



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 **17th December, 2014**, when the following business will be submitted:-

9.00AM

Public Question Time

COUNCIL MEETING

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

ROWAN PERKINS
GENERAL MANAGER



Council Meeting

Wednesday, 17th December, 2014

BUSINESS PAPER

1. **APOLOGIES**
2. **DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTEREST**
3. **VISITORS ATTENDING MEETING**
4. **CONFIRMATION OF MINUTES**
RECOMMENDATION – that the Minutes of the meeting held in the Council Chambers on Wednesday 19th November, 2014 be confirmed.

5.1 FINANCE – ACCOUNTS

AUTHOR: Finance Manager

STRATEGIC OUTCOME: Good government

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

RECOMMENDATION – that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 30 November 2014, be received and that the accounts paid as per Warrant No. 11/14 totalling \$3,475,289.32 be confirmed.

REPORT

- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 30 November 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 November 2014.

Items requiring Council Resolution

- c) The Finance Manager certifies the Accounts, including the Petty Cash Book made up to 30 November 2014, totalling \$1,294,515.14 and will be submitted for confirmation of payment as per Warrant No. 11/14
- 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 gazetted 11 January 2011, clause 212 of the Local Government (General) Regulations 2005 and Third Party Investment requirements of the Office of Local Government Circular 06-70.
- e) November has shown an increase in total funds held at the end of October. This increase is due to the receipt of the second instalment of the Financial Assistance Grant and Council Rates. The increase is comparable with the same period last year and represents the general pattern in cash holdings over the year. Total funds held are expected to decrease in the December period.

Changes in Investment Portfolio for November 2014

Previous Investment			New Investment		
Prior Financial Institution	Amount	Interest Rate	Current Financial Institution	Amount	Interest Rate
			NAB	\$1,000,000.00	3.55%
			NAB	\$1,000,000.00	3.50%

Berrigan Shire Council Business Paper, 17th December, 2014

Items requiring Council Resolution

Statement of Bank Balances as at 30 November 2014

Bank Account Reconciliation

Cash book balance as at 1 November 2014	\$ 2,475,855.84
Receipts for November 2014	\$ 2,692,179.70
Transfers from NAB at Call Account/Term Deposits Credited Back	\$ -
	<u>\$ 5,168,035.54</u>

Less Payments Statement No 11/14

Cheque Payments V075406-V075425	\$ 36,700.96
Electronic Funds Transfer (EFT) payroll	\$ 434,953.07
Electronic Funds Transfer (EFT) Creditors E019625-E019877	\$ 989,730.47
Transfers to NAB At Call Account/Term Deposits Invested	\$ 2,000,000.00
Loan repayments, bank charges, etc	\$ 13,904.82
Total Payments for November 2014	<u>\$ 3,475,289.32</u>
Cash Book Balance as at 30 November 2014	<u>\$ 1,692,746.22</u>

<i>Bank Statements as at 30 November 2014</i>	\$ 1,698,584.82
Plus Outstanding Deposits	
Less Outstanding Cheques	\$ 5,838.60
Reconciliation Balance as at 30 November 2014	<u>\$ 1,692,746.22</u>

INVESTMENT REGISTER

INSTITUTION	DEPOSIT NO.	TERM (days)	RATE	MATURITY DATE	INSTITUTION TOTAL
National Australia Bank	01/09	At Call	2.60%		\$ 515,877.36
AMP	99/13	270	3.50%	12/06/2015	\$ 1,000,000.00
Central Murray Credit Union	104/14	180	4.00%	14/12/2014	\$ 2,000,000.00
Bendigo Bank	85/11	90	3.55%	9/12/2014	\$ 2,000,000.00
BOQ	107/14	150	3.45%	10/02/2015	\$ 1,000,000.00
Defence Bank Limited	102/14	210	3.55%	29/03/2015	\$ 1,000,000.00
Defence Bank Limited	106/14	210	3.55%	9/04/2015	\$ 1,000,000.00
Hume	91/12	120	3.40%	12/01/2015	\$ 1,000,000.00
Hume	87/11	180	3.70%	27/01/2015	\$ 1,000,000.00
IMB	105/14	90	3.40%	12/01/2015	\$ 2,000,000.00
Goulburn Murray Credit Union	101/14	270	3.65%	13/05/2015	\$ 1,000,000.00
Goulburn Murray Credit Union	103/14	180	3.55%	9/12/2014	\$ 1,000,000.00
NAB	108/14	180	3.55%	12/05/2015	\$ 1,000,000.00
NAB	109/14	90	3.50%	26/02/2015	\$ 1,000,000.00
					<u>\$ 16,515,877.36</u>

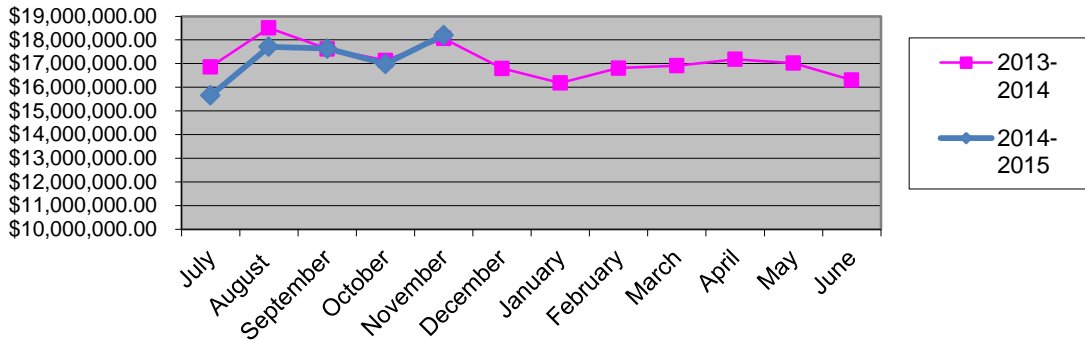
Total Funds Held at 30 November 2014	<u>\$18,208,623.58</u>
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Carla von Brockhusen - Finance Manager

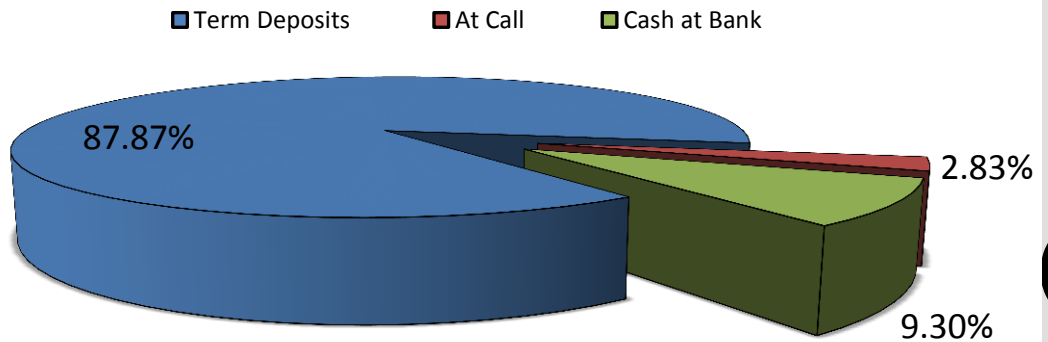
RESOLUTION

Items requiring Council Resolution

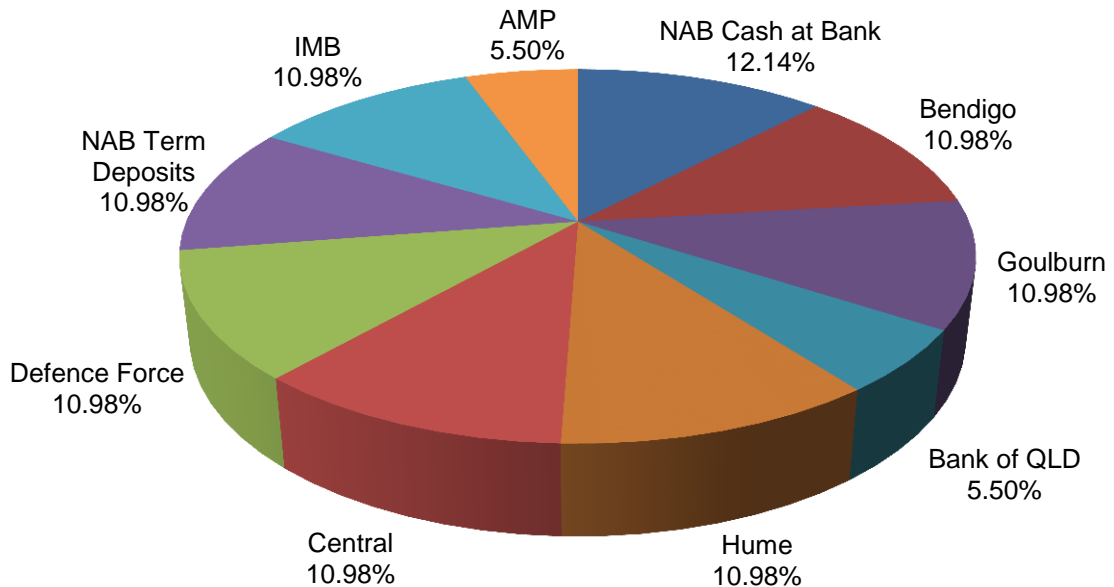
Summary of Total Funds Held at Month End



Funds Held By Council at Month End



Funds held with each Institution Company at Month End



RESOLUTION

Items requiring Council Resolution

5.2 DOCUMENTS FOR SIGNING AND SEALING

AUTHOR: General Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

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

FILE NO: 05.005.9

RECOMMENDATION: - that the Council sign and seal:

1. All documents relating to the sale of lot 2 DP 777958.
2. Priority Deed between the Council, GE Commercial Corporation (Australia) and Arcav Air Pty Ltd.

REPORT:

1.

The Council, at its meeting held on 17th September 2014 resolved “that the Council:

- place the following lots up for sale;
 - Lot 2, DP 777958 – the old station masters residence in Berrigan, and
 - Lot 1251, DP 1087630 – Part of “Nariel Farm” in Finley
- delegate to the General Manager the power to agree on a sale;
- advertise its intention to sell these lots on its website and in the Southern Riverina News and Cobram Courier”.

The above resolution followed a recommendation from a meeting of the Corporate Services Committee which had considered the following report:

The Council has been approached about its willingness to sell some operational land that it owns.

There have been two approaches:

- Lot 2, DP 777958 – the old station masters residence in Berrigan, and
- Lot 1251, DP 1087630 – Part of “Nariel Farm” in Finley

Both lots are no longer required by the Council for operational purposes and may be put to more productive use in private hands.

Items requiring Council Resolution

Both lots are classed as operational land and the Council is legally able to sell these should it wish.

The nature of both lots is such that there is unlikely to be wide interest in purchasing them. That said, the Council should still be seen to be following a transparent process in any sale of property.

When disposing of its own land, the Independent Commission against Corruption [recommends the following steps](#).

- *Consider using a competitive process notwithstanding the absence of a statutory requirement to do so*
- *In the absence of a competitive process, consider at least two valuations based on the land's "highest and best use"*
- *Clearly document reasons for disposing of land at below market price.*

Given the reasonable expectation that there is unlikely to be wide interest in these lots, undertaking a competitive process would seem unnecessarily cumbersome and expensive.

The Council could also seek market valuations for these lots – based on their "highest and best use" – but again given the limited use and interest in these lots, this would seem to be an unnecessary expense.

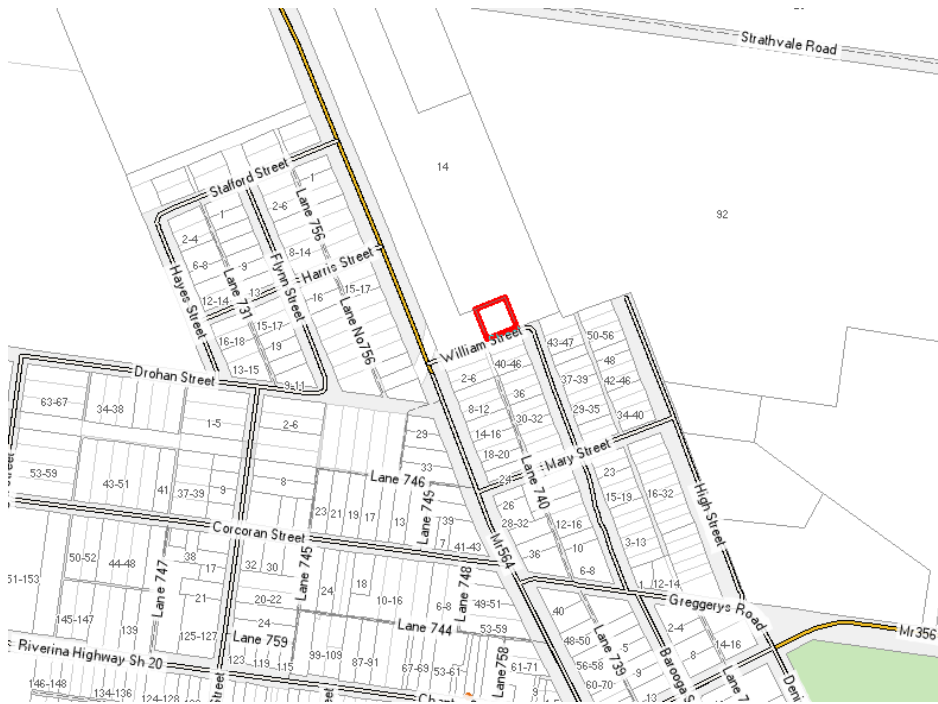
In order to be transparent about the Council's intentions, Council staff recommend that the Council:

- *Resolve to place both of these lots up for sale;*
- *delegate to the General Manager the power to agree on a sale;*
- *advertise its intention to sell both of these lots for a period to allow other interested parties to come forward,*
- *If there is no further interest, negotiate with the original interested parties to proceed with a sale.*

Items requiring Council Resolution



"Nariel Farm"



Station Masters Residence

RESOLUTION

Items requiring Council Resolution

Following the Council's resolution, its intention to sell the two lots was advertised and expressions of interest were called for.

To date one written and one verbal expression of interest have been received, one for each lot.

In relation to the "Nariel Farm" lot, further negotiation around an agreed price needs to occur.

For the Station Masters residence lot, an agreed price of \$5,000 has been negotiated and is considered reasonable given that a market assessment indicated a selling price range of \$4,000 - \$6,000.

The Council's asset valuation for the lot is \$17,100, which is based on the rate valuation and if sold for \$5,000 will require the difference to be written off within the Council's Asset Revaluation Reserve and without impact on the Council's operating result.

2. Aircav Air Pty Ltd

The Council formerly entered into an agreement with Aircav Air Pty Ltd to finance the provision of new electronic fuel bowser facilities at Tocumwal Aerodrome with security of the Council's finance being provided by the entire fuel system at the Aerodrome and supported by a General Security Agreement.

Arcav Air Pty Ltd is now seeking further finance and that provider is seeking security over the company's assets.

These assets are, to some extent impacted by the General Security Agreement and the Council has been asked to enter into a Priority Deed to clarify that the Council's security only relates to the fuel system.

In relation to the above request I sought legal advice in relation to the request, copy of which is circulated with this agenda as appendix "H".

The legal advice concludes that "we advise that the Council's security over the fuel system at the Tocumwal Aerodrome is not at risk by entering into the Priority Deed".

On the basis of the legal advice it is recommended the Council sign and seal the Priority Deed as requested.

Items requiring Council Resolution

5.3 CENTENARY OF ANZAC

AUTHOR: Strategic & Social Planning Coordinator

STRATEGIC OUTCOME: Supported and engaged communities

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

FILE NO: 02.163.1

RECOMMENDATION: - that the direction of Council is sought

REPORT:

The Centenary of the Anzac landing at Gallipoli will be commemorated 25th April 2015. The Berrigan Returned Services League (RSL) Sub-branch wrote to Council 21 October, 2014 requesting financial assistance (\$5,000). The Berrigan RSL is hosting an Anzac Centenary event recognizing the 17 men and women from the Berrigan district that served in World War I. According to the Berrigan RSL Sub Branch correspondence, Council's financial contribution and sponsorship of this event would be used to cover the costs of catering for upwards of 200 relatives, residents and dignitaries.

This Officer has met twice with representatives of the Berrigan RSL regarding this proposal. At the first meeting it was suggested that the sub-branch investigate whether or not the Shire's other Returned Services League Sub Branches (Finley, Tocumwal and the Victorian Sub-Branch of Cobram which includes Barooga) were planning similar events or activities. Primarily, this request was made so that Council, when it considers this request, is briefed on what the other RSL sub-branches in the Shire have planned.

Subsequent to this meeting the Berrigan RSL Sub-branch advised that it has contacted the Tocumwal RSL sub-branch and the Finley RS and would like to propose an amended project:

A commemorative dinner to be held 18th April, 2015 at the Berrigan Memorial Hall to recognize the men and women from the Berrigan Shire that served in World War I. An invitation only event for the descendants of World War I servicemen and women, the Berrigan RSL Sub-branch is committed to hosting this dinner in partnership with Tocumwal RSL Sub-branch and the Finley RS. The first organizing Committee meeting between the branches is scheduled for Tuesday 16th December 2014.

At the time of writing this report, the Cobram Sub-branch is being approached to confirm the Honour Roll of Barooga residents from this conflict and the

Items requiring Council Resolution

descendants of these service men and women will also be invited to the dinner.

Options for funding investigated by the RSL include:

1. The Centenary of Anzac community events grant program

The Department of Veterans Affairs for Community Events Grant program is competitive grant program. The funding criteria excluded a number of projects that the RSL could have undertaken such as refurbishment or construction of buildings, trophies, awards and medallions; purchase of memorabilia and equipment; as well as catering and food for commemorative events.

2. The Returned Services Sub-branch

The Berrigan RSL is a small sub-branch with limited revenue raising capacity. The Berrigan RSL is funding the costs associated with coordinating the event, event invitations and event entertainment. Partnering RSL Clubs will also contribute toward the costs of associated researching and contacting descendants and incidental expenditure related to hosting a dinner.

There are no funds currently allocated within Council's budget for a one-off community event that will contribute to Council's Delivery Program and the Community Strategic Plan strategic objective:

Support community engagement through life-long learning, culture and recreation

Primarily because Council commits funding on an annual basis to projects that are ongoing and part of a calendar of community events. Or if a one-off event provision is made for this in advance and included in Council's Annual Operational Plan.

The Centenary of the Anzac landing at Gallipoli has prompted for the Shire's RSL sub-branches a partnership that is consistent with Council's Delivery Program Objective.

Planning has commenced on this project that will also involve local schools on the evening of the dinner. The event organisers are also keen to expand this involvement to include all local schools in local history research projects in the lead up to the dinner.

The request of the organizing Committee is that Council supports the dinner financially. The cost of catering is \$30 per head. Moreover, this would be capped at 300 guests or a maximum financial contribution of \$9,000.

Items requiring Council Resolution

Based on the discussions held with the organisers, financial assistance from Council with catering will ensure that all guests can attend and not be excluded due to cost. Further, as a centenary event recognising the contribution of the Shire's World War I service to Australia, and to the district on their return, the organisers believe that charging a fee for this dinner is not appropriate.

On this issue, Council needs to consider the likely view of residents and ratepayers. As a question that will be asked by invited guests and those who are not invited is, 'is it appropriate that public monies is spent on what some may view as a free-meal for descendants of World War I service men and women?

Similarly, the desire of the RSL Sub-branches to recognize and not exclude descendants based on their capacity to pay is laudable and consistent with the ethos of Returned Services League. Therefore, an option that may be put to the organizing Committee is sponsorship by the RSL sub-branches of guests who the clubs believe may not attend due to the cost.

Items requiring Council Resolution

5.4 BAROOGA COMMUNITY BOTANICAL GARDENS – ROTUNDA REPAIRS

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 21.101.1

RECOMMENDATION: - that the Council advise the Barooga Community Botanical Gardens Committee of Management that it will not provide a contribution towards the repair costs of the rotunda.

REPORT:

As Councillors may be aware, the Barooga Community Botanical Gardens Committee of Management installed a rotunda at the Botanical Gardens in 2013. Not long after installation, the roof of the rotunda deformed and collapsed during a period of extremely hot weather.

The roof collapse was a result of the poor quality of the materials in the rotunda supplied to the Committee. The Committee – and later the Council on their behalf – sought to have the manufacturer/importer of the gazebo pay for the removal on the damaged roof and its replacement/repair. After several months of promises and delays, the manufacturer finally advised that it would not meet its obligation to fund these works.

As a result the Committee was obliged to conduct repairs of the rotunda, to a specification designed by the Council. The cost of the repairs did not exceed the Council's property insurance deductible (excess) of \$5,000 and therefore the committee was obliged to meet the entire cost of the repairs.

The Committee has written to the Council to request a contribution to the repairs. The Committee has not specified an amount.

The Committee does a wonderful job of maintaining and improving the Barooga Botanical Gardens. The Gardens has become one of the most popular features in Berrigan Shire and the Committee can be rightfully proud of their work. Where possible, the Council has supported them in this role – including a donation of \$1,000 in November 2013 when the Committee had some tools stolen.

Items requiring Council Resolution

However, the Council made it clear to the Committee in May 2014 that it considered the repairs to the rotunda to be the responsibility of the Committee. This was for several reasons.

- The decision to install a rotunda was a priority of the Committee. The Council's priority was construction of additional public toilets.
- The Committee chose the design and manufacturer of the rotunda without input from the Council.
- The Committee arranged for the installation of the rotunda without input from the Council.

Note that the Committee requested financial assistance to purchase and install the rotunda on several occasions, all of which were refused by the Council on the basis that the rotunda was not one of the Council's priorities for the gardens.

Also note that the Committee has been asked to develop a facility master plan in conjunction with the Council. This has not been completed.

The Committee is also currently raising funds to finalise the purchase and installation of a wooden sculpture – again without prior consultation with the Council.

The project management failures associated with the installation of the rotunda were identified by the Council and led to the development of a policy regarding significant capital works on Council controlled land. The policy makes the Council responsible for the project management of projects of the size and scale of the rotunda, rather than volunteer Committees. The aim of the policy is to prevent such catastrophic project failures in the future.

While I understand the committee's financial situation and their frustration that they were essentially "taken for a ride" by the suppliers of the rotunda, the risks involved in such a project should have been reasonably foreseeable by the committee. At the very least the Committee should have sought the advice and assistance of the Council before entering into an agreement to purchase the rotunda.

On this basis, I consider that it sets a dangerous precedent to provide assistance to a Committee to rectify a project that they themselves have mismanaged. The Council should avoid creating a "moral hazard" where Committees are given an incentive to enter into poorly designed and thought out projects knowing that the Council will bail them out when the time comes.

Items requiring Council Resolution

5.5 EVENT FUNDING

AUTHOR: Economic Development Officer

STRATEGIC OUTCOME: Diverse and resilient business

STRATEGIC OBJECTIVE: 4.3 Diversify and promote local tourism

FILE NO: 08.063.3

RECOMMENDATION: - that the Council does not fund the Finley Show Society to host the Zone 7 Show Girl competition.

REPORT:

The Finley Show Society will host Zone 7 Showgirl winners to compete for the right to represent the zone at Sydney Royal Show. It is a one day event with a Luncheon and a Dinner.

As part of the event the show society is offering all those attending a free bus tour of the region.

The event does not require a marketing budget as the competitors are already known and it is their responsibility to bring their own guests. (table of 10).

This is a one off event that is allocated to each show society on a rotational basis.

Under the Councils' Major Event Funding criteria this event satisfies the following key indicators:

1. Addresses a traditional low season for accommodation houses.
2. The event is as an attractor and is not catering to visitors already here.

The event is unlikely to attract extended length of stay as all competitors will be from the regions agricultural shows however, commercial accommodation will be used for the judges and officials. The event does not have potential to grow as it has an exact number of competitors each year and it is a "one off" event.

This event could qualify for funding of up to \$1000 from the Councils Community Works budget.

The Funding Application form from the committee is included with this agenda as Appendix "A".

Items requiring Council Resolution

5.6 EVENT FUNDING

AUTHOR: Economic Development Officer

STRATEGIC OUTCOME: Diverse and resilient business

STRATEGIC OBJECTIVE: 4.3 Diversify and promote local tourism

FILE NO: 08.063.3

RECOMMENDATION: that the Council does not fund the 2015 Finley and District Rodeo.

REPORT:

The Finley Rodeo has been held every year, in early January, for the past 30 years. The rodeo is all round family entertainment, with bucking bulls, steer wrestling, roping, bucking horses and barrel races. There is also a sideshow alley with entertainment for children, food stalls and a BBQ.

The Finley Rodeo is part of a circuit that includes Myrtleford, Yarrawonga, Tumbarumba, Beechworth and Deniliquin. Those competing on the circuit will spend up to two weeks in the region and will camp at respective showground's as they follow the competition.

The event attracts local and visitors who are already in the region on holidays – traditionally those visiting friends and relatives (VFR) and those camping on the river.

In 2014 the committee introduced a bus service to take patrons to and from the event from surrounding towns. For a gold coin donation this proved to be a good innovation and they will do the same again in 2015.

In 2013 the event experienced considerable financial loss due, in part, to adverse weather conditions. With a lot of hard work this was turned around in 2014 to deliver an operating profit. The gate takings in 2014 increased by \$6000 over the previous year.

The Rodeo Committee has received funding from Berrigan Shire Council in the past two years - \$3000 in 2013 and \$3500 in 2014. The funding request in 2015 is for \$9400 to cover the cost of the big screen and the marketing and promotion of the event.

Items requiring Council Resolution

The Finley Rodeo is a long established event however, under the Councils' Major Event Funding Guidelines this event doesn't satisfy key selection criteria including:

- X Extended length of stay
- X Does the event have the potential to promote Berrigan Shire or the town?
- X Is it a new event?
- X Does it address a traditional low season for commercial accommodation?
- X Is the event designed to bring patrons from outside the local area.
- X Is there a growth plan beyond the first year?

The Funding Application form from the committee is included with this agenda as Appendix "B".

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Items for Noting

RECOMMENDATION – that Items for Noting numbered 6.1 to 6.8 inclusive be received and noted.

6.1 IPART DETERMINATION OF RATE PEG FOR 2015/16

AUTHOR: Revenue Officer

STRATEGIC OUTCOME: Good government

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

FILE NO: 25.138.1

REPORT:

The Independent Pricing and Regulatory Tribunal (IPART) have released their determination of the Variation of General Income for Local Government for 2015/16 – the “Rate Peg”.

This rate peg is the maximum percentage that the Council can increase its overall General Rate income for the 2015/16 financial year (this Rate Peg percentage does not apply to Council’s service charges), other than an increase derived from growth in assessable properties.

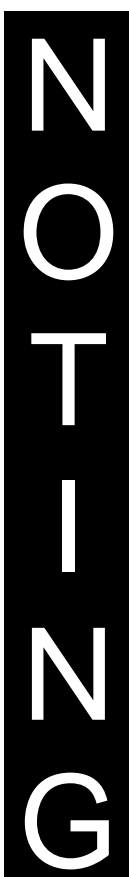
The rate peg does not apply to individual ratepayers’ rates. The rate peg applies to the council’s General Rate in total. The Council has significant discretion to determine how to allocate this increase between different ratepayer categories.

Individual rates are also affected by other factors, such as individual land valuations.

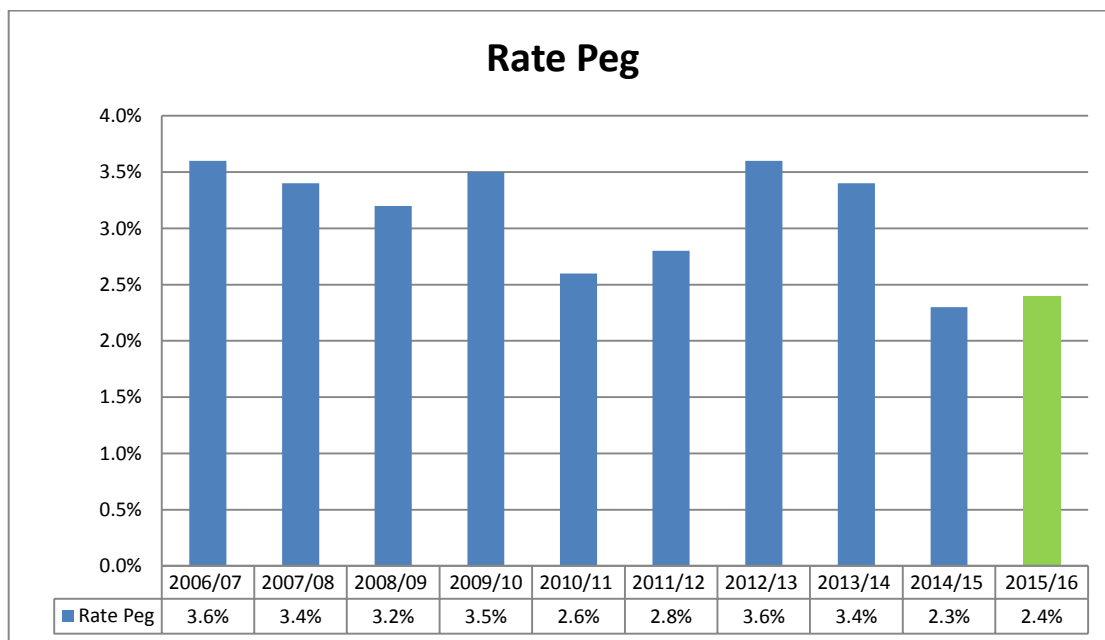
For the 2015/16 financial year, IPART has set the rate peg as 2.4%.

This is only a slight increase from the 2.3% increase for the 2014/15 and a large decrease from the 3.4% increase for the 2013/14 financial year.

The last two increases have shown the lowest percentage increases in the previous 10 years as set out in the chart below:



Items for Noting



The rate peg has been calculated as follows

- A base amount of 2.47% derived from the increase in the Local Government Cost Index (LGCI) in the year to the September quarter 2014.7
- A deduction of a 0.04% “productivity factor”

This resulted in a rate peg of 2.43% which was rounded to 2.4% for 2015/16.

Council’s operational plan shows an estimated increase of 2.5%; the difference is minimal.

An IPART fact sheet on the rate pegging system and the 2015/16 determination is attached as Appendix “C”.

Items for Noting

6.2 NSW EPA GRANT APPLICATION

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: 15.128.5

REPORT:

Staff have applied for a grant with the New South Wales Environmental Protection Agency's, Stream 2 - Environmental Improvements Program, that closed Monday 8th December, 2014.

The grant will provide 70% funding of a project valued at \$20,050 for the control of sediments generated from rainfall runoff at the Berrigan Landfill located on Greenhills Road, Berrigan. If successful, the project is expected to commence in August 2015 and completed by March 2016.

The project consists of land reshaping, concrete pipe/culvert installation and erosion protection structures adjacent to the internal access road of the landfill. It is planned that the Council's in-kind contribution of \$6,000 (30%) will be sourced from the existing operation budget as part of normal operational activities.

Items for Noting

6.3 ROADSIDE VEGETATION

AUTHOR: Development Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

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

FILE NO: 11.128.9

REPORT:

Berrigan Shire Council has been successful in obtaining funding through Murray Local Land Services from the 2014/15 Connected Corridors Project to undertake direct seeding works on Mortons Road, Berrigan.(see appendix "D")

The Connected Corridors Project aims to conserve native biodiversity and improve native vegetation connectivity in targeted areas of the region by:

- Increasing native vegetation extent (increasing the size of remnants and establishing new areas of native vegetation);
- Improving native vegetation condition (improving structural diversity and reducing key threatening processes, such as weeds and pests);
- Improving the configuration of native vegetation (improving the spatial arrangement of existing native vegetation by linking areas of existing native vegetation).

Items for Noting

6.4 SOUTH WEST ARTS – 2015 ACTIVITY PLAN

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: 26.128.3

REPORT:

South West Arts (SWA) is a Regional Arts Development group serving nine local government areas – including Berrigan Shire – in the south west region of New South Wales.

SWA launched their 2015 Activity Plan at a luncheon in Hay on 21 November 2014.

Included in the Activity Plan are the following items:

1. Continue to develop the Creatives Network
2. Develop an online calendar/database
3. Continue Creatives Workshops
4. Source, fund, promote and develop a range of exhibitions across the SWA region
5. Creative Industry development
6. Secure ARTS NSW funding for 2016-18.

A copy of the presentation is attached as Appendix “E”.

Items for Noting

6.5 FIT FOR THE FUTURE – RURAL COUNCIL WORKSHOP OUTCOMES

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 13.010.1

REPORT:

One of the structural reform options put forward by the Independent Local Government Review Panel was the development of a Rural Council model.

The Rural Council model was floated as a new approach for rural and remote Councils that would allow the retention of the individual identity of their communities while reducing their costs through streamlining regulatory and reporting requirements and making greater use of shared overheads.

The NSW Government committed to further developing the Rural Council concept, in consultation with local government, for inclusion in the new Local Government Act.

The development process included two workshops, one in Dubbo and one in Sydney. While invited to attend, Berrigan Shire Council did not send representatives.

The Office of Local Government (OLG) has released a report on the workshops, attached as Appendix "F".

Characteristics

The workshops appeared to have led to mixed results. There was agreement on some issues, such as the characteristics of Rural Councils, the retention of identity, representation, autonomy over rates, budgets etc. and maximisation of local employment. There was, however, no agreement about the best model to achieve those aims.

The workshop identified nine characteristics of a Rural Council.

1. Small and static or declining population spread over a large area.

Items for Noting

2. Local economies that are based on agricultural/resource industries
3. High operating costs associated with a dispersed population and large area
4. High importance of retaining local identity , social capital and capacity of service delivery
5. Low rate base and high grant reliance
6. Difficulty in attracting and retaining skilled and experienced staff
7. Risk in ongoing financial sustainability and provision of adequate services and infrastructure
8. Long distance to a major (sub-) regional centre
9. Limited options for mergers

Rural Council options

The workshops highlighted that a single Rural Council model may not be the best outcome for rural councils.

Instead, a more flexible approach was preferred where a range of options would be available to smaller councils to help them become Fit for the Future. Councils would not be obliged to adopt all the options but would need to show how combining two or more of these options would assist.

The options given are:

1. Resource sharing
2. Shared administration
3. Specialty services (becoming a “centre of excellence” for a particular service)
4. Streamlined governance
5. Streamlined planning, regulation and reporting
6. Service review

Considerations

The OLG report states:

When deciding whether to pursue the Rural Council option, councils should first consider the structural change recommendations of the Panel and then review the Characteristics. In some cases, the [Independent Local Government Review] Panel recommended quite clearly that the Rural Council option would be the preferred outcome, for example the 11 councils identified in “Group C” of the final report. (i.e. Bogan, Carrathool, Coolamon, Coonamble, Gilgandra, Hay, Lockhart, Tumbarumba, Wakool, Warren, Weddin)

Items for Noting

For other councils, the Panel's preferred recommendation was for a merger, with the possibility of pursuing a Rural Council option if the merger could not be achieved. (i.e. Bombala, Boorowa, Conargo, Gundagai, Harden, Jerilderie, Murrumbidgee, Urana, Walcha) Since the release of the Panel's final report, a further group of councils have also expressed interest in the model.

Having first considered the Panel's structural change recommendations, councils should consider whether they generally meet the characteristics of a Rural Council.

For the sake of completeness, Council staff have made an initial assessment the appropriateness of the Rural Council model for Berrigan Shire.

Firstly, the Independent Local Government Review Panel did not recommend Berrigan Shire become a Rural Council, either as a preferred option or as an option if a merger could not be achieved.

When considering Berrigan Shire's fit against the Rural Council characteristics, the table below may be useful.

Characteristic	Assessment	Result
Small and static or declining population spread over a large area.	The population of Berrigan Shire is projected to increase	NO
Local economies that are based on agricultural/resource industries	Berrigan Shire is largely agriculturally based	YES
High operating costs associated with a dispersed population and large area	Berrigan Shire would be one of the more densely settled rural councils in western NSW	NO
High importance of retaining local identity , social capital and capacity of service delivery	Would reasonably appear to be important	YES
Low rate base and high grant reliance	According to the Independent Local Government Review Panel's final report, BSC has a low rate base and high grant dependency	YES
Difficulty in attracting and retaining skilled and experienced staff	BSC has been able to attract and retain skilled staff	NO
Risk in ongoing financial sustainability and provision of adequate services and	BSC 's financial sustainability has been rated by Corp as "moderate" and its infrastructure management	NO

NOTING

Items for Noting

infrastructure	has been independently rated as "strong"	
Long distance to a major (sub-) regional centre	The local sub-regional centre for Berrigan Shire is Cobram, no further than 45km from any of the towns in the Shire	NO
Limited options for mergers	Berrigan Shire has been recommended for a merger with Jerilderie Shire and has several other merger options should it desire	NO

From consideration of the above, it would not appear that the Rural Council model would be suitable for Berrigan Shire.

The OLG are seeking feedback on the Rural Council Workshop Outcomes report by 7 January 2015 and hopes to release "Template 3, the Rural Council Proposal" before the end of January 2015.

Items for Noting

6.6 LOCAL INFRASTRUCTURE RENEWAL SCHEME - LOAN

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 15.128.25

REPORT:

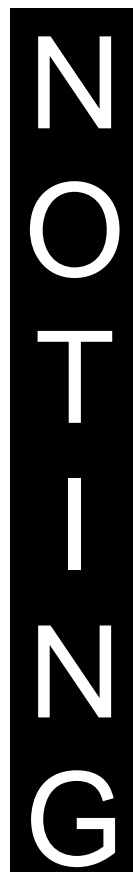
As Councillors may be aware, the Council was successful in its application for a loan subsidy under the Local Infrastructure Renewal Scheme (LIRS) for essential drainage works in Berrigan, Finley and Tocumwal.

The Council was approved for a subsidy of 3% (to a maximum of \$270,970) for a loan of \$1.63m.

The loan will allow the Council to undertake the required drainage works over a period of two years, as opposed to a timeframe of up to 10 years without borrowing.

After seeking expressions of interest from interested lenders, the Council has now entered into the following loan agreement:

Lender:	NAB
Amount:	\$1.63m
Interest rate:	4.26% fixed for the life of the loan
Drawdown date:	2 January 2015
Repayments:	\$16,708.00 per month
Total interest payable:	\$376,758.36 (based on quoted 4.28%)
Repaid in full:	2 January 2025



Items for Noting

Taking into account the 3% LIRS subsidy, the Council will have an effective interest rate of 1.26% and the nett interest cost of the loan will be around \$106,000. This is an excellent arrangement for the Council.

From 2 January 2015, the Council will have the following outstanding loans

Loan	Amount borrowed	Amount outstanding	Final payment
Barooga Drainage	\$597,240	\$79,648	30/12/2015
Tocumwal Drainage	\$600,000	\$154,755	30/12/2016
Finley Reservoir Loan	\$1,000,000	\$286,488	07/04/2017
LIRS drainage	\$1,630,000	\$1,630,000	02/02/2015
TOTAL	\$3,827,240	\$2,150,891	

The Finance Manager and I are doing an assessment on paying out the remainder to the other existing external water loan with the Commonwealth Bank, and will report to a future Council meeting.

Items for Noting

6.7 WORK HEALTH AND SAFETY COMMITTEE

AUTHOR: Enterprise Risk Manager

STRATEGIC OUTCOME: Good government

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

FILE NO: 22.112.1

REPORT

The Minutes of the last meeting of the Work Health and Safety Committee held on 11th December, 2014 are attached as Appendix "G".

NOTING

Items for Noting

6.8 DEVELOPMENT DETERMINATIONS FOR MONTH OF NOVEMBER 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 NOVEMBER

Application	Description	Property Location	Applicant	Owner	Status	Value	Days Taken		
49/14/DA/D9	6 Lot Subdivision	1-35 HAMILTON STREET, FINLEY NSW 2713 (Lot1165//DP875732)	Christelle Pearse C/- Brian Mitsch & Associates	MRS C PEARSE	Approved 19-11-2014	\$ 0.00	<i>Active</i> 176	<i>Total</i> 207	
29/15/DA/DD	Upgrade of Public Boat Ramp & Construction of Jetty	BAROOGA NSW 3644 (Lot80//DP752274)	Blueprint Planning	CROWN LANDS	Approved 28-11-2014	\$ 350000.00	<i>Active</i> 51	<i>Total</i> 55	
38/15/DA/D9	Strata Subdivision	3-4 GOLF VIEW COURT, BERRIGAN NSW 2712 (Lot12//SP46250)	Mrs Elaine Rockliff	MRS EB ROCKLIFF	Approved 07-11-2014	\$ 0.00	<i>Active</i> 24	<i>Total</i> 24	
42/15/DA/D5	Residential Storage Shed	MARIAN DRIVE, TOCUMWAL NSW 2714 (Lot51//DP789897)	Mr Jason Hojnacki	MR J B HOJNACKI AND MS M KNIGHT	Approved 05-11-2014	\$ 10500.00	<i>Active</i> 13	<i>Total</i> 13	
43/15/DA/DM	Change of Use - Open 24 hour Service Station	16-20 MURRAY STREET, FINLEY NSW 2713 (Lot8/C//DP3407)	Mr Mark Anthony O'Bryan	MR M A O'BRYAN AND MRS J L O'BRYAN	Approved 19-11-2014	\$ 50000.00	<i>Active</i> 22	<i>Total</i> 22	
44/15/DA/D5	Residential Storage Shed	17 ANDERSON STREET, FINLEY NSW 2713 (Lot10//DP819958)	Outdoor Steel Solutions	MR DM ROBERTSON, MR PJ ROBERTSON	Approved 19-11-2014	\$ 29798.00	<i>Active</i> 22	<i>Total</i> 22	
45/15/DA/D3	Grain Bunker	14 STRATHVALE ROAD, BERRIGAN NSW 2712 (Lot12//DP819654)	Mr John McNaught	NSW GRAIN CORPORATION LTD	Approved 10-11-2014	\$ 60000.00	<i>Active</i> 13	<i>Total</i> 13	
48/15/DA/D1	BV Dwelling & Attached Garage	15 GYPSIE CRESCENT, BAROOGA NSW 3644 (Lot44//DP1110847)	Mr Tim Kuepers	MR DC WILSON & MS BR ANTHONY	Approved 11-11-2014	\$ 278000.00	<i>Active</i> 8	<i>Total</i> 8	
49/15/DA/D5	Rural Shed	14 BABS COURT, TOCUMWAL NSW 2714 (Lot1//DP1193573)	All Sheds	MR PJ BABINGTON	Approved 26-11-2014	\$ 8269.00	<i>Active</i> 17	<i>Total</i> 17	
29/15/CD/M1	BV Dwelling	BAROOGA-TOCUMWAL ROAD, BAROOGA NSW 3644 (Lot7//DP1138900)	Darrell Bowden	MR JH PAUW & MRS D PAUW	Approved 18-11-2014	\$ 445000.00	<i>Active</i> 10	<i>Total</i> 10	

Items for Noting

51/15/DA/D1	BV Dwelling & Attached Garage PRIVATE CERTIFIER	9 CHOMLEY CLOSE, BAROOGA NSW 3644 (Lot11//DP1110970)	Sessions Builders	MS VM WHITE	Approved 18-11-2014	\$ 338795.00	Active 5	Total 5
30/15/CD/M4	Deck with Pergola	43 NUGGET FULLER DRIVE, TOCUMWAL NSW 2714 (Lot69//DP1070311)	Mr Matthew Mills	MR MA MILLS	Approved 11-11-2014	\$ 3500.00	Active 1	Total 1
52/15/DA/DM	Garden Shed/Pergola/Arbour	51 DAVIS STREET, BERRIGAN NSW 2712 (Lot128//DP1125223)	Berrigan & District Aged Care Association	BERRIGAN & DISTRICT AGED CARE	Approved 26-11-2014	\$ 30000.00	Active 6	Total 6
31/15/CD/M4	Pergola	6 BEVERLEY PLACE, BAROOGA NSW 3644 (Lot57//DP1123204)	Mr Kevin Sidebottom	MR F BARTON	Approved 26-11-2014	\$ 16060.00	Active 1	Total 1
32/15/CD/M5	Aboveground Swimming Pool	53 KAMAROOKA STREET, BAROOGA NSW 3644 (Lot29//DP740508)	Mr Hugh Rafferty	MR H A RAFFERTY AND MRS RAFFERTY	Approved E 27-11-2014	\$ 4900.00	Active 2	Total 2
33/15/CD/M5	Aboveground Swimming Pool	25 HAMPDEN STREET, FINLEY NSW 2713 (Lot6//DP35186)	Kori Kollmann	K A KOLLMANN	Approved 26-11-2014	\$ 3000.00	Active 1	Total 1
34/15/CD/M8	Rural Shed	614 HATFIELDS ROAD, BERRIGAN NSW 2712 (Lot25//DP752303)	Ms Terrie Sullivan	MR KR CLARK & MS TD SULLIVAN	Approved 27-11-2014	\$ 84491.00	Active 2	Total 2
35/15/CD/M6	Additions to Dwelling	14 CROSBIES ROAD, FINLEY NSW 2713 (Lot10//DP801250)	Mr Alan Clark	MR AR CLARK	Approved 27-11-2014	\$ 10000.00	Active 2	Total 2

APPLICATIONS PENDING DETERMINATION AS AT 09/12/2014

Application No.	Date Lodged	Description	Property Location
30/15/DA/DD	12-09-2014	Upgrade of Skate Park	82-96 DENISON STREET, FINLEY NSW 2713 (Lot1/18//DP758412)
41/15/DA/D3	16-10-2014	Storage Units	119-121 HOWE STREET, FINLEY NSW 2713 (Lot7//DP251191)
47/15/DA/DM	24-10-2014	Storage Shed	(NO NAME) (NO TYPE), NSW (Lot1//DP286078)
53/15/DA/D2	24-11-2014	Skillion Shed	11-25 CHANTER STREET, BERRIGAN NSW 2712 (Lot52//DP877191)
54/15/DA/D5	24-11-2014	Residential Storage Shed	4 LA BELLE COURT, TOCUMWAL NSW 2714 (Lot4//DP1194758)
55/15/DA/D5	25-11-2014	Residential Storage Shed	100 COREE STREET, FINLEY NSW 2713 (Lot1//DP628949)
56/15/DA/DM	02-12-2014	Deck & Boundary Fence	1 GOLF LINKS DRIVE, TOCUMWAL NSW 2714 (Lot255//DP44490)
57/15/DA/D5	02-12-2014	Carport	32 NANGUNIA STREET, BAROOGA NSW 3644 (Lot18//DP42493)
58/15/DA/D2	02-12-2014	Application to change Liquor Licence	8-14 DENILQUIN STREET, TOCUMWAL NSW 2714 (Lot6//SP33658)

TOTAL APPLICATIONS DETERMINED / ISSUED

NOTING

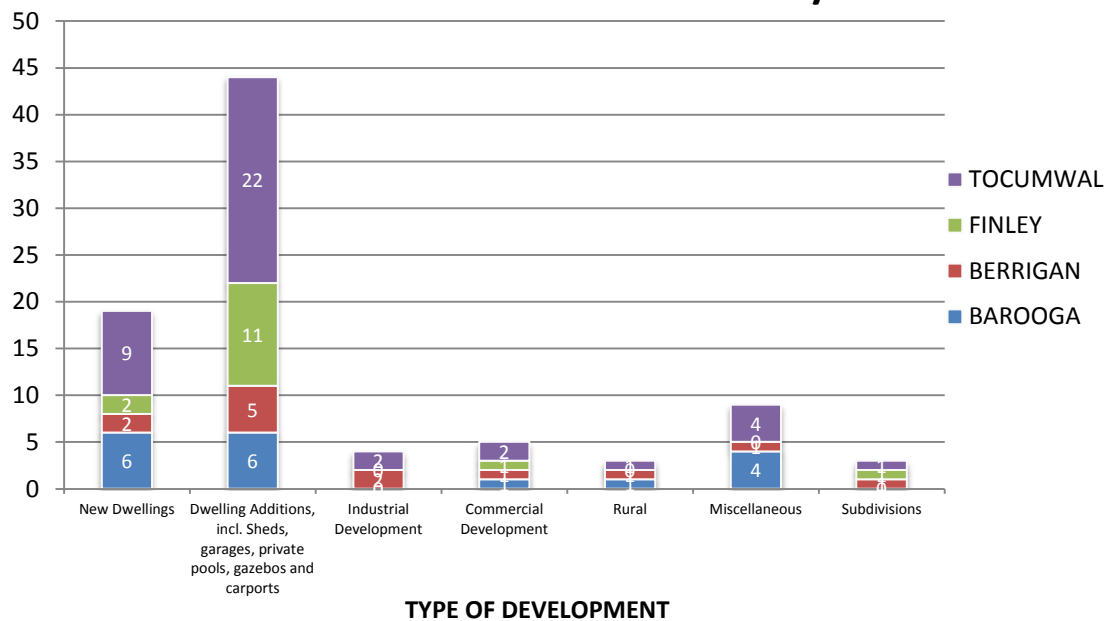
Items for Noting

	This Month (November)	Year to Date	This Month Value	Year to Date Value
<i>Development Applications Determined</i>	11	53	\$1,155,362.00	\$7,148,336.00
<i>Construction Certificates Issued</i>	6	35	\$656,567.00	\$3,775,949.00
<i>Complying Development Cert. Issued</i>	7	34	\$566,951.00	\$1,825,293.00
<i>Local Activity Approvals Issued</i>	3	29	0	0

OTHER CERTIFICATES ISSUED FOR OCTOBER

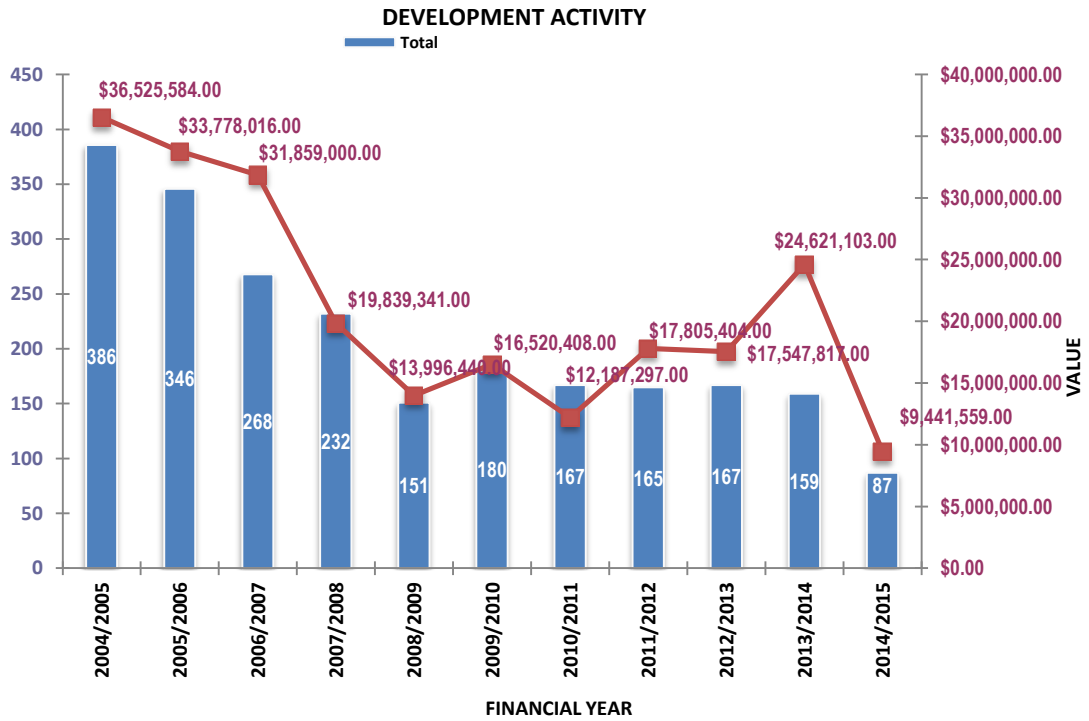
	149(2) Planning Certificate		149(5) Certificate		735A Certificate Outstanding Notices or Orders under LG Act 1993		121zp Certificate Outstanding Notices or Orders under EP&A Act 1979		149(D) Building Certificate		Swimming Pool Certificate	
	Nov	Year Total	Nov	Year Total	Nov	Year Total	Nov	Year Total	Nov	Year Total	Nov	Year Total
BAROOGA	13	35	1	1	0	0	0	0	0	0	0	1
BERRIGAN	2	21	0	1	1	6	0	1	0	2	0	0
FINLEY	4	44	0	3	0	0	0	0	0	0	1	1
TOCUMWAL	19	58	0	0	0	0	0	0	1	2	0	0
TOTAL	38	158	1	5	1	6	0	1	1	4	1	2

DEVELOPMENT ACTIVITY 2014 / 2015



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Items for Noting



Committee meeting reports

7.1 MINUTES OF THE CORPORATE SERVICES COMMITTEE OF MANAGEMENT HELD ON WEDNESDAY 3RD DECEMBER, 2014

RECOMMENDATION – that recommendations numbered 1 to 6 inclusive of the Corporate Services Committee Meeting held on 3rd December, 2014 be adopted.

5. VOLUNTEER COMMITTEES OF COUNCIL
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: 22.112.4

RECOMMENDATION NO 1 - that the Council advise the following Committees of Management that it intends to revoke their status as a Committee of Management of Berrigan Shire Council established under s355 of the Local Government Act 1993, after assisting them in a transition to a more appropriate governance structure:

1. Finley Community Help Group Committee of Management
2. Tocumwal Railway Preservation Committee of Management
3. Boomanoomana Landcare Committee of Management
4. Native Dog Landcare Committee of Management
5. Fullers Road Landcare Committee of Management
6. Finley Pioneer Rail Committee of Management

Committee meeting reports

5. FINANCIAL ASSISTANCE GRANT – ADDRESSING SHORTFALL

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 NO. 2 - that the Council:

1. note the report regarding the funding gap created by the freeze in indexation in the Council's Financial Assistance Grant
2. include the following reductions and amendment measures in its draft 2015/16 budget and operational plan.
 - Reductions in proposed budget allocations as per the table below:

Item	2015/16	2016/17	2018/19	2019/20
Community Works	\$5,000	\$5,000	\$5,000	\$5,000
Office equipment	\$10,000	\$10,000	\$10,000	\$10,000
Library book purchases	\$5,000	\$5,000	\$5,000	\$5,000
Berrigan Pool subsidy	\$9,000	\$9,000	\$9,000	\$9,000
Street lighting expansion	\$25,000	\$25,000	\$25,000	\$25,000
Tourism strategic plan	\$20,000	\$20,000	\$20,000	\$20,000
Chamber executive officer	\$40,000	-	-	-
Town entry works	\$20,000	\$20,000	\$20,000	\$20,000

- Additional contributions from the Council's Water, Sewer and Domestic Waste Management operations to the General Fund for shared overhead expenses as per the table below

Committee meeting reports

Fund	2015/16	2016/17	2018/19	2019/20
Water	\$34,000	\$34,000	\$34,000	\$34,000
Sewer	\$34,000	\$34,000	\$34,000	\$34,000
DWM	\$11,000	\$11,000	\$11,000	\$11,000

- The removal of one full time equivalent position from the Council's approved staff structure.

The meeting adjourned at 10.20 am and reconvened at 10.40 am.

6. FIT FOR THE FUTURE – STRATEGIC DIRECTION

AUTHOR: General Manager

STRATEGIC OUTCOME: Good government

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

FILE NO: 13.010.1

RECOMMENDATION NO. 3 - that having considered its strategic capacity, results of its self assessment and future projection of this and initial assessment of a possible merger with Jerilderie Shire Council the Council adopt a 'stand alone' basis as the preferred future direction of the Council.

RECOMMENDATION NO 4 - that the Council encourage the formation of a Joint Organisation from Albury to Wakool in lieu of the proposed Mid Murray and Upper Murray Joint Organisation.

GENERAL BUSINESS

General Manager

RECOMMENDATION NO. 5 - that the Council not hold Committee meetings in January, 2015.

RECOMMENDATION NO. 6 - that the General Manager be granted annual leave for the periods 22nd December, 2014 until 2nd January, 2015 and 23rd January, 2015 and 27th January, 2015.

Items requiring Council Resolution

8. MAYOR'S REPORT

RECOMMENDATION – that the Mayor's Report be received.

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Items requiring Council Resolution

9. DELEGATES REPORT

NO-HUTCHINSON RESOLUTION

Items requiring Council Resolution

10. GENERAL BUSINESS

RESOLUTION