to be constructed so that the formed vehicle path rises to the level of the pedestrian footpath along the frontage of the site and not have the footpath step down onto

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Items requiring Council Resolution

the roadway. As a minimum the driveways shall be sealed from the kerb and gutter to the property boundary.

7. Any landscaping, fencing or signage to be provided within the site or along the boundary with any adjoining road reserve is to be designed and maintained to provide safe sight distance to pedestrians for motorists entering and exiting the site to minimise conflict in accordance with AS2890.1-2004 "Off-street car parking".
8. All activities including loading/unloading of vehicles associated with this development is to be undertaken within the subject site to remove interference with vehicles and pedestrian movement on public roads.
9. Stormwater run-off from the subject site onto the adjoining road reserve as a result of the proposed development is not to exceed the existing level of run-off from the subject site. Suitable provision should be made to retard any increased storm water run-off from the site.
10. Any damage or disturbance to the road reserve of the adjoining roads is to be restored to match surrounding landform in accordance with Council requirements. Any redundant vehicular access points to the subject site from the public road network shall be removed and the road reserve including kerb and gutter reinstated to match the surrounding roadside landform in accordance with Council requirements.
11. Any works within the road reserve of a Classified Road requires concurrence from Roads and Maritime Services under section 138 of the Roads Act 1993 prior to commencement of any such works. The developer is responsible for all public utility adjustment/relocation works, necessitated by the proposed development and as required by the various public utility authorities and/or their agents.
12. Any works associated with the proposed development shall be at no cost to the Roads and Maritime Services.
13. Any signage shall be designed and located so as to comply with the following;
 - a. the sign display shall not include:
 - Any flashing lights,
 - Electronically changeable messages,
 - Animated display, moving parts or simulated movements.
 - Complex display that holds motorist's attention beyond "glance appreciation",
 - Display resembling traffic signs or signals, or giving instruction to traffic by using words such as 'halt' or 'stop';
 - b. The method and intensity of any illumination of the sign shall not be directed or transmitted in such concentration or intensity to cause distraction or glare to motorists.
 - c. The permissible level of reflectance of an advertisement is not to exceed the 'Minimum coefficients of Luminous intensity per unit

Items requiring Council Resolution

area for Class 2A', as set out in Australian Standard AS/NZS 1906.1:2007;

- d. Any proposed sign and support structure shall be located wholly within the confines of the property boundaries and not protrude over any adjoining road reserve.
 - e. Any proposed sign and supporting structure to be located within close proximity to a road reserve is required, as a minimum, to comply with the wind loading requirements as specified in AS1170.1 Structural design actions – Permanent, imposed and other actions and AS1170.2 Structural design actions – wind actions.
 - f. Any proposed sign and supporting structure shall not obstruct any road regulatory, safety or directional signage in the vicinity,
 - g. Any proposed sign and supporting structure shall not pose any risk to the safety of pedestrians or motorists.
14. The provision of on-site car parking, including disabled parking, associated with the subject development is to be in accordance with Council requirements. All car parking spaces required are to be provided on-site and not to be compensated by the on-road parking in the vicinity. Parking, particularly disabled parking is to be located with convenient pedestrian access to the entry doors of the premises.
 15. The existing driveway to the Newell Highway (Murray Street) closest to the McNamara Street intersection is to be closed as indicated on the submitted plans. This driveway is not to be used for access to/from the subject site.
 16. The existing southern most driveway to the subject site from the Newell Highway shall be restricted to Left-in and left-Out only. Appropriate signage and line marking is to be installed and maintained at this driveway to enforce this requirement. A sign is to be placed on the boundary fence in McNamara Street near its intersection with the Newell Highway directing motorists southbound on the highway to the entrance driveway from McNamara Street.
 17. Any landscaping, fencing or signage to be provided along the boundary with any adjoining road reserve adjacent to driveways is to be designed and maintained to provide safe sight distance to pedestrians for motorists entering and exiting the site to minimise conflict in accordance with AS2890.1-2004 "Off-street car parking".
 18. Any damage or disturbance to the road reserve for the adjoining public roads is to be restored to match surrounding landform in accordance with Council requirements.

RESOLUTION

Items requiring Council Resolution

REPORT:

Consent was originally granted for a change of use at the premises at 277-283 Murray Street, Finley, from a disused car yard to a funeral chapel, and whereby vehicular access to the site was denied from Murray Street, a classified road.

The proponent subsequently applied to Council to modify the consent to enable, among other things, ingress and egress from Murray Street. As per the relevant legislation the application was referred to Roads and Maritime Services (RMS) for concurrence.

Upon receipt of the comments from RMS the original consent was modified to reflect the requirements of that authority and conditioned accordingly.

After some deliberation of the conditions of the modified consent the proponent has further requested Council to review the modified consent in accordance with the provisions of Section 82A of the Environmental Planning & Assessment Act 1979. (See Appendix "B")

As the matters raised have the potential to have an impact on traffic on the classified road the request to review the determination was again referred to RMS for comment.

The proponent has agreed to relinquish the use of the northern driveway to the site from Murray Street as required as per Condition of consent No. 4 as indicated on the updated plan shown in Appendix "B". The proponent however does object to the requirement to remove the driveway and to reinstate the kerb and gutter in this location. Whilst this measure would deter any future use of this gateway it is conceded that the costs imposed upon the developer at this time could be construed as excessive and it is considered that this requirement is not needed at this time and it would be appropriate to modify this condition accordingly.

The proponent has agreed to provide an additional driveway to the existing gateway to the site off McNamara Street which is acceptable.

The proponent has stated that the car parking layout will comply with Australian Standards. It must be ensured that the layout is constructed in accordance with the provisions of Conditions No.'s 4 and 5.

The revised site plan attached in Appendix "B" indicates specific pedestrian linkages to and within the site. Whilst not ideal given the egress movements of the hearse and mourners vehicles after funerals it is considered acceptable given the very low speeds envisaged upon completion of the services.

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Items requiring Council Resolution

The proponent also requested that the issue of vehicles to the southern entry to the site be referred to the traffic committee. Common Law and the Constitution was also mentioned as to reasons why this right of way should remain for all vehicles entering and leaving the site. It should be remembered that this particular development was for the change of use for the site from an activity that made sporadic use of the driveways that had minimal impact on through traffic to an activity that invites a large number of vehicles to access the site at one time. The change of use requires consent under the provisions of the EP&A Act and also under the provisions of the Roads Act 1993 as the access driveway fronts a classified road. Common Law has no bearing in the context of this development.

A detailed response was received from RMS regarding the matters raised above and is included as Appendix "C".

The main point of contention has been the traffic flow from the southern gate on Murray Street. RMS originally requested that this be exit only however a review has found that it would be appropriate to allow left turn in and left turn out only to ensure that there is minimal impact on through traffic. A condition has been recommended that appropriate signage be installed to reflect this requirement. In addition it has been recommended that traffic travelling in a southern direction turn right into McNamara Street to gain access to the site via the new driveway which appears to be an appropriate solution.

It is considered that a reasonable compromise has been reached between Council, RMS and the developer and can be supported. It is suggested that the conditions of consent to reflect the proposed changes as outlined in the response from RMS be included in the modified consent document and any redundant conditions be removed.

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Items requiring Council Resolution

5.9 NATIONAL STRONGER REGIONS FUND – ROUND 2

AUTHOR: General Manager

STRATEGIC OUTCOME: Diverse and resilient business

STRATEGIC OBJECTIVE: 4.2 Strengthen and diversify the local economy

FILE NO:

RECOMMENDATION: - that, if required, the Council sign and seal all funding agreements related to funding from the National Stronger Regions Fund Round 2 for subdivisional works at the Tocumwal Aerodrome

REPORT:

The Council's application for funding from the National Stronger Regions Fund – Round 2 for subdivisional work at Tocumwal Aerodrome has been successful and a grant of \$334,920 has been allocated.

To access the grant a Deed of Agreement will be required to be executed.

It is not yet known whether such Deed will require signing and sealing by the Council or whether it will only require signature by the General Manager.

So as not to unnecessarily delay execution of the Deed the Council could resolve to sign and seal the Deed. If this is not required I will sign the Deed on the Council's behalf, assuming that there are no concerns with it.

Receipt of the grant is good news and will certainly assist with sale of the resultant blocks.

The Council's second grant application for town entry works was unsuccessful.

Items requiring Council Resolution

5.10 BERRIGAN DRAINAGE

AUTHOR: Director Technical Services

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities

FILE NO:

RECOMMENDATION: - that the Council proceed with drainage works in the south eastern area of Berrigan township including the installation of a stormwater gravity main along Barooga Street from Momalong Street to Woodstock Road, construction of a stormwater pump station on Barooga Street between Orr Street and Osborne Street, construction of a rising main from the pump station to the Tank paddock, installation and modification of earthen drains and banks within the Tank paddock and construction of a 5000 m³ detention basin within the Tank paddock.

REPORT:

A meeting was held with BDDA and Berrigan Conservation and Tidy Towns Committee on Wednesday the 25th of November at the CWA hall to discuss Berrigan South East Town Drainage.

The plan shown below as Figure 'A' was presented to the meeting and feedback indicated that both groups were in favour of the proposed drainage plan, however, they would prefer to trial the new drainage without the installation of a new 5000 m³ detention basin.

Since the meeting engineering staff have had further consultation with our electrical contractor and considered the required tree clearing to extend the power supply to the proposed pump site was undesirable. An alternative pump site in Barooga Street is now proposed with the cost of additional rising main balancing a reduction in extension of the electrical service. This alternative plan is shown below as Figure B.

Final plans are being prepared for the works and further discussion will be held with the Berrigan Conservation and Tidy Towns Committee regarding the location of earthworks at the tank paddock and the content of the environmental management plan to protect existing vegetation during construction.

Engineering staff are still recommending that the additional 5000 m³ retention basin be installed at the same time as other earthworks are carried out as the stormwater calculations indicate a need for a 10,000 m³ basin for a 1 in 10 year rainfall event.

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Items requiring Council Resolution

Site investigations indicate a sand layer at approximately 2.5-3 m from the existing ground level and while this will assist with the disposal of stormwater it is considered that an additional 5000 m³ basin will still be required.

Constructing it in conjunction with the other earthworks will provide for more efficient use of plant and allow for easier earthworks balancing.

RESOLUTION

Items requiring Council Resolution

RESOLUTION

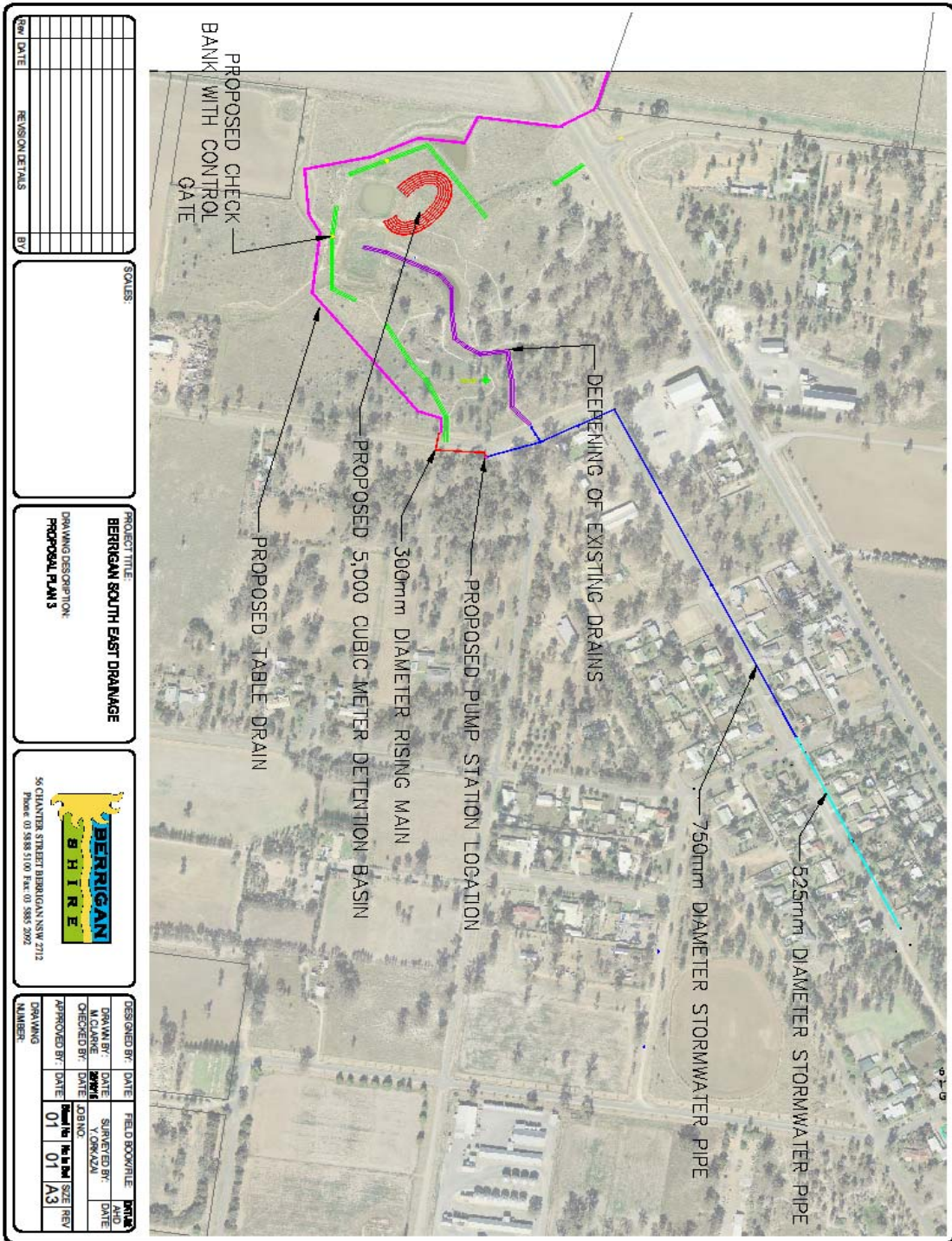


Figure A

Items requiring Council Resolution

RESOLUTION

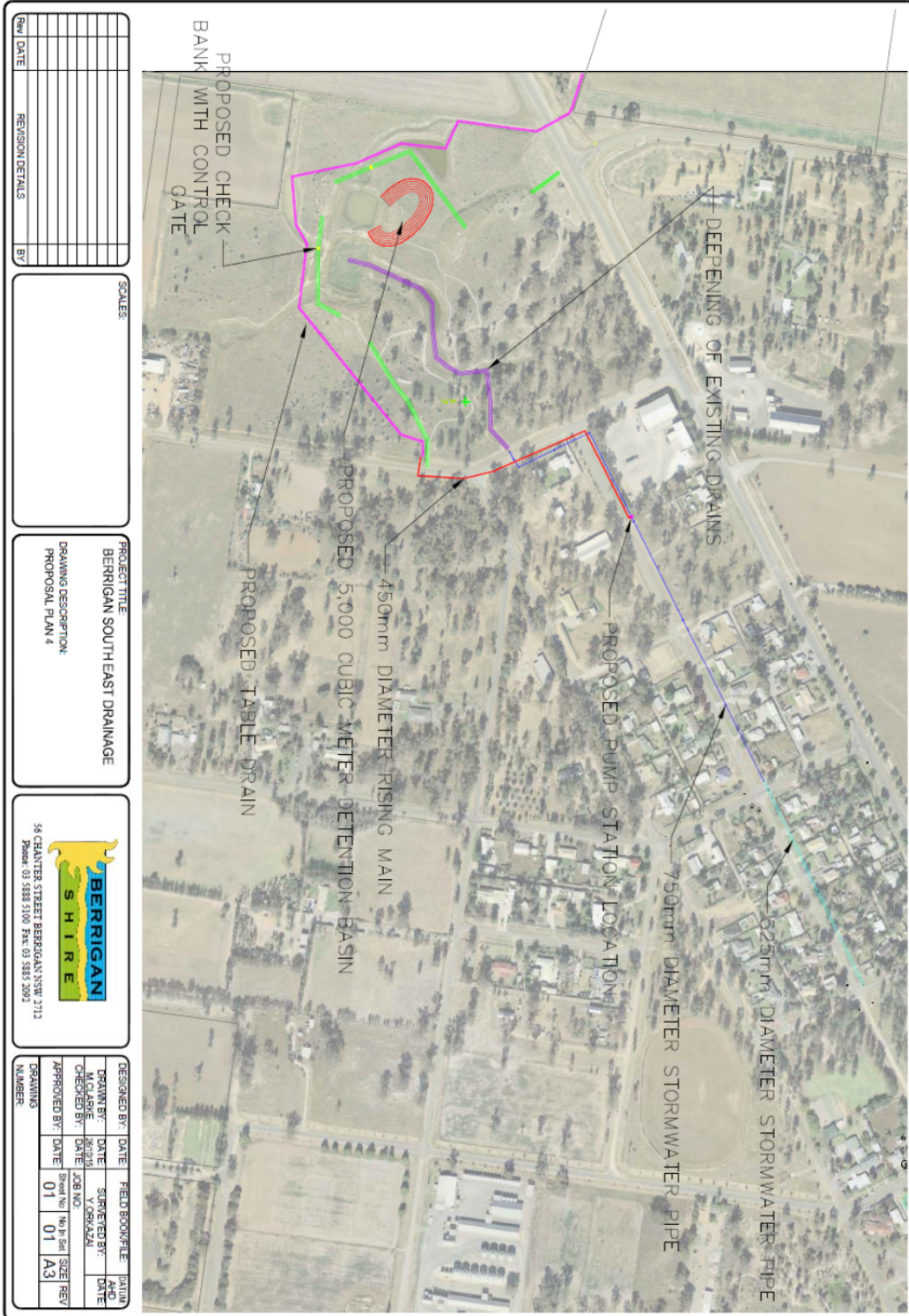


Figure B

Items requiring Council Resolution

5.11 HALF COST SCHEME 01/15/16 FOOTPATH CONSTRUCTION – DRUMMOND STREET, BERRIGAN (EAST SIDE CHANTER STREET TO CORCORAN)

AUTHOR: Executive Engineer

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE:1.3 Connect and protect our communities

FILE NO: 28.167.2 & HCS 01/15/16

RECOMMENDATION: - that pursuant to Section 217 of the Roads Act 1993 and Council's Administration of Contributory Footpath and Kerb and Gutter Schemes Pursuant to clause 217, 218 & 219 of the Roads Act 1993 Policy, Council proceed with the construction of footpath in Drummond Street, Berrigan (East side from Chanter Street to Corcoran Street) and make a charge on abutting property owners in accordance with the Schedule for Scheme HCS01/15/16 as set out below.

**SCHEDULE: SCHEME NO. HSC01/15/16
FOOTPATH CONSTRUCTION – DRUMMOND STREET, BERRIGAN (EAST SIDE CHANTER STREET TO CORCORAN STREET)**

Estimated full unit rate is \$75.00 excluding GST per square metre, inclusive of survey, design, construction and supervision.

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Items requiring Council Resolution

PROPERTY	Owner's Percentage	Frontage (m)	Total Cost \$	Owner's Cost Excl GST \$	GST \$	Total Owner's Cost Incl. GST \$	Council Cost \$
LOT 1 DP792576 DRUMMOND STREET BERRIGAN NSW 2712	25.00%	42.82	\$3,853.80	\$963.45	\$96.35	\$1,059.80	\$2,890.35
LOTS 49 & 50 SEC A DP2425 DRUMMOND STREET BERRIGAN NSW 2712	50.00%	45.74	\$4,116.60	\$2,058.30	\$205.83	\$2,264.13	\$2,058.30
LOT 51 SEC A DP2425 DRUMMOND STREET BERRIGAN NSW 2712	50.00%	22.87	\$2,058.30	\$1,029.15	\$102.92	\$1,132.07	\$1,029.15
LOT 52 SEC A DP2425 DRUMMOND STREET BERRIGAN NSW 2712	50.00%	22.87	\$2,058.30	\$1,029.15	\$102.92	\$1,132.07	\$1,029.15
LOT 68 DP318139 DRUMMOND STREET BERRIGAN NSW 2712	25.00%	33.45	\$3,010.50	\$752.63	\$75.26	\$827.89	\$2,257.88
ROADWAYS	0.00%	20	\$1,800.00	\$ -	\$ -	\$ -	\$1,800.00
TOTAL		187.75	\$16,897.50	\$5,832.68	\$583.27	\$6,415.94	\$11,064.83

Items requiring Council Resolution

REPORT:

Council's 2015/16 Capital Works Program includes the construction of a footpath at Drummond Street, Berrigan.

Most of these works were planned to be partially funded from contributions from owners in accordance with Council's policy 'Administration of Contributory Footpath and Kerb and Gutter Schemes pursuant to clauses 217, 218 & 219 of the Roads Act 1993'.

Affected owners have been advised of the proposed works and contributions in accordance with the policy and asked to advise of their agreement or otherwise to participate in the scheme. The notification advised them that if they did not respond by Monday 4th December, 2015 for Footpath Schemes HCS01/15/16, it would be assumed that they did not object.

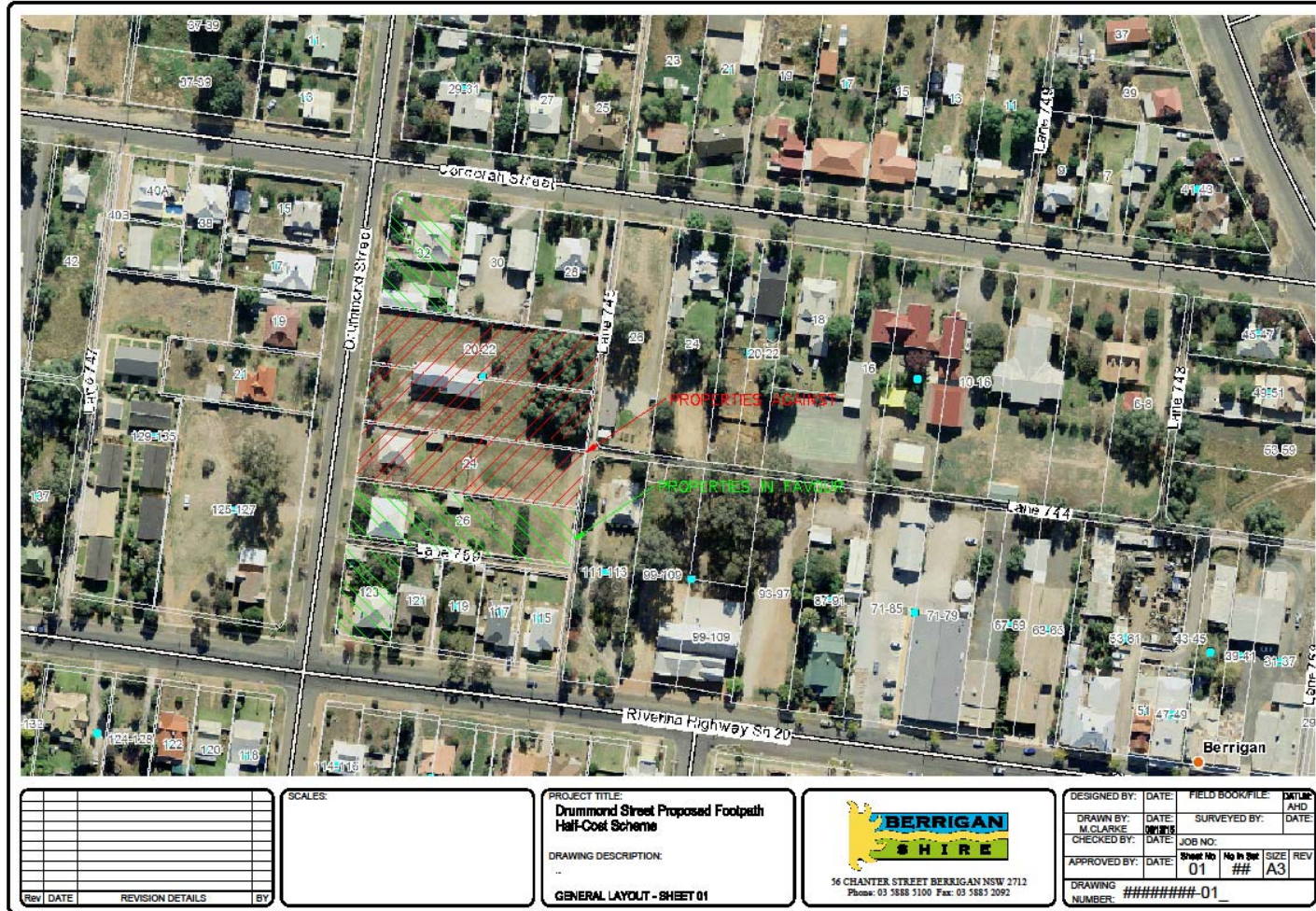
Two responses were received objecting to the proposed half-cost scheme while the remaining three affected property owners have not responded.

Copies of objections received are attached as Appendix "D" .

All of the proposed footpath works have been identified in the Pedestrian Access and Mobility Plan adopted by Council on 16th July, 2014 as being required to provide connectivity for pedestrian routes. While there are always equity issues related to contributions for footpath construction and usage, Council is restricted by the Roads Act in application of charges and has developed its policy around these restrictions. This section of footpath is important in that it provides the link from the new footpath in Corcoran Street back to the commercial area in Chanter Street.

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Items requiring Council Resolution



Rev	DATE	REVISION DETAILS	BY

SCALES:

PROJECT TITLE:
**Drummond Street Proposed Footpath
 Half-Cost Scheme**

DRAWING DESCRIPTION:
 ..

GENERAL LAYOUT - SHEET 01



DESIGNED BY:	DATE:	FIELD BOOK FILE:	DRAWN AND
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DRAWING NUMBER: ##### 01			

Items for Noting

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

6.1 BE POOL SAFE CAMPAIGN

AUTHOR: Development Manager

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities

FILE NO: 07.038.2

REPORT:

Royal Life Saving has invited Council to become a “Be Pool Safe Community Partner”. This initiative strives to bring about an elevated understanding of safety in and around backyard swimming pools and spas.

This initiative is free and provides Council with a range of resources in which to promote and educate communities in appropriate water safety practices.

Upon receipt of the promotional material it will be circulated on Councils website and Face book as well as having hard copies available at the Council office and libraries.

NOTING

Items for Noting

6.2 IPART DETERMINATION OF RATE PEG FOR 2016/17

AUTHOR: Revenue Officer

STRATEGIC OUTCOME: Good government

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

FILE NO: 25.138.1

REPORT:

The Independent Pricing and Regulatory Tribunal (IPART) have released their determination of the Variation of General Income for Local Government for 2016/17 – the “Rate Peg”. IPART has set the rate peg as **1.8%**.

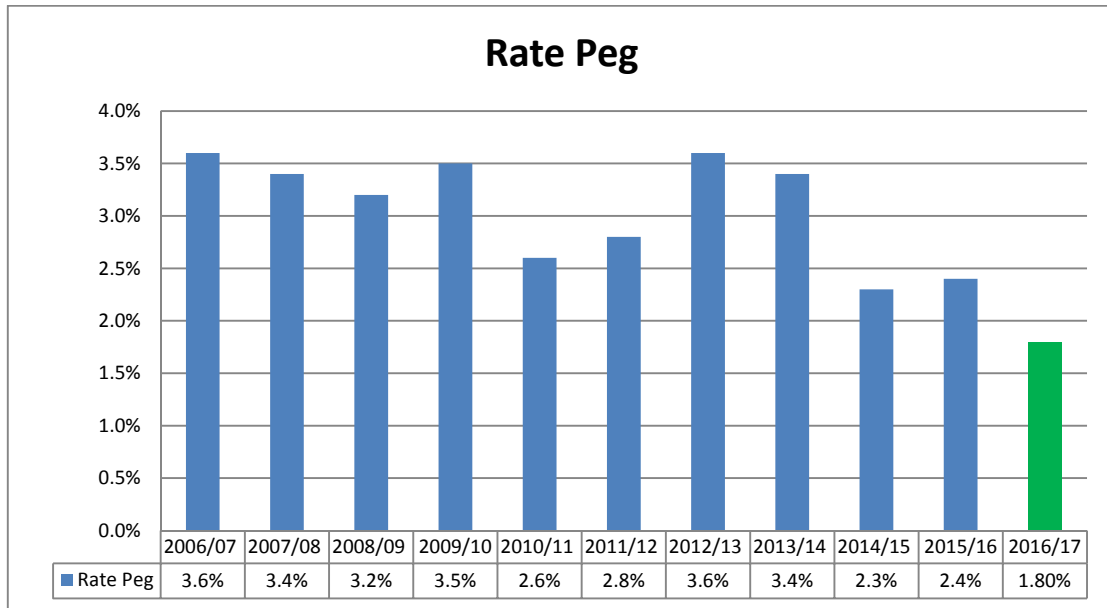
This rate peg is the maximum percentage that the Council can increase its overall General Rate income for the 2016/17 financial year (this Rate Peg percentage does not apply to Council’s service charges), other than an increase derived from growth in assessable properties.

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

Individual rates are also affected by other factors, such as individual land valuations.

This year’s increase is the lowest percentage increase in the previous 10 years as set out in the chart below:

Items for Noting



The rate peg has been calculated as follows

- A base amount of 1.78% derived from the increase in the Local Government Cost Index (LGCI) in the year to the September quarter 2015.
- A deduction of a 0.05% “productivity factor” – this year rounded down to zero.

This resulted in a rate peg of 1.78% which was rounded to 1.8% for 2016/17.

Council’s Long Term Financial Plan was based on an assumed 2.5% increase in permissible rates income. The actual 1.8% allowed will see a significant decrease in Council’s ordinary rate income in 2016/17 from the original estimate of approximately \$34,000.

In a similar manner to the FAG indexation “pause” this impact is cumulative, leading to a fiscal hole of at least \$350,000 over the life over the 10 year financial plan.

An IPART fact sheet on the rate pegging system and the 2016/17 determination is attached as Appendix “E”.

NOTION

Items for Noting

6.3 REFORM OF LOCAL GOVERNMENT

AUTHOR: General Manager

STRATEGIC OUTCOME: Good government

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

FILE NO: 13.101.1

REPORT:

The Chief Executive Officer of RAMROC has provided the following update for Councils following and informal meeting held on 4th November 2015.

The following resolutions were carried at the special roundtable meeting of RAMROC Councils held at the LGNSW Headquarters Sydney on 4th November 2015

- 1. That the Minister for Local Government be requested to urgently provide specific information to Councils by 11th November 2015 in relation to the Government's Fit for the Future processes and timetable that will apply following the 18th November deadline date, because at the present time Councils and their communities are being unfairly required to make highly important decisions relating to potential mergers in a vacuum of the Government's intentions*
- 2. That RAMROC and Member Councils fully support the LGNSW's "Our Council; Our Voice; Our Choice" campaign against forced mergers of Councils; by adopting and utilising the advocacy materials available through LGNSW*
- 3. That the RAMROC Executive seek an urgent meeting with Local State Members Adrian Piccoli MP, Greg Aplin MP and Katrina Hodgkinson MP to reinforce the region's support for the LGNSW's "Our Council; Our Voice; Our Choice" campaign against forced Council mergers.*

The above resolutions were immediately conveyed to the Executive Director Department of Premier and Cabinet and were followed up with a letter to the Minister for Local Government on 11th November, respectfully asking for an early reply

No response at all has been received from either Premier and Cabinet office or the Minister's office

In relation to resolution 3 above, the RAMROC Executive met with the Member for Murray the Hon Adrian Piccoli MP in Griffith on Monday 23rd

NOTING

Items for Noting

November and with the Member for Albury Greg Aplin MP in Albury on Friday 27th November.

A meeting with the member for Cootamundra the Hon Katrina Hodgkinson MP has been scheduled for Friday 18th December

At the meeting with Minister Adrian Piccoli he confirmed that the Government intends to proceed with a number of mergers in regional and rural NSW.

This would include those mergers which have been voluntarily agreed by neighbouring Councils, as well as others where no agreement has been reached. The second category are clearly forced mergers

Adrian also made the point that the Government intends to proceed under the current provisions of the Local Government Act, that being by the Minister's referral of merger proposals to the Boundaries Commission or through the Departmental Chief Executive (until very recently the LG Act referred to the Director General of Local Government).

It is now clear that the Government does not intend to introduce new legislation to implement forced mergers, because that legislative pathway would be extremely unlikely to attract the support of the Legislative Council. A number of Upper House Members have publicly announced that they would oppose any legislation to force Council mergers, so the Government obviously intends to keep the Upper House out of any decision making processes.

Mr Piccoli confirmed that the FFF matter will be discussed by Cabinet shortly, which accords with the Government's indication that it will be making significant FFF announcements before the end of December 2015.

Given the Governments intentions to proceed with FFF reform, Mr Piccoli invited the RAMROC Executive to bring forward some suggestions in relation to processes and timetable that could provide a practical pathway forward and which might help to mitigate the very strong concerns of Councils and communities.

The RAMROC Executive, whilst reinforcing to all of the local State Members the strength of opposition to forced mergers by the vast majority of RAMROC Councils', has responded to Mr Piccoli's invitation and has given consideration to a potential pathway of processes and timetable that could be applied under the current LG Act provisions.

Items for Noting

**NOTES FOR THE HON ADRIAN PICCOLI MP –FIT FOR THE FUTURE
CABINET DISCUSSIONS**

**POTENTIAL MERGER PROCESSES AND TIMETABLE – BACKGROUND
NOTES**

1. *The State Government has signalled its intention to press on with reform of Local Government in NSW, primarily through a reduction in the number of LGAs from the current level of 152 (42 in the Sydney metropolitan area and 110 in regional and rural NSW and Western Region)*
2. *The Government has been encouraging neighbouring Councils to come to an agreed position on voluntary mergers and has offered financial incentives to those Councils that agree to merge, provided the Government is also in agreement with that voluntary merger.*
3. *In regional and rural NSW, incentives are available to newly merged Councils to invest in community infrastructure projects and/or better services (up to \$5 million for merger of two Councils and up to \$10 million for mergers of 3 or more Councils). In addition, funding of \$5 million is available to meet the upfront costs of merging into one new entity*
4. *The Premier and LG Minister have also indicated by letter of 11th November the following:-*
 - *“Councillors that have demonstrated an ability to work together in reaching agreement to merge will have the opportunity to shape the future of the new council and serve their community until the end of their current term. This will include input to decisions on service levels, branding, jobs, location of key administrative centres and /or local representation*
 - *Councils that see the benefit of merging, but are unable to reach agreement with neighbouring councils, should submit their merger preferences even if agreement has not been reached. These Councils will have best opportunity to shape the future of the new council”*
5. *The Premier and LG Minister have indicated that the Government will make a major announcement during December 2015 regarding its review of merger preferences submitted by Councils and will inform Councils and their communities of the Government’s decisions in relation to the reform process.*

Items for Noting

6. *At this point of time, the Government has not been prepared to inform communities of what its intentions are, nor will it provide information regarding the processes and timetable that will take place in order to implement the announced Council mergers.*
7. *In discussions with the State Member for Murray the Hon Adrian Piccoli MP on 23rd November 2015, the RAMROC Executive reinforced the opposition of the vast majority of Member Councils to any forced mergers. RAMROC also expressed concern about the lack of dialogue and consultation from the Government about the intended processes and timetable*
8. *Mr Piccoli confirmed the intention of the Government to implement both voluntary and forced mergers, some of which may involve Councils that are opposed to any merger and for which there has been no agreement between Councils. He also advised that the Government intends to utilise the existing Local Government Act provisions, including referral of all Minister's proposals to the Boundaries Commission and/or Director General (very recently amended in the LG Act to Departmental Chief Executive).*
9. *Mr Piccoli requested RAMROC to provide him with suggestions relating to processes and timetable, particularly in relation to an ongoing role for Councillors through to the September 2016 Elections and for Councillors and Senior Officers to have meaningful input into the shaping of a new Council entity.*
10. *The attached suggestions do not diminish the ongoing objections of almost all RAMROC Councils to any forced mergers by the Government. However, these suggestions acknowledge that if mergers are to take place, they need to be carried out in a way that provides as much certainty, stability and co-operation as possible for councils and their communities.*

IMPORTANT PRINCIPLES

The suggested processes and timetable above should apply to all merger proposals announced by the Government, not only to those mergers which have been agreed by neighbouring Councils.

The financial assistance package announced by the Government for the mergers processes and for and for community infrastructure and services should apply to all mergers that are implemented, not only to those which have been agreed by neighbouring Councils.

Items for Noting

SUGGESTED PROCEDURAL STEPS AND TIMETABLE TOWARDS THE MERGING OF COUNCILS

1. December 2015 – Minister announces reform program of agreed mergers and for a number of proposed forced mergers
2. January 2016 - Minister re-constitutes the Boundaries Commission and Governor appoints the Members thereof (Section 261)
3. January 2016 – Minister initiates formal merger proposals (possibly on group basis) under Section 215 and gives 28 days notice under Section 216
4. February 2016 - Minister considers any representations under Section 217 and refers proposals to Boundaries Commission (or alternatively to Departmental Chief Executive), under Section 218 (possibly on group basis)
5. March, April and May 2016 – Boundaries Commission (or alternatively the Departmental Chief Executive) gives notice of Inquiries to be held under Section 263 and then conducts the required Inquiries in relation to the proposals that have been referred by the Minister. Also submits final reports and recommendations to the Minister.
6. May 2016 - Minister considers Boundaries Commission or Departmental Chief Executive reports and makes recommendations to the Governor
7. June 2016 – Governor makes proclamations for implementation of the Minister's decisions – say for the existing Councils to cease as from 10th September 2016 (scheduled 2016 Election date) and for the new entity to commence on 11th September 2016
8. June 2016 - Governor's proclamation to include:-
 - a. Dissolving the existing Council areas as from 10th September 2016 and constituting the new council area as from 11th September 2016.
 - b. Appointment of a Commissioner to commence on 1st July 2016, in order to implement procedures for establishing the new entity as from 11th September 2016,
 - c. Announcement of transitional arrangements, including the appointment of a Transition Committee (for example the current Mayors, Deputy Mayors and possibly one or more other Councillors) to operate as from 1st July 2016, and to inform and advise the Commissioner
 - d. Appointment of an Acting Chief Executive for the transition period commencing on 1st July 2016 pending consideration by the new Council

(Note: Where two or more Councils have agreed to merge, to provide for organisational stability and on the recommendation of those Councils, the Governor's proclamation could appoint the Acting Chief Executive for the transition period and the Chief Executive of the new entity)

Items for Noting

Suggested transitional arrangements

1. Existing Councils and Councillors to remain in place until 10th September 2016 and to continue to operate as separate entities until that time
2. Existing Councils to prepare individual Operational Plans and Budgets for the 2016-2017 financial year, and to issue 2016-2017 rates in July 2016
3. Existing Councils to finalise the winding up of the Councils as of 10th September 2016 and to prepare Integrated Planning End of Term Reports for consideration by the new Council
4. The Commissioner, together with the Transition Committee and the Acting Chief Executive will operate as from 1st July 2016 to make preparations the implementation of the new Entity as from 11th September 2016, including the following matters:-
 - a. Name and organisational structure of the new entity
 - b. Branding
 - c. Service levels
 - d. Project commitments and funding reserves
 - e. Organisational Systems, Policies and Procedures
 - f. Location of Administrative Centre/s
 - g. Representation
 - h. Staffing arrangements
 - i. Draft integrated Delivery and Operational Plans for the new Council to review
 - j. Joint Organisation boundaries and establishment
 - k. Make required preparations for 10th September 2016 Election of Councillors for the new entity
 - l. Other matters as appropriate or as referred by outgoing Councils

The above is provided as information only and is not necessarily the view of the Council.

Items for Noting

**6.4 2015 NATIONAL LOCAL ROADS AND
TRANSPORT CONGRESS – BALLARAT**

AUTHOR: Director Technical Services

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.3 Strengthen strategic relationships
and partnerships with community,
business and government

FILE NO: 04.039.1

REPORT:

Over 250 delegates from Councils across Australia met in Ballarat on 17 - 19 November 2015 at the sixteenth National Local Roads and Transport Congress.

The congress was addressed by 3 senior federal politicians in The Hon Warren Truss MP - Deputy Prime Minister of Australia and the Minister for Infrastructure and Regional Development. The Hon Paul Fletcher MP - Minister for Territories, Local Government and Major Projects and The Hon Anthony Albanese MP - Shadow Minister for Infrastructure and Transport, Shadow Minister for Tourism and Shadow Minister for Cities.

The Deputy Prime Minister highlighted the increased infrastructure investment being made by the federal government and in particular the increase in Roads to Recovery allocations to Councils. He was very definite in his advice that Councils having received the increased allocation needed to demonstrate that they could use the funds efficiently and effectively in a timely manner to ensure the governments goals of improved local roads and job creation were achieved.

He concluded his address with the following remarks:

“Let me conclude, then, with the observation that Australia’s road infrastructure is extremely important.

The responsibility to provide it is shared across all three levels of government—and increasingly there is private sector involvement too.

I have argued today that we need to get the best possible value for the public money which is spent on road infrastructure—and I have highlighted several promising directions.

With three levels of government—and many other stakeholders—achieving effective coordination and cooperation is critical.

Items for Noting

The Turnbull Government values its constructive partnership with local government, in road infrastructure and in many other areas—and we look forward to working with you to deliver better outcomes for all Australians.”

Minister Fletcher spoke about the importance of roads for national economic performance observing *“that the state of our road network, and in turn the quality of road transport services, is critical to our national economic performance”*

He also emphasised the need to get better value from road investments and suggested three mechanisms to achieve this.

The first mechanism is a greater focus on long term planning of infrastructure projects.

The second important mechanism is capturing and using better data to determine where new expenditure is needed and this could be improved by greater use of technology such as by tracking data from mobile phones, from sensors embedded in roads or from telematics devices in vehicles.

The third, mechanism is to use open, market based processes designed to attract private sector participants on the best possible terms.

Shadow Minister Albanese highlighted the Labor party’s contribution to roads and transport when they were in government and accused the current government of reducing resources for infrastructure.

There were many other interesting papers presented including one by Julie Briggs from REROC on the development of their regional freight and transport plan.

The keystone paper in relation to local government was the release of the *2015 National State of the Assets: Roads and Community Infrastructure Report* - which summarises the condition of local roads, bridges and, for the first time this year, community infrastructure - showed that an estimated \$47 billion of road and community infrastructure managed by local government is in poor state and in need of significant renewal. It also found that 11 per cent of sealed roads, 19 per cent of unsealed roads and 22 per cent of timber bridges are either physically unsound or in need of significant rehabilitation. The report recommends targeted intergovernmental strategies addressing the state of council-managed roads and community infrastructure through renewal, upgrade and disposal to enable a competitive and fair Australia into the future.

Mayor Troy Pickard, President of the Australian Local Government Association, said: *“Our local government infrastructure assets are part of*

Items for Noting

national networks that deliver services supporting national productivity as well as local connectedness and quality of life.

"Councils are working under immense financial constraints to manage this infrastructure but they need more help to maintain these assets to a standard that is fit for a more productive economic future.

"An important aspect of our nation's economic future is supporting local government to play a more effective role in moving freight and boosting transport productivity by improving the condition and grade of local road pinch points in the national transport network.

"Programs like Roads to Recovery help with the basic maintenance of our local roads, but more needs to be done to ensure the local road network has the capacity required to provide safe access for all major classes of heavy vehicles and improve heavy vehicle freight movement.

"Without an integrated plan that connects the national and state network to the local network, opportunities for strategic infrastructure investment and improved productivity will be lost. The Federal Government needs to address this issue.

"Additional investment in local roads must be part of the solution to increasing transport productivity on the nation's transport network."

The 2015 National State of the Assets: Roads and Community Infrastructure Report summarises the outcomes of the data provided by 396 councils across Australia on roads and bridges, with 230 councils also providing data on all infrastructure, including buildings, drainage, parks, airports, water and wastewater infrastructure.

Items for Noting

6.5 MURRAY DARLING ASSOCIATION**AUTHOR:** General Manager**STRATEGIC OUTCOME:** Sustainable natural and built landscapes**STRATEGIC OBJECTIVE:** 1.1 Support sustainable use of our natural resources and built landscapes**FILE NO:** 11.106.2

REPORT:

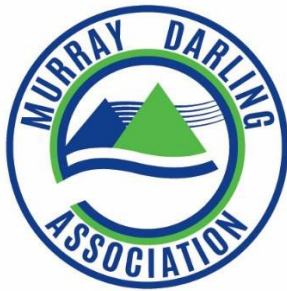
Apparently, there has been some discussion amongst member of the Murray Darling Association, of which the Council is a member, regarding the status of the position of National President.

This discussion appears to emanate from a decision of Campaspe Shire Council not to appoint a Councillor as its delegate to the Murray Darling Association despite that Councillor being the National President.

In response to the apparent discussion the Murray Darling Association has issued the following:

NOTION

Items for Noting



1/12/2015

Update of the changes to the Murray Darling Association Board

There have been a number of enquiries seeking clarification in relation to the position of National President of the Murray Darling Association. The following information is provided by way of an update on recent changes.

At its Ordinary Meeting 353 on November 20 the National Board of the MDA considered the process applied in the election of the National President Cr Greg Toll at the last National AGM in Tocumwal in September.

Specifically, attention was focused on the MDA's requirement for all councillors to be endorsed by their council in order to stand for the position. Cr Toll did not have the endorsement of his council, and as a result the board reviewed the outcome of the election, and declared the position of National President vacant.

The Vice President, Cr David Thurley, Deputy Mayor of Albury City Council and Chair of Region 1 will Chair the Board until a fresh election is held on a date early in 2016 to be confirmed.

Subsequent to the decision by the Board, Greg resigned his position as a councillor with the Shire of Campaspe in order to contest the position of Chair of Region 2 in his capacity as a private member.

The Region 2 AGM was held on Friday 27th November, and Greg Toll was elected to the position of Chair of Region 2 in his capacity as an individual member. That position had previously been held by the Shire of Campaspe, with Greg as their delegate.

Just to be clear, the rule requiring that any councillor who nominates for a position on the Regional Executive (and by extension the national executive) of the MDA must have the endorsement of their council exists to ensure that member councils can be confident that the delegates representing them at the MDA do so as clearly on behalf of the member council. The rule does not exclude individual members, who bring a valuable contribution to the MDA, from nominating under the Individual Membership category.

Items for Noting

www.mda.asn.au
Balance

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Page 1 of 2

The current National Executive of the MDA is

National President	vacant
Vice President (and Acting NP)	Cr David Thurley, Chair R1
Treasurer	Cr Peter Jamieson, Chair R7

Member	Council Delegate	Position	Chair of Region
Albury City Council	Cr David Thurley	Vice President	Region 1
Vacant			Region 3
Mildura Rural City Council	Cr Glenn Milne		Region 4
Mid Murray Council	Cr Kevin Myers		Region 5
Alexandrina Council	Cr Barry Featherston		Region 6
City of Port Adelaide Enfield	Cr Peter Jamieson	Treasurer	Region 7
Leeton Shire Council	Cr Paul Maytom		Region 9
Dubbo Shire Council	Mr Murray Wood		Region 10
Mr Greg Toll – Individual member			Region 2
Mr Rodney Button – individual member			
Vacant			Region 11
Vacant			Region 12

Board Members are

Should you require any further information, please go to our website www.mda.asn.au/our-board.aspx, or contact the office.



Kind Regards

Emma Bradbury
Chief Executive Officer
Murray Darling Association Inc.

NOTION

Items for Noting

6.6 TRUCK PARKING FACILITY - TOCUMWAL

AUTHOR: General Manager

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO:

REPORT:

As Councillors may be aware, truck parking and decoupling etc has been a long standing safety and amenity issue at Tocumwal north of the Deniliquin Road roundabout.

The Council has had little success in gaining support from the NSW Roads and Maritime Service to provide a suitable truck parking and rest facility in the vicinity of the problem area. This is despite the fact that under its own policy direction such a facility is required in the area.

Given the lack of support and despite the Council's efforts to discourage parking etc in the area the problems continue at the site.

The Council recently prepared a submission to the Minister for Roads, Maritime and Freight, The Hon Duncan Gay MLC, in relation to the issue which included an offer by the Council to provide its land in the area for such a facility at no cost. The submission was presented to the Minister by Local Member, Adrian Piccoli.

As a result of the submission the following response has been received:

Items for Noting



The Hon. Duncan Gay MLC
Minister for Roads, Maritime and Freight
Leader of the Government
Legislative Council

ML15/11511

The Hon Adrian Piccoli MP
Minister for Education
Member for Murray
228 Cressy Street
DENILQUIN NSW 2710

Dear Minister

Thank you for your correspondence on behalf of Mr Rowan Perkins, General Manager, Berrigan Shire Council, about heavy vehicle rest areas and a truck parking facility along the Newell Highway at Tocumwal.

I appreciate the time Council has taken to provide their submission and acknowledge their offer of land for the facility. I asked Roads and Maritime Services to look into this matter.

Roads and Maritime is aware heavy vehicle parking areas and decoupling bays are needed at Tocumwal. This is highlighted in the *Newell Highway Corridor Strategy*. As this is a significant concern for road users, Roads and Maritime plans to work with Council to find a solution.

Roads and Maritime has started planning for a heavy vehicle rest area and decoupling bay in Tocumwal. Roads and Maritime will consult stakeholders, including Council, to identify their needs and an appropriate location. Council may be assured, Roads and Maritime will consider their submission in this process.

If Mr Perkins has any further questions, Ms Karin Summerfield, Network and Safety Manager South West at Roads and Maritime, would be pleased to take his call on (02) 6938 1645. I hope this has been of assistance.

Yours sincerely

Duncan Gay MLC 3-12-15

NOTION

Items for Noting

The above response appears positive and the situation will continue to be monitored to ensure that real progress is made.

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Items for Noting

6.7 WORK HEALTH & SAFETY COMMITTEE

AUTHOR: Enterprise Risk Manager

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 4.1 Invest in local job creation, retention and innovation

FILE NO: 22.112.1

REPORT:

The Minutes of the Work Health & Safety Committee meeting held on 12th November, 2015 are attached as Appendix "F" for Councillors information.

Items for Noting

6.8 DEVELOPMENT DETERMINATIONS FOR MONTH OF NOVEMBER 2015

AUTHOR: Support Officer

STRATEGIC OUTCOME: Good government

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

REPORT: APPLICATIONS DETERMINED FOR NOVEMBER

Application	Description	Property Location	Applicant	Owner	Status	Value	Days Taken		
30/15/DA/DD	Upgrade of Skate Park	82-96 DENISON STREET, FINLEY NSW 2713 (Lot1/18/DP758412)	Berrigan Shire Council	DEPARTMENT OF LANDS	Approved 05-11-2015	\$ 155000.00	Active 290	Total 290	
100/15/DA/D2	Modification - 6 Independent Living Units	COBRAM STREET, BERRIGAN NSW 2712 (Lot131//DP1125223)	BERRIGAN & DISTRICT AGED CARE ASSOCIATIO	BERRIGAN CARE ASSOCIATION LIMITED	Modified 26-11-2015	\$ 0.00	Active 2	Total 2	
14/16/DA/D9	Weighbridge & Sampling Stand	118 SILO ROAD, TOCUMWAL NSW 2714 (Lot218//DP752296)	Mr Jeffrey Townrow	OADASH PTY LTD	Approved 10-11-2015	\$ 100000.00	Active 12	Total 74	
11/16/CD/M4	Modification - Residential Storage Shed	10 NANGUNIA STREET, BERRIGAN NSW 2712 (Lot8//DP237596)	Mr Bill Norris	MR WA NORRIS	Modified 23-11-2015	\$ 0.00	Active 2	Total 2	
38/16/DA/D9	2 Lot Subdivision	12-16 BRUCE BIRRELL DRIVE, TOCUMWAL NSW 2714 (Lot111//DP1069289)	Ms Alexandra Paras	MR PJ HALEY	Approved 04-11-2015	\$ 0.00	Active 19	Total 19	
39/16/DA/D1	Installation of a Manufactured Home	90 DENILQUIN STREET, TOCUMWAL NSW 2714 (Lot521//DP1127858)	CJ & LM Dowsett Pty Ltd	MR A DURKIN AND MRS M G DURKIN	Approved 05-11-2015	\$ 144800.00	Active 12	Total 18	
40/16/DA/D9	3 Lot Subdivision	92 STRATHVALE ROAD, BERRIGAN NSW 2712 (Lot63//DP1127637)	Mr John Raymond Stewart	MR J R STEWART	Approved 17-11-2015	\$ 0.00	Active 23	Total 23	
45/16/DA/D1	Dwelling & Fence	25 BOYD STREET, TOCUMWAL NSW 2714 (Lot202//DP1156694)	Mr David Pearson	MR D A & MRS L M PEARSON	Approved 04-11-2015	\$ 185000.00	Active 9	Total 9	
46/16/DA/D1	BV Dwelling & Attached Garage	83-87 SNELL ROAD, BAROOGA NSW 3644 (Lot12//DP1138900)	D & M Bowden Construction	MR DP NOLAN & MRS PT NOLAN	Approved 06-11-2015	\$ 890000.00	Active 8	Total 8	
26/16/CD/M1	BV Dwelling & Attached Garage	39 TAKARI STREET, BAROOGA NSW 3644 (Lot47//DP1102913)	Simonds Homes	SIMONDS DEVELOPMENT PROJECTS PTY LTD	Approved 05-11-2015	\$ 198046.00	Active 6	Total 6	
27/16/CD/M1	BV Dwelling & Attached Garage	47-48 KEOGH DRIVE, TOCUMWAL NSW 2714 (Lot46//DP1118257)	Miss Julie Chacko	MRS J CHACKO	Approved 05-11-2015	\$ 232459.00	Active 6	Total 6	
47/16/DA/D5	Residential Storage Shed	54 LAWSON DRIVE, BAROOGA NSW 3644 (Lot47//DP1045702)	Mr Bradley Chandler	MR BE CHANDLER & MRS SR CHANDLER	Approved 17-11-2015	\$ 10000.00	Active 13	Total 13	
48/16/DA/DM	Steel Shade Structure	17-33 HENNESSY STREET, TOCUMWAL NSW 2714 (Lot1/11//DP758981)	Mr Chris Johnson	EDUCATION DEPARTMENT	Approved 11-11-2015	\$ 45000.00	Active 8	Total 8	
29/16/CD/M5	Inground Fibreglass	9 KEAMY COURT, BAROOGA	Poolside	MR V CALABRO	Approved	\$ 46700.00	Active	Total	

Items for Noting

	Swimming Pool	NSW 3644 (Lot22//DP803483)	Cobram	AND MRS AN CALABRO	05-11-2015		1	1
49/16/DA/D5	Residential Storage Shed	26-28 FINLEY STREET, FINLEY NSW 2713 (Lot3//DP22932)	Mr Shane McBurnie	MR AJ BALDWIN & MRS MA BALDWIN	Approved 12-11-2015	\$ 19500.00	Active 5	Total 5
30/16/CD/M1	BV Dwelling & Attached Garage	10 LA BELLE COURT, TOCUMWAL NSW 2714 (Lot7//DP1194758)	Lewis Homes	MR R E & MRS S L TYLER	Approved 10-11-2015	\$ 271150.00	Active 1	Total 1
31/16/CD/M4	Carpport	6-12 ROBERTSON STREET, BERRIGAN NSW 2712 (Lot8/17//DP758097)	Mr Glyn Gray	MR G M GRAY AND MRS L J GRAY	Approved 11-11-2015	\$ 3000.00	Active 2	Total 2
32/16/CD/M5	Aboveground Swimming Pool	1 MALONE MEWS, FINLEY NSW 2713 (Lot1//DP1097289)	Karen & Robert Daniel	MR RJ DANIEL & MRS K DANIEL	Approved 12-11-2015	\$ 9000.00	Active 2	Total 2
33/16/CD/M1	BV Dwelling	101 MARSHES ROAD, BERRIGAN NSW 2712 (Lot23//DP752275)	Noel & Amy Baxter	NAMARANG NOMINEES PTY LTD.	Approved 11-11-2015	\$ 480000.00	Active 1	Total 1
50/16/DA/D1	BV Dwelling & Attached Garage	5 MURRAY GROVE, BAROOGA NSW 3644 (Lot17//DP1092267)	MS Constructions	MR RP MCDIARMID & MRS H MCDIARMID	Approved 18-11-2015	\$ 341319.00	Active 6	Total 6
34/16/CD/M4	Residential Storage Shed	14 AVA COURT, TOCUMWAL NSW 2714 (Lot22//DP270154)	Mr Shane Halloran	MR SP HALLORAN AND MRS K HALLORAN	Approved 23-11-2015	\$ 17000.00	Active 4	Total 4
35/16/CD/M6	Additions to Dwelling	1682 YARRAWONGA ROAD, BAROOGA NSW 3644 (Lot1//DP534119)	Riches Homes & Improvements	MR G T SWANN AND MRS F K SWANN	Approved 23-11-2015	\$ 250000.00	Active 2	Total 2
36/16/CD/M1	BV Dwelling & Attached Garage	12 ISABEL AVENUE, BAROOGA NSW 3644 (Lot56//DP1110847)	Dennis Family Homes	MR S P ROHAN & MRS J J ROHAN	Approved 25-11-2015	\$ 198843.00	Active 1	Total 1

APPLICATIONS PENDING DETERMINATION AS AT 1/12/2015

Application No.	Date Lodged	Description	Property Location
125/15/DA/D9	30-06-2015	22 Lot Subdivision	HUGHES STREET, BAROOGA NSW 3644 (Lot21//DP1090571)
29/16/DA/DM	18-09-2015	Extensions of Verandah at Tocumwal Recreation Reserve	KELLY STREET TOCUMWAL NSW 2714 (Lot 218//DP752296)
42/16/DA/D9	16-10-2015	2 Lot Subdivision	31 FINLEY STREET, FINLEY NSW 2713 (Lot 154//DP1066665)
43/16/DA/D2	21-10-2015	Service Station Upgrade	16-20 MURRAY STREET, FINLEY NSW 2713 (Lot 8//C//DP3407)
44/16/DA/D6	22-10-2015	Additions to Dwelling	76 QUICKS ROAD, BAROOGA NSW 3644 (Lot 301//DP1009000)
51/16/DA/D2	11-11-2015	Rail Sliding Extension & Site Upgrade	SILO ROAD, TOCUMWAL NSW 2714 (Lot10//DP1031627)
52/16/DA/D1	12-11-2015	Transportable Dwelling x2	10 BUDD STREET, BERRIGAN NSW 2712 (Lot3/L//DP2512)
53/16/DA/D2	18-11-2015	4 Additional Residential Aged Care Rooms & Extension	6-12 ADAMS STREET, TOCUMWAL NSW 2714 (Lot2//DP1167182)
54/16/DA/DM	19-11-2015	Temporary Living Quarters	RACE COURSE ROAD, TOCUMWAL NSW 2714 (Lot4//DP844053)
55/16/DA/DM	23-11-2015	Telecommunications Facility	13 DAVIS STREET, BERRIGAN NSW 2712 (Lot3//DP786939)
56/16/DA/D6	25-11-2015	Additions to Dwelling	9 CHOMLEY CLOSE, BAROOGA NSW 3644 (Lot11//DP1110970)

NOTION

Items for Noting

57/16/DA/D5	26-11-2015	Carport	7 GOLF VIEW COURT, BERRIGAN NSW 2712 (Lot2//SP22867)
58/16/DA/D6	27-11-2015	Carport	6 ARRAMAGONG STREET, BAROOGA NSW 3644 (Lot26//DP248812)
59/16/DA/DM	01-12-2015	Shade Structure	115-117 DENILQUIN STREET, TOCUMWAL NSW 2714 (Lot5/3//DP758981)

TOTAL APPLICATIONS DETERMINED / ISSUED

	This Month (November)	Year to Date	This Month Value	Year to Date Value
<i>Development Applications Determined</i>	11	35	\$1,890,619	\$23,686,804
<i>Construction Certificates Issued</i>	10	37	\$2,070,819	\$8,599,799
<i>Complying Development Cert. Issued</i>	10	38	\$1,706,198	\$4,346,739
<i>Local Activity Approvals Issued</i>	10	42	0	0

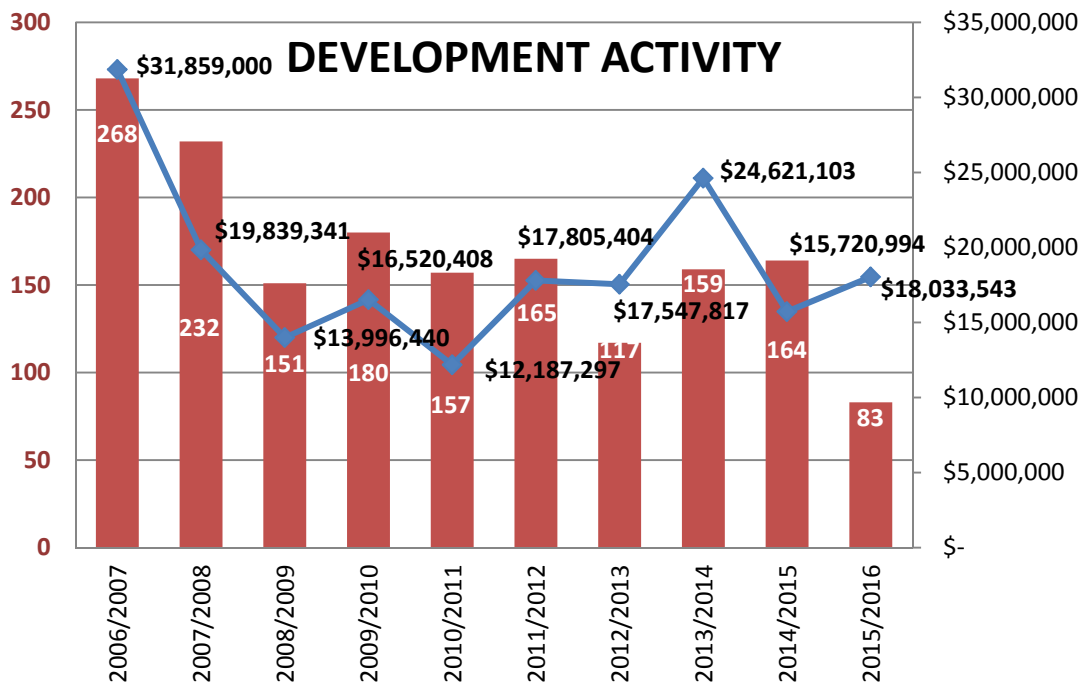
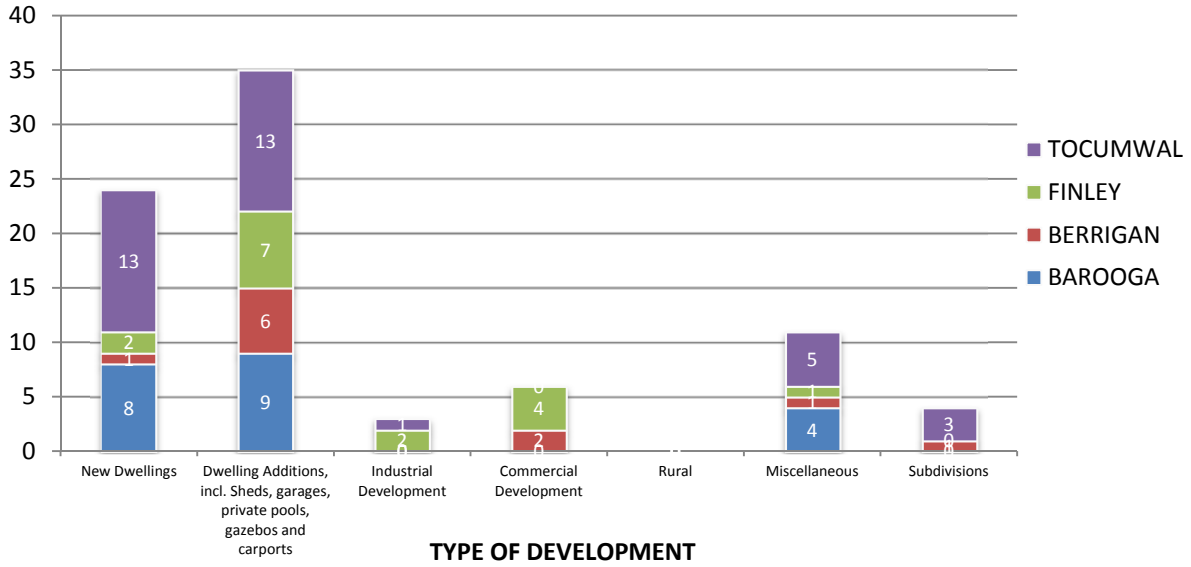
OTHER CERTIFICATES ISSUED FOR NOVEMBER

	149(2) Planning Certificate		149(5) Certificate		735A Certificate Outstanding Notices or Orders under LG Act 1993		121zp Certificate Outstanding Notices or Orders under EP&A Act 1979		149(D) Building Certificate		Swimming Pool Certificate	
	Nov	Year Total	Nov	Year Total	Nov	Year Total	Nov	Year Total	Nov	Year Total	Nov	Year Total
BAROOGA	10	53	0	10	2	7	0	4	0	0	0	0
BERRIGAN	5	24	0	0	2	4	0	0	0	0	0	0
FINLEY	8	36	1	3	0	1	0	0	0	0	0	0
TOCUMWAL	7	51	0	0		3	0	0	1	1	0	2
TOTAL	30	164	1	13	4	15	0	4	1	1	0	2

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Items for Noting

DEVELOPMENT ACTIVITY 2015 / 2016



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Item for Resolution

7 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.

7.1 REQUEST FOR ASSISTANCE

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

Item for Resolution

(b) the personal hardship of any resident or ratepayer

It is not in the public interest to reveal the personal details of an individual.

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*.

7.1 REQUEST FOR ASSISTANCE

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

Confidential Items requiring Council Resolution

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Items requiring Council Resolution

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:

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Committee meeting reports

7.1 MINUTES OF A CORPORATE SERVICES COMMITTEE MEETING HELD ON WEDNESDAY 2ND DECEMBER, 2015 IN THE COUNCIL CHAMBERS COMMENCING AT 11.00 AM.

RECOMMENDATION – that recommendations numbered 1 to 2 inclusive of the Corporate Services Committee Meeting held on 2nd December, 2015 be adopted.

5.1 END OF TERM REPORTING

AUTHOR: Strategic & Social Planning Coordinator
STRATEGIC OUTCOME: Good government
STRATEGIC OBJECTIVE: 2.1 Berrigan Shire 2023 objective and strategies inform Council planning and community led projects

FILE NO: 04.121.4

RECOMMENDATION No. 1 - that the Council prepare an Engagement Strategy for the development of the End of Term report for presentation to the Council meeting to be held on 16th December, 2015.

The Social and Strategic Planning Coordinator left the meeting at 11.30 am.

The Economic Development Officer entered the meeting at 11.30 am.

5.2 FINLEY AND DISTRICT RODEO COMMITTEE INC – EVENT FUNDING

AUTHOR: Economic Development Officer
STRATEGIC OUTCOME: Diverse and resilient business
STRATEGIC OBJECTIVE: 4.3 Diversify and promote local tourism
FILE NO: 08.063.3

RECOMMENDATION NO. 1 - that:

1. the Council continue with its current events funding Policy to fund events for a three year period only.
2. The Council advise the Finley and District Rodeo that the Council is unable to fund its event.

Committee meeting reports

7.2 MINUTES OF TECHNICAL SERVICES COMMITTEE MEETING HELD ON WEDNESDAY 2ND DECEMBER, 2015 IN THE COUNCIL CHAMBERS COMMENCING AT 9.02 AM.

RECOMMENDATION – that recommendations number 1 inclusive of the Technical Services Committee Meeting held on 2nd December, 2015 be adopted.

5.1 TOCUMWAL FORESHORE MASTERPLAN
AUTHOR: Director Technical Services
FILE NO:

RECOMMENDATION NO. 1 - that the Tocumwal Foreshore Masterplan report be noted.

Items requiring Council Resolution

8. **MAYOR'S REPORT**

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RECOMMENDATION – that the Mayor's Report be received.

Items requiring Council Resolution

9. DELEGATES REPORT

RESOLUTION

Items requiring Council Resolution

10. GENERAL BUSINESS

RESOLUTION