



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 **13th December, 2017** when the following business will be submitted:-

9:00AM

Public Question Time

COUNCIL MEETING

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

ROWAN PERKINS

GENERAL MANAGER



Council Meeting

Wednesday 13th December, 2017

BUSINESS PAPER

1. APOLOGIES

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 15th November, 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:

RECOMMENDATION: - that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 30 November 2017, be received and that the accounts paid as per Warrant No. 11/17 totaling \$1,688,882.30 be confirmed.

Items requiring Council Resolution

REPORT:

- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 30 November 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 30 November 2017.
- c) The Finance Manager certifies the Accounts, including the Petty Cash Book made up to 30 November 2017, totaling \$1,688,882.30 and will be submitted for confirmation of payment as per Warrant No. 11/17
- 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) The Council's cash and investments increased in November. This is comparable with the same period last year in line with general cash holding patterns, although the overall cash position is around \$2.5M higher than last year.

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

Items requiring Council Resolution

Statement of Bank Balances as at 30 November 2017

Bank Account Reconciliation

Cash book balance as at 1 November 2017	\$ 664,448.24
Receipts for November 2017	\$ 2,689,607.82
Term Deposits Credited Back	\$ 4,000,000.00
	\$ 7,354,056.06

Less Payments Statement No 11/17

Cheque Payments V075800 - V075811	\$ 23,156.39
Electronic Funds Transfer (EFT) payroll	\$ 729,971.21
Electronic Funds Transfer (EFT) Creditors E027594 - E027780	\$ 916,226.31
Term Deposits Invested	\$ -
Loan repayments, bank charges, etc	\$ 19,528.39
Total Payments for November 2017	\$ 1,688,882.30

Cash Book Balance as at 30 November 2017

\$ 5,665,173.76

Bank Statements as at 30 November 2017

\$ 5,665,739.46

Plus Outstanding Deposits

Less Outstanding Cheques/Payments

\$ 565.70

Reconciliation Balance as at 30 November 2017

\$ 5,665,173.76

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	124/16	275	2.75%	13/01/2018	\$ 2,000,000.00
Goulburn Murray Credit Union	131/17	90	2.65%	20/2/2018	\$ 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	132/17	182	2.65%	8/01/2018	\$ 2,000,000.00
T-CORP HOURGLASS AT CALL		AT CALL			\$ -
					\$ 24,000,000.00

Total Funds Held at 30 November 2017

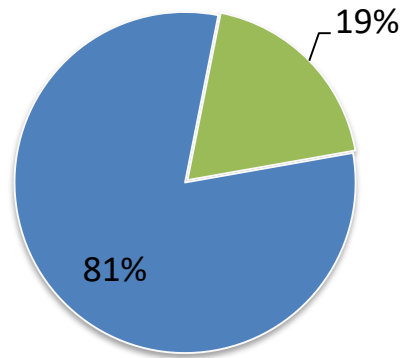
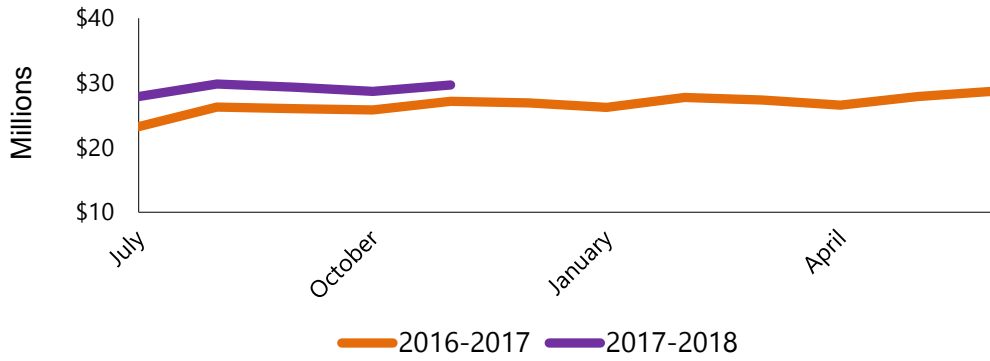
\$29,665,173.76

Carla von Brockhusen - Finance Manager

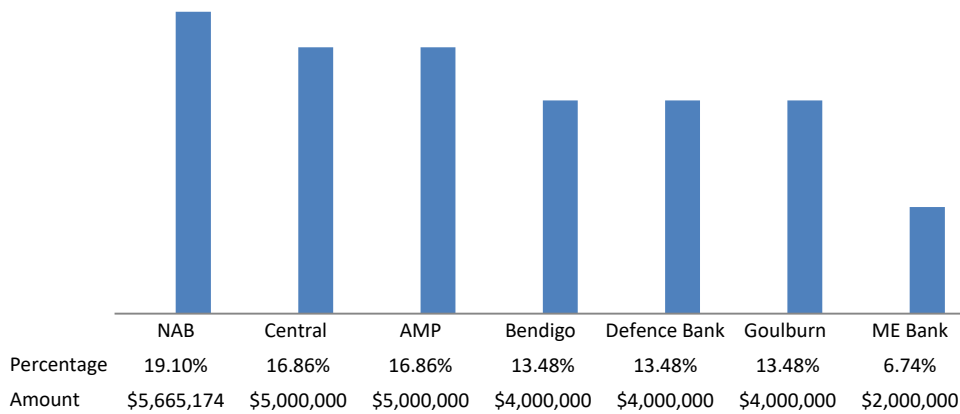
RESOLUTION

Items requiring Council Resolution

Total Cash and Investments



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



NON-REVENUE

Items requiring Council Resolution

Prior Financial Institution	Previous Investment			Current Financial Institution	New Investment		
	Term (Days)	Amount	Interest Rate		Term (Days)	Amount	Interest Rate
GMCU	182	\$2M	2.75%	GMCU	92	\$2M	2.65%
ME BANK	182	\$2M	2.65%				
BENDIGO	184	\$2M	2.65%				

RESOLUTION

Items requiring Council Resolution

5.2 DOCUMENTS FOR SIGNING AND SEALING

AUTHOR: General Manager

STRATEGIC OUTCOME: Diverse and resilient business

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

FILE NO:

RECOMMENDATION: - that the Council sign and seal all documents related to the sale of Lots 46, 47 and 48 DP 1233177.

REPORT:

As Councillors may be aware the 12 Lots recently subdivided at the Tocumwal Aerodrome are on the market.

At this stage three lots are in the process of being sold, each at \$88,000 incl GST.

Given the sale process it would be appropriate for the Council to sign and seal all related documents.

Also, the Council could give consideration to resolving to sign and seal documents related to the sale of the remaining lots 37 – 45 including to expedite future sales. If this was agreed to staff would separately report future sales to the Council.

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Items requiring Council Resolution

5.3 JOINT ORGANISATIONS**AUTHOR:** General Manager**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.2 Strengthen strategic relationships and partnerships with community, business and government**FILE NO:****RECOMMENDATION:** - for discussion.

REPORT:

As a part of the State Government's process of reform of the local government industry it proposed the creation of "Joint Organisations" as recommended by the Independent Local Government Review Panel.

While the Review Panel saw Joint Organisations as having an expansive role the State refined this to three core activities being:

- Strategic planning and priority setting;
- Intergovernmental collaboration; and
- Regional leadership and advocacy.

Outside of the above defined responsibilities, Joint Organisations could take on such functions as they individually saw fit.

When initially being defined by the State, the Joint Organisations were required to employ a CEO and would receive start-up funding assistance of \$300k.

Consultations in relation to boundaries of Joint Organisations were also undertaken with apparently some concern about size (mainly associated with them being too big). Joint Organisations have to sit within regional planning boundaries and should contain a regional centre.

Legislation was proposed to broadly define the responsibilities of Joint Organisations and to provide them with some specific legal status and to also require each Council to be a member of at least one such organisation.

The legislation has currently being introduced to Parliament. A copy of the key elements of the Local Government Amendment (regional Joint Organisations) Bill 2017 is set out below:

Items requiring Council Resolution

- (a) it enables the making of proclamations by the Governor to constitute joint organisations and provides for the area of the joint organisation (a joint organisation area) to consist of at least 2 council areas,
- (b) it prohibits a council area from being included in a joint organisation area unless the council has resolved to approve inclusion of the council's area in the joint organisation area,
- (c) a joint organisation established under a proclamation is constituted as a body corporate with the powers of an individual both in and outside the State,
- (d) the principal functions of a joint organisation are to establish strategic regional priorities, provide regional leadership and identify and take up opportunities for inter-governmental co-operation on regional matters,
- (e) joint organisations may also deliver services to or on behalf of councils and provide assistance to councils (including capacity building), subject to any restrictions imposed by the regulations,
- (f) a joint organisation is to make decisions through its board, which will contain voting and non-voting representatives. The voting representatives will be the mayor of each council whose area is included in the joint organisation (a member council) as well as one additional representative for each member council if the board determines that additional representatives are to be added,
- (g) the role of the board is to direct and control the affairs of the joint organisation. The board is to prepare and adopt a charter for the joint organisation,
- (h) the chairperson of the joint organisation is to be elected by the voting representatives from the representatives who are mayors and is to hold office for 2 years and may, if the board so determines, be a non-voting chairperson,
- (i) regulations may be made to enable alternates to be appointed for voting representatives and may provide that the alternates may only act for limited periods,
- (j) a voting representative will cease to hold office when he or she ceases to be the mayor or councillor of a member council, resigns, has a nomination revoked or is removed from office by the Minister and will be suspended for any period of suspension as a mayor or councillor,

Items requiring Council Resolution

- (k) a member council may request that the Minister remove the mayor of the council from the board on the ground of exceptional circumstances, with or without the consent of the mayor,
- (l) the role of the executive officer of a joint organisation is to conduct the day-to-day management of the joint organisation and to give effect to lawful decisions of the joint organisation,
- (m) the functions of the joint organisation may be exercised by means of the representatives, by a committee or by other provision or means, jointly with another person or persons or a member council or by a delegate,
- (n) a joint organisation cannot require a member council to delegate a function to it,
- (o) if an administrator is appointed for a member council, the administrator may exercise the functions, and has the same number of votes as, all of the voting representatives of that council,
- (p) the Governor may make proclamations amending the constitution of, or dissolving, a joint organisation,
- (q) provisions enabling savings and transitional provisions to be included in proclamations constituting councils will apply to proclamations made under the proposed Part,
- (r) a function of the joint organisation may be delegated to a committee, the executive officer or any other person or body. The executive officer may sub-delegate the function as well as delegate his or her functions. A joint organisation may also sub-delegate to a committee, the executive officer or any other person or body functions delegated to the joint organisation by the Chief Executive of the Office of Local Government or a member council,
- (s) the regulations will be able to provide for the making of financial contributions by member councils to a joint organisation and this may include making employees available for the purposes of the joint organisation,
- (t) limitations are imposed on the employment of staff pending certain declarations,
- (u) provisions of the Local Government Act 1993 that apply to councils are applied to joint organisations as if they were councils, subject to specified exclusions. Regulations may also be made to exclude the application of additional provisions and to apply excluded provisions.

Items requiring Council Resolution

Schedule 1 [1] enables proclamations that constitute, dissolve or change a council area to contain transitional provisions that enable changed council areas to be included in or excluded from a joint organisation area.

Schedule 1 [2] makes a consequential amendment.

Schedule 1 [3] enables a council to exercise its functions jointly with another council or councils by means of a joint organisation.

Schedule 1 [4] enables a council to delegate functions to a joint organisation, but only if the board of the joint organisation approves of the delegation.

Schedule 1 [5] enables a regulatory function of a council to be delegated to a joint organisation.

Schedule 1 [6] requires the board of a joint organisation to approve the delegation to the joint organisation of a regulatory function of a council.

Schedule 1 [7] enables a regulatory function that is delegated to a joint organisation to be delegated or sub-delegated to the executive officer and an employee of the joint organisation.

Schedule 1 [8] requires a county council to take into account the strategic regional priorities and other plans, programs, strategies and policies of a joint organisation, that apply to land within the county council's area of operations or that are relevant to its operational functions, when exercising functions.

Schedule 1 [9] excludes the Part containing provisions applying to the constitution of joint organisations from applying to county councils.

Schedule 1 [12] makes it clear that a provision that does not give rise to or affect legal proceedings retains that protection in circumstances when it is applied by another provision of the Act (for example, to a county council).

Schedule 1 [11] makes a consequential amendment.

Schedule 1 [13] enables regulations to be made with respect to joint organisations, including with respect to staffing, voting and meeting procedures of the board and governance.

Schedule 1 [14] inserts definitions of joint organisation, joint organisation area and member council.

The following amendments have been made to the Bill:

Items requiring Council Resolution

Schedule of the amendments made by the Legislative Council on 21 November 2017

Schedule 1 [10]. Insert after line 38: (3) Despite subsection (2), the term of office of a person elected as chairperson on the occurrence of a casual vacancy is the remaining period of the term of office of the previous chairperson.

Schedule 1 [10], line 36. Omit “including”. Insert instead “other than”.

Schedule 1 [10]. Insert after line 40: (2) An administrator who is exercising the functions of the mayor of a council under this section is, while exercising those functions, eligible for election as chairperson in any election for the chairperson (whether or not occurring as a result of a casual vacancy arising because of the administrator’s appointment). Note. The removal of the mayor on an administrator being appointed creates a casual vacancy in the office of chairperson.

The State is providing \$3.3m to assist with the establishment of Joint Organisations.

Councils may submit a request to form a Joint Organisation by 28th February 2018.

A final Joint organisation network will be determined during March 2018 with proclamations to occur during April 2018.

Joint Organisations will commence on 1st July 2018.

In progressing the issue the Council needs to resolve two key issues.

Firstly, does the Council wish to be a member of a Joint Organisation? This is discussed later.

Secondly, if the Council does wish to be a member of a Joint Organisation who would it prefer as its partners? Again, this is discussed later.

Whilst the first question can be determined now the second question is probably left until regional discussions and negotiations have taken place.

Does the Council wish to be a member of a Joint Organisation?

There are a large range of issues around this question and these are considered below and in no particular order: This consideration does not address the issue of membership of a particular Joint Organisation or preferred partners.

Items requiring Council Resolution

Also, there are some questions that cannot be answered such as how much will it cost?, logistical and timing issues that can only be considered if a Joint Organisation is actually formed.

Issue	Positives	Negatives
Why not just continue with RAMROC?	<p>Well established and reasonably effective organisation.</p> <p>Known partners and established working relationships.</p> <p>Autonomy from the State (at least to some extent).</p> <p>Ability to avoid reporting and planning responsibilities and red tape applied by the State to Councils.</p> <p>Relatively low cost operation</p>	<p>Difficult legal status which effectively sees it operate as a S355 Committee.</p> <p>Cumbersome legal status which sees difficult delegations, one Council technically accepting legal responsibility for it.</p> <p>Not seen as a credible partner by the State</p>
Will the Council lose control of its own affairs if it joins a Joint Organisation?	Only if it chooses to join a Joint Organisation and then delegates its responsibilities to it.	<p>May be subject to a regional or compromised approach to regulatory issues.</p> <p>Must accept a "regional approach" to delegated issues.</p> <p>The State can, of course, amend legislation the future to change responsibilities of Joint Organisations</p>
How could a Joint Organisation benefit the Council in a way that RAMROC cannot?	<p>Seen as a credible partner by the State.</p> <p>Encourages Councils to think regionally in addition to thinking locally.</p> <p>Provided a direct link to the Dept. Premier and Cabinet and the Office of Local Government. The DPC link in particular provides a strong voice across the State Government.</p> <p>Allows formalised links through associated</p>	There is a risk that the Council may not be able to be a part of a Joint Organisation that can best promote its strategic directions and thus may be forced to be a member of a perceived lesser Joint organisation or not a member of any Joint Organisation.

Items requiring Council Resolution

	<p>memberships.</p> <p>Provides clear formalized legal status.</p> <p>There is a State expectation that Joint Organisations will be involved in regional strategic planning issues</p> <p>The ability to jointly tender goods and services and share regulatory services is greatly enhanced.</p>	
<p>What if the Council chooses not to be a member of a Joint Organisation?</p>	<p>It might be able to continue as a member of RAMROC although this is unlikely.</p> <p>Lower cost.</p>	<p>Loses a regional voice and lobbying capability.</p> <p>Not involved in regional strategic planning decisions.</p> <p>Reduced links to DPC and OLG.</p> <p>Difficulty in being seen as a credible partner.</p> <p>No significant relationship with other Council and risk being seen as a maverick</p>
<p>Are there other options?</p>	<p>The Council could form informal relationships with other Councils on either an ad hoc or a more permanent basis i.e. County Council or S355 committee.</p> <p>The Council could possibly look cross border.</p>	<p>Difficult legal status.</p> <p>Reduced ability to jointly regulate services, tender goods and services etc.</p> <p>Not seen as credible by the State</p> <p>Loses a regional voice and lobbying capability.</p> <p>Not involved in regional strategic planning decisions.</p> <p>Reduced links to DPC and OLG.</p> <p>Difficulty in being seen as a credible partner.</p> <p>No significant relationship</p>

RESOLUTION

Items requiring Council Resolution

		with other Councils and risk being seen as a maverick
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Whilst a personal view, it would appear that membership of a Joint Organisation offers clear advantages over retaining RAMROC or not being a member of a Joint Organisation.

While being a member of a Joint Organisation will see all of the challenges associated with change, these will be relatively short term and will be offset by future achievements that could not otherwise have been realised.

The underlying risk is that while the ground rules are established these can be changed at any time by the State, and Councils could see them themselves with resourcing new responsibilities imposed on Joint Organisations.

If the Council does wish to be a member of a Joint Organisation, who would it prefer as its partners?

Again, there are several facets and constraints to this question but the key constraint that is imposed is that member Councils must be in one planning region.

A copy of the regional planning boundaries map is circulated with this agenda as Appendix "A". The map shows all existing members of RAMROC included in the Riverina Murray planning region with the exception of Balranald and Wentworth. Greater Hume Shire Council has resigned from RAMROC and continues its membership with REROC. Thus the eligible RAMROC membership, after mergers, would be 12.

Issue	Positive	Negative
Continue with existing but now reduced RAMROC members	<p>Established relationships at both Council and staff levels.</p> <p>Includes two significant regional centres and thus population and voter bases.</p> <p>More common issues than differences.</p> <p>Multiple State electorates.</p> <p>Lowest cost</p> <p>Largely maintains waste group areas.</p>	Not a universal view among members.

RESOLUTION

Items requiring Council Resolution

<p>Form a Murray River based Joint Organisation</p>	<p>Strengthens common issues</p> <p>Possible cross border focus.</p> <p>Aligns with new Police district</p> <p>Would include Albury City</p>	<p>Higher cost.</p> <p>Where do Murrumbidgee and Edward River Councils sit?</p> <p>Reduced population and voter base over RAMROC base membership.</p> <p>Dilutes staff professional groups</p>
<p>Form a larger based Joint Organisation around REROC and RAMROC</p>	<p>Lower cost.</p> <p>Diversity of interests and views.</p> <p>Contains 3 regional centres</p> <p>Significant population and voter base</p> <p>Multiple State electorates</p>	<p>REROC does not appear to support.</p> <p>Possible conflict between two of the regional centres and perceived loss of status by another.</p> <p>Need to form new relationships</p> <p>Diversity of interests and views.</p> <p>Larger geographic area</p>

This decision is the harder of the two in that there will probably be a diversity of views amongst BSC Councillors and certainly amongst other Councils.

In progressing the issue, the Council does need to develop a position around the first question at this meeting as RAMROC is holding a meeting on 18th December 2017 to explore the issue.

The second question is probably best considered at the January 2018 meeting following discussions at the RAMROC meeting. If there is no prevailing view at the RAMROC meeting then the Council will have form its own position and promote this.

For discussion.

RESOLUTION

Items requiring Council Resolution

5.4 TOCUMWAL LANDFILL OPERATION

AUTHOR: Director Technical Services

STRATEGIC OUTCOME: Sustainable natural and built landscapes

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

FILE NO: 31.160.3

RECOMMENDATION: - that the Council agree to the purchase of two 15m³ hook lift bins and a semi-trailer suitable for loading and transporting these bins and authorise a budget amount of \$109,000 for this purpose to be funded from the current allocation

REPORT:

Council adopted the Waste Management Plan in April this year including the recommendation:

That Council proceed with the funding and construction of a waste transfer station at Tocumwal to meet future community demand. That the transfer station be initially used for non-putrescible collection and disposal into the Tocumwal hole until it is filled and then used for collection of all waste for transport to Berrigan landfill. Estimated cost \$150,000.

A budget of \$150,000 has been included in the next financial year for this work and a design of the structure is currently being undertaken by Council staff.

As part of the operation of the transfer station it will be necessary to provide hook type waste bins that can be filled, loaded and transported to the landfill. These bins can either be purchased by Council or hired from a contractor as part of an agreement to provide and service the bins on a regular basis.

A cost evaluation has been carried out to determine the most economical way of servicing these bins as set out below:

	Yearly Cost for Fortnightly Service 2 Bins	Yearly Cost for Weekly Service 2 Bins
Contractor annual costs determined from quotation and based on providing and servicing two bins.	\$53,000	\$28,000

RESOLUTION

Items requiring Council Resolution

Council purchase bins and hook lift trailer and service internally	\$20,500	\$13,300
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The Council costs have been calculated on the basis of \$109,000 capital expenditure to purchase the two bins and a semi-trailer hook lift trailer that can be towed using the existing prime mover that tows the plant float. The purchase of this equipment would provide Council with flexibility in servicing the transfer station and also in using hook lift bins for other purposes such as servicing waste collection at pumps beach and collection of waste materials on construction sites.

It is recommended that this equipment be purchased as soon as possible as it can be set up on a temporary basis for transferring waste from Tocumwal and will allow more economical servicing of waste collection at Pumps Beach.

The approved budget for this financial year provides \$150,000 to purchase improved compaction equipment for the Berrigan landfill and as the type of equipment for this is still under evaluation it is suggested that this funding could be utilised to fund this proposal. A review of the current and expected expenditure for tip operations for this financial year indicates that there will be some significant savings on landfill excavation and rehabilitation that will assist in covering these costs.

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Items requiring Council Resolution

5.5 WATER SUPPLY CONNECTION TO RURAL ZONED PROPERTIES

AUTHOR: Environmental Engineer

STRATEGIC OUTCOME: Sustainable natural and built landscapes

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

FILE NO: 32.101.1, 32.121.1

RECOMMENDATION: - that Council confirm that town water supply is not to be made available for properties in the Rural Zone and therefore this application for connection be refused.

REPORT:

Staff have received an application to connect to the town water supply at Barooga to a property situated in the Rural Zone. The property is a small holding (16.9ha) located on the western side of Golf Course Road and adjacent to the Large Lot Residential (R5) Zone (see Appendix "B").

Council currently has a policy for connection of water to lots within the Large Lot Residential Zone but not for connection within the Rural Zone and therefore applications for connections in this zone need to be considered on an individual basis.

In considering this application the issues that need to be balanced are the benefits of residents having access to a reliable drinking water source against any additional costs of supply and utilisation of the water resources intended for residential development.

In this case, the water supply main is situated on the eastern side of Golf Course Road and would therefore result in a minimal addition to Council's assets to be maintained being an additional 44m of service pipe for the road crossing and the supply meter.

If the current policy for connection to a property situated in the Large Lot Residential Zone was applied the conditions for connection to this property would be:

1. *The Development Servicing Plan is applied to all new lots within the urban areas and all applications for water connection outside the urban areas of villages within Berrigan Shire as gazetted with the NSW Dept. of Planning from time to time.*

Items requiring Council Resolution

2. *Consultation and Dispute guidelines do exist to provide rights of appeal to dissatisfied developers and applicants.*

3. *Charges that apply in relation to developer/owner costs and contributions for new connections outside the urban area are outlined as follows:*
 - *On-site rainwater storage of a minimum capacity of 40,000L to be plumbed for use as external yard watering*

 - *A one off developer/headwork charge of \$4,941 (17/18) (Barooga-Rural Residential) as determined by Council formulae and indexed annually.*

 - *A 25mm connection charge to provide an individual metered service to your lot and extended 44m from the main - \$2,050 (17/18)*

 - *A developer/applicant must provide Council with an additional water right/volume/market value of 1500KI of high security water that ensures the additional rural/residential demand created by the new connection can be met in future years from Council's allocation.*

 - *A current annual water access charge of \$523 for all shire connections in addition to a user pays treated water supply charges, being \$0.94c/Kilolitre (unrestricted) at Barooga. These charges are levied after the connection is made.*

 - *Council will not guarantee the supply pressure of the new connection, given the remote location from existing water towers.*

The following table is a summary of charges that would apply from the aforementioned information:

Condition	Applicable Charge	Totals
<i>Developer/Applicant Headworks Charge</i>	<i>\$4,941</i>	<i>\$4,941</i>
<i>25mm Connection Charge @ 44m from Main</i>	<i>\$2,050</i>	<i>\$2,050</i>
<i>High Security Water Charge for 1,500KI</i>	<i>\$3,200/MI</i>	<i>\$4,800</i>
TOTAL CHARGE		\$11,791

RESOLUTION

Items requiring Council Resolution

5.6 SPORTS TOURISM PROPOSAL

AUTHOR: Economic & Industry Development Liaison

STRATEGIC OUTCOME: Diverse and resilient business

STRATEGIC OBJECTIVE: 4.2 Diversify and promote local tourism

FILE NO: 08.129.1

RECOMMENDATION: - that the Council allocates \$10,000 from the current Tourism budget to participate in the Capability and Capacity Assessment of Berrigan and Moira Shires as Sport Event destinations.

REPORT:

Cobram Barooga Business and Tourism Inc. (CBBT) have been working with Sports Marketing Australia (SMA) to bring high participation (rather than elite) sporting events to the region.

On the 29th November, 2017 Sports Marketing Australia presented to a local forum comprising of members of CBBT, representatives from Moira and Berrigan Shires, Barooga Advancement Group and Barooga Sports Club. SMA works for local government to attract suitable sporting events to LGA's and is currently partnered with 48 Councils across Australia and 263 event owners. Included in their stable within our vicinity are City of Greater Shepparton and City of Bendigo. SMA was established in the late 1990's when they were responsible for "relocating" the Wallabies to Coffs Harbour. In 2017 SMA placed 483 events into regional destinations around Australia.

In working with Berrigan and Moira Shires, SMA would initially undertake a Capability and Capacity Assessment of the LGA's. They would assess all the sporting facilities, commercial accommodation, dining outlets, general retail and the capacity of local sporting groups to host events. The Capability and Capacity Assessment gives SMA a clear picture of what type and size event could be successfully delivered in the region. The Capability and Capacity document would be jointly owned by the Berrigan and Moira Shires.

If the LGA's continue with a partnership with SMA beyond the assessment document suitable events can be referred to the region and, depending of the size and type of event, the Councils may choose to bid for the event. Some events would not require a bid process and it is dependent on the modelled return on investment as to the sponsorship that would be sought. SMA attracts a flat fee for a successful referral which is commonly between \$2,000 and \$3,000.

Council has received an unsolicited letter of support for the SMA program from the Barooga Advancement Group.

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Items requiring Council Resolution

Berrigan Shires participation in a program such as this is consistent with the *2014 – 2018 Tourism Strategy*:

“Expand our knowledge and understanding of attracting sporting events to the region”

and the *Economic and Industry Development Strategy – 2017 - 2021*

“Focus on promoting the destinations to long-stay sporting events”

Both Strategies’ recognise Sport Tourism and the quality sporting facilities in all four towns in their respective SWOT analysis’.

The total cost of the Capability and Capacity Assessment is \$30,000 (inclusive of travel and accommodation costs for the in-region research) Moira Shire has already committed \$10,000 and CBBT has requested that Berrigan Shire does the same with the remaining \$10,000 to be raised from other partners and industry.

A letter of support from the Barooga Advancement Group has been included as Appendix “C”.

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Items requiring Council Resolution

5.7 FINLEY COMMUNITY GYM

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:

RECOMMENDATION: - That the Council advise Finley Community Gym Inc. that it is unable to provide financial assistance for the establishment of a community gym in Finley but is willing to provide in-kind assistance where possible and feasible.

REPORT:

Background

The Council is in receipt of a letter from Finley Community Gym Inc. (FCG) seeking financial assistance to establish a community owned and operated gymnasium in Finley.

FCG are looking to raise \$50,000 to purchase gymnasium equipment and a reliable administration system. The plan is to operate from the same premises as the current HQ gym in Finley – this business is currently on the market.

In their letter, FCG point out the social and health benefits to the Finley community in continuing to operate a gymnasium.

FCG also invite the Council to meet with them to discuss further their direction and the future of the Finley Gym.

There have been several attempts to run a gymnasium in Finley on a commercial basis over the past 10-12 years. None of these attempts appear to have been sustainable in the long term. This is a common theme in smaller communities in rural and regional Australia.

To address this situation, many communities have developed community-run facilities. A local example is the [Oaklands Community Gym](#). A community gym is a facility that offers or makes available equipment and/or programs that encourage levels of deliberate physical activity predominantly in areas that would generally not support a commercially viable operation – i.e. communities such as Finley.

Strategic Alignment

Items requiring Council Resolution

Support for a community-run gymnasium would fit within Berrigan Shire 2027 – the Council's Community Strategic Plan. Strategic Action 3.1.2 of Berrigan Shire 2027 states:

3.1.2 Facilitate all age healthy lifestyles and ageing in place

Council's 2017-2021 Delivery Program includes the following relevant action

3.1.2.1 Provide recreation facilities which support active lifestyles and ageing in place

The operation of a community gym directly by the Council would not be in line with Item 2.2 of its 2016 Financial Strategy. Supporting the community to operate a facility however is in line with Item 1.7 of the strategy

2.2 Prioritise the renewal of existing assets over the development and delivery of new services.

1.7 Encourage and support the existing model of community provision and operation of sport, recreation and cultural infrastructure.

The Council currently provides some in-kind support, in the way of rate relief, to the Barooga Fitness Centre operated by the Barooga Sports Club which provides gymnasium facilities and a swimming pool.

The Council determined not to provide direct financial support to an earlier proposal to establish a community gymnasium in Berrigan.

Options

The operation of a community owned and operated gym in Finley would be a positive outcome for the Finley community and assist the Council and community to meet its strategic goals. The Council budget as it stands does not include providing direct financial support. Any wish to provide direct financial support this financial year would require public consultation as per s356 of the *Local Government Act 1993*

(1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.

(2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.

(3) However, public notice is not required if:

(a) the financial assistance is part of a specific program, and

Items requiring Council Resolution

(b) the program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and

(c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and

(d) the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.

That said, the Council may wish to consider methods of support other than direct financial support. Providing in-kind support such as assistance in applying for grants etc. may be a more appropriate way of supporting the gym.

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Items requiring Council Resolution

5.8 TOWN ENTRANCE SIGNAGE BAROOGA AND BERRIGAN

AUTHOR: Director Technical Services

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO:

RECOMMENDATION: - for the determination of Council

REPORT:

Council has been implementing an extensive consultation process in relation to the improvements of the town entrances of Barooga and Berrigan.

Initial plans for signage were produced by Liesl Malan Landscape Architects following public consultation processes conducted for both towns. These proposals were referred to the respective town development organisations being the Barooga Advancement Group and the Berrigan and District Development Association and then discussed at public meetings in each town.

Further signage proposals were developed following this consultation and as there was no clear resolution from the community of the signage to be adopted it was decided to letterbox drop each town to give all residents the opportunity to have input into the selection of the entry signage for each town. Residents had the option to respond by return mail or by using the online facility set up. The results of this consultation are shown for each town below and examples of the forms distributed along with copies of submissions received are attached in Appendices “D” & “E” for the perusal and consideration of Councillors.

BAROOGA

Barooga responses included 121 received by online means and 82 received through the post, making a total of 203 respondents. Of those online voters 97 voted for the river and gum trees with 21 voting for the sports. Two online chose the river and gum trees after looking at the concept and one chose the sports. One respondent via mail replied that they would not vote for either option.

	Mail	Online	Total
Option A	48	97	145
Option B	33	21	54
Concept A	0	2	2

RESOLUTION

Items requiring Council Resolution

Concept B	0	1	1
Neither option	1	0	1
Total	82	121	203

The response level of 203 is reasonable considering there are around 650 households in the survey area. The level of support for Option A is significantly higher than Option B, however, it is obviously not universal.

Council direction is sought on how to proceed with this project. The options appear to be to run with Option A or go back to the drawing board to develop further options.

BERRIGAN

Berrigan received a total of 233 responses, 140 online and 93 by mail. Of those 38 voted online for option A, 11 voted by mail, a total of 49 votes for the upright signage. 79 voted online for option B and 48 via mail, a total of 127 voted for the horses. 19 voted online for option C and 23 voted via mail, a total of 42 for the fence option. On investigating the concept drawings 3 votes were received online for option B and one via the mail whilst ten respondents via mail stipulated that they would vote for none of the options put forward.

	Mail	Online	Total
Option A	11	38	49
Option B	48	79	127
Option C	23	19	42
Concept A	0	0	0
Concept B	1	3	4
Concept C	0	1	1
Neither option	10	0	10
Total	93	140	233

The response level of 233 is good considering there are around 450 households in the survey area. The level of support for Option B is significantly higher than either of the other Options, however, it is obviously not universal and not supported by the Berrigan and District Development Association.

Council direction is sought on how to proceed with this project. While proceeding with Option B would appear to satisfy the majority of residents it would seem reasonable to have further consultation with the BDDA to discuss the results of the survey and hopefully achieve some consensus on the issue.

Items requiring Council Resolution

5.9 MANAGEMENT LETTER -2016/17 FINANCIAL STATEMENT AUDIT

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 note the Management Letter, including the response from management, for the year ended 30 June 2017 and

1. Assign responsibility for implementing the recommendations in the Management Letter as per the management response; and
2. That the General Manager or his delegate will present to the next Corporate Services Committee an action plan, including a timetable, to implement the recommendations – consistent with the management response
3. That the Corporate Services Committee monitor progress against the action plan via a monthly report to the committee from the General Manager or his delegate.

REPORT:

The Audit Office on New South Wales has issued its Management Letter to Council resulting from its audit of the Council's 2016/17 Financial Statements.

The letter outlines:

- matters of governance interest identified by the auditor during the current audit
- unresolved matters identified during previous audits
- matters the auditor is required to communicate under Australian Auditing Standards.

The letter also contains a response from management relating to each of the issues raised.

A copy of the Management Letter is attached as Appendix "F"

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Items requiring Council Resolution

This being the first year that the Audit Office of New South Wales has conducted the audit of the Council's financial statements, the content of the letter is somewhat different than it has been in the past.

The Audit Office has raised nine issues for the Council to address – six of which are assessed as Moderate risk and three as Low risk. No High risk items were identified.

These nine items are:

Appendix	Item	Risk assessment
1.1	Understatement of depreciation expense on library books	Low
1.2	Unrecorded liabilities	Low
1.3	Review of payroll masterfile	Moderate
1.4	Payroll upload error	Moderate
1.5	Cash payments to caretaker staff through committees of management	Moderate
1.6	Supporting workpapers for asset revaluation	Low
1.7	Non-IT staff have inappropriate access to directly modify financial data outside of the application	Moderate
1.8	Sharing of high privilege user accounts	Moderate
1.9	Audit logs of privileged access activities are not reviewed	Moderate

Note that Items 1.7 to 1.9 do not relate to matters identified specifically at Berrigan Shire Council. These matters were identified at other Councils using the same accounting software package as Berrigan Shire. The risks identified are consistent across all Councils using that software – hence their inclusion in the Management Letter.

The Audit Office recommends that the Council

1. assign responsibility for implementing the recommendations
2. develop an action plan, including a timetable, to implement the recommendations
3. nominate an individual or establish a committee to monitor and report on progress

Items for Noting

RECOMMENDATION – that Items for Noting numbered 6.1 to 6.9 inclusive be received and noted.

6.1 FIT FOR THE FUTURE STATUS

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:

REPORT:

As Councillors may be aware the Council was, as a part of the State's program for the reform of local government determined not to be fit for the future by IPART as it failed the "scale and capacity" test.

The Council was deemed to have failed this test because it did not support the recommendation of the Independent Local Government Review Panel and that it merge with the former Jerilderie Shire Council or put forward a better proposal.

While the Council was ultimately determined by the review delegate and the Minister to in fact have a better proposal, in standing alone, the unfit status continues to apply.

This status has precluded the Council from having the opportunity to borrow through TCorp at beneficial rates and leaves a significant slur on the Council's reputation.

The Mayor and myself have both raised this issue with the Minister.

Both the Minister and the acting Chief Executive of the Office of Local Government have responded to these representations as follows:

The Minister

- Most Councils are now financially sustainable or have a viable plan to become so;

NOTING

Items for Noting

- Councils that did not meet the “scale and capacity” test but which are financially sustainable can now access TCorp borrowing.

The acting Chief Executive of the Office of Local Government

- The minister is considering the issue and the Council will receive further information in due course.

While the access to TCorp borrowing facilities is welcome, the impact upon the Council is limited due to a lack of projected borrowings.

Thus the slur upon the Council reputation continues and it appears that the State does not know how to resolve this issue.

The Council’s lobbying program will continue.

Items for Noting

6.2 MANAGING CROWN LAND

AUTHOR: General Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

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

FILE NO:

REPORT:

As Councillors maybe aware, the NSW Department of Industry – Lands & Forestry has been reviewing legislation that controls Crown Land.

This review seeks to consolidate legislation, reduce red tape, give managers of such land more direct control and alienate land that is not serving any public purpose.

In the future the Council will be given control of Crown Land either through freeholding or vesting. This process is probably some time away despite the Council signalling its wish to be an early partner.

The Department has provided some useful information for Councils managing Crown Land and rather than summarise this it is circulated, in its entirety, with this agenda as Appendix "G"

The changes now being implemented are positive and will have direct benefits for the Council and the community.

NOTING

Items for Noting

**6.3 ROADS TO RECOVERY PROGRAM –
STATEMENT OF EXPECTATIONS**

AUTHOR: General Manager

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO:

REPORT:

The Council receives approximately \$600k pa from the Commonwealth from its Roads to Recovery program (R2R). As the name implies the funding is for use on roads and associated infrastructure.

The Minister for Infrastructure and Transport, The Hon. Darren Chester MP, has written to the Council that in line with other Australian Government programs where funding is issued a Statement of Expectations has also been issued.

Broadly, the Statement requests Councils to consider directing more of their R2R funding to projects that are likely to reduce fatalities and serious injuries and to work with the Government to improve the reporting of safety and other outcomes.

In a general sense there are no significant concerns with the Statement of expectations as the level of road related fatalities and serious injuries in the Shire is very low.

The requested increased level of reporting may be an issue however this will be monitored over time.

A copy of the Statement of Expectations is circulated with this agenda as Appendix "H"

Items for Noting

6.4 MAXIMUM ALLOWABLE ORDINARY RATE INCREASE

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:

REPORT:

Local Government NSW has advised the Council that IPART has determined that the maximum allowable increase in ordinary rates has been set at 2.3%.

This contrasts to the two previous increases of 1.5% and 1.8% respectively.

The Council's forward budget estimates are based on annual increases of 1.5% so the announcement reflects an improvement in the Council's projected position.

While it is suspected that the level of allowable increase will not meet increases in operating costs, this will be determined through the budget process.

NOTING

Items for Noting

6.5 LOCAL GOVERNMENT REMUNERATION TRIBUNAL – 2018 DETERMINATION

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:

REPORT:

The local Government Remuneration Tribunal has advised the Council that it has commenced the review for its 2018 determination for fees payable to Councillors.

The review will consider both minimum and maximum fees to Councillors for each category of Councils. The Tribunal is also required to comply with the State Governments public sector wages policy which in effect caps any increase in remuneration levels to 2.5% pa.

Also, given the conclusion of the State's merger program for Councils the Tribunal will conduct an out of cycle review of Council categories.

Berrigan Shire is appropriately classified as "Rural".

The Tribunal invites submissions from Councils in relation to the two issues by 30th January, 2018.

There appears to be no reason for the Council to make any submission as its categorisation is appropriate unless it wants to argue for an increase of less than 2.5%.

Items for Noting

6.6 IPART DETERMINATION OF RATE PEG FOR 2018/19

AUTHOR: Revenue Officer

STRATEGIC OUTCOME: Good government

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

FILE NO: 25.138.1

REPORT:

The Independent Pricing and Regulatory Tribunal (IPART) have released their determination of the Variation of General Income for Local Government for 2018/19 – the “Rate Peg”. IPART has set the rate peg as **2.3%**.

This rate peg is the maximum percentage that the Council can increase its overall General Rate income for the 2018/19 financial year (this Rate Peg percentage does not apply to Council’s service charges), other than an increase derived from growth in assessable properties.

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

Individual rates are also affected by other factors, such as individual land valuations. Note that all properties in Berrigan Shire were revalued for rating purposes prior to the 2017/18 levy.

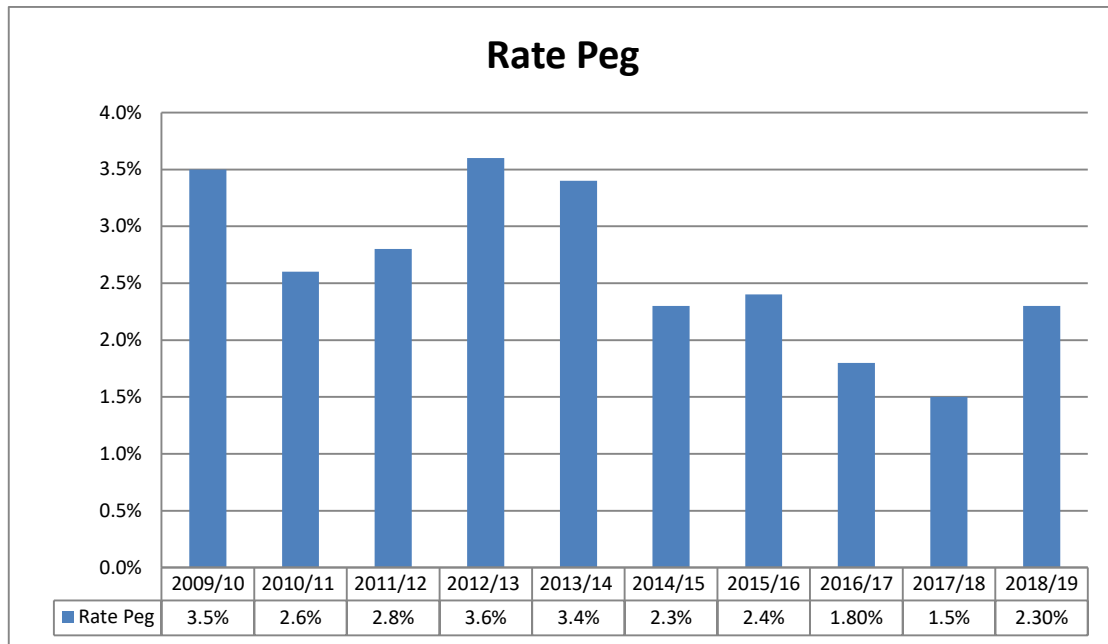
The rate peg has been calculated as follows

- A base amount of 2.3% derived from the increase in the Local Government Cost Index (LGCI) in the year to the September quarter 2017.
- A deduction of a 0.00% “productivity factor” has been set this year because improvements in productivity are reflected in the components of the LGCI

This resulted in a rate peg of 2.3% for 2018/19.

NOTING

Items for Noting



Council’s Long Term Financial Plan (LTFP) was based on an assumed 1.5% increase in permissible rates income. The actual IPART determination of a 2.3% increase will see the Council’s ordinary rate income slightly increase when compared to the current estimates.

An IPART fact sheet on the rate pegging system and the 2018/19 determination is attached as Appendix “I”

Items for Noting

6.7 PROPOSED COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT GUIDELINES

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:

REPORT:

The Office of Local Government (OLG) has released a consultation draft of its proposed Councillor Induction and Professional Development Guidelines. A copy of the draft Guidelines is attached as Appendix "J"

Once finalised, the Guidelines will be issued under s23A of the Local Government Act 1993, and as such the Council must take those guidelines into consideration – i.e. for all intents and purposes the Guidelines will be compulsory.

The draft guidelines set out three components for the overall induction and professional development of Councillors

1. Pre-election candidate information sessions
2. Induction programs
3. Professional development programs

Submissions regarding the consultation draft must be made by Friday 16 March 2018. To allow the Council to make an informed submission, a full report on the draft Guidelines will presented to a future Council meeting.

NOTING

Items for Noting

6.8 MODEL CODE OF MEETING PRACTICE

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:

REPORT:

The Office of Local Government (OLG) has released the draft Model Code of Meeting Practice for Local Government in NSW for feedback. A copy of the draft Model Code is attached as Appendix “K”

The preparation of a Model Code is part of the NSW Government’s overall review of the *Local Government Act* 1993. It will replace the provisions for meeting practice currently set down in [Part 10, Division 3 of the Local Government Regulation 2005](#)

Items in black font in the draft are proposed to be compulsory for inclusion in each Council’s own Code of Meeting Practice while items in red font are areas where the Council will be given some flexibility to vary the Code – notwithstanding the Model Code will operate to set a benchmark for what OLG will consider best practice.

The Model Code will apply to all meetings of the Council and Committees of the Council where all members of the committee are Councillors.

One item that may of interest to the Council is the proposal to make it compulsory for all Councils to “webcast” via the internet all meetings of Council and of Committees of the Council.

Submissions must be made by Friday 16 March 2018. To allow the Council to make an informed submission, a full report on the draft Model Code will presented to a future Council meeting.

NOTING

Items for Noting

6.9 DEVELOPMENT DETERMINATIONS FOR MONTH OF NOVEMBER 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 NOVEMBER

Application	Description	Property Location	Applicant	Owner	Status	Value	Days Taken	
6/18/DA/D1	Transportable Dwelling	21 COUNTRY COURT, BAROOGA NSW 3644 (Lot5//DP286044)	Mr Brian Baldwin	MR TJ FISHER AND MRS EE FISHER	Occupied 23-11-2017	\$ 54000.00	Active 97	Total 97
45/18/DA/DM	Gravel Pit	THE COACH ROAD, BAROOGA NSW 3644 (Lot1//DP631173)	Andrew Goldman Excavations	MRS S SICILIANO	Approved 24-11-2017	\$ 12000.00	Active 30	Total 30
47/18/DA/DM	Placement of Shipping Container	13-19 MOMALONG STREET, BERRIGAN NSW 2712 (Lot31//DP1189220)	Berrigan Tidy Towns	BERRIGAN SHIRE COUNCIL	Approved 28-11-2017	\$ 4000.00	Active 30	Total 30
48/18/DA/DM	5x Shade Structures, Feed Pad & 2x Effluent Storage Dams	(Lot69//DP752297)	Southern Riverina Dairy Group Pty Ltd	SOUTHERN RIVERINA DAIRY GROUP	Approved 16-11-2017	\$ 500000.00	Active 22	Total 22
50/18/DA/D1	Hangar & Transportable Dwelling	8 LIBERATOR PLACE, TOCUMWAL NSW 2714 (Lot28//DP1190777)	CPE Construction	MR MJ HENDERSON & MRS K L HENDERSON	Approved 28-11-2017	\$ 480000.00	Active 28	Total 28
51/18/DA/D1	BV Dwelling & Attached Garage	5 ARRAMAGONG STREET, BAROOGA NSW 3644 (Lot3//DP1224006)	MS Constructions Pty Ltd	MR GA & MRS SF TARRANT	Modified 24-11-2017	\$ 422342.00	Active 26	Total 26
52/18/DA/DM	Placement of Shipping Container	17-21 TONGS STREET, FINLEY NSW 2713 (Lot180//DP752283)	Mr Kurtis Simpson	MR K A SIMPSON & MRS E J SIMPSON	Approved 28-11-2017	\$ 2500.00	Active 26	Total 26
53/18/DA/DM-M	Modification to 115/17/DA/DM Change of Use - Residential Storage Shed to Fitness Studio	26 FALKINER STREET, TOCUMWAL NSW 2714 (Lot12//DP591886)	Mrs Leisa Desailly	MR RD DESAILLY AND MRS LK DESAILLY	Refused 15-11-2017	\$ 0.00	Active 15	Total 15
54/18/DA/D1	New Dwelling	THE RIVERFRONT, BUSHLANDS ROAD, TOCUMWAL NSW 2714 (Lot21//DP286078)	Mr Bret Letcher	BRET LETCHER	Approved 28-11-2017	\$ 400000.00	Active 18	Total 24
16/18/CD/M4	Carport	5-6 KEOGH DRIVE, TOCUMWAL NSW 2714 (Lot31//DP1100718)	David & Yvonne Nuttall	MR D NUTTALL AND MRS Y NUTTALL	Approved 07-11-2017	\$ 6629.00	Active 5	Total 5

NOTIFICATION

Items for Noting

56/18/DA/DM	Shipping Container	145-147 CHANTER STREET, BERRIGAN NSW 2712 (LotPT52/B/DP2425)	Berrigan Shire Council	BERRIGAN SHIRE COUNCIL	Approved 09-11-2017	\$ 5000.00	Active 6	Total 6
17/18/CD/MM	Retaining Wall	1 ARRAMAGONG STREET, BAROOGA NSW 3644 (Lot1//DP1224006)	Mr Benjamin O'Dwyer	MR B T & MRS K L O'DWYER	Approved 08-11-2017	\$ 9500.00	Active 5	Total 5
18/18/CD/M5	Inground Fibreglass Swimming Pool	45 NUGGET FULLER DRIVE, TOCUMWAL NSW 2714 (Lot127//DP1070311)	Poolside Cobram	MR AD PENNY & MRS JE PENNY	Approved 08-11-2017	\$ 57680.00	Active 4	Total 4

APPLICATIONS PENDING DETERMINATION AS AT 6/12/2017

Application No.	Date Lodged	Description	Property Location
60/18/DA/DM	08-11-2017	Change of Use – Hostel to Place of Worship	34-36 COREE STREET, FINLEY NSW 2713 (Lot9/7/DP758412)
62/18/DA/D6	23-11-2017	Additions to Dwelling	83 NGAWA ROAD, BAROOGA NSW 3644 (Lot1//DP617219)
63/18/DA/DM	23-11-2017	Extractive Industry	CAMERONS LANE, BAROOGA NSW 3644 (Lot1//DP1102675)
64/18/DA/D1	23-11-2017	Transportable Dwelling	20 FLYNN STREET, BERRIGAN NSW 2712 (Lot13/1/DP3329)
65/18/DA/D1	23-11-2017	BV Dwelling & Attached Garage	12 MAVIS STEWARD DRIVE, BAROOGA NSW 3644 (Lot6//DP1102913)
67/18/DA/D6	28-11-2017	Residential Storage Shed	6 IVIE AVENUE, BAROOGA NSW 3644 (Lot35//DP1093869)
68/18/DA/D1	28-11-2017	BV Dwelling & Attached Garage	19 BAROOGA ROAD, TOCUMWAL NSW 2714 (Lot 5//DP1194758)
69/18/DA/DM	01-12-2017	Storage Shed	SILO ROAD, TOCUMWAL NSW 2714 (Lot 314//DP121397)
24/18/CD/M1	01-12-2017	BV Dwelling & Attached Garage	53 COLLIE STREET, BAROOGA NSW 3644 (Lot 1//DP509326)
25/18/CD/PC	01-12-2017	BV Dwelling & Attached Garage	19 BELINDA COURT, TOCUMWAL NSW 2714 (Lot 18//DP270154)

TOTAL APPLICATIONS DETERMINED / ISSUED (including modifications)

	This Month (Nov)	Year to Date	This Month's Value	Year to Date Value
<i>Development Applications (DA)</i>	12	65	\$1,825,842	\$7,272,353
<i>Construction Certificates (CC)</i>	6	44	\$1,216,342	\$5,104,955
<i>Complying Development Certificates (CDC)</i>	7	23	\$101,809	\$1,681,191
<i>Local Activity (s.68)</i>	4	30	0	0

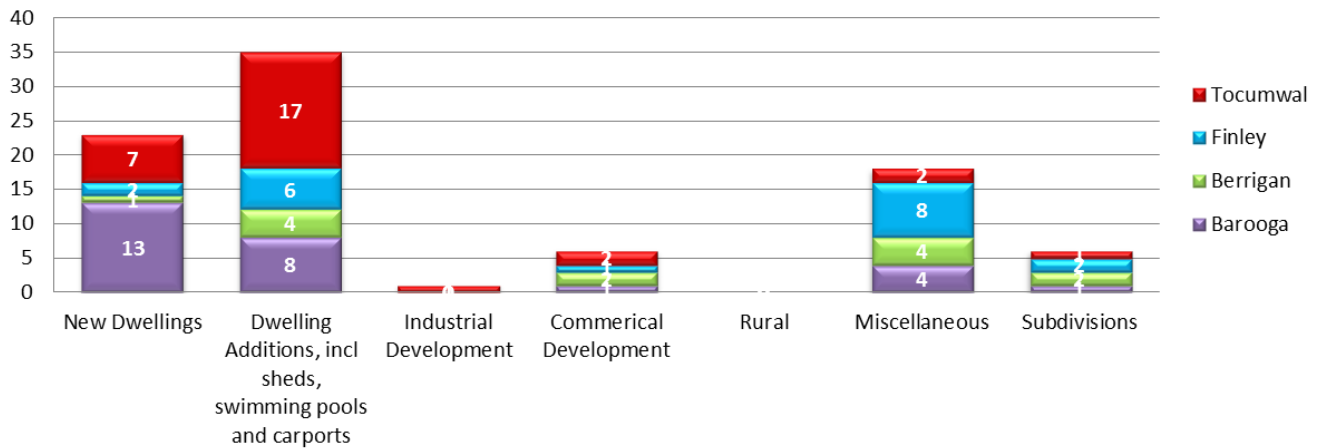
NOTION

Items for Noting

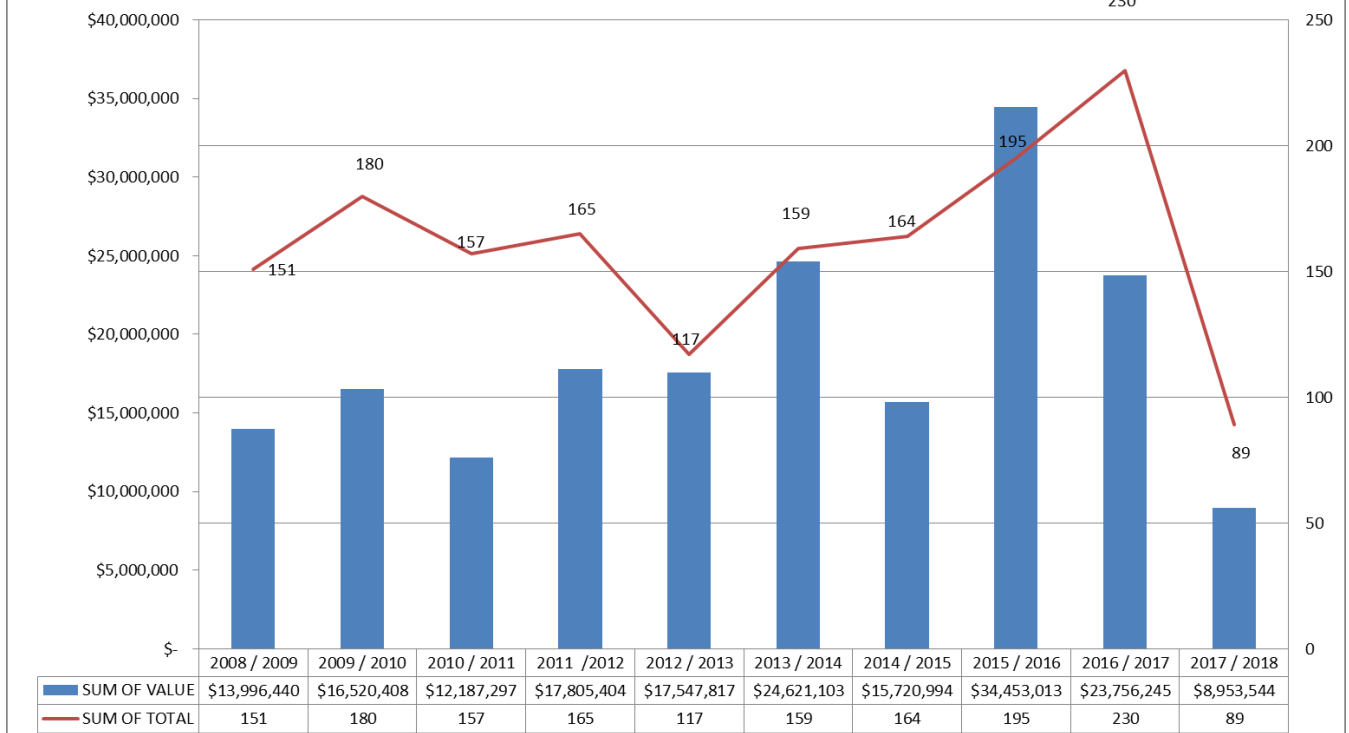
OTHER CERTIFICATES ISSUED FOR NOVEMBER

	149(2) Planning Certificate		149(5) Certificate		735A Certificate Outstanding Notices or Orders under LG Act 1993		121zp Certificate Outstanding Notices or Orders under EP&A Act 1979		149(D) Building Certificate		Swimming Pool Certificate	
	Nov	Year Total	Nov	Year Total	Nov	Year Total	Nov	Year Total	Nov	Year Total	Nov	Year Total
BAROOGA	18	54	2	4	0	1	0	0	0	0	0	0
BERRIGAN	5	15	1	2	1	5	1	2	0	0	1	2
FINLEY	6	48	3	15	3	8	3	4	0	0	1	2
TOCUMWAL	7	53	0	0	0	1	0	0	0	2	0	5
TOTAL	36	170	6	21	4	15	4	6	0	2	2	8

DEVELOPMENT ACTIVITY 2017 /2018 as at 30 November, 2017



DEVELOPMENT ACTIVITY as at 30 November, 2017



Confidential Items requiring Council Resolution

7. CLOSED COUNCIL

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

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

The matters and information are the following:

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

7.1 BUILDING BETTER REGIONS FUND

This item is classified CONFIDENTIAL under section 10A(a) 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

Confidential Items requiring Council Resolution

7.2 POTENTIAL SALE OF LAND

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

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

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

And further that pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above and that the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.

7.1 BUILDING BETTER REGIONS FUND

7.2 POTENTIAL SALE OF LAND

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

RESOLUTION

Confidential Items requiring Council Resolution

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Confidential Items requiring Council Resolution

Open Council resumed at

RESOLUTIONS FROM THE CLOSED COUNCIL MEETING

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

RESOLUTION

Items requiring Council Resolution

8. **MAYOR'S REPORT**

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RECOMMENDATION – that the Mayor's Report be received.

Items requiring Council Resolution

10. DELEGATES REPORT

RESOLUTION

Items requiring Council Resolution

11. GENERAL BUSINESS

RESOLUTION