



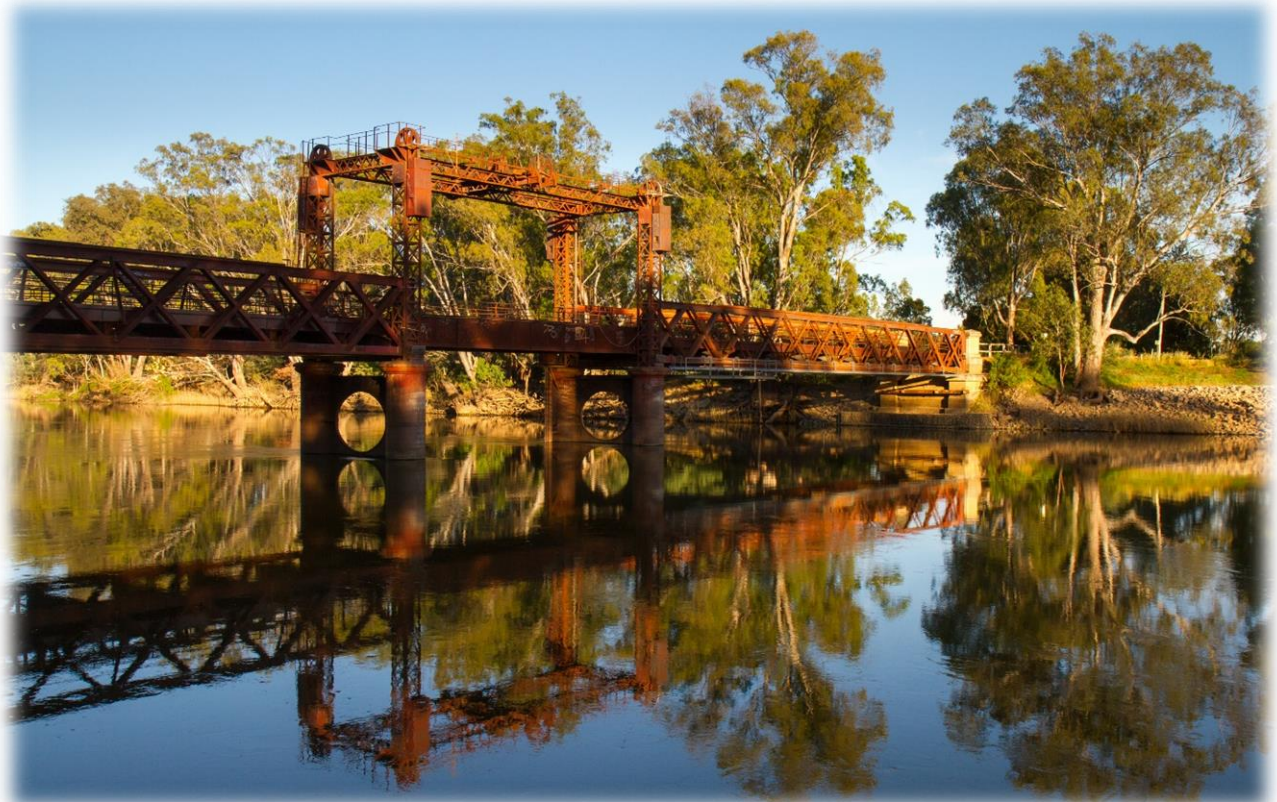
ORDINARY MEETING OF COUNCIL

Wednesday 21 July, 2021

at 11:00am

Council Chambers

56 Chanter Street, Berrigan



Agenda

The Ordinary Meeting of the Council of the Shire of Berrigan will be held in the **Council Chambers**, Berrigan, on **Wednesday 21 July, 2021** 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.

KARINA EWER
CHIEF EXECUTIVE OFFICER



Council Meeting

Wednesday 21 July, 2021

BUSINESS PAPER

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

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

Recommendation: That the Minutes of the ordinary meeting held in the Council Chambers on Wednesday 16 June, 2021 and the Minutes of the extraordinary meeting held in the Council Chambers on Wednesday 23 June, 2021 be confirmed.

5. MAYORAL MINUTES

Nil

6. NOTICES OF MOTION

- 6.1 Notice of Motion – Rescind Council Decision - Open Parachute Program

By memo to the Chief Executive Officer and Mayor on 12 July, 2021, Crs Daryll Morris, Matthew Hannan and John Taylor indicated that they intend to move the following motion:

That the Council rescind its decision made on 16 June 2021 as set out below and recorded as minute number 110:

RESOLVED Crs Reynoldson and Taylor that the Council support the Open Parachute Program up to the value of \$10,000 on the condition that a report following delivery as to the success of engagement (social outcomes) is provided to Council.

6.2 Notice of Motion – Mental Health Program

By memo to the Chief Executive Officer and Mayor on 12 July, 2021, Cr Daryll Morris indicated that he intends to move the following motion:

That the Council allocate a sum of \$10,000 for delivery of a mental health program targeted at young people, following consultation with young people and other relevant parties on the design of the program.

6.3 Notice of Motion – Tocumwal CBD Master Plan

By email to the Chief Executive Officer on 9 July 2021, Cr Ross Bodey indicated that he intends to move the following motion:

That the Council, in developing the master plan for the Tocumwal CBD, consider “**Appendix 6.3-A**” as guidelines for the development of Tocumwal’s retail, commercial and car parking needs for the future growth of Tocumwal.

7. ITEMS FOR RESOLUTION

Council Meeting**21 July 2021****7.1 Finance - Accounts**

Report by: Finance Manager, Tahlia Fry

Strategic Outcome: 2. Good government

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

Recommendation: that the Council:

- a) Receive the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 30 June 2021,
- b) Confirm the accounts paid as per Warrant No. 06/21 totaling \$2,811,999.81, and
- c) Note the report on investments attached as **"Appendix 7.1-A"**

Report:

- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 30 June 2021 is certified by the Finance Manager.
- b) The Finance Manager certifies that the Cash Book of the Council was reconciled with the Bank Statements as at 30 June 2021.
- c) The Finance Manager certifies the Accounts, including the Petty Cash Book made up to 30 June 2021, totaling \$2,811,999.81 and will be submitted for confirmation of payment as per Warrant No. 06/21
- d) The Finance Manager certifies that all Investments have been placed in accordance with:
 - i. [Council's Investment Policy](#),
 - ii. [Section 625 of the Local Government Act 1993 \(as amended\)](#),
 - iii. [the Minister's Amended Investment Order gazetted 11 January 2011](#),
 - iv. [clause 212 of the Local Government \(General\) Regulations 2005](#), and
 - v. Third Party Investment requirements of the Office of Local Government Circular 06-70
- e) June has seen an increase in total funds of \$1.94M compared to the end of May despite a large number of payments being made for large projects. This is due to the receipt of the advance payment of the Financial Assistance Grant (FAG).

In comparison to June 2020, total funds have increased by \$4.36M and Council is in a sound financial position leading into the new financial year.

Total funds are expected to decrease in the coming months due to large scale projects being finalised and works beginning on the upgrade of Water Treatment Plants and Finley Saleyards.

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

Statement of Bank Balances as at 30 JUNE 2021

Bank Account Reconciliation

Cash book balance as at 1 JUNE 2021	\$ 10,599,069.53
Receipts for JUNE 2021	\$ 4,726,003.37
Term Deposits Credited Back	\$ 2,027,000.00
	\$ 17,352,072.90

Less Payments Statement No 06/21

Bank Transfers	\$ -
Electronic Funds Transfer (EFT) payroll	\$ 575,583.89
Electronic Funds Transfer (EFT) Creditors E037422-E037718	\$ 2,169,599.04
Term Deposits Invested	\$ -
Loan repayments, bank charges, etc	\$ 66,816.88
Total Payments for JUNE 2021	\$ 2,811,999.81
Cash Book Balance as at 30 JUNE 2021	\$ 14,540,073.09

Bank Statements as at 30 JUNE 2021	\$ 14,539,166.46
Plus Outstanding Deposits	\$ 906.63
Less Outstanding Cheques/Payments	\$ -
Reconciliation Balance as at 30 JUNE 2021	\$ 14,540,073.09

INVESTMENT REGISTER

INSTITUTION	FUND	DEPOSIT NO.	INSTITUTION TOTAL	TERM (days)	RATE	MATURITY DATE	S&P RATING
AMP	WATER	136/18	\$ 2,000,000.00	365	**0.60%	19/10/2021	BBB+
AMP	GENERAL	133/17	\$ 1,000,000.00	182	**0.30%	22/11/2021	BBB+
AMP	SEWER	144/19	\$ 2,000,000.00	365	**0.30%	23/03/2022	BBB+
AMP	GENERAL	125/16	\$ 2,000,000.00	365	**0.35%	31/05/2022	BBB+
Goulburn Murray Credit Union	GENERAL	124/16	\$ 2,025,954.84	365	0.40%	13/05/2022	UNRATED
Bendigo Bank	WATER	141/18	\$ 2,000,000.00	364	*0.85%	13/09/2021	BBB+
Bendigo Bank	WATER	142/18	\$ 2,000,000.00	365	*0.80%	26/09/2021	BBB+
Bendigo Bank	GENERAL	146/20	\$ 5,000,000.00	365	*0.80%	28/09/2021	BBB+
Central Murray Credit Union	GENERAL	126/16	\$ 2,000,000.00	365	1.00%	31/08/2021	UNRATED
Defence Bank Limited	WATER	146/19	\$ 2,000,000.00	365	0.80%	31/08/2021	BBB
Defence Bank Limited	WATER	102/14	\$ 2,000,000.00	365	0.50%	6/04/2022	BBB
Defence Bank Limited	WATER	138/18	\$ 2,000,000.00	365	0.70%	10/01/2023	BBB
NAB	WATER	143/18	\$ 2,000,000.00	365	0.55%	18/11/2021	AA-
			\$ 28,025,954.84				

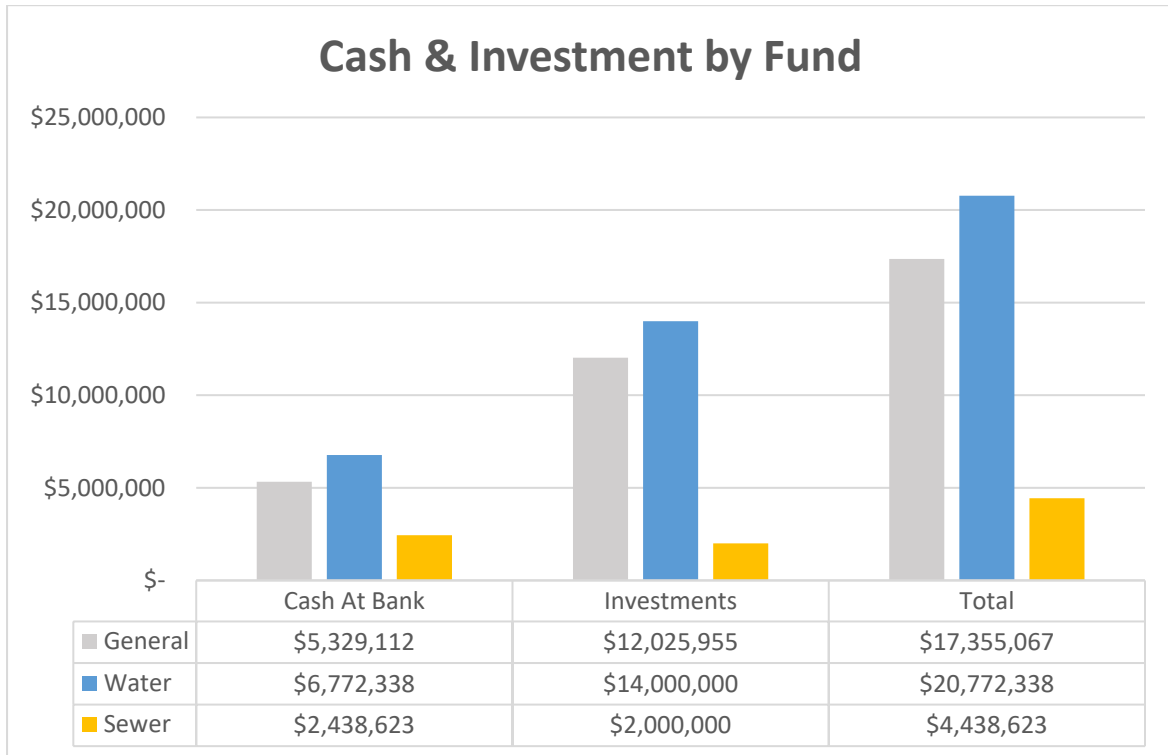
Total Funds Held at 30 JUNE 2021 **\$42,566,027.93**

Tahlia Fry - Finance Manager

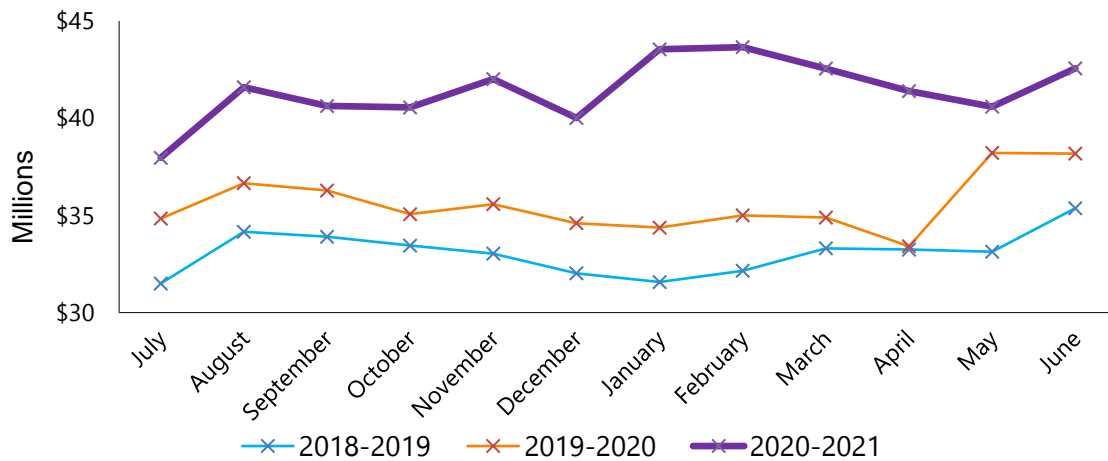
*The Council also receives an additional 0.25% commission

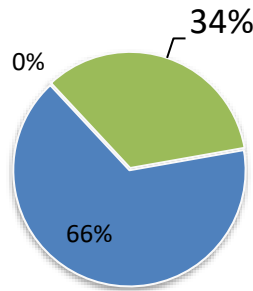
**The Council also receives an additional 0.20% commission

Total Funds held between General, Water and Sewer are as follows:

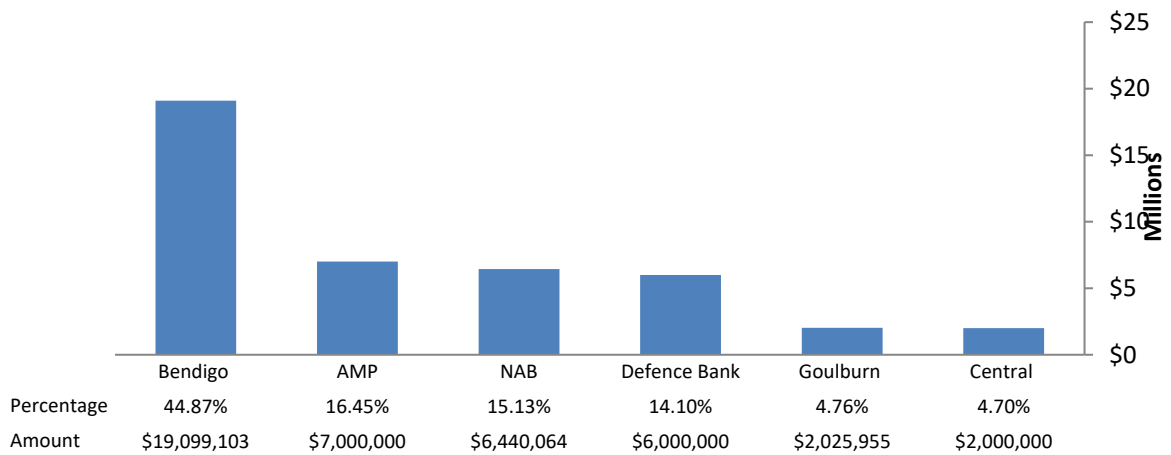


Total Cash and Investments





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

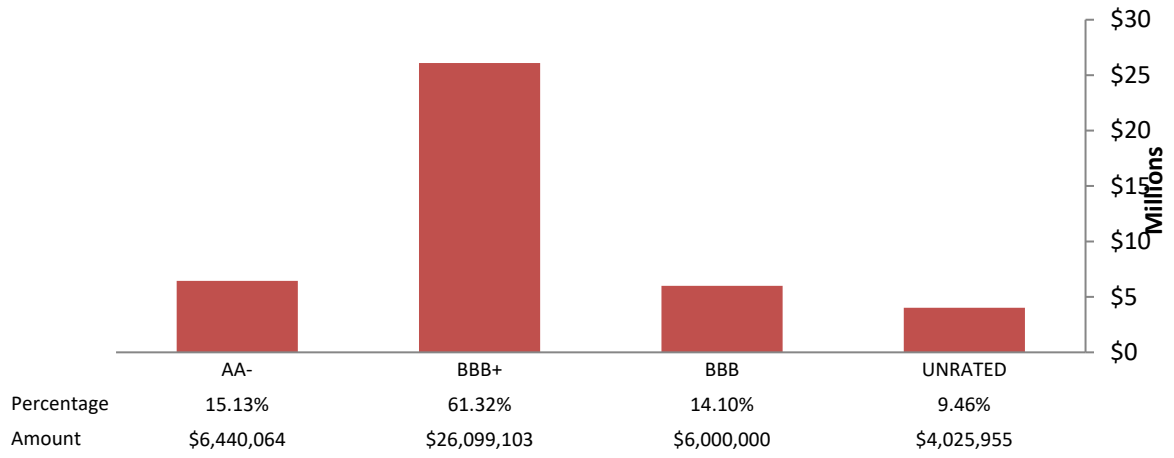


Term Deposits Credited Back

Prior Financial Institution	Term (Days)	Amount	Interest Rate	Maturity Date
DEFENCE BANK	365	\$ 2,000,000.00	1.35%	29/06/2021

Term Deposits Invested / Reinvested

Current Financial Institution	Term (Days)	Amount	Interest Rate	Maturity Date
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Council Meeting

21 July, 2021

7.2 Establishment of Audit, Risk and Improvement Committee

Report by: Enterprise Risk Manager, Michelle Koopman

Strategic Outcome: 2. Good government

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

Recommendation: That the Council begin the process of recruiting an Audit, Risk and Improvement Committee (ARIC), with the ARIC to be established no later than March, 2022 and operating under the 2010 Internal Audit Guidelines.

Report:

In 2010, the NSW Government released Internal Audit Guidelines to encourage all councils in NSW to appoint an Audit and Risk Committee and establish an internal audit function.

In 2016, the NSW Government made it a requirement under the Local Government Act 1993 that each Council have an Audit, Risk and Improvement Committee (ARIC). This requirement was to take effect from March, 2021, later revised to March, 2022 following the COVID-19 outbreak.

In September, 2019 the NSW Government released a discussion paper outlining the proposed framework to support the ARIC. More than 150 submissions were lodged in response to the paper, outlining concerns. Berrigan Shire Council raised 19 concerns in our submission. Despite this more than 80% of Councils have formed an ARIC and are operating under the guidelines released in 2010.

As a Council, we have taken the position of abstaining from forming an ARIC despite being required to form one by March, 2022 whilst we wait for the revised guidelines to be published.

At this stage, amidst the confusion and lack of information around the new guidelines from OLG, the following timelines have been suggested by The Institute of Internal Auditors (IIA) (the leading body representing internal auditors):

- March, 2022 – Councils must have an ARIC in place. It has been suggested that this date may be postponed due to the delay in publishing the ARIC Framework and Guidelines. It is assumed by IIA however that all Councils will have an ARIC in place by the end of 2021;

- December, 2023 – Council’s will establish and resource an internal audit function and a risk management function. Again, in light of the delay in the ARIC Framework and Guidelines, this date may be postponed;
- 2025 – The internal audit function will be operating in line with OLG requirements and professional standards. Enterprise risk management will be fully integrated throughout Council and meeting ISO31000;
- 2027 – ARIC role fully expanded to cover all of S428A of the *Local Government Act 1993* (refer *Local Government Amendment (Governance and Planning) Act 2016*;

On Thursday, 24th June, the Enterprise Risk Manager attended an online ARIC Training Workshop. This training was delivered by Stephen Horne, and IIA. Stephen is a member of 16 public sector Audit & Risk Committees, and Chairperson of five. The advice and direction to come out of this training is that we should be forming the ARIC as soon as possible and not rushing to have it in place by next year’s deadline.

Challenges

The main challenge Council faces in forming the ARIC is the absence of the new framework and guidelines. The NSW Government, “Internal Audit Guidelines”, September, 2010, state that the Audit Committee “should consist of at least three and preferably no more than five members comprised of independent external members, who should be in the majority, and councillors other than the Mayor (or an Administrator). Staff should not be members of the audit committee.”

This is in contrast to the draft guidelines, where councillors are not to be members of the ARIC, and independent members must be from the NSWG prequalified panel. So in forming an ARIC prior to the release of the new guidelines, we can include councillors, and local external independent members, but this may and most likely will change.

So whilst we can and are being advised to form the ARIC now, it appears that this will only be a “temporary” ARIC unless we decide to follow the draft guidelines and form the ARIC in accordance with them.

There is also the option put forward by RAMJO that the ARIC could be a shared resource amongst member Councils. However, this has not been progressed any further simply due to the absence of the framework and guidelines. The feedback through the recent training has been that whilst the sharing of this resource reduces costs and is an option for smaller Councils, there are logistic issues, fatigue factors for members, independence and trust concerns.

Recruitment and Remuneration

IIA recommend that we recruit somebody who has a finance background and ideally also has risk management experience as Chair of the committee. Council needs to determine what skills would best suit our ARIC members, and give us the most value. Feedback from the

training was that we need to ensure we focus most of our attention on recruiting a good chairperson.

Whilst there has been discussion around the difficulty to attract suitable members of ARICs in regional and rural Councils, it needs to be said, that without advertising and seeking expressions of interest, we are unsure if this process will be conducted with ease, or prove difficult.

Council also need to give consideration to remuneration of ARIC members. Based on NSWG rates, and taking into consideration our location and size, Council would be looking at approximately \$12,550 pa for an ARIC Chairperson, and for members (if we were only recruiting another two members – and we were looking at holding four sessions per year), approximately \$10,040 pa (total)¹.

ARIC Charter

The role of the ARIC, in accordance with the *Local Government Amendment (Governance and Planning) Act 2016*, Part 4a, Section 428A is to keep under review the following aspects:

- (a) Compliance,
- (b) Risk management,
- (c) Fraud control,
- (d) Financial management,
- (e) Governance,
- (f) Implementation of the strategic plan, delivery program and strategies,
- (g) Service reviews,
- (h) Collection of performance measurement data by the Council;
- (i) Any other matters prescribed by the regulations

(3) The Committee is also to provide information to the Council for the purpose of improving the Council's performance of its functions.

The ARIC is strictly an advisory committee:

- they have no authority,
- they have no delegation to make decisions or incur expenditure;
- they do not make executive (governance) decisions (which is for Council) nor ratify Council decisions;
- they do not make management decisions nor ratify management decisions; and
- they cannot absolve either a Council or management of their responsibilities.

The ARIC's role is to review, request and recommend.

¹ Remuneration based on Bourke Shire Council where expenditure has been declared at \$28.6M and there are three members of the ARIC.

Chief Audit Executive and Internal Audit Function

Under the 2010 Internal Audit Guidelines, and also in the draft guidelines there is a recommendation to appoint a Chief Audit Executive which must be a staff member. There are similarities within the two guidelines regarding the role of the Chief Audit Executive.

Under the 2010 guidelines, the Chief Audit Executive Chief “is a senior position within the organisation responsible for internal audit activities. Normally, this would be the internal audit director. In the case where internal audit activities are obtained from external service providers, the chief audit executive is the person responsible for overseeing the service contract and the overall quality assurance of these activities, reporting to senior management and the board regarding internal audit activities, and follow-up of engagement results”. The role also includes the management of the risk function.

The role is similar under the draft guidelines and for smaller Councils there is an option to combine that role with the risk management role. The role of the Chief Audit Executive currently includes:

- managing the day-to-day direction and performance of Council’s internal audit activities to ensure they add value to Council;
- supporting the operation of the ARIC;
- ensuring Council’s internal audit activities comply with statutory requirements, the IPPF and Council’s needs;
- developing, implementing and reviewing Council’s Internal Audit Charter, policies and procedures, work plans and quality assurance and improvement program;
- providing advice to the Audit, Risk and Improvement Committee and governing body of the Council on the adequacy and effectiveness of the Council’s governance frameworks, risk management practices and internal controls;
- confirming the implementation by the Council of corrective actions that arise from the findings of internal audit activities, and
- managing internal audit personnel and ensuring they have the skills necessary to perform audits, are up to date on current issues affecting Council and understand current audit techniques and developments.

RAMJO have suggested in their submission to OLG that the Chief Audit Executive role could be shared amongst member Councils. This is contrary to the current guidelines, and the draft guidelines where it states the Chief Audit Executive must be a staff member. There is room in the draft guidelines to allow the role of Chief Audit Executive, Risk Manager and Internal Auditor to be combined. This obviously will depend upon resources, and the independence and impartiality needed to ensure this role is performed to the required standards.

There is also room within the guidelines to outsource or co-source the internal audit function, however RAMJO in their submission, have not proposed this but rather advised that

“Councils would most likely like to retain the right to contract out Audits where specialist insight is warranted”.²

The role of the Chief Audit Executive and the Internal Auditor are yet to be finalised.

Recommendation

Whilst the new Risk Management and Internal Audit Framework is still sitting in draft and there is no knowledge of when they will be released, it is recommended that Council begin the process of advertising and forming the ARIC as soon as possible to allow time to become familiar with the process prior to the March, 2022 deadline.

It is also recommended that Council form the ARIC with the minimum member requirement, one chair plus two members; this reduces the number of independents Council must recruit. It would mean Council would have one Councillor as a member, and would advertise for two members (one of which would be the chair).

² Riverina and Murray Joint Organisation, “Submission relating to the new risk management & internal audit framework, 20th December, 2019.

Council Meeting

21 July 2021

7.3 Request for Assistance – Tocumwal Men’s Shed

Report by: Chief Executive Officer, Karina Ewer

Strategic Outcome: 3. Supported and engaged communities

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

Recommendation: Council decision is required

Report:

The Tocumwal Men’s Shed have requested Council’s financial assistance to facilitate the extension of their facility to accommodate a growing membership base.

A copy of the request is attached as “**Appendix 7.3-A**”.

The Council’s policy on [Requests for Donations and Financial Assistance](#) states that:

“Whilst the Council may consider requests for donations and funding assistance at any time, the Council has more capacity to respond to requests that are made in time for inclusion in its annual Operational Plan. In general, this requires organisations to submit a request to the Council by March for inclusion in the Operational Plan and budget for the following year.”

The attached request was received at the Council offices on 30 June 2021.

Council’s budget for the 2021-2022 was adopted at the June Council meeting.

In this case Council has a couple of options:

Option 1: include the request for financial assistance in Budget Review One

Option 2: defer the request for financial assistance to include in the 2022-2023 financial year budget (this would be subject to the agreement of the incoming Council and would therefore need to be brought to their attention at the first meeting after the election)

Option 3: refuse the request for financial assistance

Council Meeting**21 July 2021****7.4 Berrigan Shire Library Service - Strategic Plan**

Report by: Director Corporate Services, Matthew Hansen

Strategic Outcome: 3. Supported and engaged communities

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

Recommendation: that the Council:

1. revoke the Berrigan Shire Library Service Strategic Plan 2014-2018; and
2. adopt the Berrigan Shire Library Service Strategic Plan 2021-2025 as attached as **"Appendix 7.4-A"**

Report:

In partnership with her team and with support from the Social and Strategic Planning Coordination and I, the Library Manager has developed a new Strategy for the Berrigan Shire Library Service (BSLS) for consideration by Council.

A copy of the proposed strategy is attached as **"Appendix 7.4-A"**.

If adopted, this strategy will replace the previous strategy adopted in 2014 and formally expired in 2018.

The strategy has been developed following a literature review and other research into contemporary community library practice as well as extensive consultation with library staff, library users and the broader community of Berrigan Shire.

The strategy aligns with the Council's suite of integrated plans and in turn informs those plans. The strategy has also been informed by the NSW State Library and South West Zone - NSW Public Libraries strategic plans.

Berrigan Shire Library Service is an independent rural library service supporting community engagement through life-long learning, culture and recreation. The strategy has been developed to assist BSLS deliver on its mission:

A contemporary place making rural library service committed to excellence and digital inclusion in life-long learning, culture and recreation.

The strategy aims to optimise the community's investment in library facilities through the following objectives:

- 1 By coordinating and delivering library services information and recreation provision in a contemporary format to meet the needs of the current and future community.

- 2 Conducting a range of activities designed to meet community needs and interests.
- 3 Through the delivery of high quality library service underpinned by professionally trained and supported staff.

A new action proposed in this Strategy is a review of the Library Service's management software. At the moment, BSLS uses "Libero" software - along with the other library services in the Public Libraries NSW South West Zone. The other library services in the Zone are exploring a move to an alternate software provider - for reasons of cost and functionality.

Council Meeting

21 July 2021

7.5 Documents for Signing and Sealing – Tocumwal Aerodrome Lease

Report by: Director Corporate Services, Matthew Hansen

Strategic Outcome: 4. Diverse and resilient business

Strategic Objective: 4.2 Diversify and promote local tourism

Recommendation: That the Council sign and seal the renewed lease agreement for K & S Freighters for Lot 18 DP 1077717 at Tocumwal Aerodrome.

Report:

The lease agreement between K & S Freighters and Council for the refueling station at Tocumwal Aerodrome expired in January and Council has been advised that they wish to renew this lease for another five (5) year term.

There is no reason why the lease should not be renewed and staff have directed Kell Moore Lawyers to prepare the renewed lease agreement documents for signing and sealing.

A copy of the lease is circulated with this agenda as **“Appendix 7.5-A”**.

Council Meeting

21 July 2021

7.6 Review of General Manager and Senior Staff Remuneration

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 make a submission (attached as “**Appendix 7.6-A**”) to the Ministerial Review of General Manager and Senior Staff Remuneration.

Report:

The Minister for Local Government has announced a review of General Manager and senior staff remuneration.

A consultation paper has been issued to seek the views of the local government sector, other stakeholders and the broader community. The consultation paper is attached as “**Appendix 7.6-B**”.

Submissions should be made before 9 August 2021.

Currently, the Council is free to determine the remuneration it pays to the CEO and other senior staff. Note - the only “senior staff” employed by the Council currently as per legislation is the CEO. The Council is required to publicly report on the remuneration it pays to the CEO in its annual report.

The consultation paper examines how remuneration is set in other jurisdictions and at other levels of government. It considers a range of options from maintaining the status quo through to introducing greater regulation of the remuneration councils may pay to their general managers and senior staff.

The key questions the Council has been asked to consider are:

- Do you think more regulation is needed in relation to how much councils pay their general managers?
- Why or why not?
- If yes, what should this regulation look like?
- Who should decide how much councils pay their general managers?

Following feedback from the Council provided at the Strategy and Policy Workshop, Council staff have prepared a submission (attached as “**Appendix 7.6-A**”).

The submission advocates retaining the status quo, arguing that the case for additional regulation of executive salaries has not been made. The submission also suggests some alternative forms of regulation should the Minister decide that regulation is required - including a role for Councils' Audit Risk and Improvement Committees.

The submission also notes the Council's disappointment with the timing of the review in the lead up to the 2021 Local Government elections. The timing creates a risk of making the salary General Managers an election topic, which may not allow for a balanced, considered and dispassionate election period.

Council Meeting

21 July 2021

7.7 Workplace Smoking Policy

Report by: Enterprise Risk Manager, Michelle Koopman

Strategic Outcome: 2. Good government

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

Recommendation: That Council:

1. revoke the Workplace Smoking Policy adopted 17 October, 2018; and
2. adopt the Workplace Smoking Policy set out below:



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WORKPLACE SMOKING POLICY

Strategic Outcome:	Good government		
Date of Adoption:	21 July 2021	Minute Number:	
Date for Review:	21 August 2024		
Responsible Officer:	Enterprise and Risk Manager		
Document Control:	Replaces and revokes the Workplace Smoking Policy adopted 17 October, 2018		
Delivery Program Link:	2.1.1 Council operations, partnerships and coordination of resources contribute toward implementation of Berrigan 2027		

1. POLICY STATEMENT

Council is committed to providing a safe and healthy working environment in accordance with Work Health and Safety legislation, and Smoke-free Environment legislation. Council will ensure procedures and resources are in place to identify hazards and introduce control measures that eliminate or reduce the risks.

2. PURPOSE

The purpose of this policy is to outline how no smoking in the workplace is enforced, how Council staff and members of the public comply with smoke-free public places, and to clearly outline variations where the policy does not apply.

3. SCOPE

This policy applies to all Council workers including contractors and volunteers, councilors and visitors to Council workplaces.

4. OBJECTIVE

This policy is developed to assist the Council with the Community Strategic Plan Objective:

2.2 Ensure effective governance by Council of Council operations and reporting.

Specifically, to reduce the risk of harm to all workers and visitors to the workplace.

5. DEFINITIONS

Council Workplaces are all workplaces where Council staff or contractors are expected to work. This extends to buildings, construction sites, parks and reserves;

Council vehicles include all motor vehicles within Council's fleet;



Council plant	includes all larger plant not defined as a motor vehicle, and includes but not limited to road construction plant, trucks, tractors, ride-on mowers;
Private use of vehicles	is in accordance with the Private Use of Council Vehicles Policy and includes all vehicles where private use is included as part of the appropriate staff member's vehicle arrangement
Public places	as defined by the Smoke Free Environment Act 2000, which is a place or vehicle that the public, or a section of the public, is entitled to use or that is open to, or is being used by, the public or a section of the public (whether on payment of money, by virtue of membership of a club or other body, or otherwise.
Smoke-free area	is an area that is free of smoke generated by tobacco products, non-tobacco smoking products or e-cigarettes. Smoke-free areas are defined in the Smoke Free Environment Act 2000 and include indoor and outdoor public places.
Workers	is the definition under the Work Health and Safety Act 2011 and includes paid employees, contractors, volunteers, work experience students, and hired staff.

6. POLICY IMPLEMENTATION

6.1 Council Buildings, Plant and Vehicles

All Council buildings, large plant and Council owned vehicles are smoke-free areas.

All workers and visitors are not permitted to smoke in these areas. This also extends to areas within four metres of an entry or exit point of any Council buildings that are open to the public, and in areas where chemical storage prohibits smoking.

Smoking is permitted in designated smoking areas and these are provided at the rear of the Council offices, and identified areas at Council Depots.

6.2 Private Use Vehicles

No smoking is permitted in any Council vehicle at any time. For the avoidance of doubt, this includes when the car is used outside work hours under a private use agreement.

6.3 Public Places

Under the Smoke Free Environment Act 2000, smoking is not permitted in identified public places. These include:



- within ten metres of children's play equipment in outdoor public places;
- at public swimming pools;
- spectator areas at sportsgrounds or other recreational areas used for organised sporting events;
- public transport stops and platforms;
- within four metres of a pedestrian access point to a public building.

This includes the main entrance to the Council offices, and the rear entrance used by workers.

6.4 Quit Programs

As part of Council's commitment to health and wellbeing, any staff member requiring assistance to quit smoking is encouraged to participate in a quit program. Council will provide information around these programs, and how they can be accessed.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *Smoke Free Environment Act 2000*
- *Work Health and Safety Act 2011*
- NSW Health Tobacco Strategy and Policy

7.2 Council policies and guidelines

- Private Use of Council Vehicles Policy
- Work Health and Safety Policy
- Code of Conduct

Report:

Council has previously allowed staff who had use of a Council owned vehicle, to smoke inside the vehicle as long as no workers or passengers were present. In these instances they were also responsible for the cleanliness and odour control of the vehicle.

Regardless of personal use arrangements with Council vehicles, they still remain the property of Council and when in use by other members of staff at the workplace, these vehicles themselves are a workplace and as such need to provide a healthy and safe environment for

staff. Whilst there is no smoke within the vehicle, there is still residual chemicals from cigarettes on surfaces and in vents.

Since several staff have retired and the vehicles have now become available for the general use of staff, it has become increasingly apparent that the odour caused by smoking cannot be adequately removed from the vehicle. This has not only raised health concerns around residual pollutants for those staff now using these vehicles, but also has financial consequences for Council when trading these vehicles in or selling at auction.

As a result of the complaints raised by staff, and in the interests of health and safety and the ability to get a suitable return on vehicles sold, it is recommended that Council ban smoking in Council owned vehicles regardless of personal use arrangements, and adopt the amended policy.

Council Meeting

21 July 2021

7.8 Consultation on Model Policies

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 make the following submissions (attached as “Appendices 7.8-A and 7.8-B”) to the Office of Local Government

1. Model Social Media Policy, attached as “Appendix 7.8-A”)
2. Model Councillor and Staff Interaction Policy attached as “Appendix 7.8-B”)

Report:

The Office of Local Government (OLG) has issued consultation drafts of a Model Social Media Policy and Model Councillor and Staff Interaction Policy and is seeking the views of councils and other stakeholders on the consultation drafts prior to finalising the model policies.

The draft Model Social Media Policy is attached as “Appendix 7.8-C” and the draft Model Councillor and Staff Interaction Policy is attached as “Appendix 7.8-D”.

The draft policies have been developed by OLG having reviewed and considered existing policies in NSW local government and reflect what OLG consider as “best practice in the sector”

Unlike other model policies and guidelines issued by OLG, these policies will not be issued under s23A of the Local Government Act 1993 and will therefore not be mandatory - the Council will be free to choose whether to use them or to adapt them for their own purposes.

Submissions must be made by Friday 23 July 2021.

Social Media Policy

The Council has in place an adopted [Social Media Policy](#), last reviewed in 2017.

The OLG draft Model Social Media Policy has a broader scope than the Council’s adopted policy and provides significantly more direction and guidance on the use of social media by Councillors in their role as Councillors.

The model policy also provides more guidance on appropriate moderation of social media platforms - in particular removal of content (i.e. comments from the public) and blocking and banning persons.

The model policy is silent however on the use of social media by the Council's volunteer committees of management. Social media is a powerful tool for these committees but does require a framework to ensure it is not misused.

Councillor and Staff Interaction Policy

The Council does not have a formal Councillor and Staff Interaction Policy, instead relying on the provisions of the *Local Government Act 1993* and the Code of Conduct

The draft Model Policy has two main goals

- to establish a framework by which Councillors can access the information they need to perform their civic functions, and
- to promote positive and respectful interactions between Councillors and staff.

The draft Model Policy establishes a formal Councillor Requests system. The system described in the policy is quite prescriptive but would provide a solid background for all parties to understand their rights and obligations

Conclusion

Both model policies are suitable for use as written. Proposed brief submissions on each policy are attached as "**Appendices 7.8-A and 7.8-B**".

OLG should be commended for changing their normal top-down approach to preparing guidelines for Council. Taking direction from better practice in place in NSW Councils who work in this space every day has delivered a solid outcome.

Council Meeting

21 July 2021

7.9 LGNSW Annual Conference 2021

Report by: Chief Executive Officer, Karina Ewer

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: The direction of the Council is sought.

Report:

The Council, like most NSW Councils, is a member of Local Government NSW (LGNSW). LGNSW is the peak local government body in NSW and broadly represents the interest of NSW Councils to other levels of government. LGNSW also provides training and industrial services to Councils. A copy of the LGNSW Policy Platform is attached as **"Appendix 7.9-A"**.

LGNSW hold an annual conference in October or November each year which rotates between urban and regional venues.

The [relevant Council policy](#) presently provides for attendance at the conference by the Mayor, Deputy Mayor and the Chief Executive Officer and one other Councillor, by convention normally one that has not previously attended the conference. It is understood all current Councillors have attended an LGNSW Annual Conference.

This year's conference will be held at the Hyatt Regency in Sydney from Sunday 28 November to Tuesday 30 November 2021. A letter of invitation is attached as **"Appendix 7.9-B"**.

Registration opens on 27 July 2021 with costings to be released then. There will be "early bird" rates available. With the election being held in September, it may be premature to determine the delegates for the conference at this stage. Accommodation at the conference hotel is often booked out quickly however and the Council may wish to make reservations in advance.

This year is also a Board election year, in which nominated council delegates vote to determine the LGNSW leadership team. The Australian Electoral Commission (AEC) is currently determining whether its response to COVID-19 will require this year's Board Election to be conducted by postal ballot, rather than in-person at the Conference site.

Should a postal vote eventuate, the new Board will be announced and introduced via a continuation of the Conference in an online session scheduled for Monday 20 December 2021.

The Council also has the opportunity to present motions for consideration at the conference and some discussion around this would be useful.

Members are encouraged to submit motions online by Monday 27 September 2021 to allow assessment of the motions and distribution of the Business Paper before the Conference. However, in line with the LGNSW Rules, the latest date motions can be accepted for inclusion in the Business Paper is Sunday 31 October 2021 (28 days prior to Conference).

LGNSW have issued a [Conference Motions Submission Guide](#). The Guide states that that motions will be included in the Business Paper for the Annual Conference only where they:

1. are consistent with the objects of the Association (see Rule 4 of the Association's [rules](#));
2. relate to local government in NSW and/or across Australia;
3. concern or are likely to concern local government as a sector;
4. seek to advance the local government policy agenda of the Association and/or improve governance of the Association;
5. have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws);
6. are clearly worded and unambiguous in nature, and
7. do not express preference for one or several members over one or several other members.

Also in relation to motions LGNSW advises that;

"The Board will not include motions in the Business Paper which do not advance the local government policy agenda. Therefore a motion will not be included if it is operational, rather than strategic; a matter which could be actioned by LGNSW without going to Conference; not local government business; focused on a local issue only, or if the motion is consistent with longstanding actions of LGNSW and the Local Government and Shire's Association".

The Director Corporate Services has suggested that items the Council may wish to consider might include:

1. Addressing quality housing shortage in regional NSW and the impact this has on communities;
2. Better management of border issues with regard to management of COVID-19 and any future pandemics.

A copy of the updated action report from the 2020 LGNSW Conference is also attached as **"Appendix 7.9-C"** for Councillors information.

Council Meeting

21 July 2021

7.10 RAMJO Kerbside Collection Contract

Report by: Director Technical Services, Matthew Clarke

Strategic Outcome: 1. Sustainable natural and built landscapes

Strategic Objective: 1.3 Connect and protect our communities

Recommendation: That the Council partner with Federation, Albury City, Wodonga, Greater Hume and Indigo Shire Councils for a Regional Kerbside Collection Contract scheduled to commence in 2024.

Report:

Berrigan Shire Council has been invited to join Federation Council, Albury City Council, Greater Hume Council, Indigo Shire Council, City of Wodonga Council, Leeton Shire Council, Edward River Council and Alpine Shire Council in a joint contract for kerbside collection services in 2024.

It is necessary to have a response from Council relatively quickly in order to commence the preparation of tender documents and contracts given the nature and size of the contract.

Should Council agree to participate in this joint procurement venture, it will replace the current arrangements that are held with Moira Shire Council with kerbside collection.

Moira Shire Council has been invited to join this joint procurement venture, however, at the time of writing this report, no response has been received.

It is worth noting that NSW EPA is mandating no organic materials to go to landfill by 2030 which will mean the mandatory introduction of a third Food organics, Garden Organics (FOGO) bin. Council has previously resisted this change from the viewpoint of unnecessary expense due to sufficient landfill capacity at Berrigan Landfill. However, by moving to the third bin in an earlier time frame it will mean more consistent education and messaging in our region as more Councils get on board with the joint procurement of kerbside collection services.

Currently it is estimated Berrigan Shire Landfill accepts approximately 2000t of waste via kerbside collection to the Berrigan landfill each year with a cost of \$147/t for a total value of \$294,000. Working on the previous assumptions approximately 1400t valued at \$205,000 could be diverted from landfill with the possibility of selling the organic material as a product.

There will be additional cartage of the organic material and additional cost of collecting another bin, however it is estimated that cartage costs will be less than the current recycling cartage costs with further opportunity of bulking organics and comingled recyclables for larger trucks to cart the materials long distance.

According to the NSW EPA, by weight, organics make up 43% of waste bins (highest single form of waste in the bin) of those Councils without recycling bins with recyclable materials making up 36% of the bin. It is therefore possible to assume that 70% of Councils waste bins are made up of organic material by weight.

It is currently intended for the new kerbside collection contract to extend for 10 years from commencement in June 2024.

It is anticipated that there will be opportunity for significant cost reductions and efficiencies leveraging off of volumes of recycling and FOGO.

Council Meeting**21 July 2021****7.11 2020/2021 Rates and Charges and Interest Written Off**

Report by: Revenue Coordinator, Michael Millar

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 under section 607 of the Local Government Act, 1993, and clause 131 (1-6) of the Local Government (General) Regulation 2005, write off the following amounts as recorded in the 2020/2021 Write Offs - Rates and Charges document for the period 1st July, 2020, to 30th June, 2021:

Ordinary/General Rates/Interest	\$140.99
Annual Water Charges/Interest	\$38.90
Water Consumption/Charges/Interest	\$358.19
Annual Sewer/Pedestal Charges/Interest	\$4,988.84
Garbage/Domestic Waste Charges/Interest	\$88.07
Storm Water/Drainage Charges/Interest	\$210.77
Bank Charge	\$5.07
Legals	\$0.00
Total	\$5,830.83

Report:

Section 607 of the Local Government Act, 1993, and Clause 131 (1-6) of the Local Government (General) Regulation 2005, list various circumstances under which either the Chief Executive Officer or Council can endorse the writing off of rates and charges, either by written order (Chief Executive Officer) and/or resolution (of Council).

These write offs can include rates, service charges, water consumption reviewed under Undetected/Significant Leak Policy and interest raised in error, and small balances that are deemed to be uneconomical to recover. There has been no major Rates or Legal Charges written off in the 2020-2021 Financial Year.

Council Meeting

15 July, 2021

7.12 Sign and Seal – Rates and Charges

Report by: Revenue Coordinator, Michael Millar

Strategic Outcome: 2. Good government

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

Recommendation: That the Council sign and seal the following documents:

- Certificate of 2020/21 Rates and Charges levied and brought to account, as at 30 June 2021;
 - Certificate of 2021/22 Rates and Charges levied, as at 8 July 2021
-

Report:

This Certificate is prepared by the Revenue Officer, for Rates and Charges levied and brought to account for auditing requirements.

A copy of the Certificates are circulated with this Agenda as “**Appendix 7.12-A**”.

8. ITEMS FOR NOTING

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

Council Meeting

21 July 2021

8.1 Water buybacks - response from Sussan Ley MP

Report by: Chief Executive Officer, Karina Ewer

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:

The Mayor wrote to the Hon. Sussan Ley MP in June expressing the Council's concern that Ms Ley, in her role as the local Member of Parliament, did not support the motion put forward by the National Party to stop further productive water being taken from this region.

Ms Ley has responded to the Mayor. Her response is attached as **"Appendix 8.1"**.

In this response letter Ms Ley has offered to come and meet with Councillors at a future meeting. Staff have made contact with Ms Ley's office to arrange a meeting for Councillors and are awaiting a response.

Council Meeting**21 July 2021****8.2 Outstanding Rates and Debtors Report 2020-2021**

Report by: Revenue Coordinator, Michael Millar

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:

This report is a summary of the outstanding Rates and Charges and Debtors as at 30 June 2021.

Rates and Charges

The final collection ratio for outstanding rates, charges and water consumption raised has improved from last year.

The overall final collection percentage of 98.74% is particularly pleasing when considering the issues of navigating through a global pandemic. I would like to acknowledge the ongoing efforts of the Assistant Revenue Officer and Water Safety Officer for their part in achieving this excellent result.

In terms of Rates and Service Charges only the total collected as of 30 June 2021 was 96.48%. This collection rate will be very competitive when viewed with corresponding collection rates Statewide.

The Council has a moral obligation to its community to ensure all ratepayers pay their rates. Council has continued to make the Hardship Policy available to ratepayers. The policy allows for some consideration of the special circumstances of qualifying ratepayers.

The Revenue Department received one application for hardship relief during 2020/2021.

The Revenue Department have continued the exceptional working relationship with our Debt Collection Specialist and have enjoyed very beneficial results.

In line with Council's Debt Management Policy a range of sound Debt Management strategies have been utilised throughout the 2020/21 year such as:

1. personal meetings and phone calls with large outstanding ratepayers;
2. garnishing wages;
3. Rental Garnish Orders on properties; and
4. Statement of Claims, have been utilised when above-mentioned strategies have proven unsuccessful.

Council has enforced warrants on ratepayers to appear at court hearings to consider payment of their outstanding rates. This process is a last resort after all other options have been exhausted in line the Debt Management and Hardship Guidelines 2018.

There are two factors that have contributed to the final positive debt ratio result, which include:

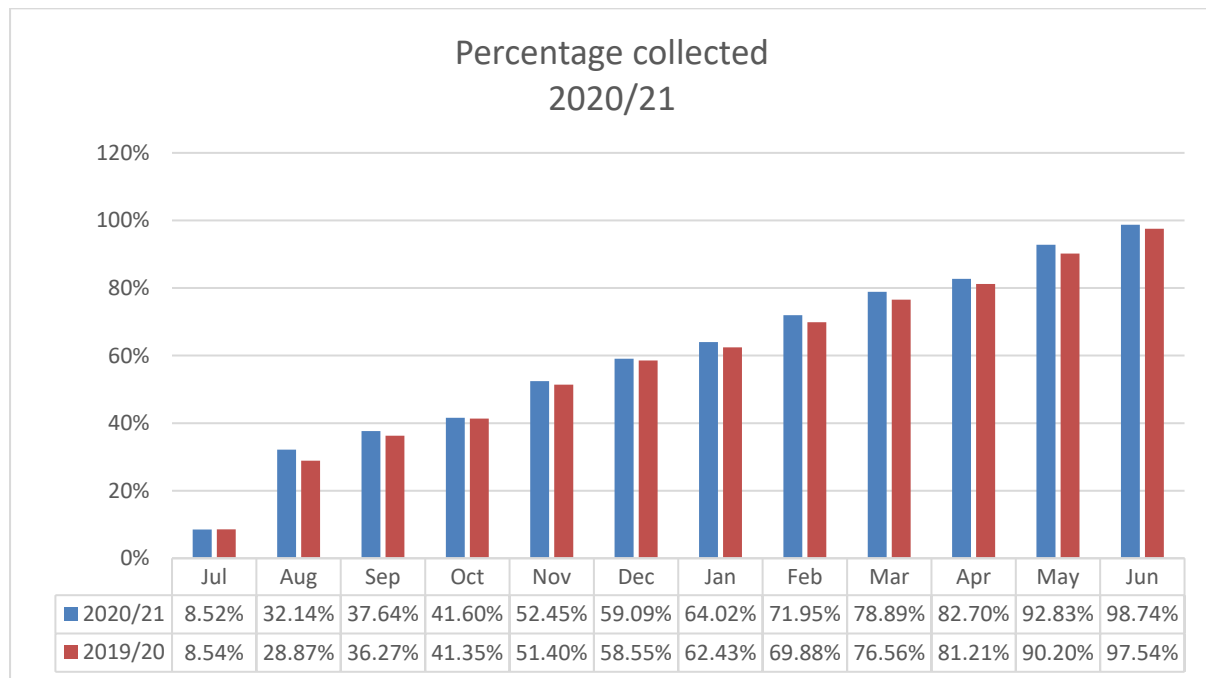
1. a more hands on approach to debt recovery by Revenue staff; and
2. increased engagement of ratepayers with large outstanding balances and the entering into suitable sustainable payment arrangements.

The adjustment made by the Water Safety Officer to align Water Consumption Notices with Rate periods over the last two years has also been successful in achieving a positive result by 30 June.

The first table below is a summary of the amounts outstanding compared to the initial 2020/21 levy. The second table below shows the amounts outstanding from each instalment

		Balances		Percentage outstanding
		Original levy	30 June 2021	
Arrears from prior levies		\$439,385.42	\$58,342.25	13.28%
Instalment	31 August 2020	\$2,536,754.37	\$18,498.40	0.73%
	30 November 2020	\$2,632,340.62	\$29,843.67	1.13%
	28 February 2021	\$2,653,404.22	\$54,535.95	2.06%
	31 May 2021	\$2,665,553.33	\$223,569.76	8.39%
Water Consumption		\$130,824.35	\$89,646.52	
Unallocated Receipts R & W		-\$71,561.16	-\$336,429.78	
Totals		\$10,986,701.15	\$138,006.77	1.26%

The chart below shows the progress in revenue collection of the 2020/2021 rates, water consumption and service charges levied throughout the financial year,



Debtors

Total outstanding debtors have decreased by \$216,531 this year, the largest decrease being in the General/Sundry/Other Debtors. The below table shows a comparison of debtor types since 30 June 2015. There are no significant concerns at this stage about any of the outstanding amounts and most should be paid throughout the financial year.

Please note also that these figures reflect balances prior to the completion of the Annual accounts, and that other debtors maybe included in the preparation of Council's annual statements.

Debtor Class	30/06/15	30/06/16	30/06/17	30/06/18	30/06/19	30/06/20	30/06/2021
General	\$281,795	\$121,406	\$429,670	\$970,628	\$148,663	\$149,207	\$87,769
Food Inspection	\$2,477	\$73	\$403	\$2797	\$218	\$73	-\$16
Half Cost Works	\$59,877	\$53,795	\$114,507	\$116,691	\$130,750	\$38,631	\$82,436
S355 Committee Loans	\$148,316	\$78,970	\$59,239	\$12,230	\$0.00	\$7,643	\$17,978
Swimming Pools	\$13,917	\$23,399	\$0	\$4,739	\$17,080	\$644	-\$142
Cemetery	\$2,595	\$1,372	\$348	\$7,106	\$6,515	\$1,882	\$640
Grants	\$51,174	\$21,822	\$337,462	\$125,065	\$361,871	\$353,352	\$145,070
Staff Debtors	\$5,034	\$351	\$423	\$856	\$368	\$3,005	\$236
Superannuation	-\$1,136	-\$480	-\$858	-\$1,075	-\$5,317	-\$4,095	-\$1,059
Land Sales	\$315,664	\$0	-\$858	\$172,000	-\$2,000	-\$1,000	\$0
Aerodrome	\$3,768	\$3,709	\$2,933	\$230	\$285	\$1,971	\$1,668
Total	\$883,480	\$305,035	\$1,031,126	\$1,411,266	\$658,432	\$551,312	\$334,781

Council Meeting

21 July 2021

8.3 Development Determinations for Month of June 2021

Report by: Executive Support Officer, Rebecca Ware

Strategic Outcome: 2. Good government

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

Report:

APPLICATIONS DETERMINED FOR JUNE 2021

Application	Description	Property Location	Applicant	Owner	Status	Value	Days Taken	
124/21/DA/D5	VERANDAH	23 EMILY STREET, TOCUMWAL NSW 2714 (Lot21//DP588306)	ALL SHEDS	MR GJ BRIERLEY	Approved 02-06-2021	\$ 27151.00	Active 97	Total 97
137/21/DA/D1	2 STOREY DWELLING & ATTACHED GARAGE	1C RIVERVIEW COURT, BAROOGA NSW 3644 (Lot1//DP1172277)	MS CONSTRUCTIONS PTY LTD	MR JA BELL AND MRS J BELL	Approved 15-06-2021	\$ 575000.00	Active 6	Total 80
178/21/DA/D9	2 LOT SUBDIVISION	37 BANKER STREET, BAROOGA NSW 3644 (Lot5/6//DP758057)	BRIAN MITSCH & ASSOCIATES	MR MG AND MRS CA SUTTON	Approved 01-06-2021	\$ 0.00	Active 34	Total 34
184/21/DA/D1	BV DWELLING & ATTACHED GARAGE	4 MOORE STREET, TOCUMWAL NSW 2714 (Lot71//DP1254608)	G J LEWIS HOMES	MR KW MOORE AND MRS MA MOORE	Approved 16-06-2021	\$ 417040.00	Active 33	Total 43
187/21/DA/D5	RESIDENTIAL STORAGE SHED	58 DENISON STREET, FINLEY NSW 2713 (LotB//DP402348)	TREVOR MCCA W	MRS KM MCCA W AND MR TR MCCA W	Approved 02-06-2021	\$ 19600.00	Active 32	Total 32
193/21/DA/D5	RESIDENTIAL STORAGE SHED	9 LA BELLE COURT, TOCUMWAL NSW 2714 (Lot8//DP1194758)	O'HALLORAN PROPERTY SERVICE	MS TA MULA AND MR MA THOMPSON	Approved 10-06-2021	\$ 25812.00	Active 32	Total 32
195/21/DA/D5	RESIDENTIAL STORAGE SHED	11 FRANKS ROAD, BAROOGA NSW 3644 (Lot121//DP1240217)	O'HALLORAN PROPERTY SERVICE	MS K M GARDINER	Approved 08-06-2021	\$ 41194.00	Active 22	Total 22
197/21/DA/D3	CHANGE OF USE TO PACKING SHED AND SITE AMENITIES/OFFICE	SILO ROAD, TOCUMWAL NSW 2714 (Lot3//DP1024841)	WILSON STOCKFEEDS	WILSON STOCKFEEDS (TOCUMWAL) PTY LTD	Approved 15-06-2021	\$ 150000.00	Active 25	Total 25
198/21/DA/D1	BV DWELLING & ATTACHED GARAGE/SWIMMIN G POOL	6 PUTTER COURT, BAROOGA NSW 3644 (Lot1011//DP1257921)	G J GARDNER HOMES	MR ML O'MEARA AND MS ML FRANZMANN	Approved 23-06-2021	\$ 640000.00	Active 15	Total 31
201/21/DA/D5	RESIDENTIAL STORAGE SHED	3051 MULWALA- BAROOGA ROAD, BAROOGA NSW 3644 (Lot92//DP1128142)	O'HALLORAN PROPERTY SERVICE	MR AC NOONAN AND MRS CL NOONAN	Approved 03-06-2021	\$ 40987.00	Active 12	Total 12

205/21/DA/D5	CARPORT	66 KELLY STREET, TOCUMWAL NSW 2714 (Lot27//DP258237)	SCOTT BUTLER	MR S G BUTLER	Approved 03-06-2021	\$ 6000.00	Active 10	Total 10
38/21/CD/M5	INGROUND FIBREGLASS SWIMMING POOL	31-32 KEOGH DRIVE, TOCUMWAL NSW 2714 (Lot38//DP1118257)	J&H POOLS	MR CJ DICKINS AND MRS MA DICKINS	Approved 04-06-2021	\$ 18880.00	Active 8	Total 8
206/21/DA/D5	RESIDENTIAL STORAGE SHED	63-65 DENISON STREET, BERRIGAN NSW 2712 (Lot8/9//DP758097)	CRAIG GLANVILLE AND KATIE ARCHER	MISS K I ARCHER AND C GLANVILLE	Approved 08-06-2021	\$ 9000.00	Active 10	Total 10
207/21/DA/D5	RESIDENTIAL STORAGE SHED	16 AVA COURT, TOCUMWAL NSW 2714 (Lot23//DP270154)	KEITH & NIELY BARON	MR K M \\ AND MRS N J BARON	Approved 21-06-2021	\$ 22000.00	Active 19	Total 19
209/21/DA/DO	RURAL SHED	853 BACK BAROOGA ROAD, BOOMANOOMANA NSW 3644 (Lot1//DP567106)	LISA RENNIE	MS L RENNIE	Approved 07-06-2021	\$ 40000.00	Active 6	Total 6
39/21/CD/M5	INGROUND FIBREGLASS SWIMMING POOL	21 KAMAROOKA STREET, BAROOGA NSW 3644 (Lot6//DP248812)	POOLSIDE COBRAM	MR S B HICKEY AND MS B G MCKAY	Approved 03-06-2021	\$ 34625.00	Active 4	Total 4
210/21/DA/D5	RESIDENTIAL STORAGE SHED	220 MURRAY STREET, TOCUMWAL NSW 2714 (Lot5//DP739735)	J & T MINTY	MR JE MINTY AND MRS MA MINTY	Approved 28-06-2021	\$ 19500.00	Active 19	Total 19
40/21/CD/M4	STUDIO	7 ARRAMAGONG STREET, BAROOGA NSW 3644 (Lot4//DP1224006)	MS CONSTRUCTIONS PTY LTD	MR M A DUNN AND MS S M DAVIDSON-DUNN	Approved 10-06-2021	\$ 41789.00	Active 1	Total 1
41/21/CD/M5	INGROUND FIBREGLASS SWIMMING POOL	47 HENNESSY STREET, TOCUMWAL NSW 2714 (Lot1//DP1211314)	POOLSIDE COBRAM	MR RJ GODDARD AND LA JACKSON	Approved 24-06-2021	\$ 55845.00	Active 7	Total 7
42/21/CD/M4	PERGOLA	3381 BAROOGA- TOCUMWAL ROAD, BAROOGA NSW 3644 (Lot1//DP880366)	D & M BOWDEN CONSTRUCTION	MR G A KEARNEY AND MRS P A KEARNEY	Approved 21-06-2021	\$ 19500.00	Active 3	Total 3
43/21/CD/M5	INGROUND CONCRETE SWIMMING POOL	36A BARINYA STREET, BAROOGA NSW 3644 (Lot2//DP1250698)	D & M BOWDEN CONSTRUCTION	MR S R MOREY	Approved 28-06-2021	\$ 19500.00	Active 6	Total 7
44/21/CD/M5	INGROUND FIBREGLASS SWIMMING POOL	728 PLUMPTONS ROAD, FINLEY NSW 2713 (Lot2//DP583368)	MCKELLARS PLUMBING	MS H M HAM	Approved 29-06-2021	\$ 62350.00	Active 0	Total 2

APPLICATIONS PENDING DETERMINATION AS AT 30/06/2021

Application No.	Date Lodged	Description	Property Location
119/20/DA/DM	21-02-2020	AMPHITHEATRE, FISHING PLATFORM & ACCESS TRACKS	TOCUMWAL NSW 2714 (LOT7002//DP1019579)
162/21/DA/D9	01-04-2021	17 LOT SUBDIVISION	100 BURMA ROAD, TOCUMWAL NSW 2714 (LOT4//DP802330)
167/21/DA/D7	06-04-2021	INGROUND FIBREGLASS SWIMMING POOL	53 COLLIE STREET, BAROOGA NSW 3644 (LOT1//DP509326)

186/21/DA/D3	16-04-2021	MILK PROCESSING FACTORY	87-123 HAMILTON STREET, FINLEY NSW 2713 (LOT118//DP752299)
189/21/DA/DM	22-04-2021	DEMOLITION OF MOTEL	11 MURRAY STREET, TOCUMWAL NSW 2714 (LOT1//DP511822)
203/21/DA/DO	19-05-2021	RURAL SHED	19-20 KEOGH DRIVE, TOCUMWAL NSW 2714 (LOT32//DP1118257)
208/21/DA/D3	26-05-2021	INSTALLATION OF 68KL UNDERGROUND LP GAS TANK	94-104 DENILQUIN ROAD, TOCUMWAL NSW 2714 (LOT117//DP752296)
211/21/DA/D5	02-06-2021	CARPORT	22 CALAWAY STREET, TOCUMWAL NSW 2714 (LOT8/16//DP758981)
212/21/DA/D5	03-06-2021	RESIDENTIAL STORAGE SHED & HOME OFFICE	46 HENNESSY STREET, TOCUMWAL NSW 2714 (LOT91//DP1162412)
213/21/DA/DM	09-06-2021	TREE REMOVAL	4 BUSHLANDS ROAD, TOCUMWAL NSW 2714 (LOT541//DP1107605)
214/21/DA/D2	16-06-2021	SHED EXTENSION	10 VERMONT STREET, BAROOGA NSW 3644 (LOTA//DP401647)
215/21/DA/D5	24-06-2021	RESIDENTIAL STORAGE SHED AND ADDITIONAL PLUMBING TO SHED	31 SNELL ROAD, BAROOGA NSW 3644 (LOT492//DP1240390)
216/21/DA/D9	25-06-2021	2 LOT SUBDIVISION	118 SILO ROAD, TOCUMWAL NSW 2714 (LOT2502//DP878298)
217/21/DA/D9	25-06-2021	2 LOT SUBDIVISION	1-3 HUGHES STREET, BAROOGA NSW 3644 (LOT3//DP1105784)
218/21/DA/DM	28-06-2021	CARPORT	300-320 MURRAY STREET, FINLEY NSW 2713 (LOT7004//DP1019585)
219/21/DA/D5	28-06-2021	RESIDENTIAL STORAGE SHED	27 HADLEY STREET, TOCUMWAL 2714 (LOT15//DP1250358)
220/21/DA/D3	28-06-2021	STORAGE FACILITY	5 WISE COURT, TOCUMWAL NSW 2714 (LOT5//DP1036181)
45/21/CD/M5	29-06-2021	ABOVE GROUND SWIMMING POOL	80 BRUTON STREET, TOCUMWAL NSW 2714 (LOT6//DP1250358)
221/21/DA/D1	30-06-2021	BV DWELLING & ATTACHED GARAGE	46 HENNESSY STREET, TOCUMWAL NSW 2714 (LOT91//DP1162412)
222/21/DA/DO	30-06-2021	RURAL SHED	572 WILTONS ROAD, BOOMANOOMANA NSW 3644 (LOT51//DP752276)
223/21/DA/D3	30-06-2021	STORAGE SHED	JERSEY STREET, TOCUMWAL NSW 2714 (LOT300//DP722009)
224/21/DA/D3	30-06-2021	WATER TREATMENT PLANT FINLEY	13 TUPPAL STREET, FINLEY NSW 2713 (LOT7008//DP1001696)
225/21/DA/D3	30-06-2021	WATER TREATMENT PLANT BAROOGA	27-29 BUCHANANS ROAD, BAROOGA NSW 3644 (LOT322//DP626847)
226/21/DA/DM	30-06-2021	SHADE SAILS	10-16 BURKINSHAW STREET, BAROOGA NSW 3644 (LOT240//DP41479)
227/21/DA/D9	30-06-2021	2 LOT SUBDIVISION	137 CHANTER STREET, BERRIGAN NSW 2712 (LOT56/B//DP2425)
228/21/DA/D5	30-06-2021	RESIDENTIAL STORAGE SHED	21 AVA COURT, TOCUMWAL NSW 2714 (LOT25//DP270154)
229/21/DA/DM	30-06-2021	ADDITIONAL USE - MICRO BAKERY	16 VERMONT STREET, BAROOGA NSW 3644 (LOT2//SP18271)

230/21/DA/D6	30-06-2021	DWELLING ADDITIONS	13 FINLEY STREET, FINLEY NSW 2713 (LOT72//DP865663)
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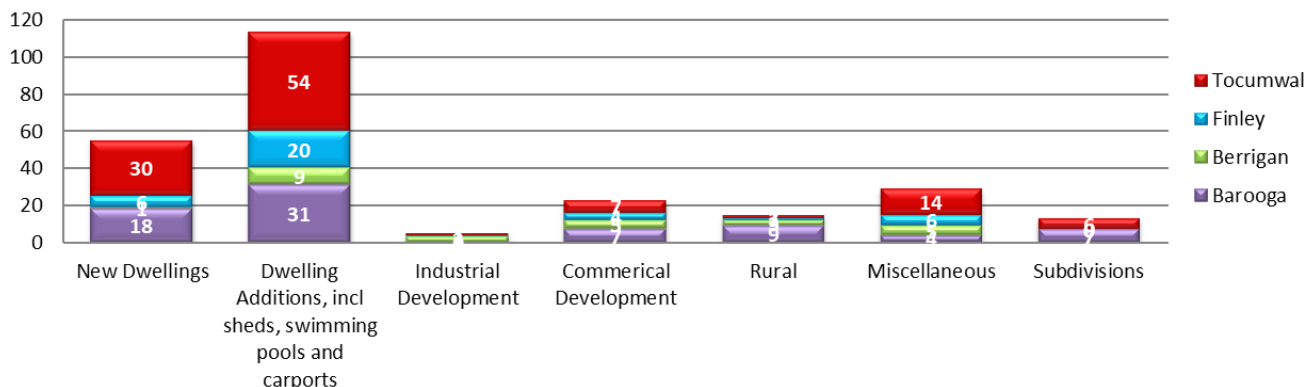
TOTAL APPLICATIONS DETERMINED / ISSUED (including modifications)

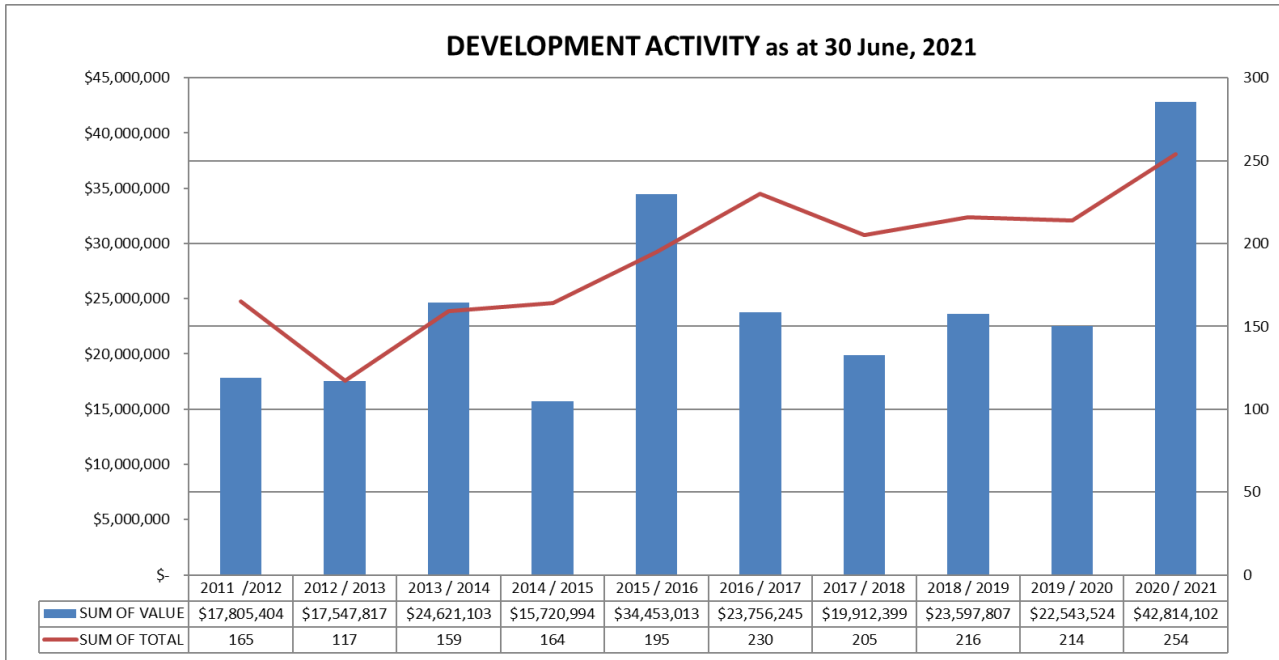
	This Month (June)	Year to Date	This Month's Value (June)	Year to Date Value
Development Applications (DA)	15	214	\$2,033,284	\$37,994,151
Construction Certificates (CC)	12	157	\$1,302,447	\$17,651,029
Complying Development Certificates (CDC)	7	40	\$252,489	\$4,819,951
Local Activity (s.68)	12	98	0	0

OTHER CERTIFICATES ISSUED FOR JUNE 2021

	s10.7(2) Planning Certificate		s10.7(5) Certificate		735A Certificate Outstanding Notices or Orders under LG Act 1993		s9.34 Certificate Outstanding Notices or Orders under EP&A Act 1979		s6.24 Building Certificate		Swimming Pool Certificate	
	JUNE	Year Total	JUNE	Year Total	JUNE	Year Total	JUNE	Year Total	JUNE	Year Total	JUNE	Year Total
BAROOGA	12	112	0	2	0	1	0	1	0	0	1	15
BERRIGAN	7	60	0	0	1	8	0	0	0	1	0	3
FINLEY	21	145	2	4	0	5	1	1	1	2	0	4
TOCUMWAL	14	193	0	4	2	3	0	1	0	1	0	19
TOTAL	54	500	2	10	3	17	0	3	1	4	1	42

DEVELOPMENT ACTIVITY 2020/2021 as at 30 June, 2021





9. CLOSED COUNCIL

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

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

The matters and information are the following:

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

9.1 Finley Residential Subdivision

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

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

It is not in the public interest to reveal the information provided in this report.

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

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

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

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

Open Council resumed at

RESOLUTIONS FROM THE CLOSED COUNCIL MEETING

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



10. COMMITTEES

11. MAYOR'S REPORT

Recommendation: That the Mayor's Report be received.



12. DELEGATES REPORTS



13. BUSINESS ARISING

14. CLOSE OF MEETING