



Council Chambers,
BERRIGAN. 2712

Sir/Madam,

The Ordinary Meeting of the Council of the Shire of Berrigan will be held in the **Council Chambers**, Berrigan, on **Wednesday 16th July, 2014**, when the following business will be submitted:-

9.00AM

Public Question Time

COUNCIL MEETING

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10.	CLOSE OF MEETING	

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

ROWAN PERKINS
GENERAL MANAGER



Council Meeting

Wednesday, 16th July, 2014

BUSINESS PAPER

1. **APOLOGIES**
Cr John Bruce

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

3. **VISITORS ATTENDING MEETING**
9.00 am. Mr Dean Miller, Barooga Professional Bull
Ride Event Committee

10.00 am - Mr D Dart, Hume Medicare Local

10.30 am Presentation of Australian Citizenships:
Mrs Fathima Shahana Ahmed LEBBE
Mr Inthikab Alam Mohamed YOOSUFF
Master Aniq Ahmed ALAM
Mr August MACKELL
Miss Claire PERSTON

4. **CONFIRMATION OF MINUTES**
**RECOMMENDATION – that the Minutes of the meeting held in
the Council Chambers on Wednesday 19th June, 2014 be
confirmed.**

Items requiring Council Resolution

5.1 FINANCE – ACCOUNTS**AUTHOR: Finance Manager**

RECOMMENDATION – that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 30 June 2014, be received and that the accounts paid as per Warrant No.06/14 totalling \$1,995,856.78 be confirmed.

REPORT

- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 30 June, 2014 is certified by the Finance Manager.
- b) The Finance Manager certifies that the Cash Book of the Council was reconciled with the Bank Statements as at 30 June 2014.
- c) The Finance Manager certifies the Accounts, including the Petty Cash Book made up to 30 June 2014, totalling \$1,995,856,78 and will be submitted for confirmation of payment as per Warrant No. 06/14
- d) The Finance Manager certifies that all Investments have been placed in accordance with Council's Investment Policy, Section 625 of the Local Government Act 1993 (as amended), the Minister's Amended Investment Order gazette 11 January 2011, clause 212 of the Local Government (General) Regulations 2005 and Third Party Investment requirements of the Department of Local Government Circular 06-70.
- e) June has seen a decrease in total funds compared to the end of May 2014. This decrease is primarily a result of the payment of all available June invoices, in an effort to reduce the requirement to accrue June payments in July.

In comparison to June last year the cash position has decreased \$1.48M, largely as a result of the Financial Assistance Grant no longer being paid in advance (2013/14 this was \$2M paid in advance in June). Otherwise this represents the general pattern of cash holdings over the year. Total funds held are expected to increase in July as the new rating year kicks off.

Items requiring Council Resolution

Changes in Investment Portfolio for June 2014

Previous Investment			New Investment		
Prior Financial Institution	Amount	Interest Rate	Current Financial Institution	Amount	Interest Rate
Hume Bld Society	\$1,000,000.00	3.70%			
Bendigo Bank	\$2,000,000.00	3.50%	Bendigo Bank	\$2,000,000.00	3.55%
			GMCU	\$1,000,000.00	3.55%
CMCU	\$1,000,000.00	4.00%			

RESOLUTION

Items requiring Council Resolution

Statement of Bank Balances as at 30 June 2014

Bank Account Reconciliation

Cash book balance as at 1 June 2014	\$ 2,514,438.21
Receipts for June 2014	\$ 1,277,479.80
Transfers from NAB at Call Account/Term Deposits Credited Back	\$ 2,000,000.00
	<u>\$5,791,918.01</u>
Less Payments Statement No 06/14	
Cheque Payments V75324-V75350	\$ 58,095.32
Electronic Funds Transfer (EFT) payroll	\$ 360,281.65
Electronic Funds Transfer (EFT) creditors E018342-E018660	\$ 1,564,323.13
Transfers to NAB At Call Account/Term Deposits Invested	\$ 2,000,000.00
Loan repayments, bank charges, etc	\$ 13,156.68
Total Payments for June 2014	<u>\$ 3,995,856.78</u>
Cash Book Balance as at 30 June 2014	<u>\$1,796,061.23</u>
Bank Statements as at 30 June 2014	\$ 1,817,480.30
Plus Outstanding Deposits	
Less Outstanding Cheques	\$ 21,419.07
Reconciliation Balance as at 30 June 2014	<u>\$1,796,061.23</u>

INVESTMENT REGISTER

INSTITUTION	DEPOSIT NO.	TERM (days)	RATE	MATURITY DATE	INSTITUTION TOTAL
National Australia Bank	01/09	At Call	2.60%		\$ 510,062.21
Central Murray Credit Union	104/14	180	4.00%	14/12/2014	\$ 2,000,000.00
Bendigo Bank	85/11	180	3.55%	9/12/2014	\$ 2,000,000.00
WAW Credit Union	83/11	180	3.85%	27/10/2014	\$ 2,000,000.00
Defence Bank Limited	102/14	90	3.65%	29/08/2014	\$ 1,000,000.00
Hume	91/12	270	3.80%	9/09/2014	\$ 1,000,000.00
Hume	87/11	180	3.70%	27/07/2014	\$ 1,000,000.00
Bank Of Queensland	90/12	270	3.80%	11/07/2014	\$ 2,000,000.00
AMP	99/13	270	3.90%	12/09/2014	\$ 1,000,000.00
Goulburn Murray Credit Union	101/14	90	3.50%	16/08/2014	\$ 1,000,000.00
Goulburn Murray Credit Union	103/14	180	3.55%	9/12/2014	\$ 1,000,000.00
					<u>\$ 14,510,062.21</u>

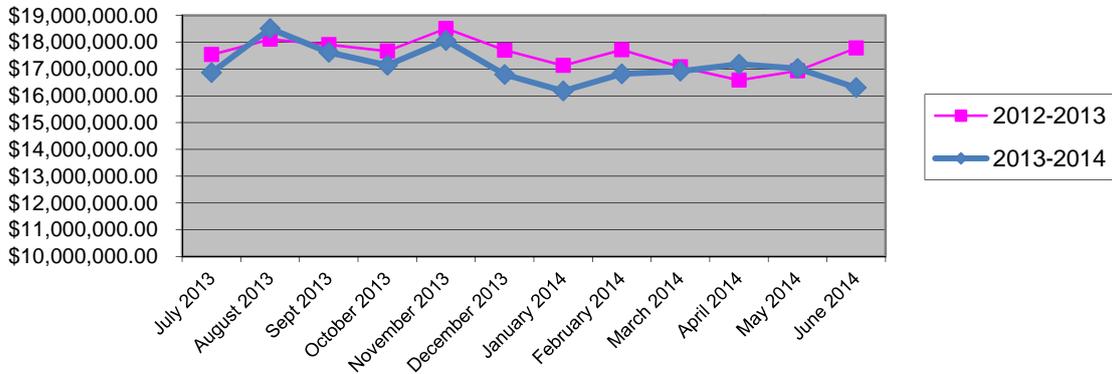
Total Funds Held at 30 June 2014

\$16,306,123.44

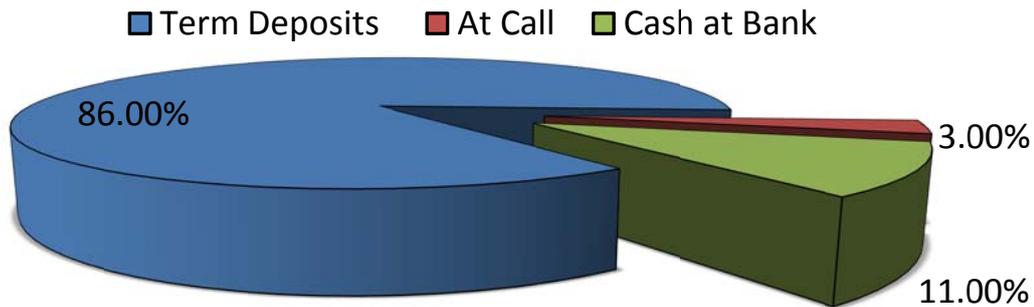
Carla von Brockhusen - Finance Manager

Items requiring Council Resolution

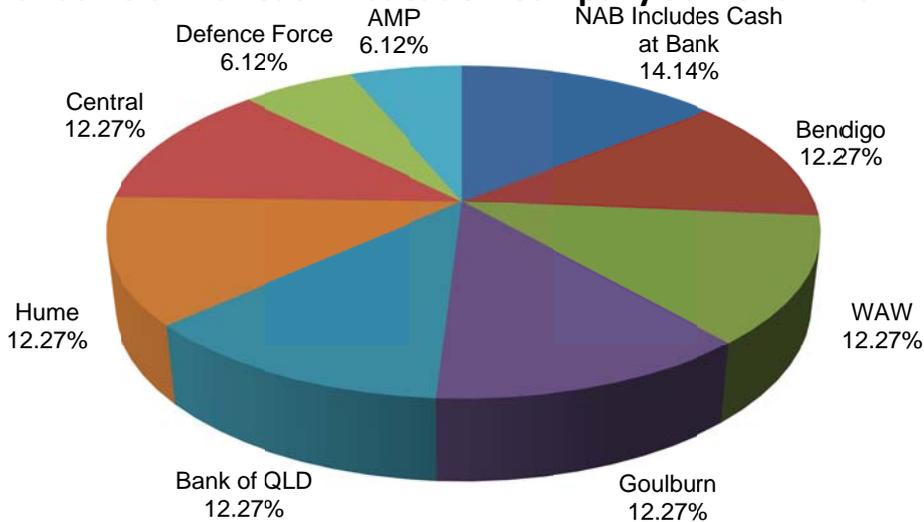
Summary of Total Fund Held at Month End



Funds Held By Council at Month End



Funds held with each Institution Company at Month End



RESOLUTION

Items requiring Council Resolution

5.2 REQUEST FOR EVENT FUNDING**AUTHOR:** Economic Development Officer**STRATEGIC OUTCOME:** Diverse and resilient business**STRATEGIC OBJECTIVE:** 4.2 Strengthen and diversify the local economy**FILE NO:** 08.063.3**RECOMMENDATION:** - for discussion following a presentation from Barooga Professional Bull Ride Event Committee.

REPORT:

The funding application under consideration is from the Barooga PBR Inc. to support the running of the Barooga Professional Bull Ride event in December 2014. This will be the 4th time this event has been held. The event offers double points in the Touring Professional Division for riders trying to qualify to compete in the World event in Las Vegas.

Council supported the combined PBR and Strings Event in 2013. Both events reported a loss to Council in their event acquittal documentation. The PBR organisers felt that the ticket price for the combined event was the key (only) factor in the losses that were recorded. Whilst this could well have been a major factor, other issues such as the product offering suiting two very different target markets should also have been considered.

The event has the ability to attract visitors from outside the LGA, however the marketing plan provided is unlikely to get the message out to the broader target audience. The TV campaign is described as a national campaign on the Southern Cross Network however the budget allocation would not support this.

The event has the ability to attract a good number of visitors however it's appeal would be considered niche. The visitation previously reported are guesstimates at best and although this application states that the 2013 event attracted 600 – 800 people the acquittal of the event stated 600. There is no evidence offered to support the projected attendance figures of 2500+.

The funding application information is circulated as Appendix "A" with this agenda.

Items requiring Council Resolution

5.3 CAPITAL WORKS ON COMMUNITY FACILITIES POLICY**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 adopt as a draft the policy for Capital Projects at Community Facilities attached as set out below and that the draft be circulated for comment to the Council's volunteer committees of management.

1. POLICY STATEMENT

The Council has delegated care, control and management of many of its community facilities (such as recreation reserves, public halls, swimming pools and the like) to volunteer committees of management established under s355 of the *Local Government Act* 1993. This is designed to allow for local control of those facilities to meet local needs.

However, the nature of volunteer committees may make delivery of larger, capital-type projects somewhat difficult and expose the Council to unacceptable risks, including risks to the safety of volunteers, workers and the public, financial risks and risks to reputation.

This policy seeks to mitigate these risks by making the Council directly responsible for the management of capital projects as well as larger maintenance projects.

Nothing in this policy should be seen as detracting from the primary responsibility of the various Committees of Management to undertake the routine operation and maintenance of their respective facility.

2. PURPOSE

The purpose of this policy is to ensure:

- Projects are properly managed and completed.
- Risks involved in these projects are identified and managed
- All parties understand their role in the project

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Items requiring Council Resolution

- User bodies do not by-pass Committees of Management and deal directly with the Council
- Funding agreements are honoured and acquitted in line with any legal requirements
- Assets created are appropriately recorded and recognised.

This policy places the responsibility on the Council to effectively manage and deliver the project and to address any failures encountered – in line with its statutory power and budgeted resources.

3. SCOPE

This policy applies to all volunteer committees of the Council responsible for the care, control and management of community facilities vested in the Council.

4. OBJECTIVE

This policy is developed to assist the Council with Delivery Plan Objective 3.2.1.2.4

In accordance with Asset Management Plans – plan the development and renewal of recreation and open space assets and facilities

5. DEFINITIONS

Committee of Management – A committee established under s355 of the Local Government Act 1993 to exercise a function of the Council. In this case, the volunteer committees of the Council delegated care, control and management of Council's community facilities.

Advisory committee – A committee established by the Council to provide advice and guidance to the Council with the delivery of the project, usually made of representatives of user bodies

User body – A group that makes use of a Council-provided community facility

Capital project – A project that delivers a new or improved facility, as opposed to restoring an existing facility to its original condition.

6. POLICY IMPLEMENTATION

6.1 Approval

Projects may be identified by user bodies, Committees of Management or the Council. Projects identified by user bodies must be referred to the Committee of Management for support and approval.

Items requiring Council Resolution

Committees of Management must submit proposed projects to the Council in writing, along with supporting documentation. Projects that are raised initially verbally at council meetings will not be considered

The Council will then negotiate with the Committee of Management in relation to the project, not individual user bodies.

6.2 Funding

Once agreement is in place regarding the project, individual Clubs can negotiate grant funds from any source other than the Council. Grants acquired from other levels of government will be auspiced by the Council.

If Council grant funds are requested, this will be via the Committee of Management Requests for grant funding will be assessed as per the Council's Requests for Donations and Financial Assistance Policy.

Any grant or loan funds advanced by the Council will be the responsibility of the Committee of Management. If a user body is to meet a debt to the Council for project loan funds, this will be the responsibility of the Committee of Management

Committees of Management are encouraged to submit proposed projects though the Council's annual Operational Plan process. The Council recognises that this is not always possible due to external grant providers having their own timetables.

Before starting work on a project, the Council will require the Committee of Management and other partner funders to provide evidence of sufficient funds to allow them to meet their funding agreement.

6.3 Risk Management Plan

In accordance with Council's Risk Management Policy and Framework, a Risk Management Plan will be developed by Council in consultation with the Committee of Management. The purpose of the Risk Management Plan is to ensure responsible management of the project is achieved.

The Risk Management Plan will outline how risks will be identified, assessed, treated and managed throughout the life of the project. Attempts will be made to eliminate risks, however where this is not possible, they will be minimised as far as is reasonably practicable.

Where risks cannot be eliminated they will be included in the Risk Register component of the Risk Management Plan with timeframes and responsibilities for treatments assigned.

Items requiring Council Resolution

6.4 Project Management

The Council will manage the required works as Project Manager and will make all payments to contractors and suppliers. The Council will take on this role whether or not Council funds are being used.

Depending on the size and nature of the project, the Council may appoint an advisory committee. The advisory committee will have no direct decision-making powers; its role is to provide advice and guidance to the Council and to act as the liaison between the Council and the user bodies.

The Council will work with user bodies and Committees of Management to manage any Development Applications or Construction Certificates that may be required for the project.

Where the Council is making a financial contribution to the project, the Council may charge the cost of any approvals etc. against the project budget. Otherwise, these costs will be assessed under the Council's Requests for Donations and Financial Assistance Policy

The Council will not charge any fees and costs for project management undertaken directly by its staff against any project covered by this policy.

The Council will directly manage any tender or quotation process required to comply with legislation or the Council's Procurement and Disposal Policy.

6.5 Application and exemptions

Projects undertaken at Council venues vary in their size and complexity and there is no hard and fast rule to determine what is a capital project and/or a larger maintenance project

As a guide, a project cost of \$10,000 may be used as a guideline but committees should contact the Council before starting any significant project.

Because of the wide range of projects completed on lands controlled by Committees of Management, the Council may consider exceptions to this policy. In this case, contact should be made with the Council so that this can be clarified and resolved without necessarily excluding a valuable project.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- *Work Health and Safety Act 2011*
- *Office of Local Government Capital Expenditure Guidelines*

Items requiring Council Resolution

7.2 Council policies

- Berrigan Shire Council Code of Conduct
- Berrigan Shire Council Risk Management Framework
- *Berrigan Shire 2023* (Community Strategic Plan)
- Delivery Program
- Risk Management Policy
- Fraud Control Policy
- Requests for Donations and Financial Assistance Policy
- Procurement and Disposal Policy

REPORT:

Over the past two years, there has been a number of significant construction or larger maintenance projects undertaken at community facilities controlled by the Council.

These projects are almost always a partnership between the Council and the volunteer Committee of Management delegated care, control and management of the facility.

Overall these projects have run very smoothly and delivered an excellent outcome. There has been, however, some hurdles and concerns encountered where the roles, responsibilities and obligations of the parties were not clearly defined and/or understood.

This has led to the Council finding itself responsible to projects for which it has had very little oversight or control.

To assist in clarifying these roles and responsibilities the draft policy for Capital Works on Community Facilities is for consideration by the Council.

The policy is largely based on a letter sent to the Committees of Management by the General Manager in 2009, updated to include Risk Management and Work Health and Safety principles.

The basic thrust of the policy is that the Council is responsible for the conduct of any significant capital works or major maintenance projects. The Committees of Management would retain an advisory and consultative role.

Once adopted as a draft, the draft policy will be circulated to the volunteer Committees for comment and feedback and returned to the Council for adoption at the August ordinary meeting.

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Items requiring Council Resolution

5.4 CONTRACT T02/14/15 SUPPLY OF QUARRY PRODUCTS FOR YEAR 2014/2015**AUTHOR:** Director Technical Services**STRATEGIC OUTCOME:** Sustainable natural and built landscapes**STRATEGIC OBJECTIVE:** 1.3 Connect and protect our communities**FILE NO:** T02/14/15**RECOMMENDATIONS:** that the Council:

1. accept the tender submissions of the following tenderers in relation to T02/14/15:
E.B. Mawson & Sons Pty Ltd,
Andrew Goldman Excavations,
Lawrence Brothers
2. sign and seal the contract documents.
3. include all other tenderers on Council's Vendor Panel as acceptable suppliers

REPORT:

This tender is for T02/14/15, Supply of Quarry Products within the Shire for the 2014/2015 year.

The contract is a schedule of rates contract.

Tenders closed at 2.00 pm Wednesday 28th of May, 2014. At the time of closing a total of five submissions were received.

Submissions were received from the following organizations

E.B. Mawson & Sons Pty Ltd
Andrew Goldman Excavations
Milbrae Quarries Pty Ltd
Burgess Earthmoving P/L
Lawrence Brothers

Items requiring Council Resolution

Consideration of the Tenders

All tenders were considered by the Tender Evaluation Committee consisting of Fred Exton, Michelle Koopman and Dean Loats.

All tenders received were considered to be compliant with the specification.

Of the five tenders received, three have submitted competitive prices for the range of materials that Council will require over the period of the contract while the remaining two are considered non competitive due to the increased distance from their quarry to Berrigan Shire.

The recommendation is to accept the tenders of E.B. Mawson & Sons Pty Ltd, Andrew Goldman Excavations and Lawrence Brothers with the materials for specific works to be selected by Council staff from the tendered products on a 'Best Value' basis.

The remaining two tenderers will be advised that they have been unsuccessful in relation to the tender and that they will however be included on our 'Vendor Panel' should we have a need to purchase any of the products they have tendered.

Supervisor

The superintendent of the contract will be the Director of Technical Services and the superintendent's representative will be the Operations Manager.

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Items requiring Council Resolution

5.5 TENDER NO. T01/14/15 - ANNUAL PLANT HIRE RATES FOR 2014/15 YEAR

AUTHOR: Director Technical Services

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities

FILE NO: T01/14/15

RECOMMENDATION: that the Council:

1. Accept the tender submission of the following tenderers in relation to T01/14/15:
 - Cobram Sand & Gravel Pty Ltd
 - Glengarleigh Pty Ltd
 - Andrew Goldman Excavations
 - Foxy's Backhoe Service
 - Fenhill Pty Ltd
 - Berrigan Water Cartage
 - SE and ST Little P/L
 - John Nolen
 - Austen Robinson Excavations Pty Ltd
 - Pascoe Grading and Earthmoving Contractors Pty Ltd
 - Holgate/Hicks
 - Gordon Yelland Earthmoving
 - Necam Pty Ltd
 - SP & LA O'Brien Pty Ltd

and include their offers on the plant hire list compiled for use by Council staff to select suitable plant on a 'Best Value' basis to support the delivery of works and services.
2. sign and seal the contract documents.
3. include all other tenderers on Council's Vendor Panel as acceptable suppliers

REPORT:

This tender is for T01/14/15, Annual Plant Hire Rates. The Council wishes to compile a list of available specific items of plant for hire to supplement its own plant fleet. The list is to enable the Council to select suitable plant on a 'Best Value' basis to support the delivery of works and services to the community as required.

The contract is a schedule of rates contract.

Items requiring Council Resolution

Tenders closed at 2:00 pm Wednesday 28th of May, 2014. At the time of closing a total of twenty-five submissions were received.

Submissions were received from the following organizations:

Conplant Pty Ltd
Coates Hire Operations Pty Ltd
Sherrin Rentals Pty Ltd
Luxton Plant Pty Ltd
SP & LA O'Brien Pty Ltd
Cobram Sand & Gravel Pty Ltd
Glengarleigh Pty Ltd
Earth Plant Hire Pty Ltd
Andrew Goldman Excavations
Foxy's Backhoe Service
Fenhill Pty Ltd
Berrigan water Cartage
Porter Industries T/A Porter Plant
JB Nolan & DM Nolan
Gordon Yelland Earthmoving
Necam Pty Ltd
SE & ST Little
Peter McPherson Compaction
Holgate/Hicks
William Adams
Austen Robinson Excavations
Pascoe Grading and Earthworks Contractors
RSP Environmental Services
Stabilco
Stabilised Pavements Australia

Consideration of the Tenders

All tenders were considered by the Tender Evaluation Committee consisting of Fred Exton, Michelle Koopman and Dean Loats.

All tenders received were considered to be compliant with the specification.

In evaluating the twenty-five tenders received it was decided to recommend that only those that offered plant that was commonly used by Council and supplied with an operator be offered formal contracts as these are the only services that are likely to surpass the triggers for tendering requirements of the Local Government Act. The remaining tenderers will be placed on Council's 'Vendor Panel' and their services still employed as required. Two of these remaining tenderers offer road

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Items requiring Council Resolution

stabilization plant and while these services may well be of a scale that triggers the tendering requirements they will be managed under an independent tendering system specifically for these services.

Supervisor

The superintendent of the contract will be the Director of Technical Services and the superintendent's representative will be the Operations Manager.

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Items requiring Council Resolution

**5.6 TRANSPORT ASSET MANAGEMENT PLAN &
TRANSPORT ADVANCED INFRASTRUCTURE
RISK MANAGEMENT PLAN**

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: 28.121.1

RECOMMENDATION: - that Council adopt the Transport Asset Management
Plans & Transport Advanced Infrastructure Risk Management Plan attached
as Appendix "B" and "C".

REPORT:

The preparation of Transport Asset Management Plans (roads, street bridges, footpaths and kerb & gutter) is listed in the Council's Corporate Plan.

Draft documents, including associated Transport Advanced Infrastructure Risk Management Plan have been prepared and placed on public exhibition inviting public comment since 28th May, 2014.

No submissions have been received in relation to these plans and it is recommended that they now be adopted.

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Items requiring Council Resolution

**5.7 PEDESTRIAN ACCESS AND MOBILITY PLANS;
BAROOGA, BERRIGAN, FINLEY AND TOCUMWAL****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:** 28.121.1**RECOMMENDATION:** - that the Council adopt the Barooga Pedestrian Access and Mobility Plan, Berrigan Pedestrian Access and Mobility Plan, Finley Pedestrian Access and Mobility Plan and Tocumwal Pedestrian Access and Mobility Plan attached as Appendices "D", "E", "F" and "G".

REPORT:

The Pedestrian Access and Mobility Plans for Barooga, Berrigan, Finley and Tocumwal were adopted by Council in 2006. As many of the actions from these plans have been addressed it is necessary that the plans be reviewed and new priorities set.

The outcome of Pedestrian Access and Mobility Plans review will set priorities for the construction of pedestrian facilities for the Council Management Plan.

Draft documents have been prepared and placed on public exhibition inviting public comment since 28th May, 2014.

No submissions have been received in relation to these plans and it is recommended that they now be adopted.

Items requiring Council Resolution

5.8 NAMING OF COMMUNITY FACILITIES AND OPEN SPACE POLICY**AUTHOR:** Director Corporate Services**STRATEGIC OUTCOME:** Supported and engaged communities**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance by Council of Council operations and reporting**FILE NO:****RECOMMENDATION:** - that the Council adopt as a draft the policy for Naming of Community Facilities and Open Space as set out below and that the draft be circulated for comment to the Council's volunteer committees of management.**1. POLICY STATEMENT**

It is often appropriate to name Council-controlled community facilities and open space to recognise and honour the history and culture of Berrigan Shire and its community.

When naming these facilities, it is important that the names chosen are appropriate and that the views of relevant stakeholders are given consideration and weight. It is also important that a consistent process is used to determine the names chosen for a facility.

This policy provides a consistent and open process to determine appropriate and relevant names that reflect the history and culture of Berrigan Shire and its community.

2. PURPOSE

The purpose of this policy is to ensure:

- A consistent process is followed when naming Council controlled community facilities and open space
- Names chosen for Council-controlled community facilities and open space are appropriate and enjoy community support
- All parties involved in naming relevant facilities understand the Council's process.
- Recognition of places and people with historic, scenic and/or cultural significance.

RESOLUTION

Items requiring Council Resolution

- The names of relevant facilities and the rationales behind the naming are recorded and stored for future reference.

3. SCOPE

This policy applies to the naming of Council-controlled facilities and open space, including and not limited to buildings and structures, fixed equipment, parks and sporting fields.

The policy applies to facilities and open space owned directly by the Council as well as Crown Land where the Council is trustee. The policy also applies where the Council has delegated care, control and management of the facilities to a volunteer committee of the Council.

The policy does not apply to the naming of Council roads and streets, which are covered by the Council's Streets and Public Places Naming Policy. The policy does not apply to the naming of geographical or topographical features which are covered by the Geographic Names Board.

4. OBJECTIVE

This policy is developed to assist the Council with Operational Plan Objective 2.2.2.10.1

Develop and implement Naming Infrastructure and Assets at Council Controlled Facilities Policy

5. DEFINITIONS

Committee of Management – A committee established under s355 of the Local Government Act 1993 to exercise a function of the Council. In this case, the volunteer committees of the Council delegated care, control and management of Council's community facilities.

Facility – A park, piece of open space, building, oval, garden, court etc. owned by the Council and managed directly or through a Committee of Management. This may be on land owned by the Council or Crown Land for which the Council is trustee.

User body – A group that makes use of a Council-provided community facility

Items requiring Council Resolution

6. POLICY IMPLEMENTATION

6.1 General principles

It is intended that facilities would be named after individuals only in exceptional circumstances and that such naming would:

- Commemorate and recognise individuals, institutions or events that contributed significantly to the betterment of the Berrigan Shire community.
- Demonstrated achievement at a high level
- Portray the appropriate physical, historical or cultural character of the area/place concerned
- Be consistent with the overall interest, values and expectation of the Berrigan Shire community
- Be consistent with the relevant legislation and Geographical Names Board Guidelines where applicable

6.2 Process

Names for Council-controlled community facilities and open space may be proposed by:

- Councillors
- Council staff
- The responsible volunteer Committee of Management
- User bodies using the facility
- Other community groups and government organisations
- The general public

Requests for naming or renaming a facility must be submitted to the Council in writing and include sufficient information on the name and its link to the facility to allow the Council to make a decision.

Council officers will consult with relevant parties in a discreet fashion about the proposed name and prepare a report for the Council.

If the facility is proposed to be named after a living person, the Council will require that person's express approval.

Before a deceased person's name is proposed for naming, the deceased person's next of kin or appropriate relative will be consulted where practicable,

While there is no obligation to undergo a public consultation process, the Council may seek public comment should it feel it to be appropriate.

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Items requiring Council Resolution

As a result of the consultation process, the Council will not promise and cannot guarantee confidentiality regarding any naming proposal put forward.

Approval of the proposed name will then be determined by the Council by means of a Council resolution based on the report provided and the judgement of the Council.

6.3 Appropriate names

The Council will not approve naming facilities after sponsors; however individual rooms and features may be informally named as such by user bodies on a temporary basis.

As a general rule, facilities will not be named for members of Council staff, Councillors or those formally associated with Council, as long as that formal relationship exists. An exception may be made where the naming is specifically to honour the Councillor's or member of staff service outside their formal Council role.

6.4 Miscellaneous

The Council will ensure the origin of the name will be clearly stated and recorded.

Once approved, the installation and type of signage will be coordinated by the Council with the cost being borne by the applicant of the request. Only in extraordinary circumstances with the Council cover the cost of purchasing and installing signage.

If a facility that has been named is removed or replaced for any reason, or the nature of the facility changes, Council is not obliged to retain the name.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- Geographical Naming Board of New South Wales Guidelines for the Determination of Place Names

7.2 Council policies

- Berrigan Shire Council Code of Conduct
- *Berrigan Shire 2023 (Community Strategic Plan)*
- Streets and Public Places Naming Policy

REPORT:

Items requiring Council Resolution

In recent months, there has been a number of new Council facilities constructed and named. There appeared to be some uncertainty regarding the responsibilities and roles of the various groups (Council, committees and user bodies) regarding naming of these facilities

To address this uncertainty, at its ordinary meeting of 19 February 2014, the Council made the following resolution.

that the Council prepare a Policy requiring Committees of Management to seek the Council's permission to name infrastructure at Council controlled facilities.

This resolution was incorporated into the Council's 2014/15 Operational Plan as Item 2.2.2.10.1

Develop and implement Naming Infrastructure and Assets at Council Controlled Facilities Policy

The draft policy provides guidance and advice to the Council on other bodies on:

- The naming process, including consultation
- Appropriate and inappropriate names
- Roles and responsibilities

The general principle of the policy is that names of Council-controlled facilities and open space will be determined by the Council through a formal Council resolution.

Once adopted as a draft, the draft policy will be circulated to the volunteer committees for comment and feedback and returned to the Council for adoption at the August ordinary meeting.

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Items requiring Council Resolution

5.9 SOUTHERN RIVERINA GLIDING CLUB – PURCHASE OF LAND

AUTHOR: General Manager

STRATEGIC OUTCOME: Supported and engaged communities

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

FILE NO: PF

RECOMMENDATION: - that the Council advise the Southern Riverina Gliding Club that:

1. It does not propose to undertake any further subdivision at Tocumwal Aerodrome until the present subdivision is substantially sold; and
2. It will revoke its proposed sale of lot 26 DP 1190777 to it and the proposed terms of the sale at its meeting to be held on 20th August 2014 unless taken up by it before that date.
3. If the Club does not proceed with the proposed sale of lot 26 DP 119077 by 20th August 2014 it will, in terms of the agreed conditions, require repayment of an amount of \$1,713.01 being the Council's legal costs in progressing the proposed sale to date.

REPORT:

Councillors may recall that at its November 2013 considered the following report:

“As Councillors may be aware, the Council has recently subdivided twelve lots at Tocumwal Aerodrome. The lots are being marketed at prices of \$77,000 for lots 24 and 25 and \$66,000 for the balance which at present are non negotiable.

A copy of the Plan of Subdivision is circulated with this agenda as Appendix “I”.

The Council has created the lots with the aim of creating additional activity at the Aerodrome and increasing ongoing revenue to reduce ongoing operating losses.

Whilst Certificate of Title to the Land is not yet available the Council has taken holding deposits of \$1,000 on five lots being 32, 33, 34, 35 and 25.

The Council has received a request from the Southern Riverina Gliding Club Inc for a terms purchase of lot 26.

Items requiring Council Resolution

The Club in its application advises that:

- *The Club was incorporated in 2008;*
- *The Club is a non-commercial organization that aims to provide lower cost access to the sport of gliding than is available from commercial gliding operations;*
- *It has been able to attract 130 members through free of charge pilot training and a high standard of operation;*
- *It has expanded its fleet of gliders and purchase one aircraft;*
- *It operates from a commercially leased hangar at Tocumwal Aerodrome; and*
- *It is financially independent;*

The Club believes that the fact that it operates from leased, rather than freehold, facilities precludes it from application for State or Federal Grants.

As stated earlier, and given the above the Club has put forward a proposal to purchase lot 26 on a terms arrangement.

The Club is proposing that the Council allow it to purchase lot 26 based upon:

- *A 10 year repayment term;*
- *The repayment term to commence after the first year ie an 11 term with no repayments in the first year;*
- *The terms being interest free;*
- *The first year being used to raise funds and establish the required operational infrastructure on the land.*

Discussion

The proposal from the Club raises a number of positive and negative issues that the Council needs to be aware of.

Positive

- *The proposal obviously creates another land sale at the Aerodrome.*

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Items requiring Council Resolution

- *Lot 26 is badly affected by an electricity easement however in the case of the Club this does not materially impact on its development proposals which may not be the case with another purchaser.*
- *Lot 26 whilst large in area is a difficult development shape.*
- *In the long term the opportunity to hold freehold land would eliminate the need for ongoing use of rental facilities.*
- *It would help sustain another community organization and encourage sports participation.*
- *The Council has previously sold industrial land at Finley on terms with debt secured via a mortgage.*
- *The risk of financial failure can be adequately secured via a mortgage over the property.*

Negative

While an additional land sale is created it is obviously at a discounted rate if an interest free finance facility is provided.

Whilst the Council provides low cost loans to its Committees of Management and in one case to an independently incorporated body this has been for the development of facilities or purchases equipment that is tied to Council owned or controlled land.

The Council has not provided interest free terms in any other known situations.

If the Council chose to provide a low interest or no interest finance facility it could be challenged by providers of other similar services under the terms of the National Competition Policy.

Assessment

If the Council chooses to support the intent of the application, it could do this on the basis of:

Agree to the 11 year term sought including the one establishment period that would be repayment free.

Charge a commercial interest rate from the commencement of the loan period (ie 11 years reducing interest).

Items requiring Council Resolution

Secure the debt over the property.

Require certain works to be completed in the repayment holiday period (subject to legal advice regarding the Council's capacity to require this).

Regardless of the terms unless the proposed is a normal cash sale the Council will be required to public notice of its intention to provide a terms arrangement.

If the Council does not support the request then the Club will, I assume, carry on its present operations and the Council will continue to market the property.

Conclusion

At this stage, the Council is not required to make a definitive decision rather staff are seeking an indication of the Council's position that can be relayed to the Club."

Following its consideration of the report the Council resolved "that the Council advise the Southern Riverina Gliding Club Inc that, subject to agreement of specific terms and conditions and the receipt of legal advice, it would be prepared to sell lot 26 of an unregistered Development Plan to the Club on the following terms:

- 1. at a cost of \$66,000 including GST*
- 2. repayments made in the final 10 years of an 11 year repayment term*
- 3. the application of a commercial interest rate on the amount outstanding*
- 4. a mortgage in the Council favour is recorded on the Certificate of Title of Lot 26 an agreed development schedule is negotiated for year 1 of the repayment term.*
- 5. All legal costs associated with the loan document to be met by the Southern Riverina Gliding Club.*

Since, the above resolution the Club formally accepted the Council's offer and relevant easements and legal documents were prepared to progress the issue.

During the period of wet weather in April 2014 the Club was concerned with some flooding in the area of lot 26. The flooding was also of concern to staff.

After investigation it was found that:

- 1 pit had been constructed higher than designed; and
- A surface drain had been filled in during construction works.

The above issues have since been rectified

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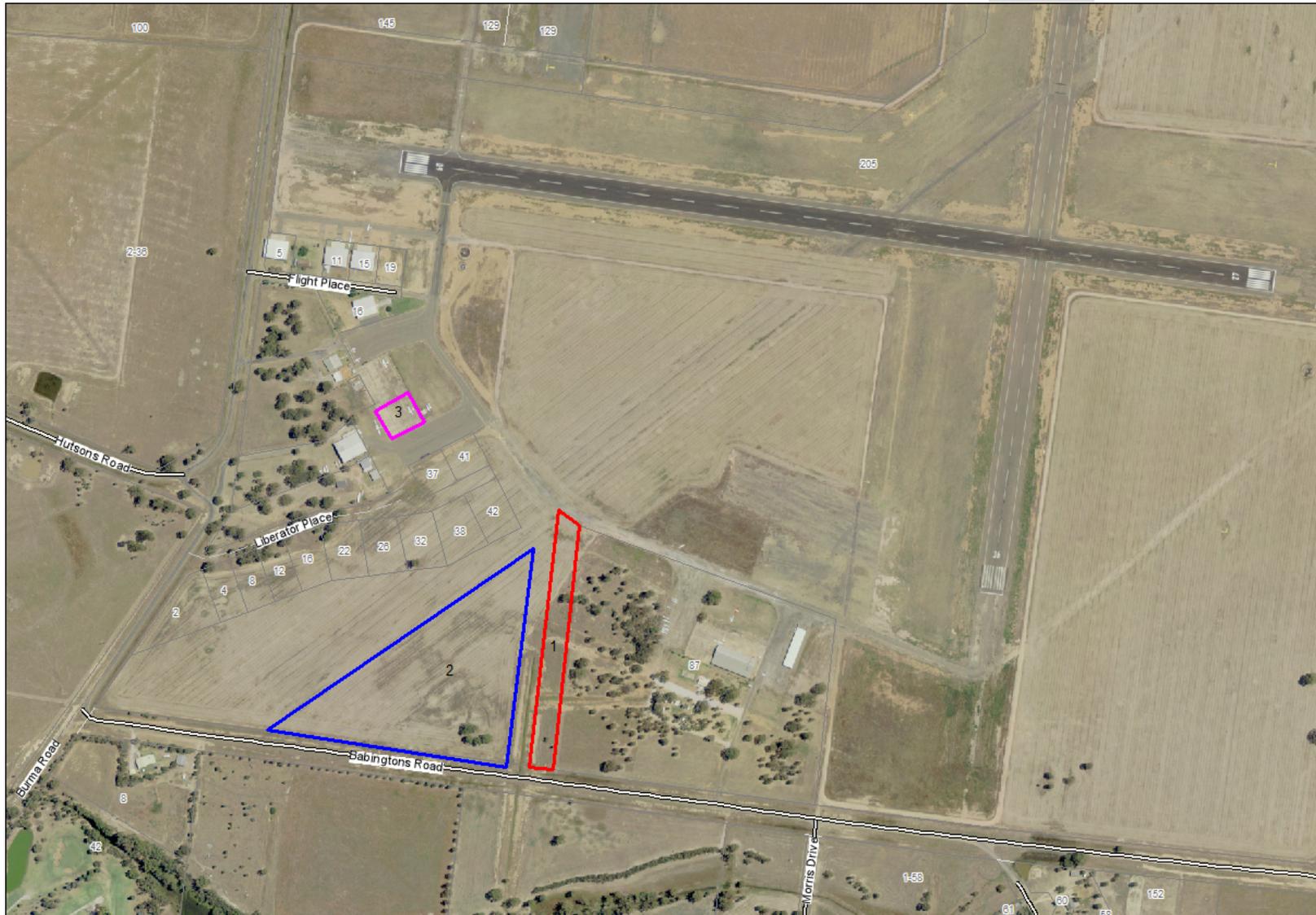
Items requiring Council Resolution

Recently the new Club President has advised that whilst “still evaluating” whether lot 26 suited the Club’s needs it would like to pursue three other land options as set out on the attached plan and shown as “1”, “2” and “3”.

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Items requiring Council Resolution

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Items requiring Council Resolution

In terms of considering the latest request it is disappointing that having expended time and money (\$1,713) on progressing the issue it does not appear that the Club is committed to the proposed sale.

In relation to the options sought by the Club the following is relevant:

- Any of the options would require subdivision and option 3 would require some form of easement access to an existing road or the creation of a new road to provide legal access.
- The Council already has subdivided land available for immediate purchase.
- Options 2 & 3 are zoned for industrial use.
- Option 3 is effectively an old hangar site which is used as a tie down area for aircraft parked at the aerodrome.
- Option 3 is central to the key working area of the powered aircraft at the aerodrome.
- Any land required to be subdivided will require the provision of normal subdivisional services ie water, power, sewer and telephone etc.
- Servicing any of the options will be expensive due to the inability to spread development costs over a larger number of lots although no investigation has been undertaken at this stage.

It is suggested that the Council should advise the Club that it does not intend to develop any further land at the aerodrome until such time as the existing subdivision is substantially sold.

It is also suggested that the Council advise the Club that its offer of sale of lot 26 and the financing option in relation to the purchase will be revoked at the August 2014 Council meeting if not taken up by the Club.

Items requiring Council Resolution

5.10 PROPOSED INCREASE OF PUBLIC LIGHTING CHARGES**AUTHOR:** Director Corporate Services**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.3 Strengthen strategic relationships and partnerships with community, business and government**FILE NO:** 28.101.5**RECOMMENDATION:** - that the Council make a submission to the Australian Energy Regulator regarding Essential Energy's proposed increase in the Street Lighting Use of Service (SLOUS) charge from 2015/16.**REPORT:**

The Australian Energy Regulator (AER) regulates energy markets and networks under national energy market legislation and rules.

[As detailed on their website](#), the functions of AER include the following:

- *setting the prices charged for using energy networks (electricity poles and wires and gas pipelines) to transport energy to customers*
- *monitoring wholesale electricity and gas markets to ensure suppliers comply with the legislation and rules, and taking enforcement action where necessary*
- *regulating retail energy markets in the ACT, South Australia, Tasmania (electricity only) and New South Wales.*

AER are currently in the process of making a determination on Essential Energy's operations (including prices to be charged) for the period 2014-2019. The determination process can be found at <http://www.aer.gov.au/node/11485>. AER have made an interim determination for the 2014/15 financial year.

In the determination, Essential Energy are seeking AER approval for significant increases in what is known as the Street Lighting Use of Service (SLOUS) charge – i.e. the charge for maintaining, operating – and in some cases, replacing, the public lighting systems in rural New South Wales. A copy of the proposal is attached as Appendix "H".

RESOLUTION

Items requiring Council Resolution

On average, the increase across all NSW councils affected is around 64%. In the case of Berrigan Shire, the increase is from \$49,521 for the 2014/15 financial year, to \$96,684 in 2015/16 – an increase of \$47,163 or 95%. Over the Council's 1,068 street lights, this is an average annual cost of \$90.52 per light. This increase is despite the Council participating in and financially contributing to an Essential Energy scheme to improve the energy efficiency of the Council's street lights.

The justification given by Essential Energy for the proposed increase is that the current regulated charge does not meet the underlying cost of providing the service. Council staff do not have the technical knowledge or the data to determine if the claim is truthful.

The size of the proposed increase is extraordinary and it is difficult to see how the Council could absorb such an increase, especially when the Council's major source of untied revenue – its Financial Assistance Grant – has been "paused". If this increase is approved by AER, the Council will need to consider seriously passing this cost onto ratepayers by way of a Special Rate Variation.

Note that Essential Energy is wholly owned by the NSW government and it could be argued that this proposal is another attempt at cost shifting by state government.

AER are currently seeking submissions regarding the Essential Energy proposal until 1 August 2014. The Council may wish to consider making a submission; however any Council submission would be limited to informing AER of the impact of the increase on the Council and ratepayers as well as providing some information on the Council's role in the move to more energy efficient street lights.

Items requiring Council Resolution

5.11 RAMROC REGIONAL WASTE STRATEGY**AUTHOR:** Environmental Engineer**STRATEGIC OUTCOME:** Sustainable natural and built landscapes**STRATEGIC OBJECTIVE:** 1.1 Support sustainable use of our natural resources and built landscapes**FILE NO:** 31.160.3**RECOMMENDATION:** - that the Council adopt the Regional Waste Strategy.

REPORT:

The NSW Environmental Protection Agency has advised the RAMROC waste Coordinator of a requirement for Council's participating in the RAMROC waste group to adopt the now completed Regional Waste Avoidance and Resource Recovery Strategy. The strategy encompasses the NSW governments' Waste Avoidance and Resource Recovery (WARR) Act 2001 which outlines the following Key result areas and targets:

The NSW State Government's waste management framework aims to provide a consistent regulatory and policy approach to minimise harm to the environment and encourage waste avoidance and resource recovery. To achieve this, the NSW State Government uses a mix of legislative, policy, strategy, educational and economic tools (Table 3).

The NSW Government administers the waste regulatory framework through the state's primary environment protection legislation, the *Protection of the Environment Operations (POEO) Act 1997*, together with the *Waste Avoidance and Resource Recovery (WARR) Act 2001* and the *Protection of the Environment Operations (Waste) Regulation 2005*. These key statutes contain the requirements for managing, storing, transporting, processing, recovering and disposing of waste.

Since 2005, the Government has implemented a levy on landfilled waste as a regulatory measure to drive waste avoidance and resource recovery by providing an economic incentive to reduce waste disposal and stimulate investment and innovation in resource recovery technologies. The Waste and Environment Levy (also known as the Section 88 or s.88 levy) is charged at the gate of landfills that operate in 'regulated areas' – the Sydney Metropolitan Area, the Extended Regulated Area and the Regional Regulated Area.

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Items requiring Council Resolution

'Non-regulated areas' are termed 'Rest of NSW' and include the RAMROC region as well as other relatively remote areas of NSW. Effectively the waste levy is a tax paid by the waste generator and collected by landfill operators, on behalf of the NSW government. Funds collected are allocated to the state's general revenue, and some portion is earmarked for reinvestment in the waste sector and for increasing waste diversion from landfill.

At present, as RAMROC does not sit within the regulated areas, there is no requirement for the region's landfill operators to pay a levy on waste deposited at their site. However, the POEO Act is currently under review and it is expected that landfills that receive more than a few thousand tonnes per year may be captured by the Section 88 levy in the future. To assist with the transition, it is also expected (based on a verbal commitment made by the NSW EPA) that the NSW government will provide up to 50,000 towards the cost of a weighbridge for sites affected by the 'soon to be announced' changes to the POEO Act.

The management of waste is a key priority for the NSW State Government. Waste related goals in 'NSW2021: A plan to make NSW 'number one' include achieving recycling targets as a key priority ('Goal 23'), as well as reducing litter ('Goal 23'), reducing illegal dumping ('Goal 22'), and supporting community recycling drop off centres to improve the management of household hazardous wastes (Goal 23). NSW released its first waste strategy in 2003. It was subsequently updated in 2007 and again in 2013. The Draft 2013 WARR Strategy is one of the key policy tools being used to meet a number of waste management goals, including the updated targets for reducing waste to landfill (Table 4).

Table 4 NSW recycling rates and diversion from land fill targets

Waste Type	RAMROC 2013 Diversion	NSW 2010-11 Diversion	2014 Diversion	2022 Diversion Targets
Municipal Solid Waste recycling	27%	52%	66%	70%
Commercial & Industrial recycling	Not reported	57%	63%	70%

Items requiring Council Resolution

Construction & Demolition recycling	Not reported	75%	76%	80%
Overall diversion from land fill	n/a	n/a	n/a	75%

Overall, the Draft 2013 WARR Strategy sets the strategic agenda for recycling and waste avoidance in NSW. It is designed to provide a continuing framework that will guide actions to achieve the NSW State Government's policy objectives of minimising environmental harm from waste generation, and conserving and maximising resource use. The WARR Strategy establishes targets for six key result areas that have been identified as Waste management priorities in NSW (Table 5).

Table 5 WARR Strategy key result area and targets

Key Result Area	
Avoid and reduce waste generation	By 2021-22 reduce the rate of waste generation per capita
Increase recycling	By 2021-22 increase recycling rates for: <ul style="list-style-type: none"> \ MSW from 52% in (2010`11) to 70% \ C&I from 57% (in 2010`11) to 70% \ C&D from 75% (in 2010`11 to 80%
Divert more waste from landfill	By 2021-22 increase waste diverted from landfill from 63% to 75%
Manage problem waste better	By 2021-22 establish or upgrade 86 drop off facilities or services for managing household problem waste state-wide.
Reduce litter	By 2016-2017 reduce the number of litter items by 40% compared to 2011-12 levels and then continue to reduce litter items to 2021-22

Items requiring Council Resolution

Reduce illegal dumping

Implement the NSW Illegal Dumping Strategy 2013-15.

By 2016-2017 establish baseline data to allow for setting targets.

RAMROC member Councils have taken advantage of the first round of grant funding that closed in February and March 2014 and submitted a number of funding proposals. Applications submitted by individual Councils included proposals for Community Recycling Centres at Albury, Deniliquin, Murray and Griffith; an expression of interest application for Combating Illegal Dumping and a litter Prevention Grant by the Riverina Waste Group; and a regional RAMROC application for the Love Food Hate Waste program.

The WLRM initiative includes a Local Government Waste and Resource Recovery program that will provide 7 million to support regional and rural local councils with landfill consolidation and closure, building and upgrading of transfer stations, and environmental improvements to small landfills servicing rural communities. A number of RAMROC member Councils have expressed a particular interest in this program, however specific funding opportunities have yet to be announced by the EPA.

Referring to the NSW recycling rates and diversions from landfill targets, the RAMROC group as a whole has a way to go with meeting these (ref. table 4). Berrigan Shire has resource recovery rates from the domestic waste stream of 48% which exceeds the overall NSW average of 47% and is the best in the RAMROC group, including Albury City at 42% and Wakool at 45%. Council has better than average kerb-side generation yields (kg/person/week), either disposed or recovered. The figures match the NSW averages.

The advantage to Council, to adopt the regional strategy is twofold:

- 1 The strategy outlines the RAMROC response to the EPA's WARR key result areas and targets, thereby ensuring regional solutions are adopted rather than imposed
2. Individual Council projects are identified for inclusion in grant funding applications, being the construction of a future waste transfer station at Tocumwal upon closure of this landfill in the foreseeable future.

In conclusion as noted elsewhere, grant funding from the EPA for projects both within and outside the levied areas is wholly dependent on Councils and ROC's being able to demonstrate strategic planning for projects as is the case with adoption of the RAMROC Plan.

Items requiring Council Resolution

By adopting the Regional Waste Strategy Plan the Council also meets the reduce waste to landfill key performance indicators.

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Items requiring Council Resolution

5.12 DELIVERY PROGRAM PROGRESS REPORT & OPERATIONAL PLAN REVIEW

AUTHOR: Strategic & Social Planning Coordinator

STRATEGIC OUTCOME: Good government

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

FILE NO: 04.121.4

RECOMMENDATION: - that Council note the fourth Quarterly Review of the Annual Operational Plan 2013/14 and Delivery Program 2013 – 2017 Progress Report circulated as Appendix “I”.

REPORT:

Circulated with this Agenda as Appendix “I” is the second Progress Report of Council’s 4-year Delivery Program 2013- 2017 and the fourth quarter review of the *Council’s Annual Operational Plan 2013/14*: the first year of Council’s Berrigan Shire 2023: 4-year *Delivery Program 2013 – 2017*.

Covering the period January to June 2014 the Delivery Program Progress Report and March 2014 – June 2014 fourth quarter review of Council’s *Operational Plan 2013/14* has been prepared by Responsible Officers. It provides a traffic light review of the status of:

- Council actions that support and promote *Berrigan Shire 2023* outcomes (these are outcomes which match Department of Local Government’s quadruple bottom line reporting requirements: Social, Economic, Environmental and Civic Leadership);
- *Delivery Program Objectives*;
- *Annual Operational Plan Objectives*; and
- *Annual Operational Plan Actions*.

The traffic light format visually updates the status of *Council’s Annual Operational Plan* and Council’s progress toward full implementation of its 4-year *Delivery Program*. It should be read in accordance with the following key:

 Complete

 On Target

 Not On Target

 Past Due

 No Status / Deferred

Items requiring Council Resolution

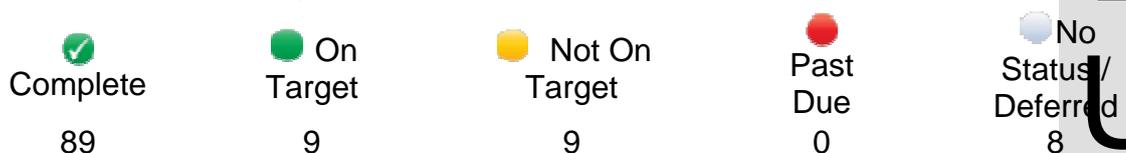
Additional information in the appended *Delivery Program Progress Report and Operational Plan Review* includes:

1. A percentage target for each *Delivery Program, Annual Operational Plan* objective and or *Operational Plan* action – usually 100% though in some instances where it is reasonable to assume a degree of ‘slippage’:(i.e.: seasonality; carryover from previous years and or carry forward as is the case for ongoing capital works) the full year performance target may be lower
2. Comments from the Responsible Council Officer highlighting service achievements and or the challenges relevant to the Council operation being reported and its status.

It is pleasing to note that Council’s 4-year Delivery Program is on target and, with reference to the final quarter of 2013/14 Operational Plan a number of scheduled actions were fully completed including:

- Formal commencement of Council’s rolling program of town entrance upgrades with the engagement of landscape designer to further develop concepts identified by Tocumwal and Finley residents at initial planning meetings
- Legislative requirements met for the review, public exhibition and adoption by Council of its suite of Integrated Planning and Reporting documents
- Employment Expo held in conjunction with Finley High School and local business; and Council’s
- Business and Environment Awards

June Quarter 2014 Performance at a Glance



Council’s Operational Plan identifies and reports on the status of 116 objectives and associated actions. Of these are 99 are complete and or on target, 8 have been deferred by Council with a further 9 business level actions identified as not on target and carried forward as part of Council’s 2014/15 Annual Operational Plan.

Actions which are not on target are business level actions included in the Annual Operational Plan to assist with monitoring progress toward the integration of business level processes that monitor Council operations and Council Officers support of Section 355 Committees.

RESOLUTION

Items requiring Council Resolution

5.13 FEES AND CHARGES 2014-15

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.1 Berrigan Shire 2022 objective and strategies inform Council planning and community led projects

FILE NO: 04.121.4

RECOMMENDATION: - that the Council state its intention to amend its 2014/15 Fees and Charges register as shown in Appendix "J" at its August ordinary meeting and provide public notice of the proposed changes and invite submissions for 28 days in line with Section 610F of the *Local Government Act 1993*.

REPORT:

After the adoption of the 2014-15 Fees and Charges Register as part of the overall adoption of the Integrated Planning and Reporting suite of documents, some typographical errors were noticed in the document.

These errors should have been identified before the document was presented to the Council and I apologise that this did not happen.

The errors are as follows:

Charge	Error
1.2.2 and 1.2.3 Development Consent - Subdivision	An error in the 2013/14 charge shown. No impact on the 2014/15 fee
1.9.3 Amendment to Development Consent s96(2)	2014/15 fee should read "50%" not "550%"
12.7, 12.8 and 12.9 Water Connection charges	2014/15 fees were calculated on the basis of the 2012/13 fees and not the 2013/14 fees.

The first two errors are simply dealt with and do not require any action from the Council – the changes are being made for completeness sake.

The final error is of more concern. It means the Council is currently charging less than it should for these services.

Items requiring Council Resolution

The revised fees and charges are as shown below.

ENVIRONMENTAL SERVICES							
ITEM NO.	PARTICULARS	POLICY ID	BASIS	2013/14 (INCL GST)	2014/15		
					EXCL. GST	GST	TOTAL
12.3.1	BGA, BER, FIN Stage 4 restrictions	B	KL	\$1.46	\$1.46	NIL	\$1.46
12.3.2	BGA, BER, FIN Other restrictions	B	KL	\$1.00	\$1.00	NIL	\$1.00
12.3.3	BGA, BER, FIN No restrictions	B	KL	\$0.94	\$0.94	NIL	\$0.94
12.3.4	TOC Stage 4 restrictions	B	KL	\$0.97	\$0.97	NIL	\$0.97
12.3.5	TOC Other restrictions	B	KL	\$0.69	\$0.69	NIL	\$0.69
12.3.6	TOC No restrictions	B	KL	\$0.62	\$0.62	NIL	\$0.62
12.4	Consumption – Unfiltered						
12.4.1	BGA, BER, FIN Stage 4 restrictions	B	KL	\$0.73	\$0.73	NIL	\$0.73
12.4.2	BGA, BER, FIN Other restrictions	B	KL	\$0.52	\$0.52	NIL	\$0.52
12.4.3	BGA, BER, FIN No restrictions	B	KL	\$0.47	\$0.47	NIL	\$0.47
12.5	Berrigan Sports Club for water bypassing the Council's treatment and reticulation system	D*	KL	3.1 cents	3.1 cents	NIL	3.1 cents
12.6	Consumption - Recreation reserves and public pools	D*	KL	1/10 of applicable consumption charge	1/10 of applicable consumption charge	NIL	1/10 of applicable consumption charge
12.7	Connection – tapping						
12.7.1	100mm	B	Supply	\$6,7597,02 0	\$6363,646 572.72	\$636,366 57.28	\$7,0007,230
12.7.2	80mm	B	Supply	\$4,4404,62 0	\$4,181,82 4,327.27	\$418,184 32.73	\$4,6004,760
12.7.3	50mm	B	Supply	\$2,2502,34 0	\$2,118,18 2,190.91	\$211,822 19.09	\$2,3302,410

RESOLUTION

Items requiring Council Resolution

ENVIRONMENTAL SERVICES							
ITEM NO.	PARTICULARS	POLICY ID	BASIS	2013/14 (INCL GST)	2014/15		
					EXCL. GST	GST	TOTAL
12.7.4	40mm	B	Supply	\$1,480,540	\$1,390,941,445.45	\$139,691,44.55	\$1,530,590
12.7.5	32mm	B	Supply	\$1,010,050	\$954,5598,1.82	\$95,4898,18	\$1,050,080
12.8	Connection – meter						
12.8.1	1 x 20mm	B	Meter	\$275,290	\$259,0927,2.73	\$25,0427,27	\$285,300
12.8.2	2 x 20mm	B	Meter	\$425,450	\$400,0042,2.73	\$40,0042,27	\$440,465
12.8.3	1 x 25mm	B	Meter	\$330	\$309.09	\$30.91	\$340
12.8.4	2 x 25mm	B	Meter	\$510	\$481.82	\$48.18	\$530
12.9	Connection – service						
12.9.1	1 x 20mm	B	Meter	\$809,20	\$827,2786,3.64	\$82,7386,36	\$910,950
12.9.2	2 x 20mm	B	Meter	\$1,200,250	\$1,127,271,172.73	\$112,731,17.27	\$1,240,290
12.9.3	1 x 25mm	B	Meter	\$1,040,080	\$977,271,013.64	\$97,7310,1.36	\$1,075,115
12.9.4	2 x 25mm	B	Meter	\$1,420,480	\$1,336,361,386.36	\$133,641,38.64	\$1,470,525

Should the Council wish to amend these charges to reflect its intent at the time the Fees and Charges are adopted, it will require the Council to formally amend its Fees and Charges and place them on display for the statutory period of 28 days, before final adoption at the August meeting.

In the interim, the Council will need to charge the incorrect and lower amount.

Items requiring Council Resolution

5.14 INTEREST ON OVERDUE RATES**AUTHOR:** Director Corporate Services**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance by Council of Council operations and reporting**FILE NO:** 25.138.1

RECOMMENDATION: - that the Council endorse the actions of the General Manager to charge interest on overdue rates and charges at 8% per annum until such time as the technical issues with the Council's rating software are repaired.

REPORT:

This report is to bring to the attention of the Council a problem encountered when charging interest on overdue rates and charges prior to the generation of the 2014/15 rate notices.

In accordance with s566(3) of the Local Government Act, the Minister for Local Government has determined that the maximum rate of interest payable on overdue rates and charges for the 2014/15 rating year will be 8.5%.

This is a maximum rate and the Council was at liberty to charge a lower rate if it chose. However, at its ordinary meeting in June the Council resolved to charge the maximum rate.

While generating interest prior to raising the 2014/15 rate levy, the Council's rating staff became aware of an issue affecting the rate of interest charges. The Council's rating software was unable to charge an interest rate that includes a decimal point – i.e. 8.5% and was automatically rounding up the interest rate to 9%.

This error affects every Council in NSW using the same software.

The software provider has been unable to fix the bug before the rating staff needed to generate the rate levy, leaving the Council in the position of not being able to charge the rate of interest determined by the Council.

In order to best express the intent of the Council and abide by its statutory obligations, Council staff made a decision to charge an interest

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Items requiring Council Resolution

rate of 8% on overdue rates and charges until such time as the software bug is repaired.

Staff have been given a rough estimate of one month to fix.

This decision will have an effect on the Council's interest income, albeit a small one – as can be seen below.

Total Outstanding at 9 July 2014 \$465,644.34

On an annual basis:

At 8.5% this equates to \$39,579.76 in interest

At 8% this equates to \$37,251.56 in interest

*However, calculating using a daily rate (8.5% / 365.25 (which is the number of mathematical days in an average year) = 0.0232%
\$465,644.34 x 0.0232% = \$108.03 (Daily Interest)*

And

*8% / 365.25 = 0.0219%
\$465,644.34 x 0.0219% = \$101.98(Daily Interest)*

*Therefore assuming no one pays their outstanding accounts and the patch is provided prior to the next lot of water becoming overdue on 25th July, **Council will lose approximately \$6.05 daily.***

While the financial impact on the Council is small, it is very disappointing that the Council's software providers did not identify and correct this bug well before the generation of the 2014/15 notices.

The Council is currently placing \$50,000 per year into a fund to replace its financial management (and rating) software and problems such as this may require the Council to bring forward its replacement program.

Items requiring Council Resolution

5.15 BERRIGAN WAR MEMORIAL SWIMMING POOL – MEMORANDUM OF UNDERSTANDING

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

RECOMMENDATION: - for the determination of the Council

REPORT:

At Councillors will be aware, the Council and the Berrigan War Memorial Swimming Pool Committee of Management have been working towards the adoption of a Memorandum of Understanding that clearly sets out the responsibilities of both parties.

Note also that in its 2014/15 operating budget, the Council agreed to increase the annual operating grant provided to the Committee from \$29,400 to \$40,600.

As part of this process, I met with representatives of the Committee on 17 June 2014 to discuss their proposed amendments to the last draft presented to the Council.

The Committee's draft is attached as Appendix "K", with their proposed amendments shown in red or blue.

Changes requested include

Request	Staff comment
A statement that the pool is maintained and operated by the committee, inside the parameters set by the Council	Not opposed
A removal of a statement about "blurring of lines" and "misunderstanding"	Not opposed
Minor building maintenance to be the Council's responsibility	Not supported, this should be a core responsibility of

RESOLUTION

Items requiring Council Resolution

	the Committee. The Council building maintenance staff may assist where available and appropriate.
Council to be responsible for pre-season service of equipment	Partly supported. The Council may arrange the service in consultation with the Committee but the cost should be borne by the Committee
The committee does not expect the lifeguard to man the kiosk	Supported, but rather superfluous.
Increase in grant funding	Reflects the Council's decision in its 2014/15 budget
The Council to inform Committee of recovery plans for any outstanding amounts before deducting from operating grant	Supported, reflects current practice
Removal of maintenance from the responsibility of the Committee	Not supported, seen as core Committee responsibility
Council and Committee to agree on amount to be charged to committee before undertaking any grounds maintenance works	Supported
A cap on maintenance charges borne by the Committee of \$500 per item and \$1,500 per season.	Not supported, especially in light of the increase in funding provided
Payments for Capital Works to be made by the Council	Supported, but the wording needs some clarification so it is clear that the Committee may be asked to contribute.
Council to consult with Committee prior about asking for a contribution for Capital Works	Supported as current practice
Committee to appoint a liaison officer to act as contact with lifeguards in the absence of the Pool Supervisor.	Supported but will need to be actively observed by Council staff.
A statement about the Council informing the Committee, including provision of monthly invoices	Supported

Items requiring Council Resolution

The main items of disagreement continue to be the responsibility for the maintenance of the buildings and the water treatment equipment.

The Committee is concerned that it has neither the technical ability to know what works are required or the ability to work within a budget where it does not have control of all outgoings.

While these concerns are understandable, the recent increase in funding should have provided sufficient margin to allow the Committee to “quarantine” some of their funding to meet unexpected maintenance expenses.

From here the Council may:

- Accept the requested changes and direct staff to prepare a final document for signing
- Refuse some or all of the changes and continue to negotiate with the Committee on agreed terms for the Memorandum of Understanding
- Withdraw from negotiations and unilaterally set the terms under which the Council and the Committee will operate the pool.

This process has gone on for some time and some settlement before the start of the 2014/15 pool season would be desirable.

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Items requiring Council Resolution

5.16 AUDIT STRATEGY AND INTERIM AUDIT LETTER**AUTHOR:** Director Corporate Services**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance by Council of Council operations and reporting**FILE NO:** 12.019.1**RECOMMENDATION:** - that the Council note the Audit Strategy and the Interim Management Letter as shown in Appendix "L", including the management response, for the Financial Year ended 30 June 2014.

REPORT:

RSD Chartered Accountants – the Council's external auditors – have submitted their 2013-14 Audit Strategy. A copy of the Audit Strategy is attached as Appendix "L".

The Audit Strategy sets out the auditors' approach to the audit of the Council for the financial year and assists in discharging their responsibilities in relation to communicating with management and the Council about the conduct of the audit.

The strategy includes:

- A statement of independence
- The scope of the audit
- An analysis of audit risks
- Other areas of audit focus
- Internal controls
- The planned audit approach
- Audit administration.

Key milestones in the Audit Strategy are shown below.

Items requiring Council Resolution

Table: Key deliverables

Deliverable	Date	Responsibility
Before balance date		
Engagement letter issued	May 2014	RSD
Audit strategy issued	July 2014	RSD
Interim and Planning audit visit	June 2014	RSD
After balance date		
Trial Balance, working papers and supporting schedules	1 st September 2014	BSC
Final Audit Visit	8 th September 2014	RSD
Draft financial report prepared	Mid-September 2014	RSD/BSC
Financial report and management representation letter signed	Early October 2014	BSC
Audit opinion issued	Early October 2014	RSD
Final management letter issued	October 2014	RSD

The Interim and Planning audit visit was held on 28-30 May 2014. Following that visit, the auditors prepared an Interim Management Letter. The letter is intended to bring to the attention of the Council mattering arising from the audit to date.

An extract of the letter is shown below and the entire letter is shown in Appendix "L".

It would be appropriate for the Council to formally note receipt of the Audit Strategy and the Interim Management Letter.

2. Detailed findings and recommendations

This section outlines the observation, implication, recommendation and management comments and action plans for each audit finding.

2.1 Finance Team Structure

Rating: Low

Observation

Council currently has the same staff member undertaking the Accounts Payable and Accounts Receivable functions. This team structure created significant delays in the completion of some duties, mainly invoicing. As a result of the structure, if a creditor run needs to be completed, then all invoicing work is put aside until the creditors work is completed. Discussions with management noted that there was a backlog of work, up to a number of weeks, in this position. We understand that there has been some staff on long term leave which has affected the workload of other staff.

Implication

With the current finance team structure, there is significantly reduced efficiencies occurring while the segregation of duties is so limited.

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Items requiring Council Resolution

Recommendation

Whilst we understand that the finance team has limited resources and staffing, we recommend that management review the current structure and work allocation to ensure that there is clear segregation between the duties undertaken by finance team staff.

Management comments and action plan

Management agree that the current staffing structure does not meet the ideal to allow for clear segregation of duties. However there is limited scope to relocate the Accounts Receivable function to another staff member without creating another conflict of duties or unbalanced work allocation. To partly address the perceived workload of the Accounts Payable/Receivable Officer, responsibility for insurance and superannuation has been removed from that position.

That said, management will continue to review all position descriptions of its finance team to attempt to address this issue.

Staff changes have made the issue of staff on long-term leave no longer relevant and the backlog identified above was addressed prior to the end of the financial year.

2.2 Creditor Masterfile Changes

Rating: Low

Observation

Changes to the creditors masterfile, particularly bank account information, is something that needs to be reviewed critically by management for any unauthorised changes. Discussions with management have noted that a report which shows all changes made to the masterfile can be produced by Practical, and this report is subject to random reviews by the Finance Manager. However, we noted no evidence that this review had actually been undertaken.

Implication

If the review of this report is not completed on an ongoing and consistent basis, there is an increased risk of fraud or error through the accounts payable system if unauthorised and inappropriate changes are made.

Recommendation

We recommend that the report is reviewed at least monthly, and that the report is signed off by the reviewing officer as evidence of the review being undertaken.

Management comments and action plan

Management agree and have formalised a monthly review of creditor masterfile changes from July 2014. The Finance

Manager will be responsible for checking changes against supporting documentation and signing off the report.

2.3 Policies & Procedures - Procurement

Rating: Medium

Items requiring Council Resolution

Observation

During our review of the accounts payable and purchasing function, we noted that Council does not have detailed policies and procedures in place. Policy and procedure documents are required to outline the levels of purchasing delegation allocated to various staff members across the organisation, as well as determining purchasing thresholds for when quotes are required.

Discussions with staff noted that there were some updates to policy documents occurring during our visit.

Implication

Without detailed policies and procedures in place, it is difficult for Council and management to be sure that processes are being consistently applied by staff across the organisation. Staff should have defined delegation limits. Expectations and guidelines for either written or verbal quotes should be documented and adherence monitored.

Recommendation

We recommend that Council review its current policy and procedure documents and ensure that purchasing authorities and requirements are included into these, or new policies and procedures be developed to cover these items.

Management comments and action plan

Management agree that the existing procurement procedures need immediate review. A Procurement Working Group has been meeting fortnightly to review and improve the Council's procurement policies and procedures. A revised Procurement Policy has been adopted and other policies and procedures are being worked through on a systematic basis. It is expected that this process will be complete towards the end of the 2014 calendar year.

2.4 Cancelled Receipts

Rating: Low

Observation

Council currently does not produce or review a cancelled receipts report on a regular basis. Cancelled receipts are not common at Council, and are only picked up through the bank reconciliation process. There is a risk of unauthorised receipt cancellations occurring, either through error or fraud, if all cancelled receipts are not reviewed by management. Audit discussed the issue with the Finance Manager and noted that it is possible to produce a listing of cancelled receipts from Practical.

Implication

Without a review process in place for cancelled receipts, the risk of fraud or error is increased.

Recommendation

We recommend that Council implement a process whereby the cancelled receipts report is produced on an ongoing basis and reviewed by the Finance Manager or other member of the management team.

RESOLUTION

Items requiring Council Resolution

Management comments and action plan

Management agree that a monthly review of cancelled receipts is necessary. Council staff are working with Practical and seeking advice from other Councils about the best method of undertaking the review.

2.5 Payroll Masterfile Changes

Rating: Medium

Observation

Changes to the payroll masterfile, particularly bank account and other personal information, is something that needs to be reviewed critically by management for any unauthorised or inaccurate changes. Discussions with management have noted that a report which shows all changes made to the masterfile can be produced, and this report is subject to random reviews by the Finance Manager. However, we noted no evidence that this review had actually been undertaken.

Implication

If the review of this report is not completed on an ongoing and consistent basis, there is an increased risk of fraud or error through the payroll system.

Recommendation

We recommend that the report is reviewed following each payroll run, and that the report is signed off by the reviewing officer as evidence of the review being undertaken.

Management comments and action plan

While there is a regular check of payroll masterfile changes, management agree that this needs to be more systematic and formalised. From July 2014, a payroll masterfile review will be conducted each pay period, signed off by the Finance Manager and a copy placed in the Audit file.

Items requiring Council Resolution

**5.17 NSW PUBLIC LIBRARY FUNDING
CAMPAIGN – FURTHER ACTION NEEDED****AUTHOR:** Library Manager**STRATEGIC OUTCOME:** Supported and engaged communities**STRATEGIC OBJECTIVE:** 3.2 Support community engagement through life-long learning, culture and recreation**FILE NO:** 03.095.2**RECOMMENDATION:** - that the Council continue its support to the campaign mounted by the NSW Public Library Associations for increased State funding to local government for public libraries by:

1. Making further representation to the local State Member in relation to the need for additional funding from the NSW State Government for the provision of public library services, noting that the 2014 State budget did not address recurrent funding needs
2. Writing to the Hon. Troy Grant, Minister for the Arts, noting the allocation of \$15m over 4 years for a public library infrastructure grants program, and calling upon the Government to implement the Reforming Public Library Funding submission of the Library Council of NSW in 2012 for the reform of the funding system for NSW public libraries
3. Continuing to encourage and support the distribution of NSW Public Library Associations campaign information in Council libraries
4. Taking a lead role in activating the campaign locally and encouraging community participation

REPORT:

There has been widespread support by Councils across the state for the NSW Library Funding Campaign, which is being coordinated on behalf of NSW Councils and their libraries by the NSW Public Libraries Association (NSWPLA), representing country and metropolitan libraries across the state.

Launched on 7 April 2014, this targeted campaign has benefited from exceptional community support and has also met with some success in bringing the critical library funding situation to the attention of politicians and funding decision makers to address the problem.

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Items requiring Council Resolution

The NSW State budget, announced on 17 June, delivered a \$15m infrastructure public library grant program over the 4 years from 2014-15 to 2017-18. Whilst this is welcome news, it only reinstates the grant funding program to the level that it was in 2005-06 and is a fixed-term program that needs to be recurrent to provide the certainty required for this all-important annual grants program.

The better news is that the NSW Public Library Funding Campaign is clearly influencing state government funding decisions. Over 100 NSW councils have resolved to support the Campaign. In the 3 months between the launch of the Campaign and early July, 45,000 NSW residents had signed the Campaign petition. This number continues to grow, and is evidence of the interest, support and concern of residents across the state about the future of their libraries.

Three tranches of petitions have been presented to Parliament, resulting in Parliamentary debates about the library funding issue on 7 August and 11 September

Local Government NSW (LGNSW) and the Australian Library and Information Association (ALIA) are assisting NSWPLA in this campaign, and local supporters of public libraries including Friends of the Library groups and library users have been engaged in the campaign to lobby State Members.

Further Action Is Required

The next target for the Funding Campaign is to address the problem of the recurrent elements of library funding – the \$1.85 per capita legislated payment (both in quantum and indexation) as well as the Disability & Geographic Adjustment fund, which combine to form the annual funding that is provided directly to NSW councils. These allocations are not indexed to population growth or CPI, so there is no source to fund the annual increase resulting from additional NSW population. This will lead to the first actual reduction in direct funding to NSW councils (in 2015-16) if the attrition is not addressed.

The period between now and November, the pre-State Government election phase, will be the most critical phase of the NSW Library Funding Campaign. It is the time for all NSW Councils to redouble their Campaign lobbying efforts. This really is the “last-ditch effort” to ensure that NSW public libraries achieve the sustainable state government funding base that they so badly need to continue providing current levels of service to communities across the state. We are seeing examples of library service reductions in many NSW Councils, ranging from decreased levels or qualifications of staff; diminished collections budgets; shortened opening hours, less public programs, and reduced mobile library service schedules. **Without increased state funding, the situation is likely to deteriorate further.**

Items requiring Council Resolution

Over the next 4 months, the NSW Library Funding Campaign Committee will be contacting Councils and libraries to ask for targeted support in specific areas to further strengthen this already successful campaign. A small amount of dedicated effort from each and every stakeholder will help to ensure that our libraries get the funding deal that they need and deserve. As the major beneficiaries of any State funding increase, Local Government is the primary stakeholder in this campaign.

Conclusion

There is currently a high degree of uncertainty as to the level of ongoing funding for public libraries in NSW from the State Government. The intent of the NSW Library Act in 1939 was for equal funding from state and local governments to provide library services. Since that time local government has increasingly carried the funding burden and the situation has deteriorated significantly over the past few decades. Without urgent action from local government and NSW Public Library Associations, this situation will continue and local councils will once again be forced to pick up the funding shortfall.

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Items requiring Council Resolution

5.18 ACCESS TO NEW FACILITY AT FINLEY RECREATION RESERVE

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: 15.128.26, 21.101.7

RECOMMENDATION: - that the Council advise the Finley Recreation Reserve Committee of Management and the Finley Football Netball Club that it will not permit occupancy of the new building at the Finley Recreation Reserve until such time as the gas service is connected and the building complete.

REPORT:

The Finley Football Netball Club (FFNC) have – through the Finley Recreation Reserve Committee of Management – made a request to use the change rooms in the new building at the Reserve for their home game against Tongala on 26 July 2014.

FFNC has advised that they have not been able to make an arrangement to play the fixture elsewhere as they have run out of alternative venues.

FFNC have made some preliminary plans to use the Lions caravan for catering and to make use of the toilet facilities on the other side of the ground.

The building will not be complete on that date – the major item of work outstanding is the connection of the gas and a gas meter. Despite the best efforts of staff, there is still no firm date for this connection.

I have asked FFNC to provide a detailed plan on how they propose to operate on the day with the plan to explicitly address concerns around maintaining hygiene without access to hot water. I have also asked FFNC to provide written evidence of support from the Murray Football Netball League and the umpires association for their proposed arrangements. At the time of writing, these items are not yet available.

It is the strong view of Council staff that the building should not be used until it is complete. This has also been the position of the Council throughout this

Items requiring Council Resolution

project. If the Council permits early occupancy of the building, it will place itself at some risk and create an unwelcome precedent.

The Committee of Management and FFNC were advised well before the project started – and on several occasions since – that there was no guarantee that the building would be available this football season and that FFNC should make plans on this basis. If this advice had been taken, then this unfortunate situation could have been avoided.

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Items for Noting

RECOMMENDATION – that Items for Noting numbered 6.1 to 6.7 Inclusive be received and noted.

6.1 FINANCIAL ASSISTANCE GRANT – PAUSE OF INDEXATION

AUTHOR: General Manager

STRATEGIC OUTCOME: Good government

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

FILE NO: 15.128.4

REPORT:

As Councillors may recall, this and most other Councils have been conducting a campaign in an attempt to reverse the Federal Government's budget proposal to pause the annual indexation of the Financial Assistance Grant program for three years.

As a part of this campaign several representations have been made to the Member for Farrer, Sussan Ley MP.

As a result of the Council's representations, the Member for Farrer has responded to the Council making the following points:

- A number of Farrer Councils have contacted her regarding the issue particularly highlighting the impact on rural Councils;
- The ALGA passed a resolution at its National Assembly that has been forwarded to relevant Ministers;
- The Member cannot comment on the consideration of the ALGA resolution;
- Rural Councils are awaiting the outcome of a review of the FAG ordered by the previous government;
- The Member is seeking clarification of how the above review might be incorporated into the White Paper on the Reform of Federation;

Items for Noting

- Many areas of government are being asked to help get the government's finances back on track through moderate, and in the case of FAG, temporary measures;
- The Member is working with Councils to secure funding under other available programs.

A copy of the Member's letter is circulated with this agenda as appendix "M".

The key concerns with the response are that:

- The member believes that the pause in FAG indexation only has a short term whereas it clearly creates an approximate \$400,000 hole in the Council's budget for every year after the three year pause;
- The availability of a range of one off contestable project funding options does not address the long term impact indicated above; and
- Waiting until resolution or clarification of the issue becomes a priority for the government is not acceptable.

At the time of writing, a RAMROC delegation is proposed to meet with representative of the various federal agencies that implement the Murray Darling Basin Plan at Canberra on 16th July 2014. The CEO of RAMROC is also trying to arrange to have some level of meeting in relation to the FAG whilst in Canberra.

NOTING

Items for Noting

6.2 POOLED BORROWING VEHICLE**AUTHOR:** General Manager**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance by Council of Council operations and reporting**FILE NO:** 12.098.1

REPORT:

LGNSW has invited Council representatives to attend an information session at Sydney on Friday 18th July 2014 to explore the establishment of a pooled borrowing vehicle.

This follows an investigation by the Municipal Association of Victoria into the concept of Councils pooling their borrowing requirements and issuing bonds to the wholesale market.

It is estimated by the MAV that this could realize savings of 0.75% on borrowing costs.

It is unclear where this fits (if anywhere) with the recommendations contained in the Independent Local Government Review Panel's Report that effectively recommended that Councils and NSW Treasury act together to reduce borrowing costs.

Further information will be provided as it comes to hand.

Items for Noting

**6.3 NSW CROSS BORDER COMMISSIONER:
2013 BUSINESS PLAN UPDATE**

AUTHOR: General Manager

STRATEGIC OUTCOME: Good government

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

FILE NO: 08.129.1

REPORT:

The NSW Cross Border Commissioner has provided the Council with review of his Business Plan as at February 2014.

The review shows some progress in addressing cross border anomalies.

A copy of the review and covering letter is circulated with this agenda as appendix "N".

NOTING

Items for Noting

6.4 MURRUMBIDGEE LOCAL HEALTH DISTRICT FORUM

AUTHOR: General Manager

STRATEGIC OUTCOME: Good government

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

FILE NO: 24.160.1

REPORT:

Set out below is a copy of an email recently received from Murrumbidgee Local Health District, in effect, requesting that the Council sponsor its proposed forum for Local Health Advisory Committee members.

From:

Sent: Wednesday, July 09, 2014 9:51 AM

To: Mail

Subject: Seeking your support - LHAC Forum 8-9 October

Dear Mayor and Councillors,

I'm writing to request your support for an upcoming event which will involve community representatives from across the Murrumbidgee district in New South Wales.

Twice per annum Murrumbidgee Local Health District (MLHD) holds a Forum for Local Health Advisory Committee (LHAC) members. These 230+ members are people from the community who volunteer their time to advocate for their community's health service needs. They form a critical component of the MLHD's Community Engagement Strategy and enable us to keep our communities informed about health services and partner effectively with our consumers.*

We hope to attract around 60-80 delegates at our next LHAC Forum which will be held in Wagga Wagga on 8 and 9 October 2014. The theme is "Get Healthy – Mind, Body & Soul".

In order to enable as many of our community representatives to attend as possible we are seeking your financial support.

- *Contributions of \$500 would enable 5 of our community representatives to attend the forum*

Items for Noting

- *Contributions of \$1,000 would enable 10 of our community representatives to attend the forum*

In recognition of your contribution, we are able to provide a modest acknowledgement. This may include your logo in our Forum program and workbook, and allow you to display your business' banner at the forum, mention in media release and newsletter. Please refer to the options attached.

MLHD is a Registered Deductable Gift Recipient (DGR) and your contribution will be tax deductible, and we will provide a tax receipt.

I hope you are able to assist us in bringing our representatives together to promote health and well-being in our communities. If you would like to contribute, please contact me on 6933 9176 or by return email.

Yours sincerely,

Whilst it is not suggested that the Council should sponsor the forum it is considered somewhat extraordinary that participation in a public engagement process now has to be paid for.

NOTING

Items for Noting

6.5 BERRIGAN SHIRE LIBRARY SERVICE ANNUAL REPORT

AUTHOR: Library Manager

STRATEGIC OUTCOME: Supported and engaged communities

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

FILE NO: 03.095.2

REPORT:

The last financial year of the Library Service has been busy with events and participants utilising the WiFi, computers and enjoying the school holiday programs, plus weekly story time sessions. Staff provided technical skills and programs, such as TechSavvy Seniors and the Berrigan Shire Bake-Off courtesy of grant funding.

The normal loans and door count are strong considering the introduction of digital loans, which indicates that the Service continues to offer a welcoming space and efficient staff to engage community members and visitors.

The annual International Womens Day Literary Luncheon hosted the greatest number of participants since inception 4 years ago, much to our delight, considering we made a commitment be true to the actual IWD day, March 8th, which fell on a Saturday this year.

The Wrap-with-Love charity of providing knitted rugs for the needy, continues as a fierce competition between towns. The 'Liz McLaurin Rose Bowl' trophy depicts town pride when displayed in the library branch of the winning town. Of course this is for a serious cause but 'Knitters and Knatters' meet at the Tocumwal Library to also have a bit of fun while their nimble fingers work. Rugs are donated locally and internationally.

The Library Service supports four Book Clubs. A co-operative agreement with Albury City Library to share our book club sets is working well. Without this co-operation between Library Services, we could not continue.

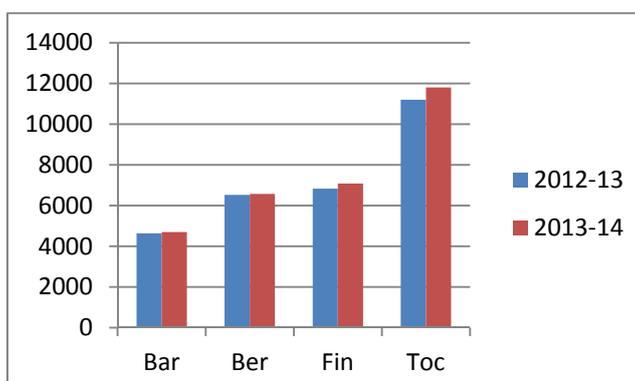
Statistics:

Although the Library Loans have decrease slightly, the Door count has improved, reflecting the increase in e-Loans and community participation in events, which we believe is an indication of a healthy Library Service. From weekly Story Times for Preschoolers to Senior's Week Bake-Off, the Library Service continues to create vibrant community recreational activities.

Items for Noting

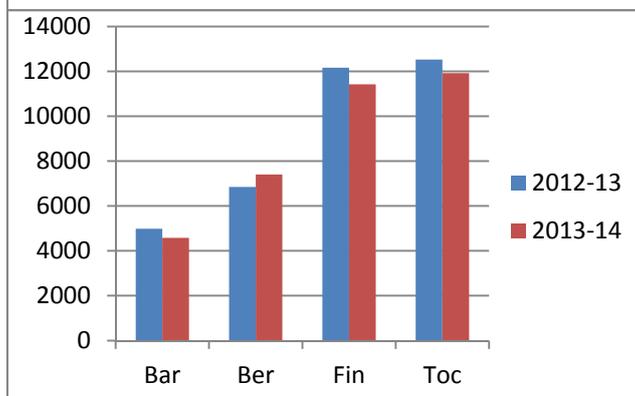
Door Count

	2012-13	2013-14
Bar	4639	4696
Ber	6522	6571
Fin	6834	7085
Toc	11197	11806



Loans

	2012-13	2013-14
Bar	4985	4578
Ber	6846	7406
Fin	12166	11425
Toc	12526	11921



Bolinda Digital:

The e-Books and e-Audio are slowly gaining popularity with a total of 98 local users borrowing an average of 20 items per month.

Current total catalogue of **e-Audio titles: 1286.** Current total catalogue of **e-Book titles: 4309.**

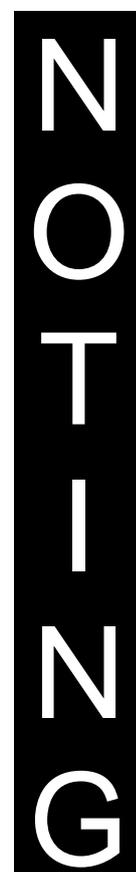
Total e-Audio Loans: 355 and **Total eBook Loans: 572** for the financial year to June 2014.

Zinio; e-Magazines have increased markedly since inception of early January 2014, with **382** magazines being borrowed in the six months to June 2014.

Hotspot Traffic usage:

The Annual Hotspot usage is utilised well by students and visitors to the area. The annual number of logins using Hotspot is listed below:

From 1 July 2013 to 30 June 2014:



Items for Noting

Barooga	1622.00	218 devices
Berrigan	56304.00	145 devices
[reminder:Online Public Access Computers are WiFi connected]		
Finley	1276.00	159 devices
Tocumwal	1508.00	262 devices

These statistics are interesting to note that the Branches with the highest number of tourists, have the highest number of devices being used – obviously an indication that visitors to our area appreciate the free hotspot service.

Databases:

Your Tutor offers online tutoring to students from Year 3 to Year 12. We are partners in a co-operative with Leeton and Bland Shire Libraries. The total number of students utilising this service from July 2013 to June 2014 was **264**.

Library Associations Amalgamation:

The historic occasion of the amalgamation of the two library associations of Country Public Libraries and Metropolitan Libraries Associations took place in Sydney on Friday 20th June 2014 to become the New South Wales Library Association.

The state wide strength of the new Association, continues to lobby the State Government for a change to the recurrent funding formula. More than 36,000 signatures have been collected and will be tabled in Parliament to request a sustainable funding model be provided as soon as possible. Further strategies will be put in place should this be rejected.

National Film and Sound Archive:

The Film Society of Finley operated monthly from the Finley Library for almost two years, until membership dwindled and the cost of copyright to offer a film in a public place became unsustainable.

Since the discovery that the National Film and Sound Archive offer loans for a minimum fee, library staff have provided a small number of screenings to meet requests noted in the recent library survey.

Currently, due to library space available, these screenings will only be offered in Finley and Berrigan at monthly intervals.

Items for Noting

6.6 RED CROSS CENTENARY

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: 02.163.1

REPORT:

The Council is in receipt of a request from the Berrigan Red Cross for assistance with their Centenary Celebrations.

In line with the Council resolution at its ordinary meeting in May, I have approved a donation of \$500 and some support in kind.

A copy of the request and my response is attached as Appendix "O".

NOTING

Items for Noting

6.7 DEVELOPMENT DETERMINATIONS FOR MONTH OF JUNE 2014

AUTHOR: Executive Support Officer

STRATEGIC OUTCOME: Good government

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

REPORT: APPLICATIONS DETERMINED FOR JUNE

Application	Description	Property Location	Applicant	Owner	Status	Value	Days Taken		
81/14/DA/D5	Residential Storage Shed	10-12 OSBORNE STREET, BERRIGAN NSW 2712 (Lot7/7/DP758097)	Vin Casey	MR V G CASEY AND MRS P M CASEY	Approved 12-06-2014	\$ 32000.00	Active 5	Total 5	
68/14/CD/MM	Skillion Caravanport	10 COWLEY STREET, TOCUMWAL NSW 2714 (Lot12//DP264549)	Tocumwal Self Storage	NARIOKA PTY LTD	Approved 16-06-2014	\$ 5000.00	Active 7	Total 7	
69/14/CD/M5	Inground Fibreglass Swimming Pool	13-15 CHARLOTTE STREET, TOCUMWAL NSW 2714 (Lot5/30/DP758981)	Outdoor Indulgence	MR WL KERR & MR PR KERR	Approved 10-06-2014	\$ 28009.00	Active 2	Total 2	
82/14/DA/D3	Railway Line	NEWELL HIGHWAY, TOCUMWAL NSW 2714 (Lot315//DP1121397)	Goulburn Enterprises (Australia) Pty Ltd	GOULBURN ENTERPRISES (AUSTRALIA)	Approved 08-07-2014	\$ 1330000.00	Active 22	Total 22	
70/14/CD/PC	BV Dwelling & Attached Garage	1 MALONE MEWS, FINLEY NSW 2713 (Lot1//DP1097289)	Robert & Karen Daniel	MR RJ DANIEL & MRS K DANIEL	Approved 17-04-2014	\$ 307794.00	Active 1	Total 1	
		PRIVATE CERTIFIER							
83/14/DA/D3	Aircraft Hanger	42 LIBERATOR PLACE, TOCUMWAL NSW 2714 (Lot35//DP1190777)	Grandame Nominees P/L LTD	ROJET AVIATION PTY	Approved 25-06-2014	\$ 134750.00	Active 10	Total 10	
84/14/DA/D5	Residential Storage Shed	55 DENISON STREET, FINLEY NSW 2713 (Lot12//DP567704)	Maureen A Bevan	MS MA BEVAN	Approved 01-07-2014	\$ 12500.00	Active 12	Total 12	
71/14/CD/M4	Residential Storage Shed	MARIAN DRIVE, TOCUMWAL NSW 2714 (Lot53//DP789897)	Helen Evans	MR WJ CAHIR & MS HM EVANS	Approved 16-06-2014	\$ 19600.00	Active 1	Total 1	
72/14/CD/M4	Residential Storage Shed	41-47 FINLEY STREET, TOCUMWAL NSW 2714 (Lot1//DP3124)	Totalspan Cobram	B & J WILLIS & SONS PTY LIMITED	Approved 20-06-2014	\$ 29569.00	Active 1	Total 1	
86/14/DA/D5	Residential Storage Shed	12 ANTHONY AVENUE, TOCUMWAL NSW 2714 (Lot19//DP1068277)	Terrence Lee Santurini	MR TL SANTURINI	Approved 01-07-2014	\$ 11900.00	Active 8	Total 8	
73/14/CD/M4	Residential Storage Shed	13 FINLEY STREET, FINLEY NSW 2713 (Lot72//DP865663)	Megan-Lee Mason	MS ML MASON	Approved 08-07-2014	\$ 13000.00	Active 9	Total 9	
74/14/CD/M4	Residential Storage Shed	148-150 JERILDERIE STREET, BERRIGAN NSW 2712 (Lot6/4/DP758097)	John Turner	MR J C TURNER AND MS T R FROST	Approved 27-06-2014	\$ 4990.00	Active 2	Total 2	

Items for Noting

87/14/DA/D6	Additions to Dwelling	17 HAYNES COURT, TOCUMWAL NSW 2714 (Lot77//DP1070311)	Apollo Patios Victoria	MR TW O'CONNOR AND MRS JA O'CONNOR	Approved 04-07-2014	\$ 10829.00	<i>Active</i> 6	<i>Total</i> 6
75/14/CD/M5	Inground Fibreglass Swimming Pool	30 BANKER STREET, BAROOGA NSW 3644 (Lot45//DP42493)	Poolside Cobram	MS Z LAURIE	Approved 27-06-2014	\$ 37600.00	<i>Active</i> 1	<i>Total</i> 1

APPLICATIONS PENDING DETERMINATION AS AT 08/07/2014

Application No.	Date Lodged	Description	Property Location
85/14/DA/D8	17-06-2014	Community Shed	TUPPAL STREET, TOCUMWAL NSW 2714 (Lot1692//DP1180520)
88/14/DA/DM	27-06-2014	Relocated Dwelling	39 BUDD STREET, BERRIGAN NSW 2712 (Lot19/P/DP3197)
2/15/DA/D2	02-07-2014	Commercial Storage Units & Caretaker's Residence	4 WISE COURT, TOCUMWAL NSW 2714 (Lot4//DP1036181)
3/15/DA/D1	03-07-2014	Dwelling & Attached Garage	157 TUPPAL ROAD, TOCUMWAL NSW 2714 (Lot11//DP1131195)
1/15/CD/M4	04-07-2014	Residential Storage Shed	4 IVIE AVENUE, BAROOGA NSW 3644 (Lot36//DP1093869)
4/15/DA/D5	07-07-2014	Residential Storage Shed	25 FINLEY STREET, FINLEY NSW 2713 (Lot78//DP865663)
5/15/DA/D5	07-07-2014	Residential Storage Shed	18 BABS COURT, TOCUMWAL NSW 2714 (Lot2//DP1193573)
2/15/CD/M4	08-07-2014	Residential Storage Shed	12 HILL STREET, TOCUMWAL NSW 2714 (Lot7//DP13213)

TOTAL APPLICATIONS DETERMINED / ISSUED

	This Month (June)	Year to Date	This Month Value	Year to Date Value
<i>Development Applications Determined</i>	6	87	\$1,531,979.00	\$18,647,147.00
<i>Construction Certificates Issued</i>	2	63	\$166,750.00	\$10,269,128.00
<i>Complying Development Cert. Issued</i>	8	72	\$445,562.00	\$4,929,956.00
<i>Local Activity Approvals Issued</i>	7	53	0	0

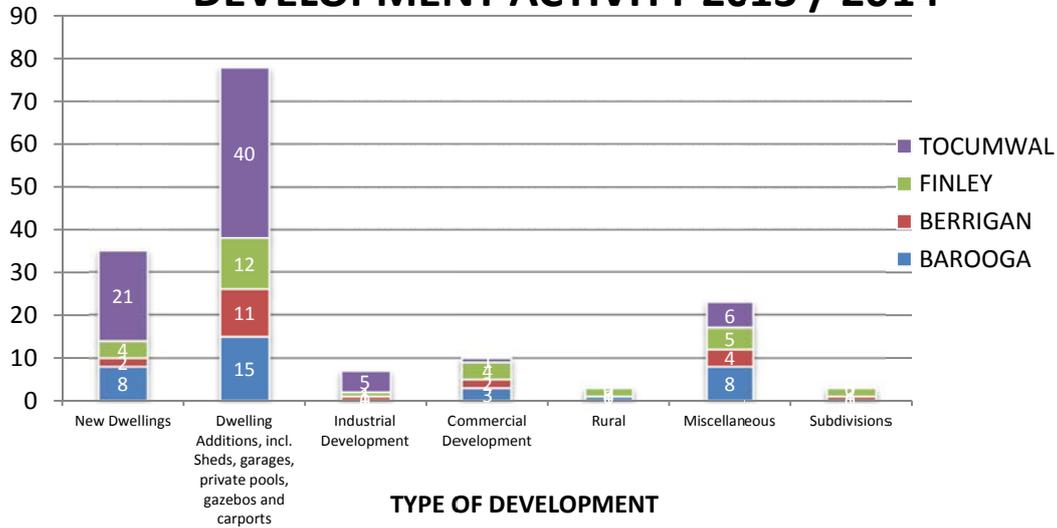
NOTING

Items for Noting

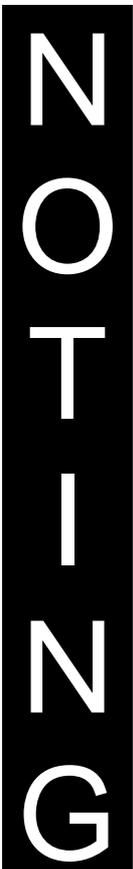
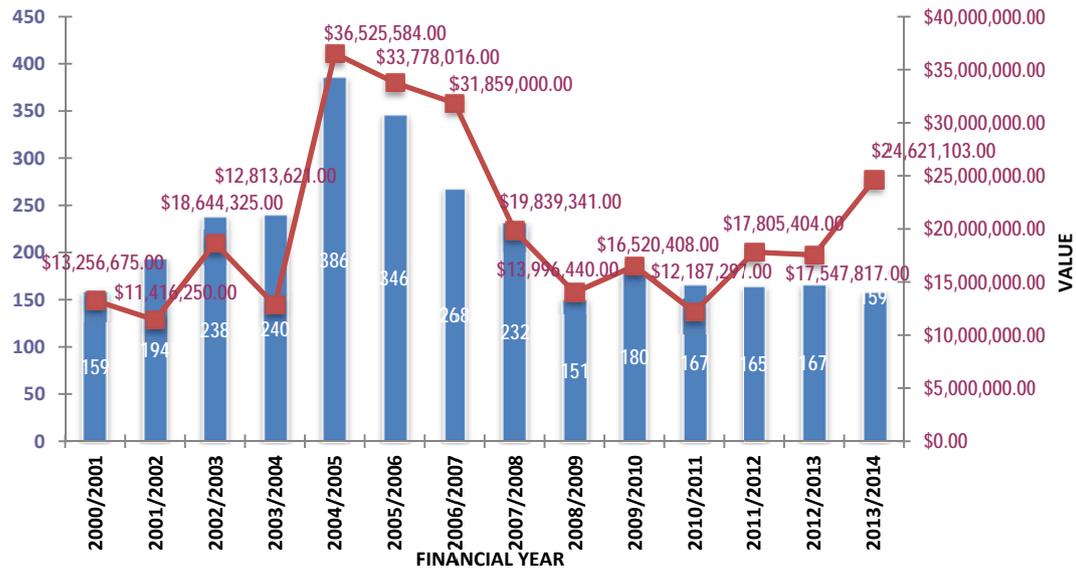
OTHER CERTIFICATES ISSUED FOR JUNE

	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	
	June	Year Total	June	Year Total	June	Year Total	June	Year Total	June	Year Total	June	Year Total
BAROOGA	5	94	0	9	0	8	0	7	1	1	0	1
BERRIGAN	3	60	0	3	0	8	0	1	0	0	0	0
FINLEY	5	122	1	6	0	7	0	0	0	2	0	0
TOCUMWAL	21	166	2	25	2	11	0	4	0	3	1	5
TOTAL	34	442	3	43	2	34	0	12	1	6	1	6

DEVELOPMENT ACTIVITY 2013 / 2014



DEVELOPMENT ACTIVITY



Items requiring Council Resolution

7. MAYOR'S REPORT

RECOMMENDATION – that the Mayor's Report be received.

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Items requiring Council Resolution

8.

DELEGATES REPORT

RESOLUTION

Items requiring Council Resolution

9. GENERAL BUSINESS

RESOLUTION