



Council Chambers,
BERRIGAN NSW 2712

Sir/Madam,

The Ordinary Meeting of the Council of the Shire of Berrigan will be held in the **Council Chambers**, Berrigan, on **15th November, 2017** when the following business will be submitted:-

9:00AM

Public Question Time

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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 15th November, 2017

BUSINESS PAPER

1. **APOLOGIES**
Cr Ross Bodey
Cr Bernard Curtin

2. **DECLARATION OF ITEMS OF PECUNIARY
OR OTHER INTEREST**

3. **VISITORS ATTENDING MEETING**

4. **CONFIRMATION OF MINUTES**
**RECOMMENDATION – that the Minutes of the meeting held in the
Council Chambers on Wednesday 18th October, 2017 be confirmed.**

- 5.1 **FINANCE - ACCOUNTS**
AUTHOR: Finance Manager
STRATEGIC OUTCOME: Good government
**STRATEGIC OBJECTIVE: 2.1 Berrigan Shire 2027 objectives and
strategic actions facilitate the effective
governance by Council of Council
operations and reporting**

- FILE NO:**

Items requiring Council Resolution

RECOMMENDATION: - that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 October 2017, be received and that the accounts paid as per Warrant No. 10/17 totaling \$1,443,609.99 be confirmed.

REPORT:

- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 31 October 2017 is certified by the Finance Manager.
- b) The Finance Manager certifies that the Cash Book of the Council was reconciled with the Bank Statements as at 31 October 2017.
- c) The Finance Manager certifies the Accounts, including the Petty Cash Book made up to 31 October 2017, totaling \$1,443,609.99 and will be submitted for confirmation of payment as per Warrant No. 10/17
- 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) October has seen a slight decrease in total funds held at the end of September. The decrease is roughly comparable with the same period last year and represents the general pattern in cash holdings over a year.
- Total funds held are expected to increase over the November period as the second quarterly FAG instalment and rates instalments become due. Council currently has an additional \$2.8 million more in cash and investments than the same time last year, although most are already either committed or restricted funds.

Items requiring Council Resolution

Statement of Bank Balances as at 31 October 2017

Bank Account Reconciliation

Cash book balance as at 1 October 2017	\$ 1,310,900.57
Receipts for October 2017	\$ 797,157.66
Term Deposits Credited Back	\$ -
	<u>\$ 2,108,058.23</u>

Less Payments Statement No 10/17

Cheque Payments V075796 - V075799	\$ 4,276.70
Electronic Funds Transfer (EFT) payroll	\$ 477,304.16
Electronic Funds Transfer (EFT) Creditors E027453 - E027593	\$ 942,405.41
Term Deposits Invested	\$ -
Loan repayments, bank charges, etc	\$ 19,623.72
Total Payments for October 2017	<u>\$ 1,443,609.99</u>

Cash Book Balance as at 31 October 2017

\$ 664,448.24

Bank Statements as at 31 October 2017

\$ 664,448.24

Plus Outstanding Deposits

Less Outstanding Cheques/Payments

Reconciliation Balance as at 31 October 2017

\$ 664,448.24

INVESTMENT REGISTER

INSTITUTION	DEPOSIT NO.	TERM (days)	RATE	MATURITY DATE	INSTITUTION TOTAL
AMP	117/15	273	2.75%	22/12/2017	\$ 2,000,000.00
AMP	133/17	271	2.60%	28/05/2018	\$ 1,000,000.00
AMP	125/16	274	2.60%	5/06/2018	\$ 2,000,000.00
Goulburn Murray Credit Union	131/17	180	2.75%	20/11/2017	\$ 2,000,000.00
Goulburn Murray Credit Union	124/16	275	2.75%	13/01/2018	\$ 2,000,000.00
Bendigo Bank	122/16	184	2.65%	30/11/2017	\$ 2,000,000.00
Bendigo Bank	134/17	365	2.60%	13/09/2018	\$ 2,000,000.00
Bendigo Bank	128/16	365	2.60%	21/09/2018	\$ 2,000,000.00
Central Murray Credit Union	130/17	365	3.05%	1/03/2018	\$ 1,000,000.00
Central Murray Credit Union	104/14	365	2.70%	18/07/2018	\$ 2,000,000.00
Central Murray Credit Union	126/16	365	2.70%	31/08/2018	\$ 2,000,000.00
Defence Bank Limited	106/14	270	2.70%	24/12/2017	\$ 1,000,000.00
Defence Bank Limited	129/17	365	2.80%	28/02/2018	\$ 1,000,000.00
Defence Bank Limited	102/14	182	2.60%	4/04/2018	\$ 2,000,000.00
ME Bank	127/16	182	2.65%	28/11/2017	\$ 2,000,000.00
ME Bank	132/17	182	2.65%	8/01/2018	\$ 2,000,000.00
T-CORP HOURGLASS AT CALL		AT CALL			\$ -
					<u>\$ 28,000,000.00</u>

Total Funds Held at 31 October 2017

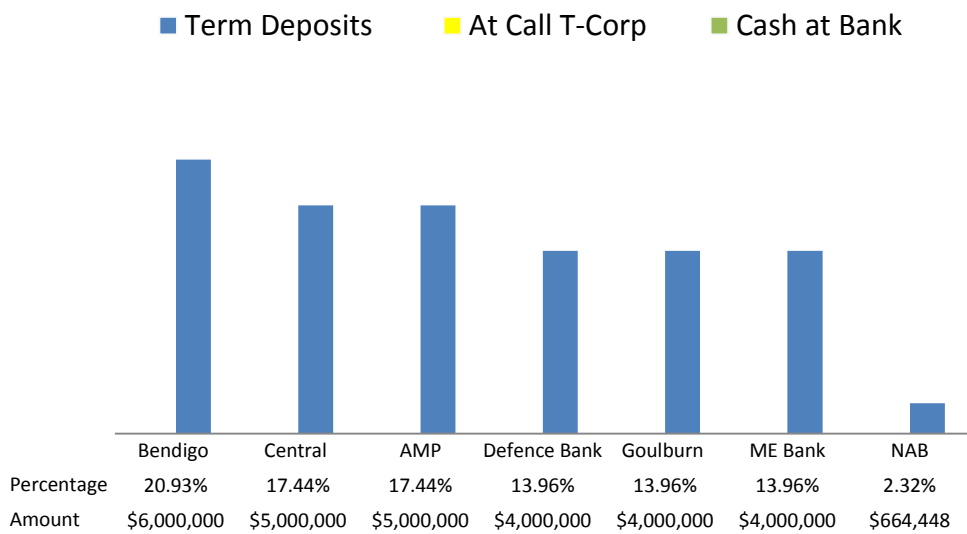
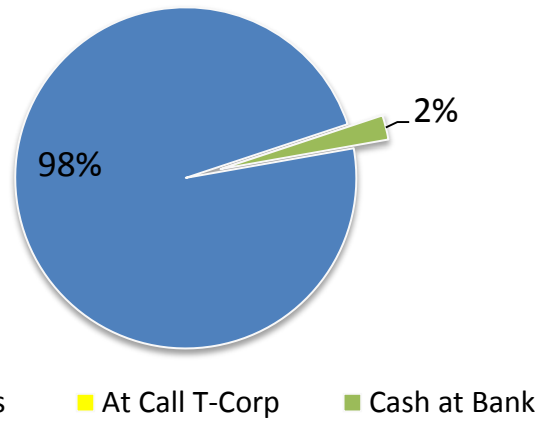
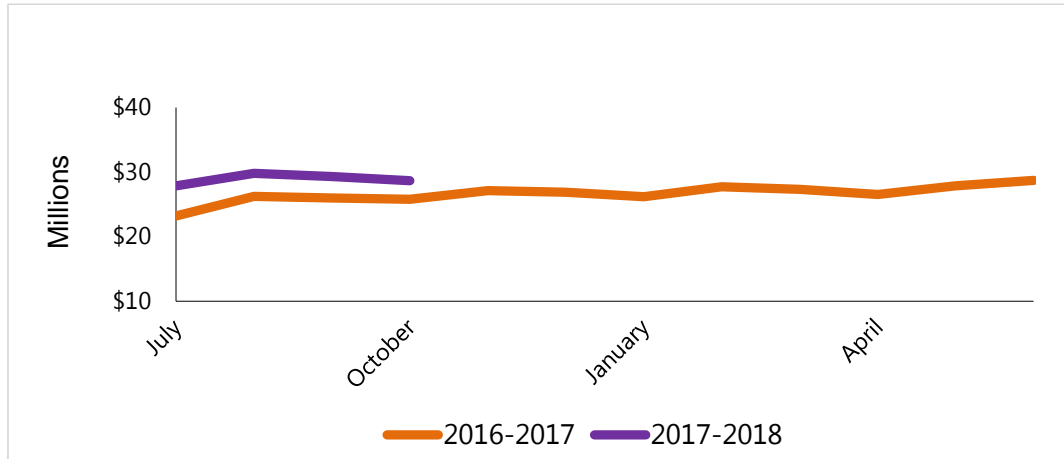
\$28,664,448.24

Carla von Brockhusen - Finance Manager

RESOLUTION

Items requiring Council Resolution

Total Cash and Investments



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Items requiring Council Resolution

Prior Financial Institution	Previous Investment			Current Financial Institution	New Investment		
	Term (Days)	Amount	Interest Rate		Term (Days)	Amount	Interest Rate
DEFENCE	183	\$2M	2.60%	DEFENCE	182	\$2M	2.60%

RESOLUTION

Items requiring Council Resolution

5.2 ANNUAL REPORT 2016 - 2017

AUTHOR: Strategic & Social Planning Coordinator

STRATEGIC OUTCOME: Good government

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

FILE NO:

RECOMMENDATION: - that the Council adopt the 2016/17 Annual Report attached as appendix "A" and formally advise the Minister for Local Government that it has been published electronically on the Council's website.

REPORT:

Each year the Council produces an Annual Report to review its performance and achievements for the past financial year. The document is designed to provide insight into the Council's operations and financial position and indicate 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 "A".

Council's Annual Report has been prepared per the Department of Local Government's Integrated Planning and Reporting Framework. The format of the report reflects that this is not a report to the Division of Local Government or the New South Wales Government; it is a report to the community.

As such it can be published and read as one complete document or five separate reports allowing readers the opportunity to focus only on the areas that are of interest to the reader. The Council also publishes and distributes each year, via unaddressed mail to households and businesses, an abridged version of the Annual Report providing a summary of the year's highlights and financial position.

In six parts the Annual Report attached as an appendix includes:

1. An introduction that provides the reader with brief overview of the Shire, its vision for the future in addition to comments from the Mayor and General Manager. The Shire Profile introduces Councillors, Councillor Management and includes information on Council meeting attendance, organizational structure, payments to Councillors and Senior Staff.

Items requiring Council Resolution

2. The Our Performance section of the draft Annual Report is where readers will find information about the highlights and challenges faced by the Council during the financial year in implementing this the third year of the Council's Delivery Program 2013 – 2017. Summary tables reporting on Council's performance against the objectives set out in the Council's Annual Operational Plan will also be found in this section.
3. Information not contained elsewhere in the report and which must be declared to meet legislated reporting requirements is the section labeled Statutory Requirements. This section is all but complete requiring the collation of companion animal data, in the coming weeks.
4. The State of our Assets Report provides information about capital works program in addition to a snapshot of Councils asset management practices and performance.
5. The section titled Financials contains as in past years a community financial report in addition to the Financial Statements for the 2016/17 Financial Year presented to the Council at its Ordinary Council meeting 19 October 2017.

The Annual Report is prepared in accordance with the statutory requirements outlined in section 428 of the Local Government Act 1993, clause 217 of the Local Government (General) Regulation 2005, the Freedom of Information Act 1989, the Privacy and Personal Information Act 1998, the Government Information Personal Access Act, 2009, the Companion Animals Act and the Companion Animals Regulation 2008.

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Items requiring Council Resolution

5.3 FINANCIAL STATEMENTS 2016/17

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 12.019.1

RECOMMENDATION: - that the Council, not having received any submissions in relation to its 2016/17 Annual Statements and having considered the reports presented by the Audit Office of New South Wales, adopt the 2016/17 Annual Statements and the Report on the conduct of the Audit.

REPORT:

The Council adopted the draft Financial Statements for public exhibition and referred them to the Auditor General of New South Wales for audit, at its ordinary meeting held on Wednesday 18 October 2017.

The Audit Office of New South Wales has provided a report on the conduct of the audit.

The report on the conduct of the audit summarises the Council's financial results, makes comparisons to previous years and identifies and explains variations. It also comments on the Council's financial performance and key balance sheet items.

In the opinion of the Auditors, all ratios remain satisfactory. The Auditors remarked that the Council continues to maintain a sustainable level of unrestricted working capital.

In particular the report on the conduct of the audit also contains General Purpose Audit Report and the Special Purpose Audit report. These are statutory reports and importantly both have been issued without any qualification. The General Purpose report relates to the consolidated financial accounts while the Special Purpose report relates to the Council's designated business units being water supplies and sewerage services.

Mr. Phil Delahunty, Principal for RSD Audit – the contractor conducting the audit on behalf of the Auditor General of NSW – attended the Council's October meeting and answered questions raised by Councillors. At this

Items requiring Council Resolution

meeting he reiterated that the Council was in a sound financial position and that he had no concerns regarding the state of the accounts.

The public exhibition period closed at 5pm Wednesday 8 November 2017 and no submissions were received. The Council can now complete the statutory process for finalising the accounts by adopting the above recommendation.

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Items requiring Council Resolution

5.4 AGENCY INFORMATION GUIDE

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 12.019.1

RECOMMENDATION: - that, pursuant to section 21 of the *Government Information (Public Access) Act 2009* the Council adopt the Agency Information Guide attached as appendix "B".

REPORT:

The *Government Information (Public Access) Act 2009* (GIPA Act) provides a range of obligations on the Council – and all NSW Government instrumentalities – regarding the provision of information to the public.

One of the obligations the Council is required to meet is to "adopt" an Agency Information Guide. The Agency Information Guide must be published on the Council's website.

Section 20 of the GIPA Act states:

(1) An agency (other than a Minister) must have a guide (its "agency information guide") that:

(a) describes the structure and functions of the agency, and

(b) describes the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public, and

(c) specifies any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the exercise of the agency's functions, and

(d) identifies the various kinds of government information held by the agency, and

(e) identifies the kinds of government information held by the agency that the agency makes (or will make) publicly available, and

Items requiring Council Resolution

(f) specifies the manner in which the agency makes (or will make) government information publicly available, and

(g) identifies the kinds of information that are (or will be) made publicly available free of charge and those kinds for which a charge is (or will be) imposed.

(2) An agency must make government information publicly available as provided by its agency information guide.

Further information on the Agency Information Guide is available on the [Information and Privacy Commission website](#)

Section 21 of the Act requires that the Agency Information Guide be adopted at periods of no less than 12 months (i.e. at least annually).

While the Act uses the term “adopt” this does not mean “adopt” in the sense of “pass by voting” as most of the bodies covered under the Act cannot make resolutions. Instead, it means to “take on for use”. However, it would be more straightforward and transparent to demonstrate compliance with the Act by adopting it by resolution of the Council.

The Agency Information Guide was last adopted by the Council in November 2016. The only changes made in this review reflect changes to Council office bearers or are otherwise cosmetic.

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Items requiring Council Resolution

5.5 INTEGRATED PLANNING TIMETABLE

AUTHOR: Strategic & Social Planning Coordinator

STRATEGIC OUTCOME: Good government

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

FILE NO: 04.121.4

RECOMMENDATION: - that the Council adopt the following timetable to complete its review of the Community Strategic Plan and the development of its suite of Integrated Plans for implementation in the 2017-2016 financial year:

1. Week beginning 4 December 2017 Capital Works inspection tour conducted.
2. 3 January 2018 Council Officers commence a review of the base case for the Long Term Financial Plan which will include a working draft of the Capital Works Program
3. Week beginning 29 January 2018 2-day Corporate Workshop which will include:
 - a. Overview of Resourcing Strategy (Long-term Financial Plan, reviewed Asset Management Strategy, and reviewed Workforce Development Plan).
 - b. Councillor comment on Council Officers' review of the Resourcing Strategy and base case scenario assumptions used for internal review of the Long Term Financial Plan,
 - c. Identification of priority projects for further scoping and consideration and inclusion in the Annual Operational Plan 2018 – 2019.
4. 21 February 2018 the Council to adopt its draft Capital Works Program.
5. 14 March 2018 Ordinary Council Meeting
 - a. Reviewed Delivery Program 2017 – 2021 presented to the Council for initial comment.
6. 17 April 2018 Council to
 - a. Review Draft Operational Plan 2018 - 2019
 - b. Review Draft Rating and Revenue Policy 2018 – 2019; and

Items requiring Council Resolution

- c. Review Draft Fees and Charges 2018 – 2019.**
- 7. 16 May 2018 endorse for public exhibition and comment the reviewed**
 - a. Resourcing Strategy 2017 – 2027 inclusive of**
 - i. Long Term Financial Plan 2017 – 2027;**
 - ii. Workforce Development Plan 2017 – 2021; and**
 - iii. Asset Management Strategy 2017 – 2027.**
 - b. Reviewed Delivery Program 2017 – 2021.**
 - c. Draft Annual Operational Plan 2018 – 2019.**
 - d. Draft Rating and Revenue Policy 2018 – 2019.**
 - e. Draft Fees and Charges 2017 – 2018.**
- 8. 20 June, 2018 adopt all of the above as**
 - a. Its final suite of Integrated Plans inclusive of the Community Strategic Plan; and**
 - b. Set 2018 - 2019 rates and charges by resolution.**

REPORT:

Historically, at the November Council meeting the Council considers the process and parameters to progress and finalise for the upcoming financial year the review of its Integrated Plans.

Set out in the above recommendation is what appears to be a logical process that draws together all of the components in this process. The development of these dates ensures that Council Officers have clear timeframes for the completion of the many elements required by the Integrated Planning and Reporting process and which are reflected on a day to day basis by Council's commitment to its Capital Works Program and Recurrent Operations.

Whilst the above has been suggested there may be a need to vary the suggested timeframes as the process unfolds. For immediate Council consideration is agreement on a date for the Capital Works tour and scheduling of the Corporate Workshop. The Capital Works tour provides the Council with an overview of works scheduled in its current Program of works and to highlight projects identified by Council Officers as needing consideration by the Council for subsequent inclusion a draft Capital Works Program.

Council Officers would also benefit from some guidance from the Council on likely projects and topics in addition to the aforementioned program and agreement on the Corporate Workshop date.

Items requiring Council Resolution

5.6 INVESTMENT POLICY

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 12.024.2

RECOMMENDATION: - that the Council:

- revoke Policy 14 “Investment Policy” adopted on 21 September 2016; and
- adopt the Investment Policy set out below.

INVESTMENT POLICY

File Reference No: 12.024.2

Strategic Outcome: Good government

Date of Adoption: 15/11/2017

Date for Review: 21/11/2018

Responsible Officer: Director Corporate Services

1. POLICY STATEMENT

In order to meet future financial commitments, Berrigan Shire Council retains cash that it has no plans to spend in the immediate future. To make better use of this cash and to retain its future value, the Council will invest these spare funds – in line with legislation and other legal requirements.

This policy is made under section 625 of the *Local Government Act 1993* (the Act) and in accordance with the Ministerial Investment Order published in the Government Gazette of 12 February 2011 and Office of Local Government Circular 17-29.

2. PURPOSE

The purpose of this policy is to provide a framework for the investing of Council’s funds at the most favourable rate of interest available to it at

Items requiring Council Resolution

the time whilst having due consideration of risk and security for that investment type and ensuring that its liquidity requirements are being met.

While exercising the power to invest, consideration is to be given to the preservation of capital, liquidity, and the return of investment.

The Council's Financial Strategy 2016 commits the Council to the following action:

Maintain the existing Investment Policy settings prioritising preservation of capital over investment return.

Preservation of capital is the principal objective of the investment portfolio. Investments are to be placed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.

Investments should be allocated to ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring the risk of significant costs due to the unanticipated sale of an investment.

Investments are expected to achieve a market average rate of return in line with the Council's risk tolerance.

3. SCOPE

This policy applies to all Council officers with responsibility for the investment of Council's funds.

4. OBJECTIVE

This policy is developed to assist the Council with Delivery Plan Objective 2.1.3.1:

Coordinate Council investments, financial management, financial operations and processing

5. DEFINITIONS

Credit risk – the risk that an institution or a product the Council has invested in fails to pay the interest and/or repay the principal of an investment;

Market risk – the risk that the fair value or future cash flows of an investment will fluctuate due to changes in market prices;

Items requiring Council Resolution

Liquidity risk – the risk the Council is unable to redeem the investment at a fair price within a timely period; and

Maturity risk – the risk relating to the length of term to maturity of the investment – the longer the term, the greater the length of exposure and risk to market volatilities;

Preservation of Capital – the requirement for preventing losses in an investment portfolio's total value (considering the time value of money);

Diversification – setting limits to the amounts invested with a particular financial institution or government authority to reduce credit risk;

Liquidity – ensuring that funds are available in a timely manner to meet the Council's cash flow requirements without the unanticipated, and potentially disadvantageous, sale of investment products.

6. POLICY IMPLEMENTATION

6.1 Delegation of authority

Authority for implementation of the Investment Policy is delegated by Council to the General Manager in accordance with the *Local Government Act 1993*.

The General Manager may in turn delegate the day-to-day management of Council's investments to the Responsible Accounting Officer, or to other Officers. This is subject to regular review.

Officers' delegated authority to manage Council's investments shall be recorded in line with the Council's standard procedures regarding delegations.

Officers with delegated authority under this policy will be required to acknowledge they have received a copy of this policy and understand their obligations in this role.

6.2 Prudent person standard

The investment will be managed with the care, diligence and skill that a prudent person would exercise. As trustees of public monies, officers are to manage Council's investment portfolios to safeguard the portfolio in accordance with the spirit of this Investment Policy, and not for speculative purposes.

6.3 Ethics and Conflicts of Interest

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio.

Items requiring Council Resolution

Councillors and Officers are obliged to act in accordance with the Council's Code of Conduct and comply with the Council's procedures for declaring gifts and actual or perceived conflicts of interest.

Independent advisors are also required to declare that they have no actual or perceived conflicts of interest. Dealings between the Council and an independent advisor will be in line with the Council's Statement of Business Ethics.

6.4 Approved investments

Investments are limited to those allowed by the most current Ministerial Investment Order that has been issued by the NSW Minister for Local Government.

6.5 Prohibited investments

In accordance with the Ministerial Investment Order, this investment policy prohibits but is not limited to any investment carried out for speculative purposes including:

- Derivative based instruments;
- Collateralised Debt Obligations (CDOs);
- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Stand-alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind.

This policy also prohibits the use of leveraging (borrowing to invest).

6.6 Local economic benefit

The Council will give consideration to investment products from institutions that provide a direct economic benefit to the Berrigan Shire community. This may include:

- Institutions that operate a retail branch in the Shire
- Institutions specifically established for the purpose of investing in the local area including the Berrigan Shire, such as local credit unions.

This is conditional upon the Council complying with its other obligations under this policy and the achievement of comparable investment security and rates of return. Any such consideration will be in line with the Council's obligations under legislation and its purchasing policies and procedures.

Items requiring Council Resolution

6.7 Risk management

In accordance with the Council's Risk Management Policy and Framework, the Council should minimise risks and encourage and promote transparency and good governance.

Risks will be assessed with resultant investment decisions authorised by the General Manager, or in accordance with Delegated Authority.

Controls will be integrated into investment management strategies which recognise these risks:

- Credit risk
- Market risk
- Liquidity risk
- Maturity risk

When addressing these risks the Council and its officers will consider the following key principles:

- Preservation of Capital
- Diversification
- Liquidity

In addition to employing controls to reduce counterparty risk, management and operational controls for corruption prevention will be employed, which include:

- Fraud Control measures as identified in the Council's Fraud Control Policy and associated plans.
 - Compliance with the Council's Code of Conduct
 - The use of the Council's Gift and Conflict of Interest Disclosure procedures
 - Reference to the Internal Reporting Policy.
 - Monthly reporting to the Council
 - External Auditing

6.8 Investment advisor

The Council may, from time to time, appoint a consultant to provide independent advice on the Council's investment strategy or on individual investment products. Independent advisors must be licenced by the Australian Securities and Investment Commission and must be appointed by resolution of the Council.

The advisor must be an independent person who has no actual or potential conflict of interest in relation to investment products being recommended and is free to choose the most appropriate product within the terms and conditions of the investment policy. This specifically

Items requiring Council Resolution

excludes the appointment of advisors that receive commissions from providers of investment products likely to be reviewed or recommended.

The independent advisor is required to provide written confirmation that they do not have any actual or potential conflicts of interest in relation to the investments they are recommending or reviewing, including that they are not receiving any commissions or other benefits in relation to the investments being recommended or reviewed.

The requirement for advisors to be independent and declare any conflict of interests does not apply where the Council is seeking investment advice from the NSW Treasury Corporation as per Office of Local Government Circular 17-29.

6.9 Measurement

The Council will measure and report on its investments to the Council on a market value basis. The market value is to be assessed at least once a month to coincide with the monthly Investment Report.

For the purpose of the annual financial statements, investments will be valued in line with Australian Accounting Standards and the Local Government Code of Accounting Practice and Financial Reporting

6.10 Benchmarking

Performance benchmarks can be established and should be based on sound and consistent methodology. When determining benchmarks, consideration should be given to the Council's risk profile and liquidity requirements.

Benchmarks will be determined by the Council on an as-needs basis but reviewed no less than annually as part of the Council's budget process.

Performance against benchmarks will be included in a monthly report to the Council.

6.11 Reporting and reviewing of investments

Documentary evidence must be held for each investment and details thereof maintained in an Investment Register.

The documentary evidence must provide Council legal title to the investment.

Certificates must be obtained from the financial institutions confirming the amounts of investments held on the Council's behalf as at 30 June each year and reconciled to the Investment Register.

Items requiring Council Resolution

All investments are to be appropriately recorded in Council's financial records and reconciled at least on a monthly basis.

A monthly report will be provided to Council. The report will detail the investment portfolio in terms of performance, percentage exposure of total portfolio, maturity date and changes in market value.

6.12 Policy review

This Investment Policy will be reviewed by the Council no less than annually. It will also be reviewed as required in the event of legislative changes.

The Investment Policy may also be amended as a result of other events that provide the Council with opportunities that are to the advantage of the Council and in the spirit of this policy.

Any amendment to the Investment Policy must be by way of Council resolution.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Compliance

All investments are to comply with the following

- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- *Ministerial Investment Order*
- *Local Government Code of Accounting Practice and Financial Reporting*
- Australian Accounting Standards
- Office of Local Government Circulars

7.2 Relevant Council documents

- Long Term Financial Plan
- Financial Strategy 2016
- Fraud Control Policy
- Fraud Control Plan
- Risk Management Policy and Framework
- Code of Conduct
- Internal Reporting Policy
- Statement of Business Ethics

Items requiring Council Resolution

REPORT:

The Council, in its role as trustee of public monies, has a responsibility to prudently invest its surplus funds. To provide guidance to Council staff when investing Council funds, the Council has an Investment Policy. The policy complies with the Ministerial Investment Order issued in February 2011.

This policy is required to be reviewed annually. It was last reviewed in September 2016.

As well as its Investment Policy, the Council's powers to invest in specific investment products are restricted by the Ministerial Investment Order.

The policy sets out the principles that the Council will use when investing surplus funds, lists any restrictions placed on specific types of investments and sets some requirements for reporting on investments to the Council. The policy addresses the risks to the Council as a result of its investments in line with the Council's Risk Management Policy and Framework.

The Council has traditionally taken a very conservative investment position and this is reflected in the proposed policy. The policy states that the Council's principal objective is the preservation of capital with investment return a lower priority.

The only substantial change in the policy is in Clause 6.8 to allow the Council to seek investment advice from NSW Treasury Corporation without requiring independence or written confirmation that no actual or perceived conflicts of interests exist – i.e. the Council can now seek and act on advice from NSW Treasury Corporation about investing with them.

The proposed policy is only cosmetically different from the existing policy – minor formatting changes and the like. It would not require any changes to the Council's current investment portfolio.

Other than cash held for current expenditure, the Council's existing investment portfolio is solely made up of term deposits held with organisations listed as authorised deposit-taking institutions by the Australian Prudential Regulation Authority.

The Council may wish to consider modifying the section of the proposed policy relating to "Local Economic Benefit" following the closure of the NAB branch in Berrigan and the Council's decision to operate an agency of the Bendigo Bank at the Council administration office.

The Council currently has around \$28m under investment at present.

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Items requiring Council Resolution

**5.7 BERRIGAN SHIRE LOCAL HERITAGE FUND
2017/2018**

AUTHOR: Town Planner

STRATEGIC OUTCOME: Sustainable natural and built landscapes

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

FILE NO: 26.128.2

RECOMMENDATION: that the Council offer grants of:

1. \$3,334.00 to Mr John and Ms Beris Strelec for rebuilding and restoring the balcony and repainting the façade at The Royal Hotel, 61-71 Jerilderie Street, Berrigan.
2. \$3,334.00 to Ms Christelle Pearse for restoration and exterior painting of the Old Bank, 2-6 Murray Street, Tocumwal.
3. \$3,334.00 to Ms Amy Batten for repairs and maintenance to the Berrigan RSL Building, 60-70 Jerilderie Street, Berrigan.

REPORT:

Following the call for applications for the Local Heritage Fund 2017/2018 involving publication of notices in the Council Bulletin & local papers, three applications were received. Upon assessment in accordance with NSW Office of Environment and Heritage Guidelines it is recommended that these applications for financial grants be issued.

The guidelines incorporate consideration of a number of factors including whether the property is heritage listed or located in a conservation area, project scope and whether there is a long term plan in place, access to funding in previous years, the quality of the application and the heritage conservation value of the proposed works.

The applications are summarised below:

1. Rebuilding and restoring a hotel's balcony and repainting its façade.

Applicant: Mr John & Ms Beris Strelec
Address: 61-71 Jerilderie Street, Berrigan
Proposed Works: The balcony of the Royal Hotel needs to be partially re-built / restored. The entire façade needs re-painting.

Items requiring Council Resolution

Costs: \$10,000.00
Grant Sought: \$5,000.00
Comment: The owners of the hotel wish to improve the appearance of the building. The proposed works will attract tourism to the local area, as well as compliment the recent repainting of the Belmont Building (G.K McCarthy Solicitors). The building is an item of Heritage in Schedule 5 of the *Berrigan Local Environmental Plan 2013* and is within the Berrigan Heritage Conservation Area.

2. Restoration and exterior painting of the Old Bank, Tocumwal.

Applicant: Ms Christelle Pearse
Address: 2-6 Murray Street, Tocumwal
Proposed Works: Painting of Old Bank's exterior to enhance appearance.
Costs: \$13,321.00
Grant Sought: \$5,000.00
Comment: This application is for repainting of the existing painted surfaces of the Old Bank, which is heritage listed in Schedule 5 of the *Berrigan Local Environmental Plan 2013* and within the Tocumwal Heritage Conservation Area. It includes the fascias, gutters, chimneys, windows, doors and front façade in heritage colours. Overall, this application is timely, as the building is in a prominent position within the town and is currently in need of some maintenance. Finally, the repainting will contribute to the Heritage Value of the Building.

3. Restoration of the RSL Building, Berrigan.

Applicant: Ms Amy Batten
Address: 78 Jerilderie Street, Berrigan
Proposed Works: Conduct repairs and maintenance to enhance appearance
Costs: \$10,500.00 – 12,000.00
Grant Sought: \$5,000.00
Comment: This application involves the restoration of the building to a safe and usable condition. Completion of the proposed works will allow for greater access to the building, which will attract tourism. It is also hoped that school students will be able to visit the building to become more aware of the local history. The building is highly visible within the Berrigan heritage conservation area, especially as it within close vicinity to the main intersection of the two major roads which run through Berrigan. The building is also an item of Heritage in Schedule 5 of the *Berrigan Local Environmental Plan*.

Items requiring Council Resolution

Conclusion

Having assessed the applications in accordance with NSW Office of Environment and Heritage guidelines it is recommended that grants of:

1. \$3,334.00 be offered to Mr John and Ms Beris Strelec for rebuilding and restoring the balcony and repainting the façade at The Royal Hotel, 61-71 Jerilderie Street, Berrigan.
2. \$3,334.00 be offered to Ms Christelle Pearse for restoration and exterior painting of the Old Bank, 2-6 Murray Street, Tocumwal.
3. \$3,334.00 be offered to Ms Amy Batten for repairs and maintenance to the Berrigan RSL Building, 60-70 Jerilderie Street, Berrigan.

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Items requiring Council Resolution

5.8 BAROOGA COMMUNITY BOTANICAL GARDEN COMMITTEE OF MANAGEMENT

AUTHOR: General Manager

STRATEGIC OUTCOME: Good government

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

FILE NO: 12.174.4

RECOMMENDATION: - that the Council:

- A) revoke existing members of the Barooga Community Botanical Garden Committee of Management.
- B) pursuant to Section 355 of the Local Government Act, 1993, appoint the following persons to the Barooga Community Botanical Garden Committee of Management:

President: Lynn Knight
Secretary: Jan Cullen
Treasurer: Vanessa Ranken
Committee: G Backhouse
R Wright
G Knight
R Wright
S Harris
M Nixon
J Bruce
R Burnett
C Wigg
M Burnett
G Cullen
W Wright
I Twigg

REPORT:

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

RESOLUTION

Items requiring Council Resolution

5.9 DEVELOPMENT APPLICATION 53/18/DA/DM-M: MODIFICATION TO 115/17/DA/DM – CHANGE OF USE: RESIDENTIAL STORAGE SHED TO FITNESS STUDIO

AUTHOR: Town Planner

STRATEGIC OUTCOME: Sustainable natural and built landscapes

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

FILE NO: 53/18/DA/DM-M

RECOMMENDATION: that the Council refuses Development Application 53/18/DA/DM-M for a Modification to 115/17/DA/DM – Change of Use: Residential Storage Shed to Fitness Studio:

REPORT:

History

On 11 April 2017, Council received an application for a Change of Use of a new residential storage shed into a Fitness Studio for a personal training business in response to a complaint regarding excessive noise emanating from the property. At the time, the applicant stated that majority of business hours would be between 9am to 6:30pm Monday – Friday, with the exception of 4 mornings a week where a session was to be held from 6am to 7am. Music was going to be played during the training sessions, which was from an LG mini hi-fi stereo (230w). Occasionally, a training session would occur on the outside lawn area, mainly for running purposes. Given the nature of the business, all direct neighbouring properties were notified of the application. Council received one formal written submission opposing the development. Accordingly, Council staff assessed the application and recommended approval, subject to 4 conditions. At the Ordinary Council Meeting on 17 May 2017, Council approved the Development Application subject to the recommended conditions (see Appendix “D”).

Site

The subject site is located at 26 Falkiner Street, Tocumwal which is also identified as Lot 12 on Deposited Plan 591886 and is 721.7m². The site would be generally considered as a standard residential block, which has been improved by the construction of a residential dwelling and an older storage shed prior to Council records. In late September 2016, Council also approved a new (secondary) storage shed, approximately 70m² in size, which the applicant received a Final Occupation Certificate in February 2017. The

Items requiring Council Resolution

subject property is located approximately 700m south-west of the central business district of Tocumwal, and is situated 125m north of the Tocumwal Creek. The lot surrounded entirely by established residential dwellings, however further along Falkiner Street is the Tocumwal Catholic Church and Primary School. The site is located within Zone RU5 – Village Zone under the provisions of the *Berrigan Local Environmental Plan 2013* (BLEP 2013). Below is an aerial photo showing the site and neighbouring properties.



Figure 1 – Aerial Photo showing subject site and neighbouring properties

Proposal

This application is for a modification to the original Development Consent issued after approval was given at the May Ordinary Council Meeting. In particular, Condition #3 – Permitted Hours of Operation stated that “Operation of the studio shall be carried out only between the hours of 7.00am and 6.30pm Monday to Friday inclusive. No activity shall be carried out on Saturdays, Sundays and public holidays”.

Given the growth of clientele for the applicant’s personal training business between when the consent was issued to now, the applicant is now asking for a modification to the hours of operation. In particular, the requested new hours of operation are:

- Monday to Friday: 6:00am – 7:30pm
- Saturday & Sunday: 10:00am – 1:00pm

These hours of operations will allow the applicant to be able to run their business whilst being “around 3 small children”. The applicant is also hoping

Items requiring Council Resolution

to partner with a number of different groups in the township of Tocumwal including Active Farmers. Further information and justification about the proposal can be found in Appendix "E".

Assessment

There are a number of potential impacts related to a proposal of this type which must be addressed:

- **Relevant *Berrigan Local Environmental Plan 2013* provisions**

1. Objectives of the Zone

2. One of the main objectives of the RU5 – Village Zone is to ensure there are opportunities for economic development, whilst also enhancing and maintaining the unique village character of Berrigan, Barooga, Finley and Tocumwal. This development will provide an additional business at the site which will assist in economic development. However, the extension of hours will have a dramatic impact on the unique residential character of Falkiner Street

3. **Community / Public Participation**

Given that the previous Development Application 115/17/DA/DM required Community Consultation, the Modification applicant also requires consultation of immediate neighbouring properties. Notification was given to the residents of the neighbouring properties on 25 October 2017 to make them aware that the development may affect their property. The notification period was open for 14 days. Council received four submissions objecting to the development, with one submission from a neighbouring resident in support.

Summary of Formal Submissions

Neighbouring Resident 1 objected on the grounds that an extension of hours would increase activity which seriously affected quiet enjoyment. The resident has lodged complaints about the noise and traffic since the business started up, and believed that the original hours should remain.

Neighbouring Resident 2 objected on a number of grounds. These mainly included traffic generation and car parking, given cars could continuously come and go which would offer no respite.

Neighbouring Resident 3 objected on the grounds of noise and car parking.

Neighbouring Resident 4 objected on a number of grounds, which included disruption to quiet neighbourhood given that the business is unsuitable for that location. The resident also complained about the traffic generation and car parking situation. Their submission included photos of cars which were parked outside the permitted hours on September 8, 2017 at 6:26am (See Appendix "F"). Additionally, the resident advised that some of the clients bring their children, ranging in ages from toddlers to 10-year-old and up. Whilst the mothers are doing workouts, in the shed, the children are playing in the back

Items requiring Council Resolution

yard, the driveway, and occasionally on the road. The noise level ramps up with up to ten kids shouting, playing and screaming (as kids do) as the children appear to be unsupervised. It becomes a fitness studio and a nursery. The resident is concerned for the children's safety.

Finally, Neighbouring Resident 5 supported the extended hours. The neighbouring resident advised that they were not bothered by the cars on the nature strip and that the noise was not obtrusive. Secondly, they believed that the business was providing something positive to the community and was frustrated and upset by the other neighbouring complaints.

Response to Submissions

Given the benefit of being able to witness the impact on the existing character of Falkiner Street since the operation of the business, it is evident that the development causes a negative impact on other neighbouring residents. Council has taken into account the amount of traffic generation and car parking required during training sessions. Whilst the applicant has stated that clients have stated to park around near Kelly's Pub and walk to the site, this only moves the car parking issue to another location.

Secondly, the Council acknowledges that children congregating during class times, with no formal supervision, are a significant issue. The applicant has failed to advise Council how supervision of the children takes place.

As far as the extension of operating hours, such request does not comply with Division 7 of the *Protection of the Environment Operations (Noise Control) Regulation 2017* (NSW), which states that 'a person must not cause or permit any musical instrument or electrically amplified sound equipment to be used on residential premises in such a manner that it emits noise that can be heard within a habitable room in any other residential premises before 8:00am and after 10:00pm (on days other than weekends or public holidays). Therefore, Council reaffirms its previous conditions of consent regarding hours of operation and soundproofing.

Conclusion

In assessing this development application, the relevant parts of Section 79C of the *Environmental Planning and Assessment Act 1979* have been taken into account. It is clear that the proposed modification to Consent 115/17/DA/DM is not suitable given the impact to the existing built environment. The submissions received outlining the negative impacts surrounding noise generation; traffic generation and car parking have been noted and have been taken into account. Accordingly, an extension of hours of operations, at this particular site, would not be in the public's interest.

Recommendation

Given the above reasoning, is considered that this proposal should be refused, and that the conditions of consent regarding Sound Proofing of the

Items requiring Council Resolution

Shed and Hours of Operation as found in Development Consent 115/17/DA/DM should be reaffirmed.

RESOLUTION

Items requiring Council Resolution

5.10 DOCUMENTS FOR SIGNING AND SEALING

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Diverse and resilient business

STRATEGIC OBJECTIVE: 4.1 Strengthen and diversify the local economy and invest in local job creation and innovation

FILE NO: 1.145.1

RECOMMENDATION: that the Council sign and seal the lease with Scanclear Pty Ltd for the lease of the Finley Saleyards Complex

REPORT:

The Council has been in negotiation with the current lessee of the Finley Saleyards Complex for some time.

A renewed lease has now been agreed upon and can be signed and sealed by the Council.

The lease is for a five year term with an option to renew for a further five years. Rent is payable based on turnover.

A copy of the lease is attached as Appendix "G".

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Items requiring Council Resolution

**5.11 MODEL CODE OF CONDUCT –
CONSULTATION DRAFT**

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO:

RECOMMENDATION: - that the Council delegate to the General Manager the making of a submission on behalf of the Council on the Consultation Draft of the Model Code of Conduct and the Procedures for the Administration of the Model Code of Conduct

REPORT:

The Office of Local Government (OLG) has released consultation drafts for a revised Model Code of Conduct and the associated Procedures. These consultation drafts are attached as Appendix “H” and Appendix “I”.

OLG are seeking submissions from Councils, Councillors and other stakeholders on the consultation drafts by Monday 4 December, 2017.

The main changes to the Model Code relate to the Phase 1 amendments to the *Local Government Act 1993* and the *Local Government (General) Regulation 2005* that incorporated all of the pecuniary interest provisions of those instruments into the Model Code.

Other changes include new provisions that are designed to improve ethical standards more effectively, deter non-compliance and lead to improved transparency and accountability.

Overall, the new Model Code is more prescriptive and will place additional reporting and accountability responsibilities on Councillors, Council staff and other Council officials.

The Model Code has also lifted large sections of the Local Government Act and other Acts such as the Government Information (Public Access) Act and the Work Health and Safety Act and incorporated them into this Code. This has the potential to create further problems when these Acts are changed – requiring a change to the Model Code.

Items requiring Council Resolution

Below is a table outlining the proposed changes and a comment from Council staff about each change. This may be used as the basis for a submission to OLG.

Clause	Title	Change	Comment
General Conduct Obligations			
3.1 – 3.2	General conduct	Rewording of general conduct requirements. Broadening of statutory responsibilities to include not just Local Government Act but all Council statutory requirements	This change is reasonable and could be supported
3.3 -3.5	Fairness and equity	Clause deleted – “You must treat others with respect at all times” New clause – inclusion of a good faith defence regarding breaches of fairness and equity obligations	This change is reasonable and could be supported
3.6 – 3.7	Harassment and Discrimination	“Discriminate” has been more closely specified as “improperly discriminate” Harassment is defined for the purposes of the Code	This change is reasonable and could be supported The definition is very broad but reasonably standard. The Council may wish to consider whether “offends” should be included in the definition.
3.8 - 3.11	Bullying	Bullying is included in the Model Code.	The definition of bullying is much broader that that used in the Council’s Bullying and Harassment policy That said, this list of items that are not considered bullying is reasonable and could be supported

RESOLUTION

Items requiring Council Resolution

Clause	Title	Change	Comment
3.12	Work Health and Safety	Inclusion of Work Health and Safety requirements	Does this really need to be included in the Code of Conduct?
3.13 – 3.16	Land use planning, development, assessment and other regulatory functions	Expanded to include all regulatory decisions not just the development assessment process Requirement to keep a written record of all meetings and communications with applicants and objectors to planning applications. Duty of Councillors to disclose in writing any meetings or communications	This appears draconian on first glance and would make meetings like the recent ones regarding Strawberry Fields difficult to hold. A one-size-fits-all rule not appropriate for this Council
3.21 to 3.24	Obligations in regard to meetings	Taken from the Local Government (General) Regulation and expanded. Clause 3.24 addresses some recent meeting procedure games played in larger Councils split on political lines.	This could be supported
Pecuniary Interests			
4.1 to 4.5	What is a pecuniary interest?	Similar to previous definition. Allows for some common sense exclusions such as insignificant pecuniary interests, membership of groups where no benefit is derived and interests of which you are unaware	This could be supported

Items requiring Council Resolution

Clause	Title	Change	Comment
4.6 -4.7	What interests do not have to be	<p>A full listing of what conflicts do not need disclosure including but not limited to interests</p> <ul style="list-style-type: none"> • As an elector • Regarding Mayoral and Councillor allowances and facilities • Public goods and services • As a member group representative on a Council committee • As an ordinary member of a club, group or company 	<p>This is welcome, clears up a lot of confusion and could be supported</p>
4.8-4.13	What disclosures need to be made by a designated person	<p>Taken from the Regulations other than the matter of where the General Manager has a conflict</p>	<p>The requirements previously included in the Regulation have been moved here. The definition of a designated person has not changed.</p> <p>The discretion previously given to the General Manager to refer items to other staff members for which he has a pecuniary interest has been removed. These matters must now be tabled at a Council meeting and the Council must deal with the matter directly or refer it to someone else. This may clash with the General Manager's role to direct his staff.</p>

RESOLUTION

Items requiring Council Resolution

Clause	Title	Change	Comment
4.14-4.15	What disclosures need to be made by Council staff other than designated persons	Once a staff member discloses a pecuniary interest, their supervisor must then either handle the matter or refer it to someone else to handle	This change spells out the clear implication in the current Code and can be supported.
4.16-4.17	What disclosures need to be made by Council advisers?	Any person who presents at a Council meeting must disclose any pecuniary interest they may have in the matter under discussion	The definition of “adviser” seems extraordinarily broad. This has the potential to deter people from presenting to Council on matters of interest to them.
4.18-4.19	What disclosures need to be made by Council committee members	As per proposed clauses 4.29 and 4.30 – i.e. must disclose any conflict in a matter under discussion and be out of eyesight of the meeting.	No significant change.
4.20	What disclosures need to be made by Councillors?	As per proposed clauses 4.21, 4.29 and 4.30 – i.e. must submit a disclosure of interests, disclose any conflict in a matter under discussion and be out of eyesight of the meeting	No significant change
4.21 to 4.28	Disclosure of interests in written returns	Incorporation of material from the Regulation.	Clause 4.28 appears inconsistent with Schedule 1 (2) (a) of the GIPA Regulation which specifically defines interests returns as Open Access information.

Items requiring Council Resolution

Clause	Title	Change	Comment
4.29-4.38	Disclosure of pecuniary interests at meetings	4.29 and 4.30 replicate the current requirements to disclose the interest and remove yourself from the discussion. 4.32 allows for a general notice of a conflict of interest regarding your spouse's employment 4.34 provides a defence against a breach of 4.29 or 4.30 if you were unaware and could not have reasonably known of the conflict 4.37 relates to conflicts on planning matters where a planning decision relates to all of, or a significant portion of, the entire LGA 4.38 allows the Minister of Local Government to allow Councillors with a conflict to participate in certain circumstances	No significant changes from the current requirements.
Non-pecuniary Conflicts of Interest			
5.1 to 5.5	What is a non-pecuniary interest	5.1 and 5.2 define a non-pecuniary conflict, 5.3 places the onus on you to identify and manage any conflict. 5.4 discusses the perception of others. 5.5 makes it clear that political views are not a private interest	No significant change

RESOLUTION

Items requiring Council Resolution

Clause	Title	Change	Comment
5.6-5.13	Managing non-pecuniary conflicts of interest	5.9 defines significant non-pecuniary conflicts of interest. 5.10 requires management of a significant non-pecuniary conflict in the same manner as a pecuniary conflict.	More specific definition of a “close relationship” and “particularly strong affiliation” The management of significant non-pecuniary conflict of interest has been made consistent with the management of pecuniary conflicts
5.14-5.18	Political donations	Councillors must treat matters relating to political donors as per 4.29 and 4.30 – i.e. as a pecuniary conflict of interest	Not a matter of great interest to this Council at this time.
5.19-5.23	Loss of quorum	Replaces references to the Act and Regulations with references to the Model Code	No significant change
5.24-5.28	Other business or employment	Largely lifted from section 353 of the Local Government Act. 5.28 e makes clear fatigue and work health and safety are relevant matters to consider regarding permitting secondary employment.	No significant change.
5.29 – 5.30	Personal dealings with Council	5:30 makes it clear that you must not undertake personal dealings with the Council on work time	Councillors and staff discussing their own personal issues with Council staff will need to do so in a public area.

Items requiring Council Resolution

Personal Benefit			
6.3 – 6.5	How are offers of gifts or benefits to be dealt with	6.3 (e) states that you cannot “accept any gift or benefit of value” 6.3 (f) prohibits the Council from competing in prizes where the Council needs to be a customer of the prize organiser. 6.4 requires disclosure of all gifts and recording in the gift register	The disclosure of all gifts (this requirement does not appear to be limited to “gifts of value”) will create a significant administrative burden for little gain in transparency. Is a cup of coffee a “gift”? Are staff expected to declare a box of Cadbury Favourites? The mere offer would be required to be recorded. This obligation could be limited to “gifts of value” – which can’t be accepted in any case. Councillors and staff attending conferences will need to review their “freebie” items they distribute
6.6	Token gifts or benefits	6.6 (a) defines a token gift as one with a value of under \$50	This is a welcome clarification and can be supported.
6.7	Gifts or benefits of value	This section introduces the concept of “gifts or benefits of value” – i.e. gifts with a value of over \$50. Clause 6.8 states that a series of token gifts over the year (i.e. 10 cups of coffee or multiple bottles of wine or boxes of chocolate or pens etc.) can become a gift of value	Section 6.8 is unwieldy and unworkable unless detailed records of all token gifts are kept.

RESOLUTION

Items requiring Council Resolution

6.13 – 6.14	Improper and Undue Influence	Clause 6.13 has been amended to make it clear that Councillors are allowed to influence Council officials – so far as it is permitted under the <i>Local Government Act</i> , i.e. through the proper deliberation of the Council.	This is a welcome clarification and can be supported.
Relationship between Council officials			
7.1 – 7.2	Obligations of Councillors and Administrators	Clarifies the role of Councillors as per s223 of the LGA	This can be supported
7.3 – 7.4	Obligations of staff	Clarifies the role of the General Manager as per s335 of the LGA	Duplicates the Local Government Act. Arguably unnecessary but does allow a reader of the Code to see the context of the clause
7.5	Inappropriate interactions	Clause 7.5 (a) strengthens the prohibition on Councillors speaking to staff members (and vice versa) about operational matters – including industrial and disciplinary matters Clause 7.5 (f) includes social media in the definition of a public forum.	No significant change

Items requiring Council Resolution

Access to information and Council resources			
8.1-8.6	Councillor and Administrator access to information	Clause 8.1 restates obligations in other legislation Clause 8.4 states that Councillors with a pecuniary conflict of interest or a significant non-pecuniary conflict of interest regarding a matter are not entitled to information on the matter	Clause 8.4 does not prevent the Councillors seeing the entire Council business paper as this is available to the public. That said, this may be difficult to manage when it comes to dissemination of other information.
8.7	Councillors and administrators to properly examine and consider information	Restates the requirement of s439 of the Local Government Act	This is mere duplication and creates the spectre of Code of Conduct complaints for Councillors not having read every document provided to them.
8.10-8.11	Use and security of confidential information	Clause 8.11(a) now states that confidential information can only be accessed for the purposes of exercising your official functions	No significant change
8.20 – 8.21	Internet access and use of social media	Clause 8.20 widened to include use of mobile devices and to include material that may lead to criminal or civil penalty or damage the Council’s reputation Clause 8.21 provides a list of prohibitions on the use of social media	The list of prohibited uses of social media is much greater with the Council’s own Communication Devices and the Internet Policy and its Social Media Policy For Councillors in particular, these restrictions have the potential to be “gamed” by objectors to Councillors with positions on controversial matters.

RESOLUTION

Items requiring Council Resolution

8.22-8.23	Council record keeping	Councillors are now bound by the same rules as staff – i.e. your diaries, phone records, data on your iPad – in so far as it is about Council business, is all considered a Council record.	Councillors in particular will need to be very careful with their use of Council-supplied equipment. Your texts etc. could potentially be information requested by the public via the <i>Government Information (Public Access) Act</i>
8.24-8.26	Councillor access to Council buildings	Clause 8.26 has been expanded to take into account the perception of improper influence when Councillors access staff-only areas.	No significant change.
Maintaining the integrity of this Code			
9.7-9.10	Compliance with requirements under the code	Clause 9.8 makes it clear that a Councillor is not required to make an oral presentation if they choose not to.	No significant change
9.11-9.14	Disclosure of information about the consideration of a matter under this code	Clause 9.12 states that an allegation about a suspected breach of the Code must be not be made other than in line with the Code or the Procedures	The aim here is to stop allegations of breaches of the Code being used as a political tool. It has the risk of creating yet another item for parties to lodge complaints about.
9.15-9.16	Complaints alleging a breach of this part	While complaints about a breach of Part 9 of the Code are handled by OLG, they can now delegate this back to the General Manager, the Mayor or another person	OLG have routinely struggled to resource Code of Conduct investigations – this may address that problem

Items requiring Council Resolution

**5.12 TOCUMWAL AERODROME –
CLASSIFICATION OF LAND**

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Diverse and resilient business

STRATEGIC OBJECTIVE: 4.3 Connect local, regional and national road, rail, and aviation infrastructure

FILE NO: 15.128.31

RECOMMENDATION: - that the Council, not having received any submissions, classify the following land as 'operational' land under section 31 and 34 of the Local Government Act 1993;

- a. Lot 37 DP 1233177
- b. Lot 38 DP 1233177
- c. Lot 39 DP 1233177
- d. Lot 40 DP 1233177
- e. Lot 41 DP 1233177
- f. Lot 42 DP 1233177
- g. Lot 43 DP 1233177
- h. Lot 44 DP 1233177
- i. Lot 45 DP 1233177
- j. Lot 46 DP 1233177
- k. Lot 47 DP 1233177
- l. Lot 48 DP 1233177
- m. Lot 49 DP 1233177

REPORT:

Under the *Local Government Act 1993*, all land acquired by the Council is to be classified as "Community" or "Operational" within three months of acquisition. Any land acquired that is not classified is deemed as "Community" land.

The Council is restricted in its dealings with land designated as "Community Land", including its ability to dispose of the land.

The recent subdivision at the Tocumwal Aerodrome has created new 12 new lots intended for resale, and the residual Aerodrome block, listed below:

- 1. Lot 37 DP 1233177
- 2. Lot 38 DP 1233177
- 3. Lot 39 DP 1233177

Items requiring Council Resolution

4. Lot 40 DP 1233177
5. Lot 41 DP 1233177
6. Lot 42 DP 1233177
7. Lot 43 DP 1233177
8. Lot 44 DP 1233177
9. Lot 45 DP 1233177
10. Lot 46 DP 1233177
11. Lot 47 DP 1233177
12. Lot 48 DP 1233177
13. Lot 49 DP 1233177,

The Council advertised its intention to classify the land as Operational at its meeting on 18 October 2017 with any submission received in relation to the proposal to be considered at the council meeting to be held on 15 November 2017.

No submissions were received and the land may be classified as operational should Council wish.

RESOLUTION

Items requiring Council Resolution

5.13 SPECIAL VARIATION FOR GENERAL RATE INCREASE**AUTHOR:** Director Corporate Services**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting**FILE NO:** 25.138.3**RECOMMENDATION:** - that the Council not apply for a Special Variation for its General Rate for the 2018/19 financial year.**REPORT:**

The Office of Local Government have issued Circular 17-35: Special Variation and Minimum Rate Variation Guidelines and Process for 2018/19.

This circular sets out the process that Councils must follow if they wish to apply for permission to raise their General Rate for 2018/19 by more than the Rate Peg set by the Independent Pricing and Regulatory Tribunal (IPART).

At this stage IPART have not released the 2018/19 Rate Peg but they have advised that it is likely to be less than 2.5%.

The timetable for 2018/19 special variation requests is shown below.

Date	Outcome
15 December 2017	Notifications for Special Variation or Minimum Rate variation applications due to IPART
12 February 2018	Special Variation applications due to IPART
12 March 2018	Minimum Rate Variation applications due to IPART
15 May 2018	Determinations announced for Special Variations and Minimum Rate Variations

If the Council wishes to apply for a Special Variation it will need to inform Council staff immediately to start the process.

Items requiring Council Resolution

At present, the Council's Long Term Financial Plan demonstrates that the Council is sustainable without requiring a Special Variation at this stage. This should be monitored year-on-year.

RESOLUTION

Items for Noting

RECOMMENDATION – that Items for Noting numbered 6.1 to 6.4 inclusive be received and noted.

6.1 KIDSFEST 2017

AUTHOR: Strategic & Social Planning Coordinator

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.2 Support community engagement through life-long learning, culture and recreation

FILE NO: 03.121.2

REPORT:

The Berrigan Shire Kids Fest was initiated (2011) as a Children's Week activity which would:

- Provide an opportunity for community, children's services, local schools, youth and community groups to plan and conduct events that celebrate childhood
- Facilitate the involvement of individuals, groups and organisations in local activities and events that support and involve children and their families

Project partners in this year's Shire-wide community event included:

Barooga, Berrigan, Finley & Tocumwal Lions Clubs
Berrigan Library Services
Kurrajong Waratah, Centacare and Intereach
Rotary Club of Tocumwal and Smithers Citrus
Maryanne Ryan Olde Woperana – local students
Tocumwal Recreation Reserve Committee
Tocumwal Pony Club
Doyles Farm Produce
Bill Dunn
Save the Children Cobram
Birralee

NOTING

Items for Noting

The following is a summary of the events held and the activities' provided by event partners.

Kids Fest Mud Run Tocumwal Pony Club Held: Thursday 26/10/17

Activities	Provided By
Balloons & Billie the Clown	BSC – Bill Dunn
Sausage Sizzle	BSC & Barooga Lions
Face Painting & Art in the Park	Berrigan Library Services
Outdoor Games & Puzzles	Kurrajong Waratah, Centacare and Intereach
Orange Juice	Rotary Club of Tocumwal and Smithers Citrus
Sean the Sheep & Peppa Pig	Costumes donated by Maryanne Ryan Olde Woperana – local students
Mobile Play Bus	Save the Children Cobram
Mud Run	Berrigan Shire Council Tocumwal Recreation Reserve Committee Tocumwal Pony Club Doyles Farm Produce

Kids Fest Barooga – Collie Park 20/10/17

Activities	Provided By
Balloons & Billie the Clown	BSC – Bill Dunn
Sausage Sizzle	BSC & Barooga Lions
Face Painting & Art in the Park	Berrigan Library Services
Outdoor Games & Puzzles	Kurrajong Waratah, Centacare and Intereach
Orange Juice	Rotary Club of Tocumwal and Smithers Citrus
Sean the Sheep & Peppa Pig	Costumes donated by Maryanne Ryan Olde Woperana – local students

Kids Fest Berrigan – Apex Park 24 October 2017

Activities	Provided By
Balloons & Billie the Clown	BSC – Bill Dunn
Sausage Sizzle	BSC & Berrigan Lions
Face Painting & Art in the Park	Berrigan Library Services
Outdoor Games & Puzzles	Kurrajong Waratah, Centacare and Intereach
Orange Juice	Rotary Club of Tocumwal and Smithers Citrus
Sean the Sheep & Peppa Pig	Costumes donated by Maryanne Ryan Olde Woperana – local students

Items for Noting

Kids Fest Finley – Memorial Park 25 October 2017

Activities	Provided By
Balloons & Billie the Clown	BSC – Bill Dunn
Sausage Sizzle	BSC & Berrigan Lions
Face Painting & Art in the Park	Berrigan Library Services
Outdoor Games & Puzzles	Kurrajong Waratah, Centacare, Birralelee and Intereach
Orange Juice	Rotary Club of Tocumwal and Smithers Citrus
Sean the Sheep & Peppa Pig	Costumes donated by Maryanne Ryan Olde Woperana – local students

Marketing and promotion of the event included:

- Registration with Children’s Week NSW
- Promotional Products Logos Children’s Week NSW
- Facebook Posts in the lead up to each Event
- Electronic copies of posters distributed to all Public Schools, Primary Schools and Pre-Schools for inclusion in School Newsletters
- Hard Copies of flyers marketing the local KidsFest in addition to the Berrigan Challenge Mud Run distributed to all Public Schools and Primary Schools

The project proposal for Children’s Week identified a target audience of 300 children aged 3 years to 12 years and their families.

Project Evaluation

The budget for this event is \$3000 allocated by Council for Kids Fest. Overall, attendance numbers were down on previous years. The surprise however, was an increase in attendance at Barooga with a number of Cobram based families participating in the event. The staging of the Mud Run at Tocumwal was also very successful despite a clash with the Tocumwal Public School’s Year 5/6 Camp.

Attendance

Barooga	55
Finley	25
Berrigan	60
Tocumwal	180
Total	320

NOTING

Items for Noting

6.2 QUEENSLAND FRUIT FLY

AUTHOR: Economic & Industry Development Liaison

STRATEGIC OUTCOME: Diverse and resilient business

STRATEGIC OBJECTIVE: 4.1 Strengthen and diversify the local economy and invest in local job creation and innovation

FILE NO: 03.160.15

REPORT:

The unwanted urban fruit tree removal program (part of the QFly mitigation project) will be implemented in Berrigan Shire at no charge to residents who have completed an expression of interest form and returned it to Council. The Cobram and District Fruit growers Association will cover the cost of tree removal in Barooga and Tocumwal. Council will cover the cost of tree removal in Berrigan and Finley from the 17/18 Queensland Fruit Fly budget allocation.

The contractors will start the process in the second week in November and expect the job to take approximately 8 weeks.

Each resident who submitted an expression of interested has been contacted by Council and informed of the process. The contractors will contact the resident to arrange a time to remove the tree(s). The resident must be home while the tree is removed and sign a form to confirm that the job has been completed. The tree will be cut off at ground level and the roots will be drilled and poisoned.

Residents can register for this program until the end of November. The SRN has given the program some good publicity and it has appeared in the bulletin 3 times. We will continue to promote its existence through social media.

Items for Noting

6.3 JOINT ORGANISATIONS

AUTHOR: Acting General Manager

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.2 Strengthen strategic relationships and partnerships with community, business and government

FILE NO: 13.010.3

REPORT:

The media release printed below was received last week advising of the proposals to allow voluntary establishment of Joint Organisations (JO's) from next July, 2018.

There is a requirement that the JO's comprise a minimum of three member councils and align with NSW Planning regional boundaries.

Discussion at the RAMROC meeting on 8th November indicated support for a JO that included all Councils currently members of both REROC and RAMROC. It was agreed that REROC be approached to see if there was any interest and if so a workshop is to be arranged in December to determine the viability of such a large group.

There was additional information released regarding the timetable

Items for Noting



John Barilaro
Deputy Premier
Minister for Regional NSW

Gabrielle Upton
Minister for Local Government

MEDIA RELEASE

Friday, 3 November 2017

JOINT ORGANISATIONS TO BOLSTER REGIONAL COUNCILS

Deputy Premier and Minister for Regional NSW John Barilaro, and Minister for Local Government Gabrielle Upton today announced the NSW Government will introduce new laws to allow councils in regional NSW to voluntarily create new Joint Organisations in 2018.

Mr Barilaro said Joint Organisations would transform the way the NSW Government and local councils collaborate, plan, set priorities and deliver important projects in regional NSW, to help them deliver on the ambitions and priorities of their regional communities.

The announcement follows the success of a pilot program which trialled five separate Joint Organisations across NSW.

Mr Barilaro said the NSW Government would provide seed funding of \$3.3 million to support councils choosing to become a member of a new Joint Organisation.

"Joint Organisations bring together local and state governments to focus on the issues that matter most to regional communities such as building strong businesses, creating jobs, securing water supplies, improving regional transport, and developing community infrastructure, services and facilities," he said.

"Councils choosing to take up this option will get a seat at the table in planning infrastructure and investment for their region, with support and funding from the State Government," he said.

Mr Barilaro said over the course of the pilot period, the NSW Government had been working with councils and listening to feedback to get the Joint Organisations model right.

"The *Local Government Amendment (Regional Joint Organisations) Bill 2017* will allow councils to form new partnerships, and in turn, work on projects that cross their geographical borders. Passage of this Bill is a key pillar of our reforms to ensure regional NSW continues to be a great place to live, work and invest," he said.

The Government has already provided \$1.5 million for five pilot Joint Organisations with an independent evaluation confirming the program delivered benefits for regional councils and communities.

The pilot process has already developed a youth employment strategy for the Illawarra, assisted the eight councils in the Namoi Joint Organisation to put together a regional investment prospectus, and allowed the Central NSW Joint Organisation to advance its Infrastructure Prioritisation Framework.

"Joint Organisations will help them manage the many challenges unique to councils in regional NSW," Ms Upton said.

"The NSW Government will provide support to councils wishing to join Joint Organisations and will work closely with them once they're established," she said.

Joint Organisations would be ready to start in July 2018, comprise a minimum of three member councils and align with NSW Planning regional boundaries.

Further details on how councils can nominate to become a member of a Joint Organisation and funding arrangements will be released shortly.

MEDIA: James Jooste | Deputy Premier | 0429 978 036
Michael Cox | Minister for Local Government | 0429 465 227

NOTING

Items for Noting

6.4 DEVELOPMENT DETERMINATIONS FOR MONTH OF OCTOBER 2017

AUTHOR: Executive Support Officer

STRATEGIC OUTCOME: Good government

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

FILE NO:

REPORT:

APPLICATIONS DETERMINED FOR OCTOBER

Application	Description	Property Location	Applicant	Owner	Status	Value	Days Taken	
21/18/DA/DM	Strawberry Fields Festival 2017	LOWER RIVER ROAD, TOCUMWAL NSW 2714 (Lot17//DP752304)	Strawberry Music Group Pty Ltd	COTTAGE PADDOCK MANAGEMENT PTY LTD MR GH SAUNDERS AND MRS ME SAUNDERS	Approved 04-10-2017	\$ 0.00	Active 29	Total 39
26/18/DA/D2	Car Wash & Storage Sheds	137-143 JERILDERIE STREET, BERRIGAN NSW 2712 (Lot10//DP1152614)	Steve & Simone Fox	MR DN GARBETT & MRS PL GARBETT MR GD MCLEOD AND MRS JM MCLEOD	Approved 09-10-2017	\$ 200000.00	Active 32	Total 32
28/18/DA/D9	2 Lot Subdivision	74 RACECOURSE ROAD, BERRIGAN NSW 2712 (Lot73//DP854762)	Thomas Paul Barnes	MR TP BARNES	Approved 18-10-2017	\$ 0.00	Active 35	Total 35
29/18/DA/D5	Carport	14 BARINYA STREET, BAROOGA NSW 3644 (Lot2071//DP703885)	David & Pam Garbett	MR DN GARBETT & MRS PL GARBETT MR GD MCLEOD AND MRS JM MCLEOD	Approved 18-10-2017	\$ 9500.00	Active 31	Total 31
32/18/DA/D1	Dwelling & Garage	321 CLOSES ROAD, FINLEY NSW 2713 (Lot1//DP134547)	G.D McLeod	MR DN GARBETT & MRS PL GARBETT MR GD MCLEOD AND MRS JM MCLEOD	Approved 12-10-2017	\$ 326000.00	Active 26	Total 26
33/18/DA/D2	Extension to Supermarket	20-22 DENILQUIN STREET, TOCUMWAL NSW 2714 (Lot9//DP667960)	Altola Nom Pty Ltd	ALTOLA NOMINEES PTY LTD	Approved 17-10-2017	\$ 300000.00	Active 29	Total 29
34/18/DA/D5	Residential Storage Shed	23 GOLF COURSE ROAD, BAROOGA NSW 3644 (Lot12//DP1121054)	Mr Joshua Ryan	MR JJ & MRS JL RYAN	Approved 23-10-2017	\$ 9000.00	Active 28	Total 28
37/18/DA/DM	Demolition of Brick Dwelling	384 BROOCKMANNS ROAD, FINLEY NSW 2713 (Lot4//DP740920)	Fiona & David Burton	MR DR BURTON AND MRS FL BURTON	Approved 06-10-2017	\$ 5000.00	Active 13	Total 13
38/18/DA/D5	Carport	51 OAKLANDS ROAD, BERRIGAN NSW 2712 (Lot64//DP1127637)	Mr Steven Malcolm	MR SJ MALCOLM	Approved 11-10-2017	\$ 10000.00	Active 16	Total 16
39/18/DA/D5-M	Modification to 2/18/DA/D5 Residential Storage Shed	22-26 TONGS STREET, FINLEY NSW 2713 (Lot6//DP703770)	Mr Paul Dundon	MR PA & MRS LN DUNDON	Approved 20-10-2017	\$ 0.00	Active 22	Total 22
40/18/DA/D5	Residential Storage Shed	2-4 BAROOGA STREET NORTH, TOCUMWAL NSW 2714 (Lot5//DP758981)	Mr C George	MR C D GEORGE AND MRS L J GEORGE	Approved 20-10-2017	\$ 9860.00	Active 17	Total 17
41/18/DA/DM	Rock and Roll Festival Public Markets	18-38 BURKINSHAW STREET, BAROOGA NSW 3644 (Lot260//DP1138087)	Ms Lesley Sparkes	DEPARTMENT OF LANDS	Approved 20-10-2017	\$ 0.00	Active 16	Total 16

NOTIFICATION

Items for Noting

42/18/DA/D9	3 Lot Subdivision / Consolidation	123 YARRAWONGA ROAD, Nangunia BERRIGAN NSW 2712 (Lot2//DP752302)	NANGUNIA STATION HOLDINGS PTY LTD	Approved 26-10-2017	\$ 0.00	Active 19	Total 19
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APPLICATIONS PENDING DETERMINATION AS AT 6/11/2017

Application No.	Date Lodged	Description	Property Location
50/18/DA/D1	19-10-2017	Hangar & Transportable Dwelling	8 LIBERATOR PLACE, TOCUMWAL (Lot 28 DP1190777)
53/18/DA/DM-M	25-10-2017	Modification to 115/17/DA/DM Change of Use – Residential Storage Shed to Fitness Studio	26 FALKINER STREET, TOCUMWAL NSW 2713 (Lot 12 DP591886)
54/18/DA/D1	25-10-2017	New Dwelling	THE RIVERFRONT, BUSHLANDS ROAD, TOCUMWAL NSW 2714 (Lot 21 DP286078)
16/18/CD/M4	31-10-2017	Carport	5-6 KEOGH DRIVE, TOCUMWAL NSW 2714 (Lot 31 DP1100718)
55/18/DA/D5	31-10-2017	Garage	98 DENISON STREET, FINLEY NSW 2713 (Lot 13 Section 23 DP758412)
56/18/DA/DM	1-11-2017	Shipping Container	145-147 CHANTER STREET, BERRIGAN NSW 2712 (Lot 52 Section B DP2425)
17/18/CD/MM	1-11-2017	Retaining Wall	1 ARRAMAGONG STREET, BAROOGA NSW 3644 (Lot 1 DP1224006)
18/18/CD/M5	2-11-2017	Inground Fibreglass Swimming Pool	45 NUGGET FULLER DRIVE, TOCUMWAL NSW 2714 (Lot 127 DP1070311)
19/18/CD/M4	6-11-2017	Pergola	14 MAVIS STEWARD DRIVE, BAROOGA NSW 3644 (Lot 7 DP102913)
57/18/DA/D9	6-11-2017	2 Lot Subdivision	821 WARMATTA ROAD, MULWALA NSW 2647 (Lot 328 DP752290)

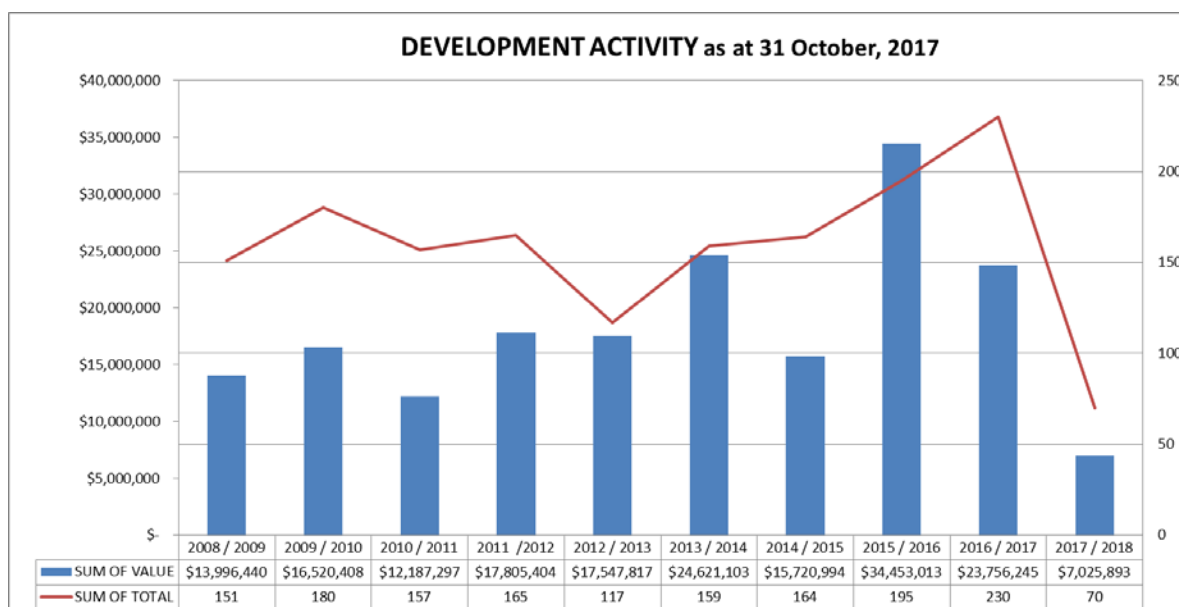
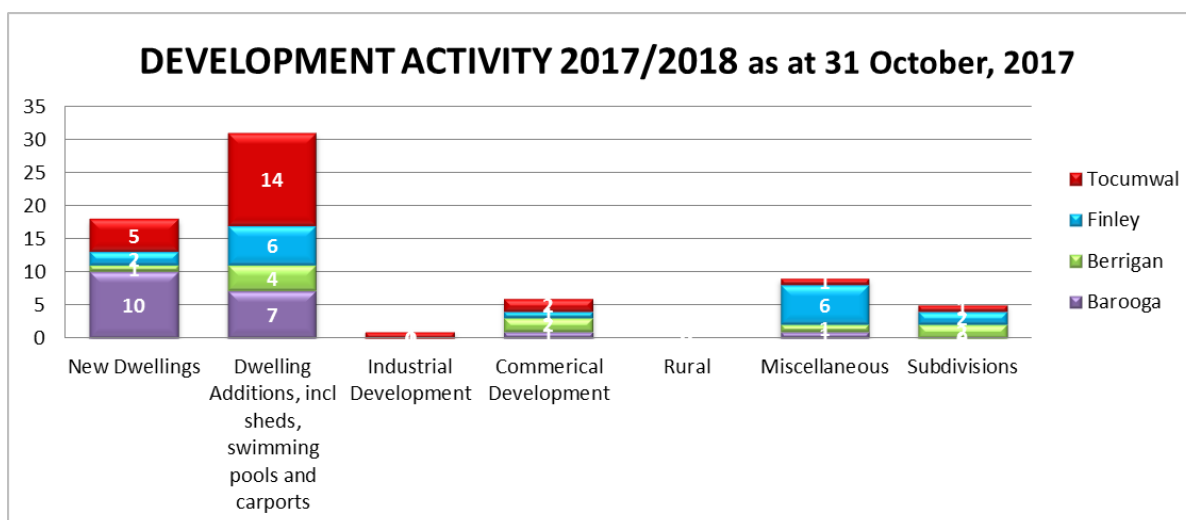
TOTAL APPLICATIONS DETERMINED / ISSUED (including modifications)

	This Month (Oct)	Year to Date	This Month's Value	Year to Date Value
<i>Development Applications (DA)</i>	15	54	\$1,365,860	\$5,446,511
<i>Construction Certificates (CC)</i>	8	38	\$932,360	\$3,888,613
<i>Complying Development Certificates (CDC)</i>	2	16	\$248,010	\$1,579,382
<i>Local Activity (s.68)</i>	4	26	0	0

Items for Noting

OTHER CERTIFICATES ISSUED FOR OCTOBER

	149(2) Planning Certificate		149(5) Certificate		735A Certificate Outstanding Notices or Orders under LG Act 1993		121zp Certificate Outstanding Notices or Orders under EP&A Act 1979		149(D) Building Certificate		Swimming Pool Certificate	
	Oct	Year Total	Oct	Year Total	Oct	Year Total	Oct	Year Total	Oct	Year Total	Oct	Year Total
BAROOGA	12	36	0	2	0	1	0	0	0	0	0	0
BERRIGAN	2	10	0	1	1	4	0	1	0	0	0	0
FINLEY	15	42	5	12	0	5	0	1	1	1	0	1
TOCUMWAL	14	46	0	0	0	1	0	0	0	2	0	5
TOTAL	43	134	5	15	1	11	0	2	1	3	0	6



NOTING

Committee meeting reports

7.1 **MINUTES OF THE LOCAL TRAFFIC
COMMITTEE MEETING**

RECOMMENDATION – that recommendation numbered 1 inclusive of the Local Traffic Committee Meeting held on 12 October 2017 be adopted.

1. HEADING

RECOMMENDATION NO.1- That the Council approves the road closure of Chanter Street, Berrigan from Drummond Street to Jerilderie Street on the 1 December, 2017 from 6:00pm to 11:00pm to allow the Annual Community Christmas Market Night to take place subject to RMS and the NSW Police Force being listed as interested parties on the Certificate of Currency.

Committee meeting reports

7.2 MINUTES OF THE CORPORATE SERVICES COMMITTEE MEETING

RECOMMENDATION – that recommendations numbered 1 to 4 inclusive of the Corporate Services Committee Meeting held on 1st November, 2017 be adopted.

5. MODEL CODE OF CONDUCT

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 13.045.3

RECOMMENDATION NO. 1 - That the Council staff prepare a detailed report on the consultation drafts of the Model Code of Conduct and associated procedures for consideration at the ordinary meeting of the Council on 15 November 2017.

6. REGIONAL REFUGEE RESETTLEMENT

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO:

RECOMMENDATION NO. 2 - That the Council seek further information on the topic of regional refugee resettlement and report to a future Council meeting.

Committee meeting reports

7. SWIMMING POOL SUPERVISION

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.2 Support community engagement through life-long learning, culture and recreation

FILE NO: 26.160.1, 26.160.2, 26.160.3

RECOMMENDATION NO. 3 - That the Council consult with the Swimming Pool Committees of Management about the changes to Practice Note 15 – Water Safety.

9. ECONOMIC AND INDUSTRY DEVELOPMENT SURVEY

AUTHOR: Economic & Industry Development Liaison

STRATEGIC OUTCOME: Diverse and resilient business

STRATEGIC OBJECTIVE: 4.1 Strengthen and diversify the local economy and invest in local job creation and innovation

FILE NO:

RECOMMENDATION NO. 4 - That the Council:

1. add as an activity, research into local employment to the draft Economic and Industry Development Strategy 2017 – 2021.
2. adopt as a draft the modified Economic and Industry Development Strategy 2017 – 2021 for public consultation, attached as appendix “C”.

Committee meeting reports

7.3 MINUTES OF THE TECHNICAL SERVICES COMMITTEE MEETING

RECOMMENDATION – that recommendation numbered 1 inclusive of the Technical Services Committee Meeting held on 1st November, 2017 be adopted.

6. FINLEY RAILWAY PARK TOILETS

AUTHOR: Development Manager

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO: 21.101.16

RECOMMENDATION NO. 1 - That Council staff consult with the Finley Railway Park Committee regarding the site and design for the proposed toilet block and prepare a design to present to Council.

Committee meeting reports

7.4 MINUTES OF THE RISK MANAGEMENT COMMITTEE MEETING

RECOMMENDATION – that recommendation numbered 1 inclusive of the Risk Management Committee Meeting held on 1st November, 2017 be adopted.

4. NUISANCE TREE PRUNING AND REMOVAL

AUTHOR: Enterprise Risk Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 1.2 Retain the diversity and preserve the health of our natural landscapes and wildlife

FILE NO: 11.151.1

RECOMMENDATION NO. 1 - That the Council remove the two palm trees at 22 Wollamai Street, Finley and keep the trees at 41-45 Tuppal Street, Finley.

Items requiring Council Resolution

8. MAYOR'S REPORT

RECOMMENDATION – that the Mayor's Report be received.

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Items requiring Council Resolution

9. DELEGATES REPORT

RESOLUTION

Items requiring Council Resolution

10. GENERAL BUSINESS

RESOLUTION