



ORDINARY MEETING OF COUNCIL

Wednesday 16 December 2020

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 16 December, 2020** when the following business will be submitted:-

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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 16 December, 2020

BUSINESS PAPER

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

1. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE
2. DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTERESTS

3. VISITORS

Nil

4. CONFIRMATION OF MINUTES

Recommendation: That the Minutes of the meeting held in the Council Chambers on Wednesday 18 November, 2020 be confirmed.

5. MAYORAL MINUTES

Nil

6. NOTICES OF MOTION

Nil

7. ITEMS FOR RESOLUTION

Council Meeting**16 December 2020****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 November 2020,
- b) Confirm the accounts paid as per Warrant No. 11/20 totaling \$2,146,473.90, and
- c) Note the report on investments attached as **"Appendix 7.14-A"**

Report:

- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 30 November 2020 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 2020.
- c) The Finance Manager certifies the Accounts, including the Petty Cash Book made up to 30 November 2020, totaling \$2,146,473.90 and will be submitted for confirmation of payment as per Warrant No. 11/20
- 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 in line with normal cash patterns for this time of year. Council currently has an additional \$4.98 million more in cash and investments compared to the same time last year.

Investment returns continue to remain low as interest rates decline.
- f) Further information regarding Council's investments is attached to this Agenda as **"Appendix 7.1-B"**.

Statement of Bank Balances as at 30 NOVEMBER 2020

Bank Account Reconciliation

Cash book balance as at 1 NOVEMBER 2020	\$ 8,563,294.89
Receipts for NOVEMBER 2020	\$ 3,603,433.57
Term Deposits Credited Back	\$ -
	\$ 12,166,728.46

Less Payments Statement No 11/20

No Chq Payments	\$ -
Electronic Funds Transfer (EFT) payroll	\$ 584,996.66
Electronic Funds Transfer (EFT) Creditors E035793-E036006	\$ 1,532,445.13
Term Deposits Invested	\$ -
Loan repayments, bank charges, etc	\$ 29,032.11
Total Payments for NOVEMBER 2020	\$ 2,146,473.90
Cash Book Balance as at 30 NOVEMBER 2020	\$ 10,020,254.56

Bank Statements as at 30 NOVEMBER 2020

	\$ 10,012,348.56
Plus Outstanding Deposits	\$ 8,789.00
Less Outstanding Cheques/Payments	\$ 883.00
Reconciliation Balance as at 30 NOVEMBER 2020	\$ 10,020,254.56

INVESTMENT REGISTER

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

Total Funds Held at 30 NOVEMBER 2020

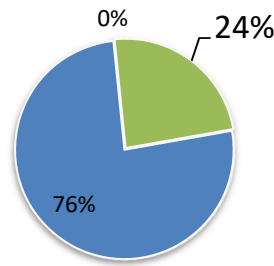
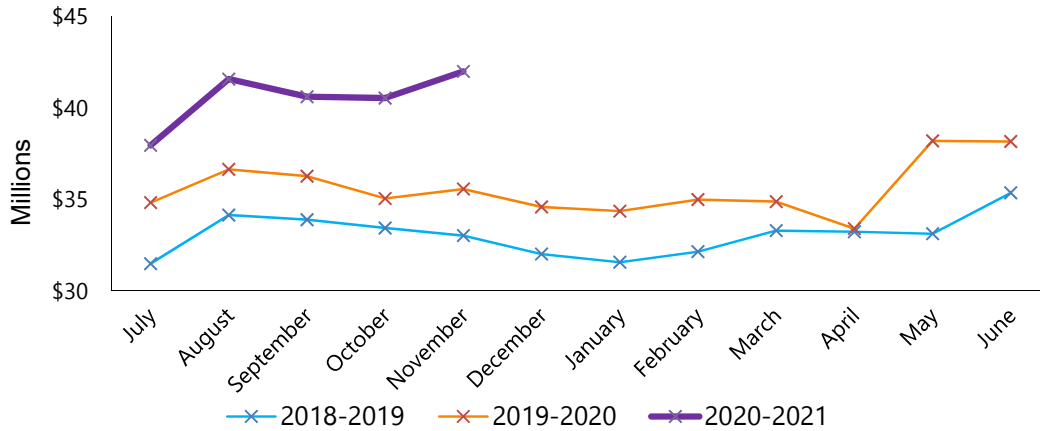
\$42,020,254.56

Tahlia Fry - Finance Manager

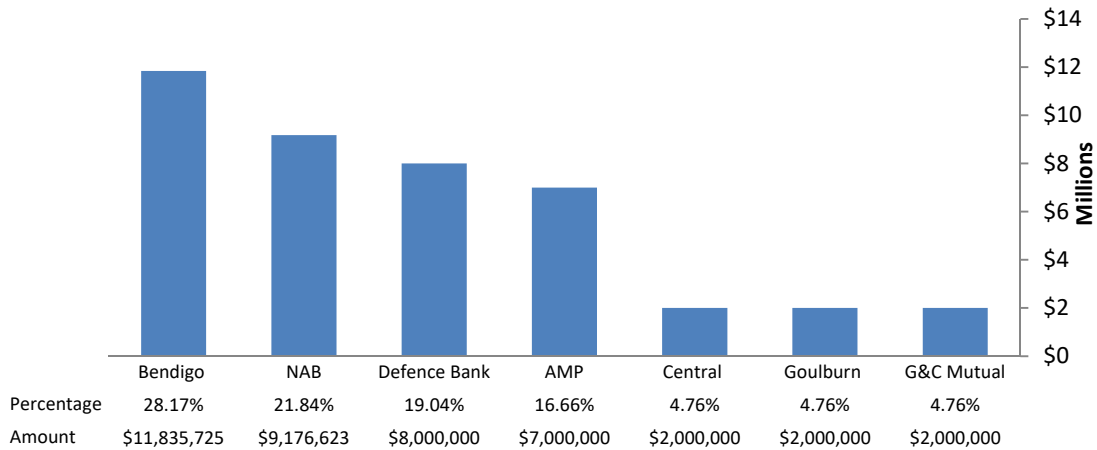
*The Council also receives an additional 0.25% commission

**The Council also receives an additional 0.20% commission

Total Cash and Investments



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



Term Deposits Credited Back

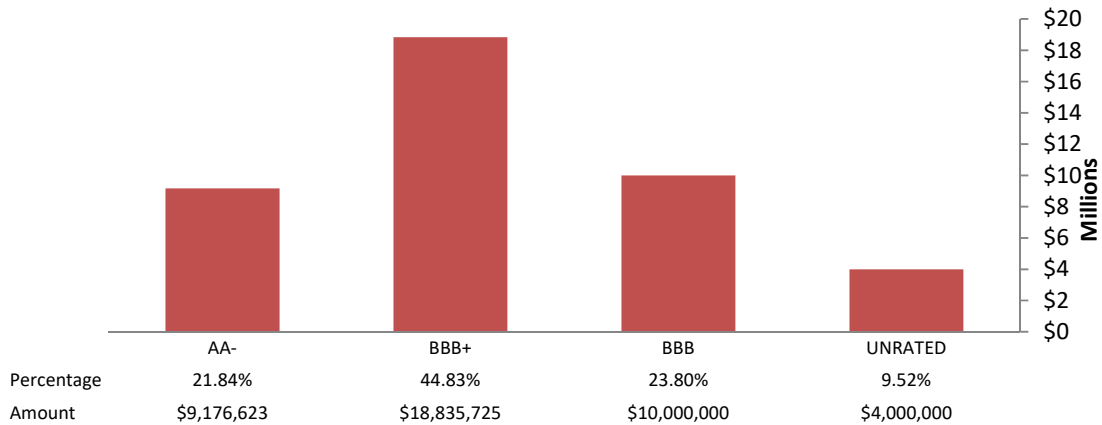
Prior Financial Institution	Term (Days)	Amount	Interest Rate	Maturity Date
NAB	365	\$ 2,000,000.00	1.45%	18/11/2020
AMP BANK	182	\$ 1,000,000.00	**1.65%	24/11/2020
AMP BANK	182	\$ 2,000,000.00	**1.60%	30/11/2020

Term Deposits Invested / Reinvested

Current Financial Institution	Term (Days)	Amount	Interest Rate	Maturity Date
NAB	365	\$ 2,000,000.00	0.55%	18/11/2021
AMP BANK	182	\$ 1,000,000.00	**0.70%	24/05/2021
AMP BANK	182	\$ 2,000,000.00	**0.70%	31/05/2021

*The Council also receives an additional 0.25% commission

**The Council also receives an additional 0.20% commission



Council Meeting

16 December 2020

7.2 Request to Purchase Land

Report by: General Manager, Rowan Perkins

Strategic Outcome: 4. Diverse and resilient business

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

Recommendation:

For Discussion

Report:

The Council has received a request to sell part of Tocumwal Aerodrome, specifically a piece of land that is part of the terminal building site, to the owners of Lot 1 DP 856794.

“Appendix 7.2-A” outlines the land requested to be transferred which comprises approx. 1,330m².

At this stage staff are seeking the Council’s direction as to whether it would support such a sale and if so, on what terms.

If the Council does consider such a sale the following factors should be included:

- Any sale to be at market value;
- The purchaser to meet all costs associated with the subdivision and consolidation of the land;
- Any land purchased should be required to be consolidated into Lot 1 DP 856794;
- There is a water main running through Lot 1 DP 856794 and this may be required to be protected by an easement.

As Lot 1 DP 856794 is already developed there are no significant development issues are expected and the proposal is effectively a transfer and consolidation with no new Lots created.

The proposal is understood to be based on a straightening of the northern boundary of the owner’s property.

From the Council’s perspective the proposal creates little if any impact.

Council Meeting**16 December 2020****7.3 Berrigan Shire Council Local Heritage Fund 2020**

Report by: Town Planner, Elizabeth Schindler

Strategic Outcome: 1. Sustainable natural and built landscapes

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

Recommendation: That Council offer grants of:

- 1) \$5,000 to Union Bank Residence Berrigan located at 1-5 Chanter Street, Berrigan for works on the façade including fixing damaged brick work and moldings and painting windows;
- 2) \$3,000 to Presbytery Residence Tocumwal located at 47 Hennessy Street, Tocumwal for renewing existing front verandah; and
- 3) \$2,000 to Bruton Street Residence Tocumwal located at 32 Bruton Street, Tocumwal for painting the roof and external features such as chimneys.

Report:

Following the call for applications for the Berrigan Shire Council Local Heritage Fund 2020 involving publication of notices in the Council Bulletin and local papers, four (4) applications were received. Upon assessment, in accordance with NSW Premier and Cabinet Guidelines, it is recommended that these three (3) applications for financial grants be issued.

The Guidelines consider a number of factors when assessing a grant funding application for a Heritage building or site. These factors include:

- the listing of an item under *Berrigan Local Environmental Plan 2013* (LEP) as a Heritage Item and/or is located within a Heritage Conservation Area,
- is assessed as being of heritage significance,
- is accessible to the public and provides education on the heritage significance of the item,
- has a long term management plan of the item,
- weather any previous funding has been received especially in the last 5 years, and
- heritage conservation value of proposed works.

The applications are summarised below:

- 1) A grant application has been received for the Union Bank building located at 1-5 Chanter Street, Berrigan. The building is listed as a heritage item listed under the Berrigan LEP and it is a prominent building within the well preserved Heritage Conservation Area also listed in the Berrigan LEP. The grant application is to seek

funding for works on the façade including fixing damaged bricks and moldings and painting external windows. The building is utilised as a private residence however the applicant has volunteered that they would like to invite members of the public into the bank in the future. The building has been recently purchased by the new owners and renovations have begun on the internal fit-out. There has not been any recent grant funding for the item.

Project Cost: \$13,080

Grant Sought: \$5,000

- 2) A grant application has been received for the Presbytery building (Former Rectory) located at 47 Hennessy Street, Tocumwal. The building is listed as a heritage item under the Berrigan LEP. The building is within the township of Tocumwal located amongst other heritage significant buildings. The grant application is to seek funding for works for renewing the existing front verandah. Grant funding has been received previously for this item. The building is utilised as a private residence and can be viewed from the street.

Project Cost: \$8,000

Grant Sought: \$4,000

An assessment of the proposal against the selection criteria above, had this application in second place and therefore, a percentage of the grant funding sought is recommended to be issues for a total of \$3000 to provide a contribution to the project.

- 3) A grant application has been received for the Bruton Street Residence located at 32 Bruton Street, Tocumwal. This building is assessed as being of heritage significant and the applicant believes that it is approximately 120 years old, and therefore one of the oldest residences in the township of Tocumwal. The building is within the township of Tocumwal located amongst other heritage significant buildings. The grant application is to seek funding for painting the roof and external features such as the three (3) chimneys. There has not been any recent grant funding for the item. The building is utilised as a private residence and can be viewed from the street.

Project Cost: \$10,785

Grant sought: \$5,000

An assessment of the proposal against the selection criteria above, had this application in third place and therefore, a percentage of the grant funding sought is recommended to be provided to the applicant for a total of \$2000 to provide a contribution to the project.

A further application was received for grant funding for the continued restoration of a commercial premises in the Berrigan Conservation Area. After an assessment of the application

as per the Guidelines however, the application is recommended for Nil funding for the Local Heritage Fund 2020, as it received a lowest score in comparison to the other applications received. The applicant was encouraged to reapply for funding in subsequent funding years.

Conclusion

Having assessed the applications in accordance with NSW Premier and Cabinet Guidelines, it is recommended that a grant of:

- 1) \$5,000 to Union Bank Residence Berrigan located at 1-5 Chanter Street, Berrigan for works on the façade including fixing damaged brick work and moldings and painting windows.
- 2) \$3000 to Presbytery Residence Tocumwal located at 47 Hennessy Street, Tocumwal for renewing existing front verandah.
- 3) \$2000 to Bruton Street Residence Tocumwal located at 32 Bruton Street, Tocumwal for painting the roof and external features such as chimneys.

Council Meeting

16 December 2020

7.4 Murray Darling Association Name Change Proposal

Report by: General Manager, Rowan Perkins

Strategic Outcome: 1. Sustainable natural and built landscapes

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

Recommendation:

The direction of the Council is sought.

Report:

The Murray Darling Association, of which the Council is a member, resolved at its 2020 Annual General Meeting to take steps to change its name to the Murray Darling Local Government Association.

As one of the steps in pursuing the name change aim, the MDA is seeking input from members regarding the proposed name change.

The MDA believes that the name change would clearly identify the MDA as a local government association representing the interests of Councils and communities across the Murray Darling Basin to support Basin governments to deliver on their commitments to put Basin communities at the heart of the Basin Plan.

Whether the above will be achieved through a simple name change is a moot point as from one perspective the name change could indicate more of a closed association as opposed to the current "open" name.

Direction as to whether the Council supports the proposal would be appreciated.

A copy of the Briefing Paper and covering email are circulated with this agenda as "**Appendix 7.4-A**".

Council Meeting

16 December 2020

7.5 2019-20 Annual Financial Statements

Report by: Director Corporate Services, Matthew Hansen

Strategic Outcome: 2. Good government

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

Recommendation: that the Council having satisfied itself in relation to the preparation of its financial reports and special schedules:

1. note the draft Management Representation Letter;
2. refer its financial statements to the Auditors for the audit report;
3. subject to receipt of the audit report, at its meeting to be held on Wednesday 20 January 2021, the Council present its audited financial reports and audited reports to the public and that the Council's intention be publicly notified;
4. sign the attached General Purpose Financial Report "Statement by Council" and the Special Purpose Financial Report "Statement by Council"; and
5. adopt the valuation of assets prepared in accordance with recognised valuation procedures as a fair and reasonable value of those assets (see note 10);

Report:

The 2019/20 Annual Statements have been prepared and audited and are now ready for adoption by the Council.

A copy of the Statements is attached as "**Appendix 7.5-A**"

A copy of the Council Representation Letter is attached as "**Appendix 7.5-B**"

The report below has the following sections:

- A brief summary of the key results and performance measures
- Some general comments on the statements
- A run down on the statutory process required to formally adopt the financial statements
- A detailed analysis of the Financial Statements and associated notes and schedules.

The work of the Finance Manager and her team to prepare these statements should also be acknowledged. In her first year in local government, the Finance Manager was asked to prepare a set of statements based largely on figures that predated her employment. In addition, she was unable to work from the office for around six weeks as a result of the COVID-19 border closure. Her efforts to work around these restrictions is commendable and I thank her and her team for their work

The work put in by the Finance Manager and her team this year in preparing the financial statements — in particular getting to grips with some long standing issues — should improve the quality and timeliness of the annual statements moving forward.

Key points

Some of the key points from these statements are:

1. Council made an operating surplus of \$0.7m before capital grants and contribution.
2. Council held approximately \$38.3m in cash and investments at 30 June 2020, of which only \$8.1m was not committed elsewhere.
3. Council renewed approximately \$7.7m in infrastructure assets (i.e. roads, water, sewer, drainage etc.) and constructed an additional \$4.1m of new infrastructure.







Summary of Results





The table below is a brief summary of the key results for the 2019/20 financial statements.

<u>Overall performance</u>	<u>2019/20</u>	<u>2018/19</u>
Operating surplus	\$4.4m	\$4.1m
Operating surplus/(deficit) before capital grants and contributions	\$0.7m	\$0.5m
<u>Revenue and expenses</u>		
Total revenue	\$26.5m	\$25.0
Total expenses	\$22.2m	\$20.8m
<u>Cash and investments</u>		
Cash and cash equivalents	\$11.2m	\$7.4m
Investments	\$27.0m	\$28.0m
<u>Balance Sheet</u>		
Total assets	\$343.3m	\$282.5m
Total liabilities	\$7.8m	\$4.8m
Total equity	\$335.5m	\$277.7m
<u>Water and Sewer funds</u>		
Total assets	\$113.77m	\$65.96m
Total liabilities	\$0.005m	\$0.01m
Total equity	\$113.77m	\$65.95m

Performance measures

The performance measures set by the Office of Local Government and required to be included in the Council's financial statements are shown below.

<u>Industry Indicators</u>	<u>Benchmark</u>	<u>2018/19</u>	<u>2017/18</u>
Operating Performance Ratio	Greater than 0%	5.60% 	5.60%
Own Source Operating Revenue Ratio	Greater than 60%	56.76% 	59.29%
Unrestricted Current Ratio	Greater than 1.50:1	4.33:1 	6.79:1
Debt Service Cover Ratio	Greater than 2.00:1	18.27:1 	35.08:1
Rates Outstanding Percentage	Less than 10.00%	5.07% 	5.84%
Cash Expense Cover Ratio	Greater than 3.00 months	27.88 months 	29.33 months

<u>Infrastructure Asset Performance Indicators</u>	<u>Benchmark</u>	<u>2019/20</u>	<u>2018/19</u>
Building and Infrastructure Renewals Ratio	Greater than 100%	149.43% 	154.79%
Building and Infrastructure Renewals Ratio (General Fund)	Greater than 100%	149.15% 	193.88%
Infrastructure Backlog Ratio	Less than 2%	0.00% 	0.00%
Asset Maintenance Ratio	Greater than 100%	104.29% 	119.12%

General comments

Overall, the Council retains a strong cash position in all three operating funds.

The Council's balance sheet remains strong with adequate provisions and correct asset values. The Council's operating position and cash flow performance is quite strong and improving.

The 2020/21 year will see significant challenges before the Council. The Council's change to a more active position in developing community and other infrastructure.

Continued careful monitoring of the Council's financial position is required to ensure this Council is sustainable and able to deliver for its community, today and into the future

Statutory Process

The Council is now required to do the following:

1. Complete the statutory process for adoption and completion.
2. Assure itself that the Statements have been prepared in accordance with the appropriate standards (prior to adoption) and formally refer the Statements to the Council's Auditors for the Audit Report.

The audit was performed from Tuesday 24 November to Thursday 26 November 2020.

After satisfying itself with the accuracy and correct preparation of the Statements, the Council is required to do the following:

1. **Adopt** the statements and report on the conduct of the Audit.
2. **Once the auditor's report has been received,**
 - a) **advertise** the Statements for public submissions for a period of 7 days and,
 - b) **Make available** the Statements to various authorities including the NSW Office of Local Government. The Council has received an extension until 17 December 2020 to lodge

Preparation of the Statements

The Statements are required to and have been drawn up in accordance with:

- The *Local Government Act 1993* and associated regulations.
- NSW Local Government Code of Accounting Practice and Financial Reporting
- Australian Accounting Standards.
- The Local Government Code of Accounting Practice and the Local Government Asset Accounting Manual.

The Statements are also in accordance with the Council's accounting records for the year ended 30 June 2019.

The Council is required to prepare five primary reports which form the cornerstone of the financial statements, they are:

- An Income Statement
- A Statement of Comprehensive Income
- A Statement of Financial Position (Balance Sheet)
- A Statement of Changes in Equity
- A Statement of Cashflows

In addition to these statements are Notes 1 to 26, the Special Purpose Financial Reports and the Special Schedules.

The Statements and corresponding notes which form the Council's accounts along with the Special Purpose Financial reports are audited. The Special Schedules are considered supplementary to the accounts and therefore are selectively audited. The permissible income for general rates schedule is audited, and the report on Infrastructure Assets are not currently audited (although still intending to be in future).

They are prepared for the benefit of other authorities such as the Office of Local Government, Grants Commission, the Department of Lands, the Australian Bureau of Statistics and other Councils.

The following commentary on the Annual Accounts and Special Purpose Financial Accounts is provided for the Council's information

Please note that all figures are in \$000's unless otherwise noted.

Income Statement

The Income Statement shows the surplus or deficit from ordinary activities before capital amounts and therefore gives an indication of the Council's performance in providing services that are funded from periodic operating income. These results generally exclude capital injections of funds which pay for capital works; the corresponding expenditure for these items appears in the Balance Sheet in the form of an asset.

The surplus from ordinary activities line shows how much the Council's wealth has increased or decreased over the year as a result of its activities. It is important to note that the Council is required by the NSW Local Government Code of Accounting Practice and Financial Reporting to recognise grants and contributions in its Income Statement even if the corresponding expenditure has not been incurred in that period.

The Council should note that the Council's result from ordinary activities result has improved somewhat from a \$4.155m operating surplus in 2018/19 to a **\$4,354 operating surplus** in 2019/20.

Some of the more material changes are listed below (in 000s):

- An increase in Rates and Annual Charges of \$335
- A decrease in Other Revenues of \$207
- An increase in Operating Grants of \$1,228
- An decrease in Employee Benefits and On-Costs of \$478
- An increase in Borrowing Costs of \$204
- An increase in Materials and Contracts of \$1,990

Discussion on each of these items follows in this report.

The result before capital grants and contributions shows an underlying improvement, moving from a \$546 surplus in 2018/19 to a **\$723 surplus** in 2019/20.

Capital grants and contributions include grants such as the RMS REPAIR program, and developer contributions to infrastructure, either in cash or as contributed assets.

The underlying financial position of the Council remains stable — i.e. the Council is making moderate operating surpluses over the short to medium term and has cash flows sufficient for the Council to meet its obligations and deliver on its strategic plans.

Statement of Comprehensive Income

The Statement of Comprehensive Income links the Council's operating result in its Income Statement to the Council's Statement of Financial Position, specifically the increase in Council Equity (i.e. the Council's assets less its debt).

In 2019/20, the Statement reflects the Council's operating surplus of \$4,354 and a gain on revaluation of \$53,886 (more detail on this figure will be provided below) making a total increase in Council equity for the year of \$58,240.

Statement of Financial Position (Balance Sheet)

The Balance Sheet is presented so as to reveal the following aspects of the Council's financial situation:

1. Information about the **financial structure** of the Council, its obligations, its equity and the types of resources available to it.
2. Information about the **capacity** of the Council to adapt to changes in its operating environment.
3. Information about the **short and long term solvency** of the Council by classifying its assets and liabilities into current and non-current.

The Balance Sheet recognises the basic accounting equation of Assets minus Liabilities equals Equity. The equity of Berrigan Shire comprises the accumulated surpluses from previous years plus the asset revaluation reserves.

In Berrigan Shire's case the Balance Sheet shows an increase in equity from \$277,744 to \$335,511. As discussed above this reflects the Council's operating surplus of \$4,354 shown in the Income Statement and the \$53,886 increase in valuation of the Council's infrastructure, property, plant and equipment assets and other adjustments

Current Assets – the Council's cash and other assets likely to be realised over the next twelve months — have increased by \$2,903 over the financial year. This is a result of several large capital grants received and not yet expended and funds being retained for large capital works programs across the water and sewer funds.

Non-current Assets have increased by \$60,742. This is largely the result of the revaluation of several classes of infrastructure assets as well as the addition of new assets.

Current liabilities – the Council’s debts likely to be redeemed over the next year – have increased by \$1,988. There was a large increase in accounts payable, which is largely a timing matter; all were paid in the ordinary course of business in early 2020/21. It also brought to account \$622 of contract liabilities — i.e. future grant commitments - as per new Australian Accounting Standards.

Non-current liabilities increased by \$997 as the Council’s new borrowing strategy takes effect. The Council took out a new \$1m loan in 2019/20 — partly subsidized under the Low Cost Loans Initiative.

Statement of Changes in Equity

The Statement of Changes in Equity shows how the total changes in Equity have been derived. There were three changes in equity in 2018/19. There was an increase of \$4,354 flowing from the Income Statement, and an increase in the Asset revaluation reserve of \$53,886.

The increase in equity from the Income Statement has been discussed above and the increase from the revaluation of the Council’s assets will be discussed in detail below.

Cash Flow Statement

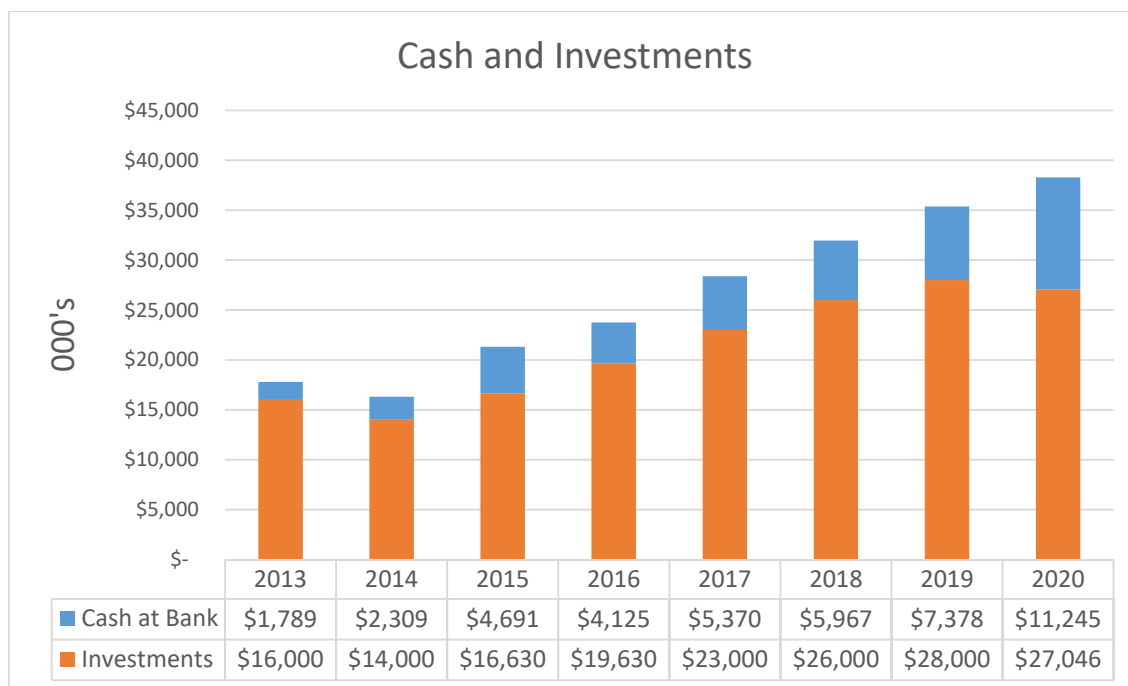
The Cash Flow Statement communicates information about the change in an organisation’s liquidity and solvency during the year. It requires the grouping of cash receipts and cash payments into the following three classifications. They are:

- Operating Activities: These involve providing goods and services and include all transactions and other events that are not financing or investing activities.
- Investing Activities: These involve activities relating to the acquisition and disposal of non-current assets, including property, plant and equipment and other productive assets and investments.
- Financial Activities: Involves those activities which relate to changing the financial structure of the entity.

The Cash Flow Statement does not take into account non-cash items such as depreciation and accrued expenses and revenue. It is important because it shows the amount of cash created by Council’s activities which governs the Council’s ability to spend.

Overall the Council’s cash and investments increased by \$2,913 during the year. This has several causes:

1. Increase in overall funds received from operations.
2. Increase in payments for investing activities
3. Borrowing an additional \$1m to develop land and open space in Finley



Notes 1 to 26 provide detail to the abovementioned statements. Note that the Code of Accounting Practice and Financial Reporting has markedly changed the layout and numbering of these notes from previous years.

Note 1 sets out the basis of preparation for these set of statements. Much of the narrative around specific accounting policies is now placed with the applicable Note.

Note 2 shows the financial statements split by Council’s Strategic Plan outcome (i.e. Sustainable and Natural Built Landscapes, Good Government, Supported and Engaged Communities and Diverse and Resilient Business

Note 2b provides some explanation of what activities are included in the various outcomes

Notes 3 to 5 provide more detail on the Income Statement.

Note 3 details the Council’s revenue from continuing operations. Revenue is broken down into several components.

- The Council’s rates and charges revenue increased by \$335 (3.3%) in 2019/20. This has two main drivers:
 - The 2.7% permissible increase in general rates and the decision by the Council to increase some of its other service charges (Water, Waste and Stormwater) by between 2% to 3%
 - Some growth in the number of rateable assessments and service connections
- User charges and fees increased by \$77 (3.0%) in 2019/20. Most fees and charges revenue were similar to past years. Note that lease back fees for private use of Council

vehicles are now brought to account elsewhere as a result of changes to Australian Accounting Standards.

- Other Revenue has declined by \$207. This is largely due to reduced revenue from temporary transfer of water entitlements along with a change to the treatment of Council's rental income as a result of new Australian Accounting Standards.
- Operating grants received by the Council increased by \$1,228. This is largely due to the timing of receipts of Roads to Recovery funding.
- Capital Grants tend to vary widely from year to year depending on the current projects being undertaken by the Council. In 2019/20 the amount of Capital Grants and Contributions received by the Council totaled \$3,190 including significant grants under the Stronger Country Communities Program and the Regional Growth - Environment and Tourism Fund.
- Contributions to s64 and s94 plans have declined from 2018/19's record receipts.
- The value of restricted grants and contributions (i.e. those grants and contributions that the Council has an obligation to spend in specified manner) fluctuates every year based on timing of receipts and building progress.

Note 4 is a new note that shows the Council's Interest and Investment Revenue - previously shown in Note 3. This revenue declined by \$103 (13.3%) in 2019/20. Interest rates received on Council's investments declined significantly over the year.

Note 5 details the Council's expenses. Expenses are broken down into several components.

- Employee costs expensed decreased by \$478 (5.9%). This result included all employee costs including leave entitlements, superannuation and workers compensation. Note that actual payments to staff - including leave entitlements actually paid - increased from \$6.8m in 2018/19 to \$7.1m in 2019/20. The difference relates to leave entitlement accruals and other employment costs.
- Borrowing costs increased by \$204. This almost entirely relates to a \$216 one-off adjustment correcting a previous issue with present-value discounting of the Council's provision for remediation of its tips and quarries.
- Materials and Contracts expenses increased by \$1,990 (64%). This figure can move sharply however depending on the mix of maintenance and capital works projects in any given year.
- Audit costs increased by \$54 (135%). This is partly due to a large increase in audit fees charged by the NSW Audit Office and partly due to an accrual error in the 2018/19 figures.
- Depreciation increased by \$144 (2.4%).

- Other expenses cover a wide range of areas. Some of the key figures are shown below.

Other Expenses	2019/20	2018/19	% Change	Comment
Advertising	57	89	↓35.9%	Reduced use of newspaper advertising
NSW RFS Levy	71	46	↑54.3%	NSW government policy
Tourism and Area Promotion	67	44	↑52.3%	Reflecting a change in Council activity
Subscriptions and publications	10	71	↓85.9%	Small change in accounting policy
Valuation fees	39	78	↓50%	2018/19 was an anomaly due to timing of invoicing

Note that the Council now operates its own weeds management function and no longer makes a contribution to the now-defunct Central Murray County Council

Note 6 provides details on the Council's gain or loss relating to the sale of assets. The Council made a small gain of its sale of land and used plant offset by a loss on disposal of infrastructure.

Accounting standards oblige the Council to write off the residual value of infrastructure when it is replaced and that accounts for the \$1,217 loss on "disposal" of its infrastructure assets.

Notes 7 to 14 provide additional detail on the amounts shown in the Balance Sheet

Note 7a, 7b and 7c provide more detail on the Council's Cash and Investments. As mentioned above, the Council's total cash and investments have increased from \$35,378 to \$38,291 in 2019/20

All Cash and Cash equivalents are held as "At fair value through profit and loss" and all Investments are "Held to Maturity". Given the Council's investment portfolio, which consisted of term deposits, there is little difference between the two.

External restrictions are those imposed on the Council by legislation relating to separate funds such as water, sewer and domestic waste as well as grants and contributions that come with conditions that the funds be spent on specific projects.

Internal restrictions are restrictions or funds which the Council places voluntarily on itself such as employee leave entitlements, the plant replacement reserves and the capital works reserve.

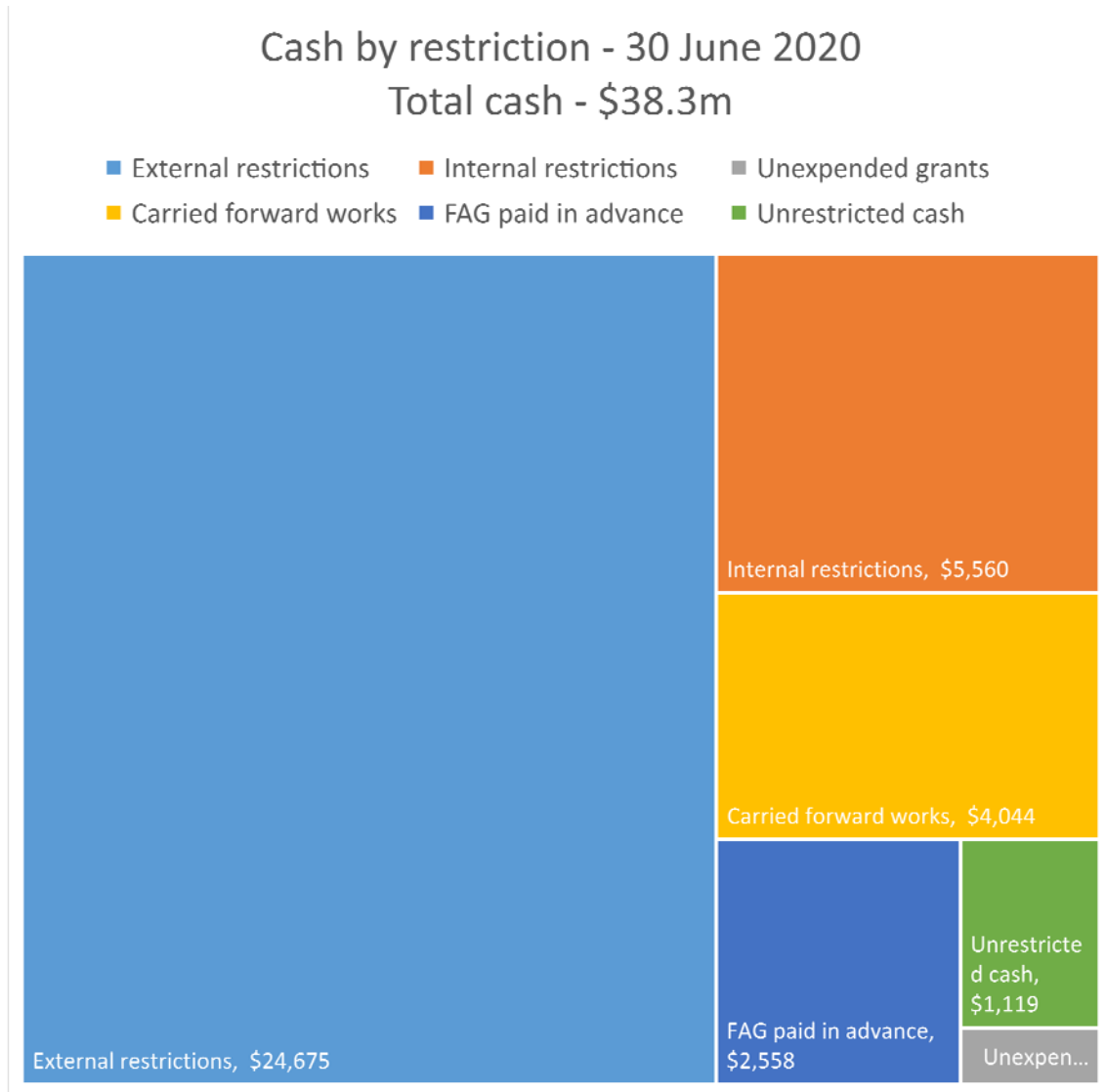
Unrestricted funds remained steady at \$8,056. Much of the remaining unrestricted cash has already been allocated to carried forward jobs or is required for working capital. The table below provides some further detail about the Council's unrestricted cash

UNRESTRICTED CASH ANALYSIS

	\$000's
(A) Reserve funds as at 30-6-20 (A)	30,255
(B) Unexpended grants as at 30-6-20 (B)	335
(C) Total Reserve Balances as at 30-6-20 (A+B)	30,570
(D) Cash and investments 30-6-20	<u>38,291</u>
(E) Unrestricted cash as at 30-6-20 (D-C)	7,721
(F) Unspent works carried forward from 19/20	4,379
(B) Less unexpended grants restricted	<u>335</u>
(G) Net unspent works carried forward (F-B)	4,044
(H) Uncommitted cash at 30-6-20 (E-G)	3,677
(I) Less 2019/20 FAG paid in advance	<u>2,558</u>
(J) Balance of uncommitted cash at 30-6-20 (H-I)	1,119

Note this "uncommitted" cash is generally committed in the 2020/21 budget or required as working capital. This cash is not generally available for new projects or activities.

A graphical breakdown of the Council's total cash and investment holdings is shown below



Note 8 provides additional detail on the Council’s receivables; i.e. the amounts that are owed to the Council. Net receivables have decreased by \$10 (0.5%).

- Outstanding rates and charges decreased by \$51 (8.2%). This is a positive reflection on the work performed by the Council’s revenue team.
- Accrued interest on investments decreased by \$145. This is purely an issue of the timing of the maturity dates of the Council’s investments
- Government grants and subsidies (\$248) relate to claims made for grant-funded projects not yet paid by the funding body.

Note 9 details inventories of stock and materials and developed real estate owned by the Council.

The Council has sold nearly all of its developed land. Stores and materials on hand have increased slightly.

Note 10 provides details on the movements in value of the Council's Infrastructure Property Plant and Equipment (IPP&E) assets. These represent the overwhelming balance of the Council's assets. The carrying value of the Council's IPP&E assets increased from \$244,930 to \$302,964 at the end of 2019/20.

The left hand columns in Note 10 shows the situation at the commencement of the 2019/20 year, the middle columns show the changes to asset values throughout the course of the year and the rightmost columns show the situation at the end of the financial year. Items worth noting include:

- The Council added a total of \$11,814 in assets in 2019/20. Of this \$7,739 related to renewals of infrastructure and \$4,075 to new infrastructure.
- This is offset by the Council recognising depreciation to the value of \$6,225 as discussed earlier.
- The revaluation increments of \$54,387 and \$501 decrements to equity, for a net of \$53,886 are also shown in this table.

The last item above requires more explanation. Council is required at each reporting date to assess the fair value of all of its assets every year and determine if that value differed materially.

Under AASB 13, assets are required to be valued at their "fair value"; in the case of assets such as roads and bridges the Office of Local Government has determined councils will need to estimate fair value using the cost-approach method. The cost approach reflects the amount that would be required currently to replace the service capacity of an asset.

The Director Technical Services determined that there were no material changes in the values of some of the Council's infrastructure asset classes, other than water, sewer and open space assets.

A complete revaluation of water, sewer and open space assets was undertaken by APV Limited for 30 June 2020. These values have been used in the preparation of these financial statements. As part of the valuation, the water and sewer treatment plants, pump stations and other "point"-type assets have all been broken into separate components and each component valued separately. The new values for these assets are significantly more than previously valued.

Note 11 is a new note providing information on the Council's Contract assets and liabilities. For Berrigan Shire Council, this relates to unexpended capital grants — i.e. cash the Council has received and not yet delivered the project for which it is funded.

Note 12 is another new note specifically relating to the Council's leases.

Given the Council does not lease any significant land, buildings or plant, there is little of interest in this note.

The work required to generate the information for inclusion in this note is substantial and in my opinion adds almost zero value to the financial statements as a whole. Nonetheless, the detail in this note is required by Australian Accounting Standards and the NSW Code of Accounting Practice and Financial Reporting.

Note 13 provides additional information on the Council's payables and borrowings; i.e. the amounts that the Council owes others.

- Payables have increased; this is mainly a timing issue regarding invoice payments
- Borrowings have increased over 2019/20 as the Council took out a \$1m loan for land development and associated open space in Finley — as seen in **Note 13b**

Note 14 provides information on the Council's provisions; i.e. the amounts for which it is committed to pay in the future.

2019/20 has seen the Council's Provision for Employee Benefits decrease slightly – the second year in succession.

The table below provides some history on the level of the provision

Financial year	Provision for Employee Leave (000s)
2016/17	\$2,713
2017/18	\$2,641
2018/19	\$2,381
2019/20	\$2,793

As previously reported to the Council, the level of the Council's outstanding leave balances is a significant issue and is likely to be raised by the auditors in their management letter. The pending retirement of staff with significant leave balances may help address the issue, yet more still needs to be done.

Note 14(a) demonstrates that while the Council is required to show nearly all leave entitlements owing as "current", i.e. potentially due and payable in the next 12 months, in reality the Council does not expect a substantial proportion of these entitlements to be actually taken in 2020/21.

The Provision for Asset Remediation/Restoration covers the likely cost to the Council to restore, rehabilitate and remediate certain areas such as quarries and landfills when they reach the end of their useful lives. Note that this year sees a significant adjustment to this provision.

The Council is required to show this as a liability as well as incorporate this cost in the cost of the asset. This is required to be done on a **net present value** basis; i.e. the future expected costs are discounted to 2020 dollar amounts.

The provision at 30 June 2020 has increased markedly from 2019. This in part relates to the unwinding of the discount used, which is treated as a borrowing cost but also as a result of an adjustment relating to prior period errors.

Note 15 provides information on material changes in accounting policies and estimates and previous errors

The only item addressed in this note relevant to the Council is the remeasurement changes relating to Australian Accounting Standard AASB 1058 requiring the Council to recognise unexpended capital grants as Contract liabilities.

Note 16 reconciles the Council's operating result to the cash provided by the Council's net operating activities. These can differ due to items such as depreciation, asset write-offs, contributed assets and changes in amounts owed to creditors and owed by debtors and in inventory levels.

Note 17 to 26 provide additional information over and above the information provided in the statements.

Note 17 details the Council's future expenditure commitments not shown in the balance sheet — i.e. where the Council has entered into a contract but not yet had the goods or service delivered. These commitments have increased somewhat, and are dependent on forward contracts signed.

Note 18 provides further information on other potential liabilities and assets that do not meet the threshold for inclusion in the financial statements or are otherwise difficult to value but are worthy of being disclosed. While the Council has some industry-wide contingent liabilities for items such as Defined Benefit Superannuation plans and Statewide and StateCover Mutual, there are no contingent liabilities specific to the operations of this Council.

Note 19 provides further information on the Council's exposure to financial risks. The Council holds the vast majority of its cash and investments in Term Deposits and at-call accounts while its only borrowings are standard loan with fixed interest rates for the term of the loan. As a result, the risk of default or interest rate movement to the Council is very slight.

Note 20 provides an explanation of significant variances from the Council's budget in the Income Statement and Statement of Cash Flows.

Note 21 provides information on the Fair Value measurement of Council's assets and liabilities.

The note itself is quite arcane and the format and content of this note may continue to change over time as the industry comes to grips with the best method to provide the required information in the most efficient manner.

Note 22 is a note on related party disclosures. Council has determined there were no material related party transactions other than those relating to the ordinary remuneration of key management personnel.

Note 23 reports events after the reporting date; Council is not aware of any material or significant 'non-adjusting events' that should be disclosed

Note 24 reconciles the Council's developer contributions. Note that Drainage developer contributions are used to partly repay the internal loan used to fund the stormwater drainage works.

Note 25 provides details on the Council's Financial Result and Financial Position by fund. This note duplicates much of the information shown in the Special Purpose Financial Statements and Special Schedules.

Note 26 sets out some relevant ratios and performance benchmarks. These benchmarks were set out at the start of this report.

The Operating Performance ratio is above the benchmark level at 5.60%, consistent with last year.

The Own Source Operating Revenue Ratio has decreased from 59.29% in 2017/18 to 56.76% this year – not meeting the OLG benchmark. Overall, this means that the Council was able to raise 56.76 % of its own revenue with the balance coming from grants from the other levels of government. Years with large grants always make achieving this ratio difficult, as they skew the results.

The Council's Unrestricted Current ratio has declined, from 6.74:1 in 2018 to 4.33:1 in 2019. This still comfortably meets the OLG benchmark.

The Debt Service Cover ratio, which is a measure of the Council's long term ability to meet debt repayments, has declined from 35.08x to 18.27x. This steep reduction is a result of addressing the misstated remediation of tips and quarries provision as an adjustment through borrowing costs and this will increase next year.

Even with this significant impost, the Council still meets the OLG benchmark and the "book" adjustment has no impact at all on the Council's ability to pay its debts as and when they fall due

The Rates and Annual Charges ratio has improved from 5.97% to 5.07% – as stated earlier this is a magnificent result and the Council's revenue team deserve much praise.

The Cash Expense Cover ratio is 27.88 months — i.e. the Council has enough cash to pay over two years of operating expenditure. The required benchmark is three months. Note that much of this cash is restricted.

Special Purpose Financial Reports - The Special Purpose Financial reports have been prepared to report the results of Business Units determined by the Council in accordance with the requirements of the National Competition Policy (NCP) guidelines.

The Council has identified two business units being the Water Supply Service and the Sewerage Service. Both activities exceed the \$2m revenue threshold and therefore are considered Category 1 activities. In previous years these activities were classified by the Council as Category 2 activities despite their revenue. The difference in categorisation has little practical effect on their operation.

The Special Purpose Financial Reports comprise a balance sheet and operating statement along with associated notes to the accounts for each deemed business.

NCP imputation payments are added to total expenses in the operating statement for each business to accurately reflect the amount of expenditure each business would incur if they were not owned by the Shire. Items such as land tax and Council rates are calculated and included as NCP imputation payments which are then shown as expenditure against the business.

It is important to recognise that the businesses do not actually pay these NCP imputation charges. They are merely added to the total expenses to reflect what the business would have paid if they were not Council owned.

Special Schedules - These schedules contain the Council's financial data presented on a fund basis. They are unaudited but are used by other authorities and are also used as work sheets in preparing the annual statements.

The former Special Schedule 1 is no longer required, and is no longer reported

Permissible Income for General Rates (formerly Special Schedule 2) is a statement of Permissible Income — the amount that Council is permitted to raise from ordinary rates. Unlike the rest of the financial statements, this statement is for the 2020/21 (i.e. this) financial year

Special Schedules 3 to 6 are no longer required, and are no longer reported

Report on Infrastructure Assets (formerly Special Schedule 7) is a report on infrastructure assets. This includes condition assessments, estimates of infrastructure backlog and data on infrastructure renewal and maintenance.

Report on the Conduct of the Audit and Engagement Closing Report

At the time of writing the Council had not yet received the Report on the Conduct of the Audit and the Engagement Closing Report. Further information will be provided to the Council once these have been received.

Satisfaction and adoption

Prior to adoption of the Statements and referral to formal audit, the Councils should satisfy itself that the statements have been prepared in line with statutory and other requirements to present a true and fair view of the Council's financial position and financial performance.

To aid the Council in this task, a copy of a draft Representation Letter to the Council's auditors prepared by the General Manager and Responsible Accounting Officer (Finance Manager) is attached as Appendix "B".

This letter, while prepared for the auditors rather than the Council, should be suitable for use by the Council for the purpose identified above. It is a draft letter only at this stage and a final letter will need to be provided by management to the auditors

The Council can, of course, take the opportunity to ask further questions to satisfy themselves in this matter.

Having satisfied itself the Council is then required to:

1. Send a copy of the Statements to its Auditor.
2. As soon as possible after adoption of the reports and receipt of the Auditors Report, the Council must:
 - a) Make available a copy of the Statements and Reports to the Chief Executive of the Office of Local Government and the Australian Bureau of Statistics.
 - b) Fix a date for a meeting at which it proposed to present its financial Statements and Auditor's Reports to the public.
 - c) Give Public Notice of the date so fixed (which must be more than two weeks after notice is given but not more than five weeks after the Auditor's reports are received).

Council Meeting

16 December 2020

7.6 Annual Report 2019 - 2020

Report by: Strategic & Social Planning Coordinator, Joanne Ruffin

Strategic Outcome: 2. Good government

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

Recommendation: That the Council adopt the Annual Report 2019 – 2020 attached as “Appendix 7.6-A”.

Report:

Each year the Council produces an Annual Report to review its performance and achievements for the past financial year. This document provides insight into the Council’s operations and financial position and indicates how the Council has performed in achieving the activities it set itself during the year. A copy of this year’s report is attached as “**Appendix 7.6-A**”.

The appended draft report includes the Financial Statements – presented to Council for adoption as a separate report. The appended report reflects the requirements of the Department of Local Government’s Integrated Planning and Reporting Framework. Hence, this report is not a report to the Office of Local Government or the New South Wales Government; it is primarily a report to the community.

As such, this report can be published and read as one complete document or as separate reports allowing readers the opportunity to focus on the areas of Council operations that are of interest to the reader. The appended Annual Report includes in section one an introduction that provides the reader with a brief overview of the Shire, its vision for the future in addition to comments from the Mayor and General Manager. The Shire Profile introduces the Councillors, Council Management. It also includes information on Council meeting attendance.

Information on the Council’s Planning Framework and operational performance follow. Summary tables reporting on the Council’s performance against the objectives set out in the Council’s Annual Operational Plan will also be found in this section. This performance reporting section is followed by statutory reporting requirements which include the Council’s annual financial statements.

Council Meeting

16 December 2020

7.7 Development Application 59/21/DA/D9 - 2 Lot Subdivision/Boundary Realignment

Report by: Development Manager, Laurie Stevens

Strategic Outcome: 1. Sustainable natural and built landscapes

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

Recommendation: That Development Application 59/21/DA/D9 for a 2 Lot Subdivision/Boundary Realignment be refused as the proposed development does not comply with the provisions of clause 4.2 of Berrigan Local Environmental Plan 2013.

Report:

At the Ordinary Council Meeting held on 21 October 2020 the Council resolved to 'defer its consideration of Development Application 59/21/DA/D9 until further advice is received in relation to possible conditions that could be applied to a consent determination and further that additional advice is received from the Council's solicitors regarding the potential to grant consent'.

Background

This proposal relates to the subdivision of land to realign the boundaries of two lots, being Lot 97 DP752280 of 174ha upon which a dwelling is located and Lot 1 DP720268 of 3.4 ha, and creating two lots of approximately 25ha and 152ha with the existing dwelling to be located on the smaller 25ha allotment. (See "**Appendix 7.7-A**").

The subdivision of rural land is able to be undertaken in accordance with the provisions of clause 4.2 Rural subdivision of Berrigan Local Environmental Plan 2013 (LEP).

To provide clarity the clause is outlined below:

4.2 Rural subdivision

(1) The objective of this clause is to provide flexibility in the application of standards for subdivision in rural zones to allow owners a greater chance to achieve the objectives for development in the relevant zone.

(2) This clause applies to the following zones:

(a) Zone RU1 Primary Production

-
- (3) Land in a zone to which this clause applies may, with development consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum lot size shown on the Lot Size Map in relation to that land.
- (4) However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot.
- (5) A dwelling cannot be situated on the lot.

The advice of Council's solicitor was sought regarding the ability to grant consent for the proposal. The advice provided indicated that under the provisions of clause 4.2 of Berrigan Local Environmental Plan 2013(LEP) the subdivision of the land could not be legally undertaken whereby a lot less than the minimum lot size of 120ha could not be created where there was an existing dwelling located on the lot.

Based on the above advice the recommendation presented to the Council was that the application for the subdivision of the land be refused as the proposal did not comply with the provisions of the LEP as the proposed lot was less than the minimum lot size for the zone and there is an existing dwelling located on the proposed allotment.

Summary of further advice

The Council's solicitor has provided a detailed response to the proposed development including a legal opinion. This response can be viewed in the confidential section of this agenda. (See "**Appendix 9.1-A**")

In essence the advice is that the development application should be refused as it constitutes a clear breach of clause 4.2 of the LEP as the creation of the smaller lot with a dwelling on it is prohibited. Further, the development application for the subdivision of land in its current form is prohibited development and Council does not possess the discretion to grant consent.

It is acknowledged however that the policy direction of the Department of Planning has varied as indicated in section 3.12 of the solicitor's response and it has been recognized that clause 4.2 needs to be amended however such an amendment of the clause has not been implemented at this time. It is also apparent that some other Councils in this region have adopted the view of the Department and applied this clause inconsistently.

It should be noted that in attempting to clarify the above the Department has been silent on this issue and has advised our solicitor that "each Council should rely upon their own legal advice".

The response also provided a commentary on the application of conditions of consent by way of a restrictive covenant should the Council be inclined to approve the subdivision.

Discussion

It would appear that the response from the Council's solicitor is quite clear in that the subdivision of land to less than the minimum lot size can be approved the legal opinion of Council's LEP is that clause 4.2 only permits the identified primary production lot to be less than the minimum lot size if it does not have an existing dwelling on it.

Conversely, the response also acknowledges that this clause has been applied inconsistently across the State due to the policy direction of the Department and some Councils have ignored the legal interpretation of the clause in favour of the policy direction. It should be noted that the Department has acknowledged that clause 4.2 needs to be amended to enable their policy direction to be legally supported however has not undertaken this amendment at this time.

The Council should also be aware that should the application be supported in reliance on the policy direction of the Department instead of the legal advice to the contrary there is the potential for a large number of similar applications resulting in the fragmentation of prime agricultural land which was why clause 4.2 was introduced in the first place.

In this instance it would appear that the imposition of a restrictive covenant as a condition of consent, if the application is approved, would not be appropriate as the proposed lot that is less than the minimum lot size and already has a dwelling located on it. In addition the residual lot has an area greater than the minimum lot size and restrictions relating to the further subdivision of that lot would not be supported in the Land and Environment Court.

Recommendation

In considering the response from Councils solicitor it is recommended that the subdivision not be supported at this time. Should the Department of Planning amend clause 4.2 in the future to facilitate the subdivision of rural land for purposes such as this application it would then be appropriate to consider supporting such a proposal.

Should the Council choose to approve the proposed subdivision then it would be appropriate to include the following condition of consent:

1. Approved Plans

The development shall be implemented substantially in accordance with the details set out on the on the plan of proposed subdivision prepared by Eslers Land Consulting Ref 17440 Proposal Opt5 and on the application form and on any supporting information received with the application except as amended by the conditions specified hereunder.

Council Meeting

16 December 2020

7.8 Adverse Events Plan 2020 - 2024

Report by: Strategic & Social Planning Coordinator, Joanne Ruffin

Strategic Outcome: 2. Good government

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

Recommendation:

That the Council adopt the Berrigan Shire Council Adverse Events Plan 2020 – 2024 attached as **“Appendix 7.8-A”**

Report:

Prepared by the Riverina and Murray Joint Organisation in conjunction with Council the Adverse Events Plan **“Appendix 7.8-A”** is a response to the requirements of the Federal Government’s Drought Communities Programme – Tranche 2. Specifically, that the Council:

Draft, develop and submit an Adverse Events Plan that addresses natural resource management; economic and community resilience; communication and coordination.

Integrated with the Council’s suite of integrated plans, the appended plan documents how the Council’s current Delivery Program activities and actions contribute to the achievement of the Plan’s objectives:

1. Active planning and management of natural resources (water, ground cover, soils, trees) and the built environment (council and community) exposed to the impacts of adverse event
2. Identify the roles and responsibilities of Council and community partners for adverse event prevention, preparedness, response and recovery
3. Lead in conjunction with community partners place-based preparations, adaptation and prevention activities that mitigate the negative impact of adverse events on Council infrastructure and place-based services.
4. Develop and implement Adverse Events Plan aligned with the requirements of the Commonwealth Government’s Drought Communities Program with a focus on:
 - Natural resource management
 - Communication & coordination
 - Economic diversification
 - Community resilience

8. ITEMS FOR NOTING

Recommendation: that Items for Noting numbered 8.1 to 8.3 inclusive be received and noted.

Council Meeting

16 December 2020

8.1 LGNSW Report on State Budget

Report by: General Manager, Rowan Perkins

Strategic Outcome: 2. Good government

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

Report:

Cr Linda Scott, President of LGNSW has provided the following information regarding relevant elements of the recently announced State budget:

“In a win for Local Government NSW’s Save our Recycling advocacy, recycling funding appears to be among the main gains for local government in the first of many COVID-influenced budgets in NSW.

The NSW Government’s \$96 million commitment to extend the Waste Less Recycle More program for one year, and finalise the Government’s long-term strategy for waste, is a welcome Budget announcement.

Extending the Waste Less Recycle More program will help promote a circular economy, which brings with it the potential to create whole new industries and jobs.

Rest assured, alongside NSW councils we will continue to advocate for the key goals of our Save Our Recycling campaign, which calls on the Government to reinvest the annual \$800 million Waste Levy in four ways: council-developed regional waste management plans, revitalised infrastructure, increased procurement of recycled goods and a state-wide education campaign.

We’re also urging the State Government to match Federal funding through the Recycling Modernisation Fund, designed to divert more than 10 million tonnes of waste from landfill and create 10,000 jobs Australia-wide. While it is disappointing the State Government will not match this funding in the Budget, it is not too late to ensure NSW does not miss out.

The other NSW Budget big-ticket item for local governments was \$312 million in new funding for Fixing Local Roads, in line with our advocacy for your behalf. There is also additional money for road safety and black spot programs, targeting high risk roads with a regional focus, estimated to

be worth an additional \$2 billion over four years. This means improved safety, saved lives as well as council job retention and creation.

Other significant Budget announcements for councils and their communities include:

- \$104.5 million for upgrades to arts and cultural assets that will support existing jobs and create new ones in the creative sector.*
- \$244 million to deliver the NSW Planning Reform Action Plan, including council-based programs such as ePlanning, to improve the speed, effectiveness and efficiency of the NSW planning system. Councils continue to advocate for better quality and more transparent planning reforms, to ensure the speed of development processing is not the only measure considered in the public interest.*
- Almost \$15 million over four years to create a digitally streamlined infrastructure contribution system that should make it easier for councils to manage developer contributions.*
- Extension of COVID-19 relief funding for community and mobile preschools in 2021.*
- \$57 million to ensure council elections are COVID-19 safe, along with a commitment not to impose postal-only voting.*
- \$139 million in interest-free loans to replace flammable cladding on high-risk buildings in NSW; and*
- \$7.5 million for a drug detox and rehab centre in Dubbo.*

Some of the funding falls short of what we asked for: we would have liked to have seen COVID-19 relief funding extended to all early learning services rather than just preschools, and the four-year \$700 million allocation for social housing falls far short of what is so sorely needed.

We would also have liked to have seen more funding for public transport and other congestion busting measures in our cities, along with a government-funded scheme matching the Victorian Government's \$600 million to directly support the replacement of flammable cladding.

However, the Budget shows the State Government is serious about supporting council efforts to drive a locally led economic recovery following a disastrous year of drought, bushfires and COVID-19 – and we welcome this!"

Council Meeting**16 December 2020****8.2 Destination NSW – NSW Road Trips**

Report by: Economic & Industry Development Liaison, Merran Socha

Strategic Outcome: 4. Diverse and resilient business

Strategic Objective: 4.2 Diversify and promote local tourism

Report:

Destination NSW has launched a domestic and New Zealand campaign - **NSW Road Trips**. The campaign will run from November 2020 to June 2021. With self-drive holidays, being the preferred holiday type at the present time. DNSW has invested in a 7 month multi-channel marketing campaign promoting 28 road trips around the State. The Murray Region is represented in eight of the road trips but most strongly in the Mighty Murray Drive.

The campaign will consist of:

- Digital videos, paid social and search engine marketing leading audiences to refreshed itineraries and new mapping technology on visitnsw.com;
- Mobile phone marketing via Google, Spotify and TripAdvisor targeting travellers en-route and once that are in the destination to encourage them to spend more whilst on holidays over the summer period;
- The Long Road; a 6-part web series, featuring high profile musicians on their favourite NSW Road Trips, will capture the attention of holiday makers when they are planning their year ahead. This activity is in the market between December 2020 and March 2021;
- Influencers and journalists have also been road tripping around NSW and sharing content across Facebook, Instagram and online publishers since July 2020.

Two of the “influencers” (Social Media) have visited Tocumwal in the past few weeks and more will be on the Murray in coming months.

Our local tourism businesses can be picked up in this campaign so long as they are listed on the Australian Tourism Data Warehouse – an opportunity that is available to NSW tourism product free of charge through DNSW Get Connected program.

Council Meeting

16 December 2020

8.3 Development Determinations for Month of November 2020

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 NOVEMBER 2020

Application	Description	Property Location	Applicant	Owner	Status	Value	Days Taken		
65/21/DA/D5	RESIDENTIAL STORAGE SHED	11 PINWOOD LANE, TOCUMWAL NSW 2714 (Lot13//DP1194758)	Matthew Petersen	MR M C PETERSEN	Approved 04-11-2020	\$ 28000.00	Active 0	Total 30	
67/21/DA/D5	RESIDENTIAL STORAGE SHED	62 HAMPDEN STREET, FINLEY NSW 2713 (Lot18//DP238395)	Mr Warren Chitham	MR W CHITHAM	Approved 11-11-2020	\$ 19600.00	Active 34	Total 34	
72/21/DA/DM	CHANGE OF USE OF STRUCTURE	4-6 JERILDERIE STREET, TOCUMWAL NSW 2714 (Lot5/28//DP758981)	Mr CR & Mrs KL Stephenson	MR CR AND MRS KL STEPHENSON	Approved 16-11-2020	\$ 2500.00	Active 25	Total 25	
75/21/DA/D6	ADDITIONS TO DWELLING, CARPORT, INTERNAL FITOUT OF SHED AND TREE REMOVAL.	6 MOORE STREET, TOCUMWAL NSW 2714 (Lot6/7//DP6464)	Mr Colin Newman	MR CJ NEWMAN AND MRS KP NEWMAN	Approved 27-11-2020	\$ 180000.00	Active 31	Total 33	
77/21/DA/D3	STORAGE SHED	103-105 HOWE STREET, FINLEY NSW 2713 (Lot3//DP251191)	Cormatt Pty Ltd	CORMATT PTY LTD	Approved 10-11-2020	\$ 13000.00	Active 20	Total 20	
78/21/DA/D1	BV DWELLING & ATTACHED GARAGE	44 TESSIER DRIVE, TOCUMWAL NSW 2714 (Lot38//DP1250358)	KENNEDY BUILDERS	CRAWFAM PTY LTD	Approved 06-11-2020	\$ 300000.00	Active 2	Total 18	
79/21/DA/D1	BV DWELLING & ATTACHED GARAGE	48 TESSIER DRIVE, TOCUMWAL NSW 2714 (Lot36//DP1250358)	KENNEDY BUILDERS	MR J K ALLAN	Approved 06-11-2020	\$ 290000.00	Active 1	Total 18	
81/21/DA/DM	AMENITIES BUILDING	OLD ADCOCKS ROAD, TOCUMWAL NSW 2714 (LotE//DP108419)	Ms Lee Dixon	MS LD DIXON	Approved 03-11-2020	\$ 5000.00	Active 10	Total 10	
83/21/DA/D1	DWELLING	86 COREE STREET, FINLEY NSW 2713 (LotB//DP391182)	Peter John Ibbott	MR P J IBBOTT	Approved 20-11-2020	\$ 122000.00	Active 9	Total 9	
84/21/DA/DM	PLUMBING TO SHED	13-14 KEOGH DRIVE, TOCUMWAL NSW 2714 (Lot23//DP1100718)	Neil & Janette Sinclair	MR NR AND MRS JM SINCLAIR	Approved 13-11-2020	\$ 4000.00	Active 4	Total 4	
85/21/DA/D1	BV DWELLING & ATTACHED GARAGE	HUGHES STREET, BAROOGA NSW 3644 (Lot101//DP1138899)	D & M Bowden Construction	MS SA MACHEDA	Approved 12-11-2020	\$ 358958.00	Active 3	Total 3	
86/21/DA/D1	BV DWELLING & ATTACHED GARAGE	27 KAMAROOKA STREET, BAROOGA NSW 3644 (Lot9//DP248812)	Dennis Family Homes	MR BJ QUINANE AND MS FS KIRKPATRICK	Approved 13-11-2020	\$ 312424.00	Active 4	Total 4	
87/21/DA/D5	PERGOLA/DECK	30 HOWARD STREET, BAROOGA NSW 3644 (Lot12/2//DP758057)	Craig Sweeney	MR CR SWEENEY AND MS KL GREATOREX	Approved 20-11-2020	\$ 7700.00	Active 9	Total 9	
15/21/CD/M1	BV DWELLING & ATTACHED GARAGE	55 HUGHES STREET, BAROOGA NSW 3644 (Lot3//DP1257753)	Metricon Homes	MS TAYLAH HAZELMAN	Approved 20-11-2020	\$ 270154.00	Active 8	Total 8	
88/21/DA/D5	ADDITION TO SHED	8 HUTSONS ROAD, TOCUMWAL	Peter & Helen	MR PJ HUESTON	Approved	\$ 6000.00	Active	Total	

		NSW 2714 (Lot125//DP1070311)	Hueston	AND MRS HE HUESTON	25-11-2020		11	11
16/21/CD/M5	SWIMMING POOL	21-23 WOLLAMAI STREET, FINLEY NSW 2713 (Lot2//DP1247721)	Kaila & Phillip Murrowood	MR PJ MURROWOOD AND MRS KN MURROWOOD	Approved 19-11-2020	\$ 10000.00	Active 6	Total 6
17/21/CD/M5	INGROUND FIBREGLASS SWIMMING POOL	695 PEPPERTREE ROAD, TOCUMWAL NSW 2714 (Lot9//DP835666)	Poolside Cobram	MR MT WOODEN AND MRS PL WOODEN	Approved 19-11-2020	\$ 56290.00	Active 6	Total 6
90/21/DA/D5	RESIDENTIAL STORAGE SHED	48 TESSIER DRIVE, TOCUMWAL NSW 2714 (Lot36//DP1250358)	Joshua Allan	MR J K ALLAN	Approved 30-11-2020	\$ 9000.00	Active 12	Total 12
93/21/DA/DM	EXTENSION OF QUARRY	OLD COBRAM ROAD, BAROOGA NSW 3644 (Lot1//DP1082869)	Frank Rennick & Co P/L	EB MAWSON & SONS PTY LTD	Approved 26-11-2020	\$ 5000.00	Active 7	Total 7
94/21/DA/D5	RESIDENTIAL STORAGE SHED	74 BRUTON STREET, TOCUMWAL NSW 2714 (Lot9//DP1250358)	Susan Collins	MS SJ COLLINS	Approved 25-11-2020	\$ 9300.00	Active 5	Total 5
95/21/DA/D5	RESIDENTIAL STORAGE SHED	27-29 WIRUNA STREET, BAROOGA NSW 3644 (Lot2//DP607443)	Reklaw Constructions Pty Ltd	MR D JARZYNA AND MS NJ MCDONALD	Approved 30-11-2020	\$ 15000.00	Active 5	Total 8
98/21/DA/D5	RESIDENTIAL STORAGE SHED	10 IVIE AVENUE, BAROOGA NSW 3644 (Lot33//DP1093869)	Wayne and Jamiee Griffin	MR W A GRIFFIN AND J A GRIFFIN	Approved 30-11-2020	\$ 6000.00	Active 5	Total 5

APPLICATIONS PENDING DETERMINATION AS AT 30/11/2020

Application No.	Date Lodged	Description	Property Location
119/20/DA/DM	21-02-2020	AMPHITHEATRE, FISHING PLATFORM & ACCESS TRACKS	DENILQUIN STREET, TOCUMWALNSW 2714 (Lot7002//DP1019579)
168/20/DA/DM	19-05-2020	5MW SOLAR PV ARRAY	BROOCKMANN'S ROAD, FINLEY NSW 2713 (Lot61//DP1053533)
40/21/DA/DM	14-08-2020	4.95MW SOLAR FACILITY BROUGHANS ROAD	BROUGHANS ROAD, FINLEY NSW 2713 (Lot126//DP752299)
59/21/DA/D9	16-09-2020	2 LOT SUBDIVISION/BOUNDARY REALIGNMENT	2521 MULWALA-BAROOGA ROAD, BOOMANOOMANA NSW 3644 (Lot96//DP752280)
80/21/DA/D1	16-10-2020	DWELLING	BUSHLANDS ROAD, TOCUMWAL NSW 2714 (Lot6//DP286078)
82/21/DA/D5	26-10-2020	GARAGE	6 BARINYA STREET, BAROOGA NSW 3644 (Lot239//DP752274)
89/21/DA/DM	11-11-2020	FUEL FACILITY	1 HARLEY COURT, FINLEY NSW 2713 (Lot11//DP713898)
91/21/DA/D9	12-11-2020	24 LOT SUBDIVISION	2-16 BANKER STREET, BAROOGA NSW 3644 (Lot194//DP752274)
92/21/DA/D9	16-11-2020	2 LOT SUBDIVISION	16-18 HUGHES STREET, BAROOGA NSW 3644 (Lot10/13//DP758057)
96/21/DA/D6	18-11-2020	ADDITIONS TO DWELLING	60 BARINYA STREET, BAROOGA NSW 3644 (Lot12//DP248812)
99/21/DA/DM	23-11-2020	GRANITE WAR MEMORIAL	122 JERILDERIE STREET, BERRIGAN NSW 2712 (Lot33//DP1189220)
100/21/DA/D5	26-11-2020	RESIDENTIAL STORAGE SHED	19 MOORE STREET, TOCUMWAL NSW 2714 (Lot21//DP545305)

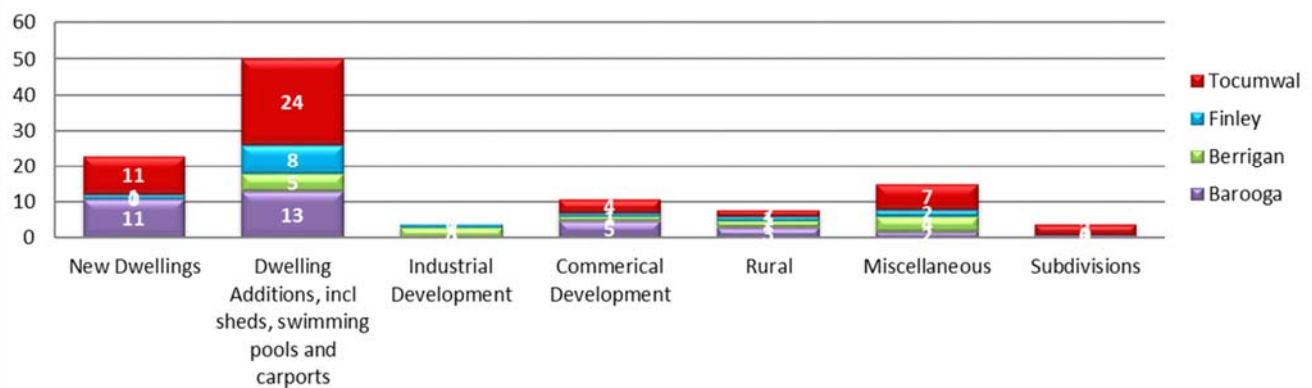
TOTAL APPLICATIONS DETERMINED / ISSUED (including modifications)

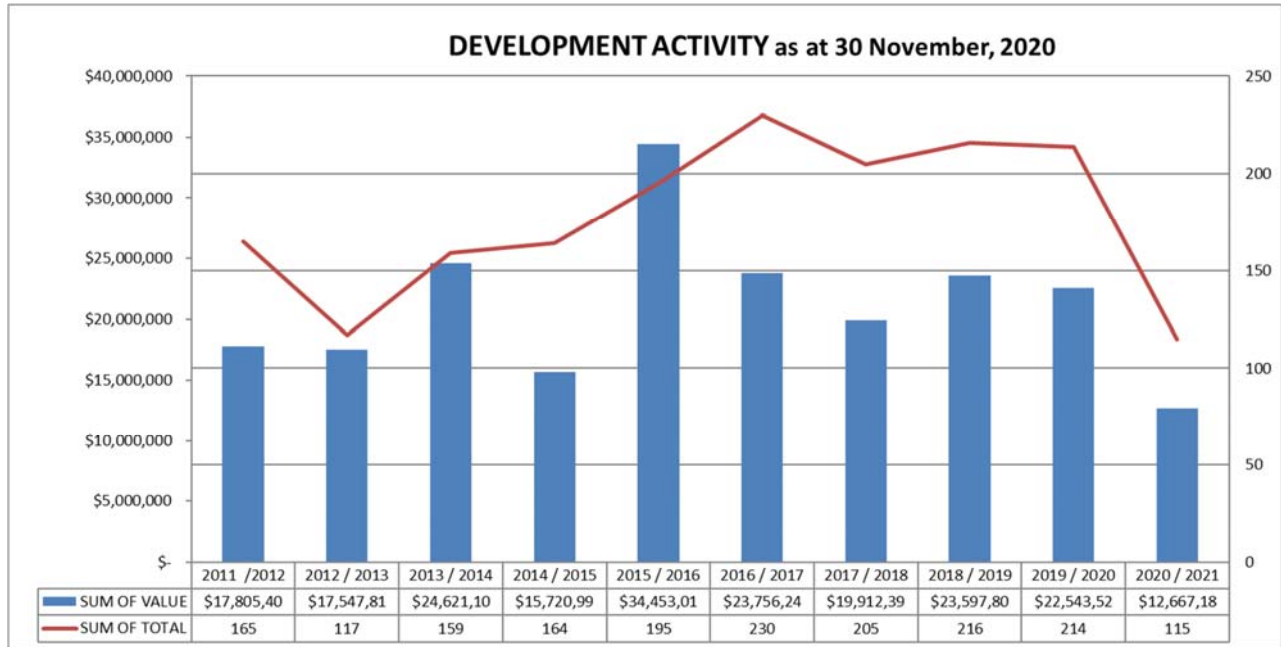
	This Month (November)	Year to Date	This Month's Value (November)	Year to Date Value
<i>Development Applications (DA)</i>	19	99	\$1,693,482	\$11,074,822
<i>Construction Certificates (CC)</i>	15	73	\$2,092,663	\$8,300,637
<i>Complying Development Certificates (CDC)</i>	3	16	\$336,444	\$1,592,359
<i>Local Activity (s.68)</i>	8	34	0	0

OTHER CERTIFICATES ISSUED FOR NOVEMBER 2020

	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	
	NOV	Year Total	NOV	Year Total	NOV	Year Total	NOV	Year Total	NOV	Year Total	NOV	Year Total
BAROOGA	11	39	0	0	0	1	1	1	0	0	1	3
BERRIGAN	7	25	0	0	1	5	0	0	0	1	0	1
FINLEY	12	43	0	0	1	4	0	0	0	0	0	0
TOCUMWAL	19	38	0	2	1	1	0	0	0	0	2	7
TOTAL	49	194	0	2	3	11	1	1	0	1	3	11

DEVELOPMENT ACTIVITY 2020/2021 as at 30 November, 2020





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 Legal Advice on Development Application 59/21/DA/D9 – Subdivision/Boundary Realignment

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:

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege

It is not in the public interest to reveal the 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