



Council Chambers,  
BERRIGAN NSW 2712

Sir/Madam,

The Ordinary Meeting of the Council of the Shire of Berrigan will be held in the **Council Chambers**, Berrigan, on **17<sup>th</sup> May, 2017** when the following business will be submitted:-

**9:00AM**

**Public Question Time**

**COUNCIL MEETING**

1.	APOLOGIES .....	2
2.	DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTEREST .....	2
3.	VISITORS ATTENDING MEETING.....	2
4.	CONFIRMATION OF MINUTES .....	2
5.1	FINANCE - ACCOUNTS .....	3
5.2	MAYORAL AND COUNCILLORS ALLOWANCES .....	7
5.3	FINANCIAL REVIEW .....	8
5.4	DRAFT INTEGRATED PLANS .....	16
5.5	CAPITAL WORKS ON COMMUNITY FACILITIES POLICY .....	18
5.6	CONTRIBUTORY FOOTPATH AND KERB AND GUTTER SCHEMES POLICY .....	23
5.7	POLICY FOR INTERNAL REPORTING.....	32
5.8	POLICIES FOR READOPTION .....	54
5.9	REVOCAION OF COUNCIL POLICIES .....	56
5.10	DOCUMENTS FOR SIGNING AND SEALING .....	58
5.11	DEVELOPMENT APPLICATION 115/17/DA/DM .....	59
6.1	NSW LOCAL ROADS CONGRESS 2017 .....	64
6.2	JOINT ORGANISATIONS .....	65
6.3	COBRAM SECONDARY COLLEGE .....	67
6.4	TAFE OUTSTANDING ACHIEVEMENT AWARD.....	68
6.5	DEVELOPMENT DETERMINATIONS FOR MONTH OF APRIL 2017 .....	69
7.1	MINUTES OF THE CORPORATE SERVICES COMMITTEE MEETING.....	72
7.2	MINUTES OF THE TECHNICAL SERVICES COMMITTEE MEETING .....	74
8.	MAYOR'S REPORT .....	75
9.	DELEGATES REPORT .....	76
10.	GENERAL BUSINESS .....	77
11.	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

Items requiring Council Resolution

---



**Council Meeting**

Wednesday 17<sup>th</sup> May, 2017

**BUSINESS PAPER**

---

---

1. **APOLOGIES**
  
2. **DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTEREST**
  
3. **VISITORS ATTENDING MEETING**
  - 10:00am Presentation of Australian Citizenship –  
Mrs Judith URRUTIA  
Mrs Anne STRONGE  
Mr Ian STRONGE
  
  - 10:15am Presentation of Volunteer Recognition Policy -  
Mr J & Mrs B Cullen; Mr H & Mrs I Matheson; Mrs M Kable; Mr B Dawe; Mr R Nye & Mr L Koschel
  
4. **CONFIRMATION OF MINUTES**

**RECOMMENDATION** – that the Minutes of the meeting held in the Council Chambers on Wednesday 19<sup>th</sup> April, 2017 and the Minutes of the extraordinary meeting held in the Council Chambers on Wednesday 3<sup>rd</sup> May, 2017 be confirmed.

Items requiring Council Resolution

---

**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 April 2017, be received and that the accounts paid as per Warrant No. 04/17 totaling \$1,589,908.86 be confirmed.**

---

**REPORT**

- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 30 April 2017 is certified by the Finance Manager.
- b) The Finance Manager certifies that the Cash Book of the Council was reconciled with the Bank Statements as at 30 April 2017.
- c) The Finance Manager certifies the Accounts, including the Petty Cash Book made up to 30 April 2017, totaling \$1,589,908.86 and will be submitted for confirmation of payment as per Warrant No. 04/17
- d) The Finance Manager certifies that all Investments have been placed in accordance with:
  - i. Council's Investment Policy,
  - ii. Section 625 of the *Local Government Act 1993* (as amended),
  - iii. the Minister's Amended Investment Order gazetted 11 January 2011,
  - iv. clause 212 of the Local Government (General) Regulations 2005, and
  - v. Third Party Investment requirements of the Office of Local Government Circular 06-70.
- e) Cash and investments held by the Council have decreased in April 2017, as compared to March, however the general trend is in line with the same period last year.

**R  
E  
S  
O  
L  
U  
T  
I  
O  
N**

### Items requiring Council Resolution

Overall total funds held are expected to increase in May with the receipt of the fourth rates instalment and Financial Assistance Grant. Note that total funds held by the Council are almost \$3M higher than the same period last year.

#### Statement of Bank Balances as at 30 April 2017

##### Bank Account Reconciliation

Cash book balance as at 1 April 2017	\$ 3,845,729.53
Receipts for April 2017	\$ 771,407.55
Term Deposits Credited Back	\$ -
	<u>\$ 4,617,137.08</u>

##### *Less Payments Statement No 04/17*

Cheque Payments V075748 - V078754	\$ 10,497.52
Electronic Funds Transfer (EFT) payroll	\$ 485,303.22
Electronic Funds Transfer (EFT) Creditors E026176 - E026331	\$ 1,062,227.85
Term Deposits Invested	\$ -
Loan repayments, bank charges, etc	\$ 31,880.27
Total Payments for April 2017	<u>\$ 1,589,908.86</u>
<b>Cash Book Balance as at 30 April 2017</b>	<u><b>\$ 3,027,228.22</b></u>

##### *Bank Statements as at 30 April 2017*

Plus Outstanding Deposits	\$ 3,028,121.90
Less Outstanding Cheques/Payments	<u>\$ 893.68</u>
<b>Reconciliation Balance as at 30 April 2017</b>	<u><b>\$ 3,027,228.22</b></u>

#### INVESTMENT REGISTER

INSTITUTION	DEPOSIT NO.	TERM (days)	RATE	MATURITY DATE	INSTITUTION TOTAL
AMP	125/16	181	2.75%	4/09/2017	\$ 2,000,000.00
AMP	117/15	273	2.75%	22/12/2017	\$ 2,000,000.00
Goulburn Murray Credit Union	124/16	275	2.75%	13/01/2018	\$ 2,000,000.00
Bendigo Bank	122/16	365	3.00%	26/05/2017	\$ 2,000,000.00
Bendigo Bank	128/16	270	2.85%	17/09/2017	\$ 2,000,000.00
Central Murray Credit Union	104/14	122	2.80%	16/07/2017	\$ 2,000,000.00
Central Murray Credit Union	126/16	365	3.05%	30/08/2017	\$ 2,000,000.00
Central Murray Credit Union	130/17	365	3.05%	1/03/2018	\$ 1,000,000.00
Defence Bank Limited	102/14	183	2.60%	4/10/2017	\$ 2,000,000.00
Defence Bank Limited	106/14	270	2.70%	24/12/2017	\$ 1,000,000.00
Defence Bank Limited	129/17	365	2.80%	28/02/2018	\$ 1,000,000.00
ME Bank	127/16	180	2.75%	30/05/2017	\$ 2,000,000.00
T-CORP HOURGLASS AT CALL		AT CALL			\$ 2,500,000.00
					<u><b>\$ 23,500,000.00</b></u>

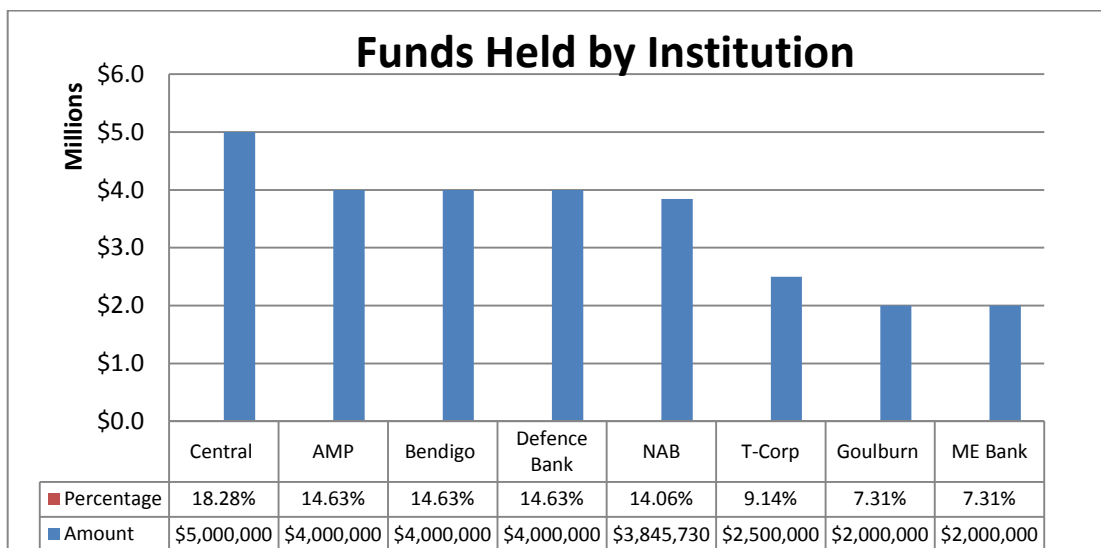
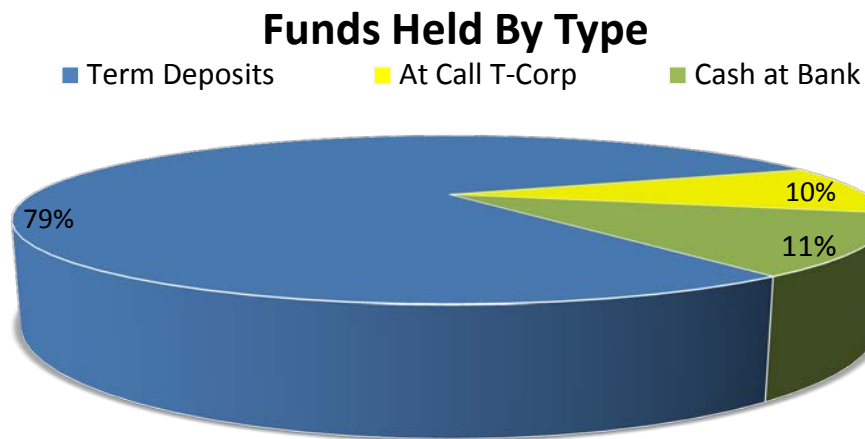
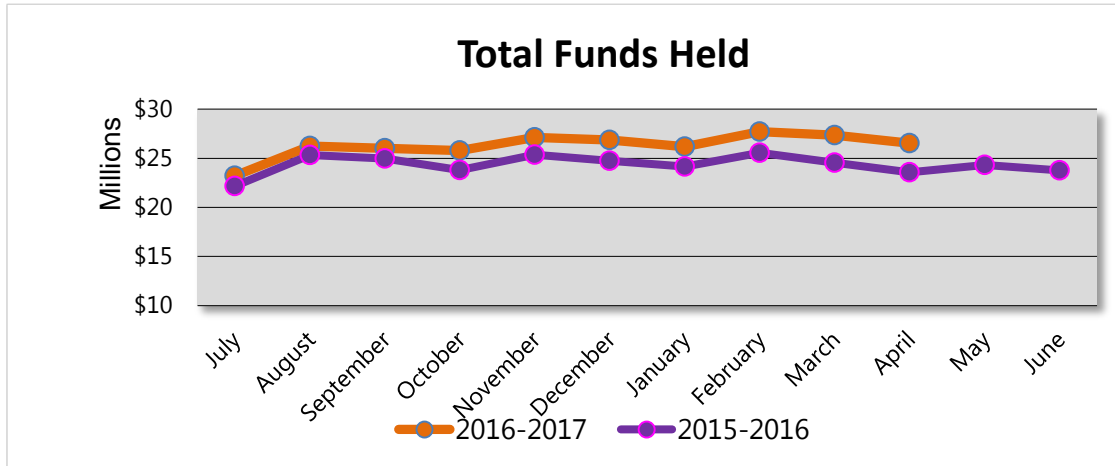
**Total Funds Held at 30 April 2017**

**\$26,527,228.22**

Carla von Brockhusen - Finance Manager

RESOLUTION

Items requiring Council Resolution



RESOLUTION

### Items requiring Council Resolution

---

Prior Financial Institution	Previous Investment			Current Financial Institution	New Investment		
	Term (Days)	Amount	Interest Rate		Term (Days)	Amount	Interest Rate
DEFENCE	270	\$2M	2.90%	DEFENCE	180	\$2M	2.60%
GMCU	274	\$2M	2.95%	GMCU	275	\$2M	2.75%

RESOLUTION

## Items requiring Council Resolution

---

### 5.2 MAYORAL AND COUNCILLORS ALLOWANCES

**AUTHOR:** General Manager

**STRATEGIC OUTCOME:** Good government

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

**FILE NO:** 13.045.1

**RECOMMENDATION:** - that the Council adopt the following Mayoral and Councillor allowances effective from September, 2017:

<b>Mayoral allowance</b>	<b>\$25,250</b>
<b>Councillor allowance</b>	<b>\$11,570</b>

---

#### REPORT:

The Local Government Remuneration Tribunal has reviewed allowances paid to Councillors and the additional allowance paid to the Mayor. Following this review, the Tribunal has determined fees effective from 1<sup>st</sup> July, 2017 which reflect a 2.5% increase.

Set out below is a summary of the existing and proposed fees:

	Existing	Proposed		Budget
		Min	Max	
Mayor	\$25,010	\$9,310	\$25,250	\$25,302
Councillor	\$11,290	\$8,750	\$11,570	\$92,106

The maximum increase would require a budget increase of approx. \$400 if the maximum allowable fees are adopted from 1<sup>st</sup> July, 2017.

If the maximum fees were applied from September, 2017 as is the Council's usual practice, a budget saving of approx. \$100 will accrue.

The Council has traditionally applied the new allowances from September following the election of Councillors and previously the Mayor.

The Tribunal's determination also deals with categorization of Councils and determines that Berrigan is a "Rural" Council.

A copy of the determination is circulated with this agenda as appendix "A".

RESOLUTION

## Items requiring Council Resolution

---

### 5.3 FINANCIAL REVIEW

**AUTHOR:** Director Corporate Services

**STRATEGIC OUTCOME:** Good government

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

**FILE NO:**

**RECOMMENDATION:** - that the Council:

- Note the third quarterly review of the 2016/17 budget and vote the funds contained therein as shown in appendix "B"
- Note the Quarterly Budget Review Statement attached also as "appendix "C"

---

#### REPORT:

Circulated with the agenda as appendix "B" is the Quarterly Financial Review for the period 1 January 2017 to 31 March 2017. This report takes into account all known factors and work variations until 31 March 2017 and later where possible, including budget allocations for the 2016/17 financial year.

The summarised results are as follows:

Revised budget surplus as at 30/12/17	\$ 372,085
Additional expenditure as per this report	(593,078)
Additional revenue as per this report	603,447
	<hr/>
Revised budget surplus as at 31/03/17	382,454

Significant changes proposed in this review include:

#### Favourable

The budget recognises \$300,000 in revenue received for disposal of asbestos-related material at the Berrigan waste management facility as a result of the Loose-fill asbestos insulation voluntary purchase and demolition program. This amount has been placed into the Waste Management Facility reserve.



### Items requiring Council Resolution

The Council expects to receive up to \$100,000 to compensate for staff time spent as a lead Council in the development of the Fire and Emergency Services Levy (FESL).

The Tocumwal Recreation Reserve resolved to not proceed with their project for a major refurbishment of the public toilets at the netball end of the facility – instead undertaking cosmetic improvements. The associated “one-third” contribution scheme at a net cost \$8,333 has been removed from the budget.

Proceeds from the sale of high security water have been placed into the Water Supply reserve.

#### Unfavourable

The recontracting out of cleaning services saw significant cost increases across the board – especially public conveniences and libraries.

An additional \$11,000 in expenses related to rubbish collection in beach areas has been recognised in this review taking the total cost of the year for this service to \$45,000.

Significant variations contained in the attached quarterly review document are detailed below. Variances which are unfavourable to the Council’s result are shown with a (u) next to them and variances which are favourable are denoted with a (f).

Councillors are invited to make comments or ask questions about any of the variances in this report.

DESCRIPTION	VARIANCE	COMMENT
1001-0347 ELECTION EXPENSES	\$16,800 F	Council received an “amalgamation” discount on it’s the election costs to compensate for not being able to share costs with neighbours
1002-0400 COMMUNITY GRANTS SCHEME	\$25,000 F	Not taken yp.
1006-0107 ADMIN SALARIES - GM SUPPORT	\$63,100 F	Staff changes
1010-0194 ADMIN INSUR - PUBLIC LIABILITY	\$22,122 U	Reallocated from 1010-0195
1010-0195 ADMIN INSUR - OTHER	\$19,138 F	Reallocated to 1010-0194
1011-0160 DEPOT OPERATIONAL EXPENSES	\$22,400 U	Waste Expenses

## Items requiring Council Resolution

DESCRIPTION	VARIANCE	COMMENT
1200-1927 RISK MGT TRANSFER FROM RESERVE	\$32,720 F	Installation of Memorial Park Fencing funded from Risk Management
1200-1954 OLG Grant - ESPL Funding	\$10,570 F	Additional funding – lead council
1011-0545 PUBLIC WORKS PLANT PURCHASE	\$315,930 F	Reallocated to 1011-0546/550
1011-0546 PUBLIC WORKS UTILITY PURCHASE	\$41,550 U	Reallocated to 1011-0545
1020-0100 PLANT WORKSHOP EXPENSES	\$30,000 U	Reallocation
1320-1200 GAIN ON DISPOSAL - PLANT & EQUIPMENT	\$41,049 F	Reallocated 1320-1201/1926
1320-1201 GAIN ON DISPOSAL - MOTOR VEHICLE	\$13,549 U	Allocate 1320-1200
1320-1926 PLANT REPLACE TRANSFER FROM RESERVE	\$296,440 U	No transfer from reserve – balance plant
1320-1950 PLANT FUEL TAX CREDIT SCHEME	\$15,000 F	Additional fuel rebate
1320-2010 PLANT HIRE INCOME COUNCIL WORKS	\$60,000 F	Additional income
3200-2026 PLANT SERVICES TRANSFER TO RESERVE	\$56,440 U	Balance Plant
3200-1926 EARLY INT TRANSFER FROM RESERVE	\$24,861 U	Reduce from reserve
3200-1950 DADHC GRANT (INC GST)	\$24,861 F	Funding received
1414-0110 RUBBISH COLLECTION BEACH AREAS	\$11,700 U	Additional waste expense
3660-1500 DWM TIPPING FEES	\$300,000 F	Loose-Fill Asbestos fees
3670-2026 DWM TRANSFER TO RESERVE	\$300,000 U	Transfer Loose-Fill Asbestos fees to reserve
1416-0110 STORMWATER DRAINAGE MAINTENCE	\$36,347 U	Flood damage
1417-0551 CONSTRUCT PUMP STATION TOC GOLF	\$36,767 F	Reallocated to stormwater maintenance
1417-0554 CHANTER ST RAILWAY TO JERSEY	\$13,000 F	Job complete
1417-0822 MURRAY ST HEADFORD TO OSBOURNE	\$49,483 F	Job complete
1417-0837 TUPPAL ST FINLEY	\$51,671 F	Job complete

RESOLUTION

## Items requiring Council Resolution

DESCRIPTION	VARIANCE	COMMENT
1417-0843 BRUTON ST – EXT JERILDERIE NTH	\$51,671 U	Current estimate exceeds budget
1417-0844 BRUTON ST EXT TO CHARLOTTE	\$15,000 F	Combined with 1417-0843
1417-0845 MCALLISTER ST – HEADFORD TO OSB	\$42,865 F	Reallocated to fund Jersey St Tocumwal works
1417-0846 JERSEY ST CHANTER TO TUPPAL	\$33,000 U	New works earlier approved by Council
3750-1953 TUPPAL ST FINLEY – RMS FUNDING	\$83,348 U	Works completed and paid for in previous financial year
1420-0000 PUBLIC CONVIENCE CLEANING	\$30,000 U	Additional costs incurred.
1511-0166 WATER TREATMENT-BGN ELECTRICIT	\$15,000 U	Reallocation water expenses
1511-0180 WATER TREATMENT - OP EXP - FIN	\$20,000 U	Reallocation water expenses
1511-0232 PUMPING STATIONS OP EXP FIN	\$15,000 U	Reallocation water expenses
4110-1502 WATER CONNECTION FEES - GST FREE	\$10,570 F	Additional income
4110-1504 SALE OF HIGH SECURITY WATER	\$53,170 F	Additional water sales
4110-1604 SECT. 64 CONT. WATER - TOC	\$81,228 F	Aerodrome contribution
4110-1926 WATER TRANSFER FROM RESERVE	\$100,018 U	Reduce transfer to reserve
1610-0526 SEWER MAIN UPGRADE – TOCUMWAL	\$40,753 F	Works deferred to balance arrears
1610-0621 BGA UPGRADE PUMP STATION	\$40,753 U	Reallocate from 1511-0526
1611-0341 RAISING OF SEWER MANHOLE LIDS	\$11,400 F	Work deferred
1611-0342 TOCUMWAL CCTV	\$11,500 U	Additional works undertaken
1710-0215 LIBRARY CLEANING	\$10,000 U	Over budget – renegotiated tender
1717-0229 TOC - REC RES TOILETS RENO	\$25,000 F	“One-third” scheme project not proceeding
6600-1600 TOC REC RES TOILET RENO CONTRIBUTION	\$16,667 U	“One-third” scheme project not proceeding
1718-0000 PARKS & GARDEN MAINTENANCE	\$32,720 U	Fencing at Memorial Park in Finley funded from Risk Management reserve.

RESOLUTION

## Items requiring Council Resolution

DESCRIPTION	VARIANCE	COMMENT
1718-0230 TOC FORESHORE CONSULTANT	\$24,370 U	Additional scoping works to include design of minor bank works
0011-0000 RURAL SEALED ROADS - MAINTENCE	\$12,460 F	Allocate Funding to balance maintenance costs
0013-0000 RURAL UNSEALED ROADS – MAINTENCE	\$117,703 U	Allocate Funding to balance maintenance costs
0015-0356 MR356 BERRIGAN - OAKLANDS RD	\$26,218 U	Allocate Funding to balance maintenance costs
0015-0363 MR363 BERRIGAN - BAROOGA RD	\$43,932 U	Allocate Funding to balance maintenance costs
0015-0550 MR550 TOCUMWAL - MULWALA RD	\$62,664 F	Allocate Funding to balance maintenance costs
0015-0564 MR564 BERRIGAN - JERILDERIE RD	\$32,466 U	Allocate Funding to balance maintenance costs
0015-1226 MR226 CAPITAL PROJECTS	\$10,060 U	Allocate funding
0021-0000 OTHER URBAN SEALED ROADS - MAINTENCE	\$55,220 U	Allocate Funding
1910-0979 RESEAL BOYD ST	\$11,032 U	Work performed
1913-0845 MCALLISTER ST - HEADFORD TO OSBORNE	\$60,000 F	Re-allocation
1914-0316 YARRAWONGA RD	\$381,330 U	Transferred between job numbers – Yarrowonga Rd
1914-0588 LOWER RIVER RD	\$126,712 U	Additional works – flood rehab – less council contribution
1914-0592 YARRAWONGA RD	\$400,000 F	Transferred between job numbers – Yarrowonga Rd
1915-0513 CLEARZONES - ROADSIDE HAZARD	\$75,000 F	Re-allocation
1911-0303 RESEAL TUPPAL RD	\$20,000 U	Reallocate – change of priorities for reseal works
1911-0307 RESEAL LOGIE BRAE RD	\$11,000 U	Reallocate – change of priorities for reseal works
1911-0308 RESEAL MELROSE RD	\$58,000 U	Reallocate – change of priorities for reseal works
1911-0309 RESEAL MURRAY ST	\$13,000 F	Reallocate – change of priorities for reseal works
1911-0313 RESEAL PINEY RD	\$78,080 F	Reallocate
1911-0316 RESEAL YARRAWONGA RD	\$21,000 U	Transferred between job numbers – Yarrowonga Rd

RESOLUTION

## Items requiring Council Resolution

DESCRIPTION	VARIANCE	COMMENT
1911-0565 BROUGHANS RD – WEST END	\$17,640 F	Reallocate – balance other priority jobs
1912-0003 RESHEET ENNALS RD	\$90,000 F	Reallocate – balance priority changes with other resheets.
1912-0023 RESHEET NOLANS RD	\$41,000 U	Reallocate – balance priority changes with other resheets.
1912-0024 RESHEET ERINDALE RD	\$106,000 U	Reallocate – balance priority changes with other resheets.
1912-0025 RESHEET YUBA RD	\$22,454 U	Reallocate – balance priority changes with other resheets.
1912-0121 FIRE BREAKS – RURAL UNSELAED	\$10,546 U	Reallocate – balance priority changes with other resheets.
1912-0144 RESHEET HOGANS RD	\$39,000 F	Reallocate – balance priority changes with other resheets.
1912-0167 RESHEET WINTERS RD	\$25,000 U	Reallocate – balance priority changes with other resheets.
1912-0932 JERSEY ST – CHANTER TUPPAL	\$34,935 U	New works approved earlier by Council
1917-0656 TUPPAL ST MURRAY TO TOCUMWAL	\$15,000 F	Work completed
1917-0664 MURRAY ST HEADFORD TO OSBOURNE	\$15,000 U	Costs of work exceeded budget
1956-1000 RTA REGIONAL ROAD REPAIR BUDGET	\$350,000 F	Re-allocation of RMS Block Grant to balance included main road jobs
1956-1011 MR550 REHAB/WIDEN 22.7-24.3	\$140,001 U	Re-allocation of the Repair budget
1956-1012 MR550 REHAB/WIDEN 80.226 - 81.22	\$289,000 U	Re-allocation of the Repair budget
7100-1954 RMS DISASTER FECOVERY FUNDING	\$303,436 F	Additional RMS Funding
7300-1670 K&G Jersey St	\$20,000 F	Adopted last council meeting
RMSCAPINCOME – PART 7810-1950 BLOCK GRANT	\$350,000 U	Allocate RMS Block Grant to 1956-1000
7830-1950 RTA REHABILITATION WORKS FUNDING	\$22,500 F	Additional funding
2013-0220 ECON DEV WEBSITE SUBSCRIPTION	\$13,636 U	Dec budget allocation incorrect
2013-0240 ECON DEV OFFICER OFFICE EXP	\$13,681 U	Correction Dec budget allocation

RESOLUTION

### Items requiring Council Resolution

DESCRIPTION	VARIANCE	COMMENT
8400-1927 ECONOMIC DEVELOPMENT TRANSFER FROM RESERVE	\$13,636 F	Transferred reversed
2015-0165 BUSINESS & ENVIRONMENT AWARDS	\$13,692 F	No longer happening
2020-0000 S/DR TECH SERV (BUDGET)	\$18,000 U	Addition PW jobs (Matched income)
2030-0000 S/DR - CORP SERV (BUDGET)	\$123,205 U	Addition PW jobs (Matched income – EPSL)
8900-1511 PRIVATE WORKS CORP SERVICES INCOME	\$130,508 F	Additional (ESPL income)
9200-1950 FINANCAL ASSISTANCE GRANT (FAG)	\$39,435 U	Indexing

The Quarterly Budget Review Statement (QBRS) for the period 1 January 2017 to 31 March 2017 is attached as Appendix “C”.

The QBRS consists of six statements:

1. **Report by Responsible Accounting Officer** – The Responsible Accounting Officer is satisfied that the Council’s financial position at 31 March 2017 is satisfactory.
2. **Income & Expenses Budget Review Statement** – This statement projects the Council’s annual operating statement for the financial year based on the budget position on 31 March 2017.

The Council’s budgeted net operating result was projected to improve by \$620,000 during the December quarter, largely driven by charges for disposal of loose-fill asbestos waste and sales of temporary water.

The budgeted net operating result at the end of the December quarter is a \$4.3m surplus, becoming a surplus of \$2.5m after deducting \$1.8m of capital grants and contributions. This is broadly in line with budget expectations

3. **Capital Budget Review Statement** – This statement tracks the Council’s capital expenditure and the sources of funding used to pay for the capital works.

The Council decreased its capital works program by \$156,000, with small variations across all classes of assets

4. **Cash and Investments Budget Review Statement** – This statement indicates what the Council’s expected end-of-year cash position is

## Items requiring Council Resolution

---

likely to be taking into account all known budget changes until the end of the quarter.

5. **Key Performance Indicators Budget Review Statement** – This statement is designed to provide some simple financial indicators to give the Council a snapshot of how it is performing financially.

Unlike the earlier reports there is some freedom here for the Council to choose what indicators it would like to see included in the report. The finance team have chosen three that seem reasonably useful for the Council to track.

- Debt Service Ratio – an indicator of how much of the Council's income is used to service its debt
- Rates & Annual Charges Coverage Ratio – an indicator of how reliant the Council is on its rates revenue
- Building and Infrastructure Renewal Ratio – an indicator of the Council's effort in renewing its assets as they deteriorate.

All indicators show that the Council is on target to meet its overall objectives – with the exception of the Rates and Annual Charges Ratio. This has been heavily impacted by the receipt of the \$2.5m *Fixing Country Roads* contribution to the Silo Road upgrade. The more grants Council; gets, the worse this ratio will become.

6. **Contracts and Other Expenses Budget Review Statement** – This statement is an attempt to provide the Council with some detail about the Council's new contractual arrangement and expenditure on consultancies and legal expenses.

### Items requiring Council Resolution

---

#### 5.4 DRAFT INTEGRATED PLANS

**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 the Council

1. Adopt the draft Annual Operational Plan 2017 – 2018 Appendix “D”
2. Endorse for public exhibition and comment the Council’s
  - a. Draft Annual Operational Plan 2017 – 2018 Appendix “D”
  - b. Draft Delivery Program 2017 – 2018 Appendix “E”
  - c. Draft Resourcing Strategy 2017 – 2021 Appendix “F”
  - d. Draft of the Community Strategic Plan: Berrigan Shire 2027 Appendix “G”
3. Receive and consider at its meeting to be held 21 June 2017 any public submissions received in relation to the Draft Integrated Plans.

---

**REPORT:**

In accordance with Local Government Act 1993 and the NSW Division of Local Government Integrated Planning and Reporting requirements the Council must review and exhibit for at least 28 days its Draft Annual Operational Plan 2017 – 2018 to be adopted at this meeting.

Further, the Council must also exhibit for at least 28 days the draft plans adopted by the Council at the Ordinary Council Meeting held 19 April 2017. Specifically, the:

- Draft Community Strategic Plan: Berrigan Shire 2027
- Draft Resourcing Strategy 2017 – 2027 inclusive of:
  - Draft Asset Management Strategy 2017 – 2027;
  - Draft Long-term Financial Plan 2017 – 2027;
  - Draft Workforce Management and Development Plan 2017 – 2021; and
- The Draft 4 - year Delivery Program 2017 – 2021.



**Items requiring Council Resolution**

---

The draft Annual Operational Plan 2017 – 2018 includes:

- A summary of the actions to be taken by Council in the next 12 months.
- A statement about the Council's Draft Revenue and Charging Policy 2017 – 2018 the subject of a separate report to the Council at this meeting.
- A copy of the Council's draft Fees and Charges Register, budget commentary and the detail of the Council's draft Budget 2017 – 2018: documents adopted by a resolution of the Council at its meeting held 19<sup>th</sup> April 2017.

**R  
E  
S  
O  
L  
U  
T  
I  
O  
N**

Items requiring Council Resolution

---

## 5.5 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:** 04.074.1

**RECOMMENDATION:** - That the Council:

- Revoke its Policy for Capital Works on Community Facilities; and
- Adopt the Policy for Capital Works on Community Facilities set out below.

## 29 CAPITAL WORKS ON COMMUNITY FACILITIES POLICY

**File Reference No:** 04.074.1

**Strategic Outcome:** Supported and engaged communities

**Date of Adoption:** 17/05/2017

**Date for Review:** 21/05/2021

**Responsible Officer:** Director Corporate Services

### 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.

## Items requiring Council Resolution

---

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
- 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

## Items requiring Council Resolution

---

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

**Construction work** – as defined in the Work Health and Safety Regulations 2011 “any work carried out in connection with the construction, alteration, conversion, fitting-out, commissioning, renovation, repair, maintenance, refurbishment, demolition, decommissioning or dismantling of a structure”.

### 1. POLICY IMPLEMENTATION

#### 1.1 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.

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.

#### 1.2 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 through 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.

#### 1.3 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

## Items requiring Council Resolution

---

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.

### 1.4 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, in order to comply with legislation and the Council's Procurement and Disposal Policy.

### 1.5 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. Regardless of the dollar amount, projects involving construction work as defined above will always be considered a capital project for the purposes of the policy.

### Items requiring Council Resolution

---

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.

## 2. RELATED LEGISLATION, POLICIES AND STRATEGIES

### 2.1 Legislation

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

### 2.2 Council policies

- Berrigan Shire Council Code of Conduct
- Berrigan Shire Council Risk Management Framework
- Berrigan Shire Council Guide to Operations for Volunteer Committees of Management
- *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:

The Council's policy for Capital Works on Community Facilities is due for review.

The proposed policy is similar to the policy adopted in 2014. The only changes proposed are:

- Confirming that any "construction work" falls into the scope of this policy
- defining "construction work" as per the definition in the *Work Health and Safety Regulations 2011*

The Council may adopt, amend or reject this proposed policy as it chooses. Alternatively, it could seek feedback from its committees of management before adoption.

## Items requiring Council Resolution

**5.6 CONTRIBUTORY FOOTPATH AND KERB AND GUTTER SCHEMES POLICY****AUTHOR:** Director Corporate Services**STRATEGIC OUTCOME:** Sustainable natural and built landscapes**STRATEGIC OBJECTIVE:** 1.3 Connect and protect our communities**FILE NO:** 25.138.1**RECOMMENDATION:** - that the Council:

- Revoke its Policy for Contributory Footpath and Kerb and Gutter Schemes; and
- Adopt the Policy for Contributory Footpath and Kerb and Gutter Schemes set out below.

**48 CONTRIBUTORY FOOTPATH AND KERB AND GUTTER SCHEMES****File Reference No:** 25.138.1**Strategic Outcome:** Sustainable natural and built landscapes**Date of Adoption:** 19/04/2017**Date for Review:** 21/04/2021**Responsible Officer:** Director Technical Services**1. POLICY STATEMENT**

The infrastructure in our towns – things like roads, footpaths and kerb and gutters – is often taken for granted. However, providing these items comes at a cost.

Generally, these items are provided by the initial developer of the land. The cost of providing this infrastructure is then built into the price of the developed blocks. Hence, each property owner has contributed to the cost of the infrastructure outside his or her land.

Over time, our communities' expectations about infrastructure have changed. For example, most new urban sub-divisions now include kerb and gutter as standard – an item that older sub-divisions often do not have.

## Items requiring Council Resolution

---

As our towns grow, it becomes important to link up this community infrastructure to allow the footpath and kerb and gutter network to work as it should. This often means installing kerb and gutter and footpaths items in the “gaps” created by older sub-divisions without those items.

Given that the cost of providing this infrastructure in newer sub-divisions has been borne by the property owners there – in the purchase price of their land – it is fair that property owners in older areas contribute to the cost of new kerb and gutter and footpaths installed adjacent to their land.

The NSW government recognises this and the *Roads Act 1993* allows for Councils to recover up to half the cost of providing infrastructure like kerb and gutter and footpaths from the adjacent landowners via a contributory charge.

All property owners are required to contribute to the cost of infrastructure passing their property, either through the initial cost of purchase or via a later contribution. The Council considers that its Half-Cost Scheme provides a simple and fair method of allocating and recovering the contribution to new infrastructure.

### 2. PURPOSE

This Policy is intended as a procedural guide for the creation and implementation of all contributory projects for the construction of footpaths and kerb and gutter under the *Roads Act 1993* and as a guide for the equitable distribution of costs between Council and owners of abutting properties.

### 3. SCOPE

This policy applies to all property within Berrigan Shire.

### 4. OBJECTIVE

This Policy has been developed to assist the Council with Delivery Plan Objective 1.3.1

*Coordinate flood levee, Council road network and storm water asset management and planning*

### 5. DEFINITIONS

**Affected property** – A property with a boundary adjacent to the proposed works

**Front boundary** – The boundary providing the main access to the affected property. In the case of dispute where a property has access



## Items requiring Council Resolution

---

across multiple boundaries, the shortest boundary will be deemed as the front boundary.

Responsible Officer – The staff member appointed by the General Manager with the responsibility for the administration of contributory footpath and kerb and gutter schemes as per this policy.

### 6. POLICY IMPLEMENTATION

#### 6.1. General principles

The Council recognises that often the main beneficiaries of a particular contributory scheme are not necessarily the adjacent property owners. However, there is often a strong community interest in ensuring that footpath and kerb and gutter networks are linked and affected.

In implementing this policy, the Council will balance the needs of the Berrigan Shire community as a whole with the interests of affected landholders.

#### 6.2. How projects are identified

The Council will identify potential projects for contributory schemes as part of its Integrated Planning and Reporting suite of Asset Management Plans, in particular in its:

- Pedestrian Access Management Plan (PAMP), and
- Stormwater Drainage Asset Management Plan

These plans, developed in consultation with the public, will identify specific projects that are suitable to be funded via a contributory scheme.

Identified projects will then be included in the Council's Capital Works Program and Operational Plan and budget, prioritised on the basis of risk, need and available funding

Alternatively, potential projects may be identified by the Council following requests from landholders and/or other members of the community.

#### 6.3. How the Council will consult

##### 6.3.1. Preliminary consultation

Following inclusion of a prospective scheme in the Council's Capital Works Program, the Council will advise landholders about the scheme in writing.

### Items requiring Council Resolution

---

The information provided to landholders will include:

- preliminary estimates for the total cost of the works,
- method of apportionment of the cost,
- the estimated cost to owner,
- details of payment options in line with this policy, and
- a method to respond to the Council, regarding their support or otherwise for the plan

Landholders will have fourteen (14) days to provide a response to the Council.

#### 6.3.2. Site meeting

Landholders will also have the opportunity to request a site meeting to clarify issues raised in their response. Based on the responses, the Responsible Officer will determine if a site meeting is required.

If a site meeting is held all affected landholders will be invited to attend. The Council's representatives will include at a minimum, one staff member and one Councillor. A record of the meeting will be taken.

#### 6.3.3. Initial Report

The Responsible Officer shall prepare a preliminary report to a subsequent Technical Services Committee meeting addressing the following where appropriate:

- background information detailing the reason for canvassing potential contributors;
- a statistical analysis of results of responses and an assessment of their substance;
- the need for the scheme taking into account taking into account the Council's Integrated Plans
- the likely beneficiaries of the scheme;
- options for the scope, staging and funding of the scheme;
- the preliminary estimate and the basis for apportionment;
- recommendation to the Committee for Council to either proceed with the scheme or not to proceed;

## Items requiring Council Resolution

---

- Ongoing arrangements or liabilities for maintenance and/or reconstruction in the future.

Based on this report, the Council will resolve to proceed with formal development of the scheme.

### 6.3.4. Final report and notice

Following Council's resolution to proceed with the Scheme, the final design, estimates and apportionment of costs shall be prepared by the Responsible Officer. Where the cost and/or scope of the project significantly changes from the initial estimate, the Responsible Officer will ensure landholders are advised.

The finalised scheme will be presented to a subsequent Council meeting for adoption.

After adoption by Council, all affected landholders will be given formal notice of their requirement to contribute, in accordance with all legislative requirements.

The notice shall:

- contain an outline of the proposed scheme; and
- set out the method of calculation of the estimated contribution.

In addition to the above legislative requirements the notice sent shall include:

- the name of a Council officer for contact in regard to individual enquiries;
- proposed timing for works to be carried out;
- further advice of Council's policy regarding payment options

### 6.4. How the Council will charge landholders

#### 6.4.1. Allocation of costs

Contributions by landholders to the cost of eligible works under a contributory scheme will be determined on the following basis.

- The total cost of the works will be proportionately allocated across each affected property on the basis of the length of the property boundary adjacent to the works.

### Items requiring Council Resolution

---

- Each property where the front boundary is adjacent to the works will be charged 50% of the cost allocated to the property.
- Where a boundary other than the front boundary is adjacent to the works, the property will only be charged 25% of the cost allocated to the property.

The Council may choose to allocate an amount less than the total cost to one or more of the affected properties. This may occur where technical issues associated with the site raise the cost of the works significantly above the normal costs incurred.

If a property has already contributed to the existing footpath and/or kerb and gutter works associated with a particular proposal, it will not be required to make a further contribution.

#### 6.4.2. Invoicing

Once the project is complete, the Responsible Officer is authorised by the Council to arrange for invoices to be drawn up and sent to landholders on the basis of this policy.

Where the final cost is greater than 10% above the estimated cost, the Responsible Officer must seek Council approval via resolution before issuing invoices. The Council will have the discretion to charge an amount less than the actual cost, should it choose to do so.

#### 6.5. How the Council will collect contributions

##### 6.5.1. Charge against the land

As per legislation, the contribution will be recorded as a charge on each affected property as per unpaid rates under the *Local Government Act 1993*.

The amount of the contribution owing for the property will be included on notices provided under s603 of the *Local Government Act*.

##### 6.5.2. Payment and collection

Affected landholders will have two options to pay the contribution owing:

- Payment in full within 30 days of the invoice being issued.
- A repayment program over a three year period.

## Items requiring Council Resolution

---

The repayment program will require landholders to enter into a formal agreement with the Council setting out the terms of the repayment. This agreement will require payment in full by the landholder by the due date as set on in the agreement.

Where a contribution debt is not repaid in line with the terms outlined in this policy and in the agreement, the Council will charge penalty interest at the maximum rate permitted for outstanding rates and charges by the Office of Local Government. The penalty interest charged will be backdated to the date the invoice was initially issued.

The Council will collect outstanding contribution debt in line with established debt collection procedures. Landholders may make application for consideration under the Council's Financial Hardship Policy.

### 7. RELATED POLICIES

#### 7.1. Legislation

- *Local Government Act 1993*
- *Roads Act 1993*
- *Privacy and Personal Information Act 1998*

#### 7.2. Policies and other Council plans

- **Pedestrian Access Management Plan**
- **Stormwater Drainage Asset Management Plan**
- **User Fees and Charges Policy**
- **Collection Policy**
- **Financial Hardship Policy**

---

### REPORT:

The Council's policy for Contributory Footpath and Kerb and Gutter Schemes (commonly known as "half cost schemes") is due for review. It was last reviewed in June 2001.

This Policy is intended as a procedural guide for the creation and implementation of all contributory projects for the construction of footpaths and kerb and gutter under the *Roads Act 1993* (the Act) and as a guide for the equitable distribution of costs between Council and owners of abutting properties.

## Items requiring Council Resolution

---

Section 217 of the Act states:

***217 Roads authority may recover cost of paving, kerbing and guttering footways***

- (1) The owner of land adjoining a public road is liable to contribute to the cost incurred by a roads authority in constructing or paving any kerb, gutter or footway along the side of the public road adjacent to the land.*
- (2) The amount of the contribution is to be such amount (not more than half of the cost) as the roads authority may determine.*
- (3) The owner of land the subject of such a determination becomes liable to pay the amount determined on receiving notice of that amount.*
- (4) This section does not apply to the renewal or repair of any paving, kerb or gutter in respect of which contributions have previously been paid and does not apply to the Crown as regards public open space.*
- (5) In this section, a reference to a gutter includes, in the case of a roadway that is laid to the kerb in a permanent manner, a reference to such part of the roadway as is within 450 millimetres of the kerb.*

The proposed policy is a significant re-write of the existing policy but has been designed to allow for minimal change to the Council's current administration of contributory schemes as it actually stands at present. The existing policy makes no mention of some policy positions that the Council has in place and conversely some items included in the policy are no longer relevant. It also removes some purely procedural items that are better dealt with an administrative level.

The policy has also been reformatted to comply with the Council's current policy template.

The policy itself is restricted by the limitations of the provisions of the Act when it comes to allocating of costs across affected landholders.

The revised policy provides guidance on the following matters:

1. Identification of projects.
2. Consultation
3. Charging, and
4. Collection

A set of corresponding procedures for staff will be developed on adoption of the policy. The intent is not to vary the existing procedures but to document current practice.

**Items requiring Council Resolution**

---

The Council has several options from here:

1. Adopt the revised policy as it stands
2. Adopt an amended version of this revised policy
3. Retain the existing policy
4. Seek input from the community regarding the policy and consider any submissions received.

**R  
E  
S  
O  
L  
U  
T  
I  
O  
N**

### Items requiring Council Resolution

---

## 5.7 POLICY FOR INTERNAL REPORTING

**AUTHOR:** Director Corporate Services

**STRATEGIC OUTCOME:** Good government

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

**FILE NO:** 14.080.1

**RECOMMENDATION:** - That the Council:

- Revoke its Policy for Internal Reporting; and
- Adopt the Policy for Internal Reporting set out below.

## 10. INTERNAL REPORTING POLICY

**File Reference No:** 22.112.1

**Strategic Outcome:** Good government

**Date of Adoption:** 19/04/2017

**Date for Review:** 21/04/2021

**Responsible Officer:** Director Corporate Services

### 1. POLICY STATEMENT

The Berrigan Shire Council through resourcing the development, implementation, annual review and endorsement by Council of this policy is committed to creating and maintaining an open working environment in which Councillors, employees, (whether they are full-time, part-time or casual), contractors and consultants are able to raise with confidence concerns regarding actual or suspected unethical, unlawful or undesirable conduct and wrongdoing.

### 2. PURPOSE

The purpose of this Policy in accordance with the provisions of the *Public Interest Disclosures Act (1994) (PID Act)* and the *NSW Ombudsman Model Internal Reporting Policy: Local Government* is to:

- Encourage Councillors, employees, contractors and consultants to report an issue if they genuinely believe a person or persons have breached Council's Code of Conduct, Council policies or the law.



## Items requiring Council Resolution

---

- Describe Council's commitment to a fair workplace and outline the process for managing public interest disclosures.
- Protect individuals who in good faith, report wrong doing which they reasonably believe to be corrupt, illegal or unethical on a confidential basis, without fear of reprisal, dismissal or discriminatory treatment.
- Assist in ensuring that matters of Misconduct and/or unethical behaviour are identified and dealt with in accordance with this policy.

### 3. SCOPE

This Policy applies to:

- both Council staff and Councillors
- permanent employees, whether full-time or part-time
- temporary or casual employees
- consultants
- individual contractors working for Council
- employees of contractors providing services to Council
- other people who perform council official functions whose conduct and activities could be investigated by an investigating authority, including volunteers
- public officials of another council or public authority who report wrongdoing relating to Berrigan Shire Council.

It applies to all activities undertaken by the Council.

### 4. OBJECTIVE

This Policy has been developed to assist the Council with Delivery Plan Objective 2.2.2

*Council operations support ethical, transparent and accountable corporate governance.*

### 5. POLICY IMPLEMENTATION

#### 5.1 Roles and responsibilities

In accordance with the *NSW Ombudsman Model Internal Reporting Policy: Local Government* all persons covered by the scope of this policy are responsible for acting in accordance with the following procedures about

- What should be reported
- When a report will be protected
- How to make a report, anonymity

### Items requiring Council Resolution

---

- Confidentiality
- Internal and external reporting options
- Role and responsibilities – General Manager, the Mayor and Disclosure Coordinator and Disclosure Officers
- Feedback and support to individuals that report wrong doing
- Protection against reprisals
- Support for the subject of a report
- False and misleading disclosures

#### 5.1.1. Council staff and Councillors

Staff and councillors play an important role in contributing to a workplace where known or suspected wrongdoing is reported and dealt with appropriately. All council staff and councillors are obliged to:

- report all known or suspected wrongdoing and support those who have made reports of wrongdoing
- if requested, assist those dealing with the report, including supplying information on request, cooperating with any investigation and maintaining confidentiality
- treat any staff member or person dealing with a report of wrongdoing with courtesy and respect
- respect the rights of any person the subject of reports.

Staff and councillors must not:

- make false or misleading reports of wrongdoing
- victimise or harass anyone who has made a report

Additionally, the behaviour of all council staff and councillors involved in the internal reporting process must adhere to the Council's Code of Conduct. A breach of the Code could result in disciplinary action.

#### 5.1.2. General Manager

The General Manager has ultimate responsibility for maintaining the internal reporting system and workplace reporting culture, and ensuring that Council complies with the PID Act.

## Items requiring Council Resolution

---

The General Manager can receive reports from staff and councillors and has a responsibility to:

- assess reports received by or referred to them, to determine whether or not the report should be treated as a public interest disclosure, and to decide how the report will be dealt with.
- deal with reports made under the council's code of conduct in accordance with the council's adopted code of conduct procedures.
- ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report.
- make decisions following any investigation or appoint an appropriate decision-maker.
- take appropriate remedial action where wrongdoing is substantiated or systemic problems are identified.
- refer actual or suspected corrupt conduct to the Independent Commission Against Corruption (ICAC).
- refer any evidence of a reprisal offence under section 20 of the PID Act to the Commissioner of Police or the ICAC.

i. Disclosures Coordinator

The Council's Disclosures Coordinator is the Director Corporate Services.

The Disclosures Coordinator has a central role in Council's internal reporting system. The Disclosures Coordinator can receive and assess reports, and is the primary point of contact in Council for the reporter.

The Disclosures Coordinator has a responsibility to:

- assess reports to determine whether or not a report should be treated as a public interest disclosure, and to decide how each report will be dealt with (either under delegation or in consultation with the General Manager).
- coordinate the management of complaints made under the Council's Code of Conduct.
- coordinate Council's response to a report.
- acknowledge reports and provide updates and feedback to the reporter.
- assess whether it is possible and appropriate to keep the reporter's identity confidential.
- assess the risk of reprisal and workplace conflict related to or likely to arise out of a report, and develop strategies to manage any risk identified.

### Items requiring Council Resolution

---

- where required, provide or coordinate support to staff involved in the reporting or investigation process, including protecting the interests of any officer the subject of a report.
- ensure Council complies with the PID Act.
- provide six-monthly reports to the NSW Ombudsman in accordance with section 6CA of the PID Act.

#### ii. Disclosures Officers

Disclosures officers are responsible for receiving, forwarding and/or dealing with reports made in accordance with this policy.

*Given its size, Berrigan Shire Council has chosen not to appoint any disclosures officers to assist the Disclosures Coordinator.*

#### iii. Mayor

The Mayor can receive reports from staff and councillors about the General Manager. Where the Mayor receives such reports, they have a responsibility to:

- assess the reports to determine whether or not they should be treated as a public interest disclosure, and to decide how they will be dealt with
- deal with reports made under the council's Code of Conduct
- refer reports to an investigating authority, where appropriate
- liaise with the Disclosures Coordinator to ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report
- refer actual or suspected corrupt conduct to the ICAC
- refer any evidence of a reprisal offence under section 20 of the PID Act to the Commissioner of Police or the ICAC.

#### iv. Supervisors and Managers

Supervisors and Managers play an important role in managing the immediate workplace of those involved in or affected by the internal reporting process. Supervisors and Managers should be aware of the internal reporting policy and are responsible for creating a local work environment where staff are comfortable and confident about reporting wrongdoing.

Managers and supervisors have a responsibility to:

- encourage staff to report known or suspected wrongdoing within the organisation and support staff when they do

## Items requiring Council Resolution

---

- identify reports made to them in the course of their work which could be public interest disclosures, and assist the staff member to make the report to an officer authorised to receive public interest disclosures under this policy
- implement local management strategies, in consultation with the Disclosures Coordinator, to minimise the risk of reprisal or workplace conflict in relation to a report
- notify the Disclosures Coordinator or General Manager immediately if they believe a staff member is being subjected to reprisal as a result of reporting wrongdoing, or in the case of suspected reprisal by the General Manager, notify the Mayor or Administrator.

### b. What should be reported

You should report any suspected wrongdoing within Cootamundra-Gundagai Regional Council.

There are five categories of serious misconduct that will be dealt with in accordance with the PID Act and with this policy, these being corrupt conduct, maladministration, serious and substantial waste of public money, breach of the GIPA Act, and local government pecuniary interest contravention.

All other suspected wrongdoing within Council should also be reported, including any activities or incidents seen within the Council that are believed to be wrong.

#### 5.2.1. Corrupt conduct

Corrupt conduct is the dishonest or partial exercise of official functions by a public official.

For example, this could include:

- the improper use of knowledge, power or position for personal gain or the advantage of others
- acting dishonestly or unfairly, or breaching public trust
- a Council official using their position in a way that is dishonest, biased or breaches public trust.

For more information about corrupt conduct, see the NSW Ombudsman's guideline on what can be reported.

#### 5.2.2. Maladministration

Maladministration is conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive

### Items requiring Council Resolution

---

or improperly discriminatory or based wholly or partly on improper motives.

For example, this could include:

- making a decision and/or taking action that is unlawful
- refusing to grant an approval for reasons that are not related to the merits of their application.

For more information about maladministration, see the NSW Ombudsman's guideline on [what can be reported](#).

i. **Serious and substantial waste in local government**

Serious and substantial waste is the uneconomical, inefficient or ineffective use of resources that could result in the loss or wastage of local government money. This includes all revenue, loans and other money collected, received or held by, for or on account of the Council.

For example, this could include:

- poor project management practices leading to projects running over time
- having poor or no processes in place for a system involving large amounts of public funds.

For more information about serious and substantial waste, see the NSW Ombudsman's guideline on [what can be reported](#).

ii. **Government information contravention**

A government information contravention is a failure to properly fulfil functions under the *Government Information (Public Access) Act 2009* (GIPA Act).

For example, this could include:

- destroying, concealing or altering records to prevent them from being released
- knowingly making decisions that are contrary to the legislation
- directing another person to make a decision that is contrary to the legislation.

For more information about government information contravention, see the NSW Ombudsman's guideline on [what can be reported](#).

## Items requiring Council Resolution

---

### iii. Local government pecuniary interest contravention

A local government pecuniary interest contravention is a failure to fulfil certain functions under the *Local Government Act 1993* relating to the management of pecuniary interests. These include obligations to lodge disclosure of interests returns, lodge written declarations and disclose pecuniary interests at council and council committee meetings.

A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.

For example, this could include:

- a senior council staff member recommending a family member for a council contract and not declaring the relationship
- a councillor participating in consideration of a DA for a property they or their family have an interest in.

For more information about local government pecuniary interest contravention, see the NSW Ombudsman's guideline on [what can be reported](#).

### iv. Other wrongdoing

Although reports about the previous four categories of conduct can attract the specific protections of the PID Act, you should report all activities or incidents that you believe are wrong.

For example, these could include:

- harassment or unlawful discrimination
- practices that endanger the health or safety of staff or the public.

These types of issues should be reported to a supervisor, in line with Berrigan Shire Council's policies.

The Council's policies covering these areas include:

- Equal Employment Opportunity and Workplace Bullying and Harrassment Policy
- Work Health and Safety Policy

Even if these reports are not dealt with as public interest disclosures, Berrigan Shire Council will consider each matter and make every attempt to protect the staff member making the report from any form of reprisal.

## Items requiring Council Resolution

---

### c. When will a report be protected?

Berrigan Shire Council will support any person that reports wrongdoing. For a report to be considered a public interest disclosure, it has to meet all of the requirements under the PID Act. These requirements are:

- The person making the disclosure must honestly believe on reasonable grounds that the information shows or tends to show wrongdoing.
- The report has to be made to a position nominated in this policy (see section 5.7) or an investigating authority (see section 5.8).

Reports by staff and councillors will not be considered to be public interest disclosures if they:

- mostly question the merits of the policy of the governing body of the Council.
- are made with the sole or substantial motive of avoiding dismissal or other disciplinary action.

### d. How to make a report

You can report wrongdoing in writing or verbally. You are encouraged to make a report in writing as this can help to avoid any confusion or misinterpretation.

If a report is made verbally, the person receiving the report must make a comprehensive record of the disclosure and ask the person making the disclosure to sign this record. The individual making the report should keep a copy of this record.

### e. Can a report be anonymous?

There will be some situations where you may not want to identify yourself when you make a report. Although these reports will still be dealt with by Berrigan Shire Council, it is best if you identify yourself. This allows us to provide you with any necessary protection and support, as well as feedback about the outcome of any investigation into the allegations.

It is important to realise that an anonymous disclosure may not prevent you from being identified by the subjects of the report or your colleagues. If the relevant Council officers do not know who made the report, it is very difficult for them to prevent any reprisal action.

### f. Who can receive a report within Berrigan Shire Council?

You are encouraged to report general wrongdoing to your supervisor. However the PID Act requires that for a report to be a public interest



## Items requiring Council Resolution

---

disclosure, it must be made to a public official in accordance with the Council's disclosure procedures – this means this policy and any supporting procedures.

Any supervisor who receives a report that they believe may be a public interest disclosure must refer the individual making the report to one of the positions listed below. The broader responsibilities of these positions will be outlined in the *procedures* supporting this policy.

If your report involves a Councillor, you should make it to the General Manager. If your report relates to the General Manager, you should make it to the Mayor.

The following positions are the only staff within Berrigan Shire Council who can receive a public interest disclosure.

### General Manager

*Rowan Perkins*

*Work: 03 5888 5100 Mobile 0407 344 848 AH 03 5874 2376*

*Email: [rowanp@berriganshire.nsw.gov.au](mailto:rowanp@berriganshire.nsw.gov.au)*

### Mayor

*Cr Matt Hannan*

*Mobile 0409 893 142*

*Email: [mhannan@berriganshire.nsw.gov.au](mailto:mhannan@berriganshire.nsw.gov.au)*

### Disclosures Coordinator

*Matthew Hansen – Director Corporate Services*

*Work: 03 5888 5100 Mobile 0427 635 396*

*Email: [matthewh@berriganshire.nsw.gov.au](mailto:matthewh@berriganshire.nsw.gov.au)*

### g. Who can receive a report outside of Berrigan Shire Council

Staff and councillors are encouraged to report wrongdoing within Berrigan Shire Council, but internal reporting is not your only option. If you follow the guidance below, you can make a public interest disclosure to:

- an investigating authority. If your report is about both the General Manager and the Mayor, you may wish to consider making the report to an investigating authority.
- a Member of Parliament or a journalist, but only in limited circumstances outlined below.

## Items requiring Council Resolution

---

### 5.7.1. Investigating authorities

The PID Act lists a number of investigating authorities in NSW that staff and councillors can report wrongdoing to and the categories of wrongdoing each authority can deal with.

In relation to council, these authorities are:

- the Independent Commission Against Corruption (ICAC) — for corrupt conduct
- the Ombudsman — for maladministration
- the Director-General of the Division of Local Government, Department of Premier and Cabinet — for disclosures about local government agencies
- the Information and Privacy Commissioner — for disclosures about a government information contravention.

You should contact the relevant authority for advice about how to make a disclosure to them. Contact details for each investigating authority are provided at the end of this policy.

You should be aware that it is very likely the investigating authority will discuss the case with Berrigan Shire Council. The Council will make every effort to assist and cooperate with the investigating authority to ensure the matter is dealt with appropriately and there is a satisfactory outcome. The Council will also provide appropriate support and assistance to individuals who report wrongdoing to an investigating authority.

### 5.7.2. Members of Parliament or journalists

To have the protections of the PID Act, a person reporting wrongdoing to a Member of Parliament (MP) or a journalist must have already made substantially the same report to one of the following:

- the General Manager
- a person nominated in this policy
- an investigating authority in accordance with the PID Act.

Also, Berrigan Shire Council or investigating authority that received the report must have either:

- decided not to investigate the matter
- decided to investigate the matter, but not completed the investigation within six months of the original report
- investigated the matter but not recommended any action as a result

## Items requiring Council Resolution

---

- not told the person who made the report, within six months of the report being made, whether the matter will be investigated.

Most importantly – to be protected under the PID Act – if you report wrongdoing to an MP or a journalist you will need to be able to prove that you have reasonable grounds for believing that the disclosure is substantially true and that it is in fact substantially true.

### i. Other external reporting

If you report wrongdoing to a person or an organisation that is not listed above, you will not be protected under the PID Act. This may mean you will be in breach of legal obligations or our code of conduct – by, for example, disclosing confidential information.

For more information about reporting wrongdoing outside Berrigan Shire Council, contact the Disclosures coordinator or the NSW Ombudsman's Public Interest Disclosures Unit. Their contact details are provided at the end of this policy.

### h. Feedback to the individual who reported wrongdoing

The individual who reported wrongdoing will be told what is happening in response to their report.

#### 5.8.1. Acknowledgement

When you make a report, you will be given:

- an acknowledgement that your disclosure has been received
- the timeframe for when you will receive further updates
- the name and contact details of the people who can tell you what is happening.

The PID Act requires that you are provided with an acknowledgement letter and a copy of this policy within 45 days after you have made your report. The Council will attempt to get this information to you within five working days from the date you make your report.

After a decision is made about how your report will be dealt with, you will be given:

- information about the action that will be taken in response to your report
- likely timeframes for any investigation
- information about the resources available within Berrigan Shire Council to handle any concerns you may have

### Items requiring Council Resolution

---

- information about external agencies and services you can access for support.

This information will be given to you within 10 working days from the date you make your report.

#### 5.8.2 Progress updates

During any investigation, you will be given:

- information on the ongoing nature of the investigation
- information about the progress of the investigation and reasons for any delay
- advice if your identity needs to be disclosed for the purposes of investigating the matter, and an opportunity to talk about this.

#### 5.8.3 Feedback

At the end of any investigation, you will be given:

- enough information to show that adequate and appropriate action was taken and/or is proposed to be taken in response to your disclosure and any problem that was identified
- advice about whether you will be involved as a witness in any further matters, such as disciplinary or criminal proceedings.

Behaviour of all people involved in the PID process needs to adhere to council's code of conduct. A breach of the code of conduct could result in disciplinary action.

#### 5.9. Maintaining confidentiality

Berrigan Shire Council realises many staff will want their report to remain confidential. This can help to prevent any action being taken against you for reporting wrongdoing.

The Council is committed to keeping your identity, and the fact you have reported wrongdoing, confidential. However there may be situations where this may not be possible or appropriate. The relevant Council officers will discuss with you whether it is possible to keep your report confidential.

If confidentiality cannot be maintained, the Council will develop a plan to support and protect you from risks of reprisal. You will be involved in developing this plan. You will also be told if your report will be dealt with under the Council's code of conduct, as this may mean certain information will have to be tabled at a council meeting.

## Items requiring Council Resolution

---

If you report wrongdoing, it is important that you only discuss your report with the staff of Berrigan Shire Council responsible to deal with it. This will include the Disclosures Coordinator and the General Manager. In the case of a report about the General Manager, you should only discuss your report with the Disclosures Coordinator and the Mayor.

Where your complaint is made under the Council's code of conduct and relates to the General Manager or a Councillor, you may be required to discuss it with a conduct reviewer.

### 5.10. Reprisal and workplace conflict

#### 5.10.1. Risk management

When a staff member or councillor reports wrongdoing, Council will undertake a thorough risk assessment to identify the risk to you of detrimental action in reprisal for reporting, as well as indirect but related risks of workplace conflict or difficulties. The risk assessment will also identify strategies to deal with those risks and determine the level of protection and support that is appropriate.

Depending on the circumstances, Council may:

- relocate the reporter or the staff member who is the subject of the allegation within the current workplace;
- transfer the reporter or the staff member who is the subject of the allegation to another position for which they are qualified;
- grant the reporter or the staff member who is the subject of the allegation leave of absence during the investigation of the disclosure.

These courses of action are not punishment and will only be taken in consultation with the reporter.

The PID Act provides protection for people reporting wrongdoing by imposing penalties on anyone who takes detrimental action substantially in reprisal for them making the public interest disclosure. It may also be a breach of the council's code of conduct.

#### 5.10.2. Protection against reprisal

Berrigan Shire Council will not tolerate any reprisal action against a person who report wrongdoing or are believed to have reported wrongdoing.

The PID Act provides protection for staff and councillors who have made a public interest disclosure by imposing penalties on anyone who takes detrimental action against another person substantially in reprisal for

## Items requiring Council Resolution

---

that person making a public interest disclosure. These penalties also apply to cases where a person takes detrimental action against another because they believe or suspect the other person has made or may have made a public interest disclosure, even if they did not.

Detrimental action means action causing, comprising or involving any of the following:

- injury, damage or loss
- intimidation or harassment
- discrimination, disadvantage or adverse treatment in relation to employment
- dismissal from, or prejudice in, employment
- disciplinary proceedings.

A person who is found to have committed a reprisal offence may face criminal penalties such as imprisonment and/or fines, and may be required to pay the victim damages for any loss suffered as a result of the detrimental action. Taking detrimental action in reprisal is also a breach of Council's Code of Conduct which may result in disciplinary action. In the case of councillors, such disciplinary action may be taken under the misconduct provisions of the *Local Government Act 1993* and may include suspension or disqualification from civic office.

It is important for staff and councillors to understand the nature and limitations of the protection provided by the PID Act. The PID Act protects reporters from detrimental action being taken against them because they have made, or are believed to have made, a public interest disclosure. It does not protect reporters from disciplinary or other management action where Council has reasonable grounds to take such action.

### 5.10.3. Responding to reprisals

If you believe that detrimental action has been or is being taken against you or someone else who has reported wrongdoing in reprisal for making a report, you should tell your supervisor, the disclosures coordinator or the general manager immediately, or in the case of an allegation of reprisal action by the General Manager, the Mayor.

All supervisors must report any suspicions they have that reprisal action against a staff member is occurring, or any reports that are made to them, to the disclosures coordinator or the general manager, or in the case of an allegation of reprisal by the General Manager, to the Mayor.

If the Disclosures Coordinator becomes aware of or reasonably suspects that reprisal action is or has been taken against a person who has made a disclosure, they will ensure that the matter is reported under

## Items requiring Council Resolution

---

the Council's code of conduct and dealt with in accordance with the Council's code of conduct procedures.

If Council becomes aware of or suspects that reprisal is being or has been taken against a person who has made a disclosure, Council will:

- assess the allegation of reprisal to decide whether the report should be treated as a public interest disclosure and whether the matter warrants investigation or if other action should be taken to resolve the issue
- if the reprisal allegation warrants investigation, ensure this is conducted by an appropriately qualified member of staff
- if it is established that reprisal is occurring against someone who has made a report, take all steps possible to stop that activity and protect the reporter
- take appropriate disciplinary action against anyone proven to have taken or threatened any action in reprisal for making a disclosure
- refer any breach of Part 8 of Council's Code of Conduct (reprisal action) by a councillor or the General Manager to the Office of Local Government.
- refer any evidence of an offence under section 20 of the PID Act to the ICAC or NSW Police Force.

If you allege reprisal, you will be kept informed of the progress and outcome of any investigation or other action taken in response to your allegation.

If you have reported wrongdoing and feel that any reprisal action is not being dealt with effectively, contact the Ombudsman, the ICAC, or the Chief Executive of the Division of Local Government – depending on the type of wrongdoing you reported. Contact details for all these investigating authorities are included at the end of this policy.

### 5.10.4. Protection against legal action

If you make a disclosure in accordance with the PID Act, you will not be subject to any liability and no action, claim or demand can be taken against you for making the disclosure. You will not have breached any confidentiality or secrecy obligations and you will have the defence of absolute privilege in defamation.

### 5.11. Support for those reporting wrongdoing

Berrigan Shire Council will make sure that staff who have reported wrongdoing, regardless of whether they have made a public interest disclosure, are provided with access to any professional support they

### Items requiring Council Resolution

---

may need as a result of the reporting process – such as stress management, counselling services, legal or career advice.

The Council also has staff that will provide support for those who report wrongdoing. They are responsible for initiating and coordinating support, particularly to those who are suffering any form of reprisal.

Contact details for support staff:

*Karen Hanna*  
*Payroll Officer*  
*Phone 03 5888 5100*  
*Email [karenh@berriganshire.nsw.gov.au](mailto:karenh@berriganshire.nsw.gov.au)*

*Michelle Koopman*  
*Enterprise Risk Manager*  
*Phone 03 5888 5100 Mobile 0418 466 720*  
*Email [michellek@berriganshire.nsw.gov.au](mailto:michellek@berriganshire.nsw.gov.au)*

Berrigan Shire Council has also established an Employee Assistance Program available to all staff on in accordance with the Council's Employee Assistance Program Policy.

The Employee Assistance Program provides Council supported access to qualified professionals offering short term solution-focused counselling. Its processes are directed at clarifying the problem, identifying options and developing practical plans to approach difficult issues. This is done under the strictest confidence with the main aim of protecting the individual's privacy.

Contact details for the Employee Assistance Program are:

*Insight Health*  
*Phone 1800 850 325 (free call)*

All supervisors must notify the Disclosures Coordinator if they believe a staff member is suffering any detrimental action as a result of disclosing wrongdoing.

#### 5.12. Sanctions for making false or misleading disclosures

It is important that all staff, councillors and other Council officials are aware that it is a criminal offence under the PID Act to wilfully make a false or misleading statement when reporting wrongdoing. It may also be a breach of the council's code of conduct and may result in disciplinary action.



## Items requiring Council Resolution

---

In the case of Councillors, such disciplinary action may be taken under the misconduct provisions of the Local Government Act 1993 and may include suspension or disqualification from civic office.

### 5.13. Support for the subject of a report

Berrigan Shire Council is committed to ensuring people who are the subject of a report of wrongdoing are treated fairly and reasonably. This includes keeping the identity of any person the subject of a report confidential, where this is practical and appropriate

If you are the subject of a report, you will be advised of the allegations made against you at an appropriate time and before any adverse findings. At this time you will be:

- advised of the details of the allegation
- advised of your rights and obligations under the relevant related policies and procedures
- treated fairly and impartially
- kept informed about the progress of any investigation
- given a reasonable opportunity to respond to any allegation made against you
- told the outcome of any investigation, including any decision made about whether or not further action will be taken against you.

### 5.14. Review

This policy will be reviewed by Council no less than every four years. For any advice or guidance about this review, contact the NSW Ombudsman's Public Interest Disclosures Unit.

### 5.15. More information

More information around public interest disclosures is available from the Council's Disclosure Coordinator and the Council's Payroll Officer.

Staff and councillors can also access advice and guidance from the disclosures coordinator and the NSW Ombudsman's website at [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au).

### 5.16. Resources

The contact details for external investigating authorities that staff can make a protected disclosure to or seek advice from are listed below.

### Items requiring Council Resolution

---

For disclosures about corrupt conduct:

Independent Commission Against Corruption (ICAC)

Phone: 02 8281 5999

Toll free: 1800 463 909

Tel. typewriter (TTY): 02 8281 5773

Facsimile: 02 9264 5364

Email: [icac@icac.nsw.gov.au](mailto:icac@icac.nsw.gov.au)

Web: [www.icac.nsw.gov.au](http://www.icac.nsw.gov.au)

Address: Level 21, 133 Castlereagh Street, Sydney NSW 2000

For disclosures about maladministration:

NSW Ombudsman

Phone: 02 9286 1000

Toll free (outside Sydney metro): 1800 451 524

Tel. typewriter (TTY): 02 9264 8050

Facsimile: 02 9283 2911

Email:

[nswombo@ombo.nsw.gov.au](mailto:nswombo@ombo.nsw.gov.au)

Web: [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)

Address: Level 24, 580 George Street, Sydney NSW 2000

For disclosures about serious and substantial waste:

Auditor-General of the NSW Audit Office

Phone: 02 9275 7100

Facsimile: 02 9275 7200

Email: [mail@audit.nsw.gov.au](mailto:mail@audit.nsw.gov.au)

Web: [www.audit.nsw.gov.au](http://www.audit.nsw.gov.au)

Address: Level 15, 1 Margaret Street, Sydney NSW 2000

For disclosures about serious and substantial waste in local government agencies:

Office of Local Government in the Department of Premier and Cabinet

Phone: 02 4428 4100

Tel. typewriter (TTY): 02 4428 4209

Facsimile: 02 4428 4199

Email: [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au)

Web: [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au)

Address: 5 O'Keefe Avenue, Nowra, NSW 2541

## Items requiring Council Resolution

---

For disclosures about police misconduct:

Police Integrity Commission (PIC)

Phone: 02 9321 6700

Toll free: 1800 657 079

Facsimile: 02 9321 6799

Email: [contactus@pic.nsw.gov.au](mailto:contactus@pic.nsw.gov.au)

Web: [www.pic.nsw.gov.au](http://www.pic.nsw.gov.au)

Address: Level 3, 111 Elizabeth Street, Sydney NSW 2000

For disclosures about breaches of the GIPA Act:

Information Commissioner

Toll free: 1800 463 626

Facsimile: 02 8114 3756

Email: [oiinfo@oic.nsw.gov.au](mailto:oiinfo@oic.nsw.gov.au)

Web: [www.oic.nsw.gov.au](http://www.oic.nsw.gov.au)

Address: Level 11, 1 Castlereagh Street, Sydney NSW 2000

## 6. RELATED POLICIES OR STRATEGIES

### 6.1. Relevant Legislation

- *Local Government Act 1993*
- *Government Information (Public Access) Act 2009*
- *Independent Commission Against Corruption Act (ICAC Act) 1988*
- *Work Health and Safety Act 2011*
- *Ombudsman Act 1974*
- *Public Interest Disclosures Act 1994*
- *Public Interest Disclosures Regulations*

### 6.2. Relevant References

- NSW Ombudsman Protected Disclosure Guidelines 6th Edition
- NSW Ombudsman Model for Internal Reporting Policy for Council

### 6.3. Berrigan Shire Council's Policy and Procedures

- Code of Conduct
  - Workforce Management Plan
  - Statement of Business Ethics
  - Equal Employment Opportunity Policy
  - Workplace Bullying and Harassment Policy
  - Employee Assistance Program Policy
  - Fraud Control Policy
  - Policy for the Payment of Expenses and the Provision of Facilities for Mayors and Councillors
  - Guidelines for the payment of expenses and provision of facilities for staff
  - Work Health and Safety Policy and associated procedures
- 

RESOLUTION

## Items requiring Council Resolution

---

### REPORT:

As a New South Government public authority, Section 6D of the *Public Interest Disclosures Act 1994* (PID Act) requires Berrigan Shire Council to adopt an Internal Reporting Policy.

The policy aims to provide a framework where Councillors, employees, contractors and consultants are able to raise with confidence concerns regarding actual or suspected unethical, unlawful or undesirable conduct and wrongdoing. I.e. support “whistleblowers”.

The policy was last reviewed in August 2013 and is due for review.

The Division of Local Government and the Office of the NSW Ombudsman have released a Model Internal Reporting Policy for Local Government. The reviewed policy is based largely around this model – adapted somewhat to make it a little easier to follow in a logical fashion.

The purpose of the Policy is to:

- Encourage Councillors, employees, contractors and consultants to report issues if they genuinely believe a person or persons have breached Council’s *Code of Conduct*, Council policies or the law.
- Describe Council’s commitment to a fair workplace and outline the process for managing public interest disclosures.
- Protect individuals who in good faith, report wrong doing which they reasonably believe to be corrupt, illegal or unethical on a confidential basis, without fear of reprisal, dismissal or discriminatory treatment.
- Assist in ensuring that matters of Misconduct and/or unethical behaviour are identified and dealt with in accordance with this policy

The Policy applies to:

- Councillors,
- Employees (whether they are full-time, part-time or casual),
- Contractors
- Consultants
- Volunteers

It applies to all activities undertaken by the Council.

A formal report under this policy can be treated as a Public Interest Disclosure. A person who makes a Public Interest Disclosure has some protection against reprisals and legal action relating to their report.

For a report to be considered a Public Interest Disclosure, it has to meet all of the requirements under the PID Act. These requirements are:

- The person making the disclosure must honestly believe on reasonable grounds that the information shows or tends to show wrongdoing.

### Items requiring Council Resolution

---

- The report has to be made to a position nominated in this policy or an investigating authority.

Reports by Staff and Councillors will not be considered to be public interest disclosures if they:

- mostly question the merits of the policy of the governing body of the Council.
- are made with the sole or substantial motive of avoiding dismissal or other disciplinary action.

A Public Interest Disclosure can be made in relation to any of the following:

- Corrupt conduct
- Maladministration
- Serious and substantial waste of public money
- Government information contravention, or
- Local government pecuniary interest contravention

RESOLUTION

### Items requiring Council Resolution

---

## 5.8 POLICIES FOR READOPTION

**AUTHOR:** Director Corporate Services

**STRATEGIC OUTCOME:** Good government

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

**FILE NO:** 02.017.1, 22.155.1, 12.049.1

**RECOMMENDATION:** - That the Council:

- Note that it has reviewed the following policies
  - Commemorative Wreaths
  - Staff Remuneration Package Review
  - Commercial Credit
- Set the date for their next scheduled review as May 2021.

---

### REPORT:

At its ordinary meeting on 21 September 2016, the Council resolved the following:

**RESOLVED** *Crs: Morris and Bodey that the General Manager place before the Council over the next 10 months the following for review:*

1. *Delegations to the General Manager and other organisations, Committees etc.*
2. *Code of Conduct*
3. *Code of Meeting Practice*
4. *Community Strategic Plan and supporting plans*
5. *Strategic and business plans*
6. *Organizational structure*
7. *Council Policies*
8. *Payment of Expenses and provision of Facilities Policy*

From a Council officer's point of view, the policies below are still meeting requirements and do not require modification. However, the Council may amend or revoke these policies as it wishes.

- **Commemorative Wreaths** – when and how the Council lays wreaths at memorial services.

### Items requiring Council Resolution

---

- **Staff Remuneration Package Review** – allow for the Council's auditor to conduct an independent review to ensure all payments to General Manager and Directors are authorised and in line with contract.
- **Commercial Credit** – how the Council offers commercial credit terms.

Appendix "H" contains copies of the above policies.

If the Council wishes to re-confirm these policies without amendment, it would be worthwhile extending their scheduled review date until the next term of the Council. Note that the Council may still, if it chooses, amend these policies at any time during their term.

RESOLUTION

### Items requiring Council Resolution

---

## 5.9 REVOCATION OF COUNCIL POLICIES

**AUTHOR:** Director Corporate Services

**STRATEGIC OUTCOME:** Good government

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

**FILE NO:**

**RECOMMENDATION:** - that the Council revoke the following Council policies:

- 07 - Berrigan Airstrip
- 66 – Liability Management

---

**REPORT:**

At its ordinary meeting on 21 September 2016, the Council resolved the following:

**RESOLVED** *Crs: Morris and Bodey that the General Manager place before the Council over the next 10 months the following for review:*

9. *Delegations to the General Manager and other organisations, Committees etc.*
10. *Code of Conduct*
11. *Code of Meeting Practice*
12. *Community Strategic Plan and supporting plans*
13. *Strategic and business plans*
14. *Organizational structure*
15. *Council Policies*
16. *Payment of Expenses and provision of Facilities Policy*

As part of that review, Council staff have identified two policies that have outlived their useful life. As such, these policies could be revoked, should the Council choose to do so.

The policies are as follows:

- **07 – Berrigan Airstrip.** This policy is inconsistent with the Council's Risk Management framework. The relevant information in the policy will be included on the Council's website.



Items requiring Council Resolution

---

- **66 – Liability Management.** This policy has been largely superseded by the Council's adopted risk management framework and the remainder is procedural in nature.

A copy of these policies is attached as appendix "I".

R  
E  
S  
O  
L  
U  
T  
I  
O  
N

**Items requiring Council Resolution**

---

**5.10 DOCUMENTS FOR SIGNING AND SEALING****AUTHOR: General Manager****STRATEGIC OUTCOME: Diverse and resilient business****STRATEGIC OBJECTIVE: 4.4 Connect local, regional and national road, rail, and aviation infrastructure****FILE NO: PF****RECOMMENDATION: - that the Council sign and seal the deed of agreement with David Groutsch for a transfer of land to allow for the widening of Tuppal Road.**

---

**REPORT:**

The Council has negotiated the purchase of a portion of land to facilitate the widening of Tuppal Road, Tocumwal.

A copy of the proposed Deed is circulated with the agenda as appendix "J".

## Items requiring Council Resolution

---

**5.11 DEVELOPMENT APPLICATION 115/17/DA/DM****AUTHOR: TOWN PLANNER****STRATEGIC OUTCOME: Sustainable natural and built landscapes****STRATEGIC OBJECTIVE: 1.1 Support sustainable use of our natural resources and built landscapes****FILE NO: 115/17/DA/DM****RECOMMENDATION: that the Development Application 115/17/DA/DM for a Change of Use - Residential Storage Shed to Fitness Studio be approved subject to the following conditions:**

1. **Approved Plans**  
The development shall be implemented in accordance with the details set out on the plans (BSC-001 – BSC002), the application form and on any supporting information received with the application except as amended by the conditions specified hereunder.
2. **Occupation**  
The structure must not be occupied or used until the Principal Certifying Authority has received and determined the application for an “Occupation Certificate”.  
  
A Final Occupation Certificate must not be issued unless all required certificates have been received and the building is suitable for occupation or use in accordance with its classification under the Building Code of Australia.  
(Section 109C(1)(c) and 109H EP&A Act 1979)
3. **Permitted hours of operation**  
Operation of the studio shall be carried out only between the hours of 7.00am and 6.30pm Monday to Friday inclusive. No activity shall be carried out on Saturdays, Sundays and public holidays.
4. **Soundproofing of the studio**  
Prior to the operation of classes, soundproofing materials must be installed in order to mitigate the noise generated during the fitness sessions.

**Division:****In Favour:****Against:**

---

**R  
E  
S  
O  
L  
U  
T  
I  
O  
N**

## Items requiring Council Resolution

### REPORT:

#### Site

The subject site is located at 26 Falkiner Street, Tocumwal which is also identified as Lot 12 on Deposited Plan 591886 and is 721.7m<sup>2</sup>. The site would be generally considered as a standard residential block, which has been improved by the construction of a residential dwelling and an older storage shed prior to Council records. In late September 2016, Council also approved a new (secondary) storage shed, approximately 70m<sup>2</sup> in size, which the applicant received a Final Occupation Certificate in February 2017 (as shown in appendix "K"). The subject property is located approximately 700m south-west of the central business district of Tocumwal, and is situated 125m north of the Tocumwal Creek. The lot surrounded entirely by established residential dwellings, however further along Falkiner Street is the Tocumwal Catholic Church and Primary School. The site is located within Zone RU5 – Village Zone under the provisions of the *Berrigan Local Environmental Plan 2013* (BLEP 2013). Below is an aerial photo showing the site and neighbouring properties.



Figure 1 – Aerial Photo showing subject site and neighbouring properties

#### Proposal

In response to a complaint regarding excessive noise emanating from the property the applicant was required to apply to change the use of the new residential storage shed into a Fitness Studio for a personal training business. The applicant has stated that majority of business hours will be 9am to

## Items requiring Council Resolution

---

6:30pm Monday – Friday (refer appendix “L”). However, four mornings a week a session is being held from 6am to 7am. There are also 4 group sessions a week, with 4-8 females per session. These occur from 5:30pm – 6:30pm Monday, Wednesday & Friday. There is also a junior girls class (ages 10-17) on Wednesday 4:30pm – 5:30pm. The other opening hours are used for sporadic one-on-one sessions. There is music being played during the training sessions, which is from a LG mini hi-fi stereo (230w). Occasionally, a training session will occur on the outside lawn area, mainly for running purposes.

### Assessment

There are a number of potential impacts related to a proposal of this type which must be addressed if development approval is to be granted.

- **Relevant State Environmental Planning Policy provisions**

The site is located within close proximity to the Murray River as per deemed SEPP *Murray Regional Environmental Plan No 2 - Riverine Land*, but will not impact the riverine environment.

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

#### Objectives of the Zone

One of the main objectives of the RU5 – Village Zone is to ensure there are opportunities for economic development, whilst also enhancing and maintaining the unique village character of Berrigan, Barooga, Finley and Tocumwal. As this development will provide an additional business at the site, whilst not overly impacting on the unique character and will also assist in economic development.

- **Relevant Development Control Plan(s) provisions**

Chapter 4 of the Berrigan Development Control 2014 relates to Commercial development, which this development is classified. The proposal is consistent with the objectives of the Council, especially which encourages orderly and economic development within the Shire having regard to its commercial and retail needs.

#### Location

One of the objectives of the DCP within Section 4.1 is the discouragement of isolated commercial development. The controls state the preferred location for 'shops' is on Deniliquin Road from the intersection with Dean Street to Murray Street and on Deniliquin Street from Morris Street to Murray Street as well as Murray Street from the intersection with Deniliquin Road to Bent Street. However, the controls also state that Council will consider retail proposals outside of this area as inconsistent with the objectives of this clause unless it can be adequately demonstrated that compliance with such objectives is unreasonable and unnecessary under the circumstances. Given the nature of the proposed business does not necessarily require a shop front, the location is therefore suitable for a development of this nature.

## Items requiring Council Resolution

---

### Car parking

The Berrigan Development Control Plan 2014 places high importance on commercial developments meeting the demand of car parking likely to be generated by customers and employees. The Controls recommends 4.5 spaces per 100m<sup>2</sup> of Gross Floor Area (minimum) for gymnasiums. As the shed is approximately 70m<sup>2</sup> the applicant would only require 3 spaces. A site visit on 7 April determined that there was sufficient parking on Falkiner Street to accommodate for the demand. The applicant has stated that some of the patrons will walk to the studio.

### Traffic

The proposed change of use will slightly increase local traffic. The existing road network is able to cope with this slight increase.

### **Neighbour Notification**

Given that the location of the shed, and the possibility of impact on the existing character, notification was given to the residents of the neighbouring properties on 11 April 2017 to make them aware that the development may affect their property. The notification period was open for 7 working days. Council received only one formal submission objecting to the development.

### **Summary of Formal Submission**

Issues about noise generation and its subsequent impact made up the main argument used by the objector against the development. It is felt that the noise would be able to be heard from neighbouring properties and thus be disruptive.

### **Response to Submission**

The applicant has stated that music is going to be played during fitness sessions. In order to comply with clause *Protection of the Environment Operations (Noise Control) Regulation 2008* (NSW), 'a person must not cause or permit any musical instrument or electrically amplified sound equipment to be used on residential premises in such a manner that it emits noise that can be heard within a habitable room in any other residential premises before 8 am and after 10 pm (on days other than weekends or public holidays). Therefore, a noise reduction condition has been added to the recommended development consent. This will be achieved through Soundproofing the shed in order to reduce the noise generation and limiting hours to 7.00am and 6.30pm Monday to Friday inclusive (with no activity to be carried out on Saturdays, Sundays and public holidays).

## Items requiring Council Resolution

---

### Conclusion / Legislation

In assessing this development application, the relevant parts of Section 79C of the *Environmental Planning and Assessment Act 1979* have been taken into account. It is clear that this development, given the contribution it makes to economic development and that it provides an avenue for better health of Shire citizens, is within the public interest.

### Recommendation

This proposed development application for a Change of Use will allow for a Fitness Studio to continue operations at the site. The submission received outlining the negative impact surrounding noise generation has been noted and has been taken into account. Although there may be a small impact on the existing character, if the development is implemented in accordance with the conditions of consent it will not represent an unreasonable planning outcome. Overall it is considered that this proposal can be supported.

RESOLUTION

### Items for Noting

---

**RECOMMENDATION** – that Items for Noting numbered 6.1 to 6.5 inclusive be received and noted.

#### 6.1 NSW LOCAL ROADS CONGRESS 2017

**AUTHOR:** Director Technical Services

**STRATEGIC OUTCOME:** Good government

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

**FILE NO:** 22.094.3

---

#### REPORT:

The NSW Local Roads Congress is to be held in Sydney on the 5<sup>th</sup> June, 2017.

The theme for the Congress is Making Our Roads Work.

Councillors can attend the congress for free if they accompany a paying delegate.

In recent years we have not attended the congress as it is a lot of travel for a one day event.

The importance of road funding and regional infrastructure cannot be understated and Council may wish to participate in this congress.

A copy of the program is attached as appendix "M" and while I am sure it will provide some updated information along with access to state politicians and bureaucrats, most topics have been recently covered in other forums.



---

**Items for Noting**

---

**6.2 JOINT ORGANISATIONS****AUTHOR: General Manager****STRATEGIC OUTCOME: Good government****STRATEGIC OBJECTIVE: 2.3 Strengthen strategic relationships and partnerships with community, business and government****FILE NO: 13.010.3**

---

**REPORT:**

The Council at its meeting held on 15<sup>th</sup> March 2017 resolved:

*“that the Council*

1. *adopts a position of total opposition to the formation of Regional Joint Organisations of Councils as proposed by the NSW State Government as part of the “Fit For The future “ program.*
2. *write to the Chairman of the Riverina and Murray Regional Organisation of Councils expressing in the strongest terms the Berrigan Shires Council’s determination to have the structure of RAMROC retained in it current form and further that RAMROC be requested to treat the Council’s position as a matter of urgency.*
3. *lobby all member councils of RAMROC seeking their support for the Council’s position.*
4. *write to the Premier of NSW, the Local Government Minister, Member for Murrumbidgee and the President of the LGNSW outlining the Council’s opposition to the formation of Joint Organisations.”*

In relation to part 4 of the Council’s resolution letters were sent to the Premier of NSW and the Minister for Local Government outlining the Council’s concerns.

The Premier advised that she had referred the Council’s concerns to the Minister for Local Government.

### Items for Noting

---

Subsequently, the Minister for Local Government has responded to the Council to the effect that the State Government is considering the next stages of this reform and that no decision has been made in relation to final JO boundaries or the specific timing and funding arrangement for their establishment.

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

The Minister recently attended a meeting of the Country Mayors Association where she canvassed the views of those present in relation to the proposed JO's and it appears that there was no clear position that came forward.

In relation to points 2 and 3 of the Council's resolution, the Council's position was also recently discussed at the RAMROC General Managers meeting where, again, no clear position was agreed. The matter will also be considered at the RAMROC meeting to be held on 10<sup>th</sup> May 2017 and any information from that meeting will be reported to this meeting.

**NOTING**

Items for Noting

---

**6.3 COBRAM SECONDARY COLLEGE**

**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:** 02.163.1

---

**REPORT:**

The Award Night Organise, Cobram Secondary College has written to the Council expressing its appreciation for its support of the School's 2016 Presentation Evening.

The Council provides a \$100 award for the evening.

**NOTING**

**Items for Noting**

---

**6.4 TAFE OUTSTANDING ACHIEVEMENT AWARD****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:** 02.163.1

---

**REPORT:**

The Manager, Marketing and Media, TAFE NSW has written to thank the Council for its continued support of the "Outstanding Achievement Award at its Finley campus and to advise of the winner of this year's Award.

The Council provides an annual \$150 prize for the recipient of the Awards.

Details regarding the winner etc are circulated with this agenda as appendix "O".

**NOTING**

## Items for Noting

## 6.5 DEVELOPMENT DETERMINATIONS FOR MONTH OF APRIL 2017

**AUTHOR:** Executive Support Officer

**STRATEGIC OUTCOME:** Good government

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

**FILE NO:**

**REPORT:**

### APPLICATIONS DETERMINED FOR APRIL

Application	Description	Property Location	Applicant	Owner	Status	Value	Days Taken		
82/17/DA/D1	Transportable Dwelling	3 BUSHLANDS ROAD, TOCUMWAL NSW 2714 (Lot542//DP1107605)	Mr Trevor Turner	MR TJ TURNER	Reviewed 19-04-2017	\$ 120000.00	Active 30	Total 74	
99/17/DA/DM	Single Mooring	SEPPELTS ROAD, BAROOGA NSW 3644 (Lot A//DP420480)	Mr David Murphy	SPUD NOMINEES PTY LTD	Approved 11-04-2017	\$ 0.00	Active 28	Total 28	
108/17/DA/D3	Workshop / Shed	76-78 DENILQUIN ROAD, TOCUMWAL NSW 2714 (Lot104//DP1141944)	A & A Vanderhoek	MR A VANDERHOEK AND MRS AJ VANDERHOEK	Approved 19-04-2017	\$ 115000.00	Active 21	Total 21	
110/17/DA/D1	New Dwelling	21 MOORE STREET, TOCUMWAL NSW 2714 (Lot8/3//DP6464)	Mrs Sigrid & Mr Arthur Potter	MS S POTTER & MR A G POTTER	Approved 12-04-2017	\$ 300945.00	Active 8	Total 10	
111/17/DA/D52	Bay Extension to Existing Shed & Removal of Old Shed & Carport	55 DENISON STREET, FINLEY NSW 2713 (Lot12//DP567704)	Ms Maureen Bevan	MS MA BEVAN	Approved 19-04-2017	\$ 3300.00	Active 14	Total 14	
113/17/DA/D5	Residential Storage Shed	BUSHLANDS ROAD, TOCUMWAL NSW 2714 (Lot81//DP1138438)	Ms Margaret Dingley	BUSHLANDS RESORT PTY LIMITED	Approved 12-04-2017	\$ 2500.00	Active 5	Total 5	
114/17/DA/D5	Residential Storage Shed	BUSHLANDS ROAD, TOCUMWAL NSW 2714 (Lot70//DP1138438)	Mr Darren Sanders	BUSHLANDS RESORT PTY LIMITED	Approved 12-04-2017	\$ 2000.00	Active 5	Total 5	
62/17/CD/M1	BV Dwelling & Attached Garage	55-57 SNELL ROAD, BAROOGA NSW 3644 (Lot2//DP1133714)	Stuart Ratcliffe & Caroline Burnside	MR S J RATCLIFFE & MS C M BURNSIDE	Approved 24-04-2017	\$ 251266.00	Active 9	Total 9	
63/17/CD/M1	BV Dwelling & Attached Garage	3051 MULWALA-BAROOGA ROAD, BAROOGA NSW 3644 (Lot92//DP1128142)	Mr Craig Lawson	MR C R LAWSON	Approved 24-04-2017	\$ 276711.00	Active 9	Total 9	
64/17/CD/M6	Verandah	39 BARINYA STREET, BAROOGA NSW 3644 (Lot3//DP42493)	Mr Kevin Sidebottom	MR B A OLDHAM AND MRS E J OLDHAM	Approved 26-04-2017	\$ 14850.00	Active 4	Total 4	
116/17/DA/D3	Transportable Office Building	12 HARLEY COURT, FINLEY NSW 2713 (Lot23//DP713898)	GB & TJ May	MR GB MAY & MR TJ MAY	Approved 28-04-2017	\$ 22000.00	Active 6	Total 6	
65/17/CD/M1	BV Dwelling & Attached Garage	4 GEORGE STREET, TOCUMWAL NSW 2714 (Lot89//DP1096540)	James & Maryanne Piner	MR J W PINER AND MRS M A PINER	Approved 24-04-2017	\$ 258503.00	Active 2	Total 2	

NOTING

## Items for Noting

66/17/CD/M4	Residential Storage Shed	63-65 BAROOGA STREET, Mrs Lorraine Buckle BERRIGAN NSW 2712 (Lot10/4/DP758097)	MRS B L BUCKLE	Approved 27-04-2017	\$ 3500.00	Active 1	Total 1
67/17/CD/M4	Residential Storage Shed	40 BUCHANANS ROAD, Mrs Danielle BAROOGA NSW 3644 (Lot50//DP1045702)	Mrs Danielle Beveridge	Approved 27-04-2017	\$ 8990.00	Active 1	Total 1

## APPLICATIONS PENDING DETERMINATION AS AT 9/05/2017

Application No.	Date Lodged	Description	Property Location
109/17/DA/D5	27-03-2017	Storage Shed	14 BARINYA STREET, BAROOGA NSW 3644 (Lot 2071//DP703885)
115/17/DA/DM	11-04-2017	Change of Use – Residential Storage Shed to Fitness Studio	26 FALKINER STREET, TOCUMWAL NSW 2714 (Lot 12//DP591886)
119/17DA/D3	03-05-2017	Staged Development of Commercial Arts Studio & Other Related Activities Including Stage 1 – Kiln Shed	23 JERSEY STREET, TOCUMWAL NSW 2714 (Lot 2//DP514751)
120/17/DA/D5	03-05-2017	Carport	19 HAMPDEN STREET, FINLEY NSW 2713 (Lot A//DP381315)
121/17/DA/D1	04-05-2017	Single Storey Dwelling	BOOMANOOMANA NSW 3644 (Lot 97//DP752280)

## TOTAL APPLICATIONS DETERMINED / ISSUED (including modifications)

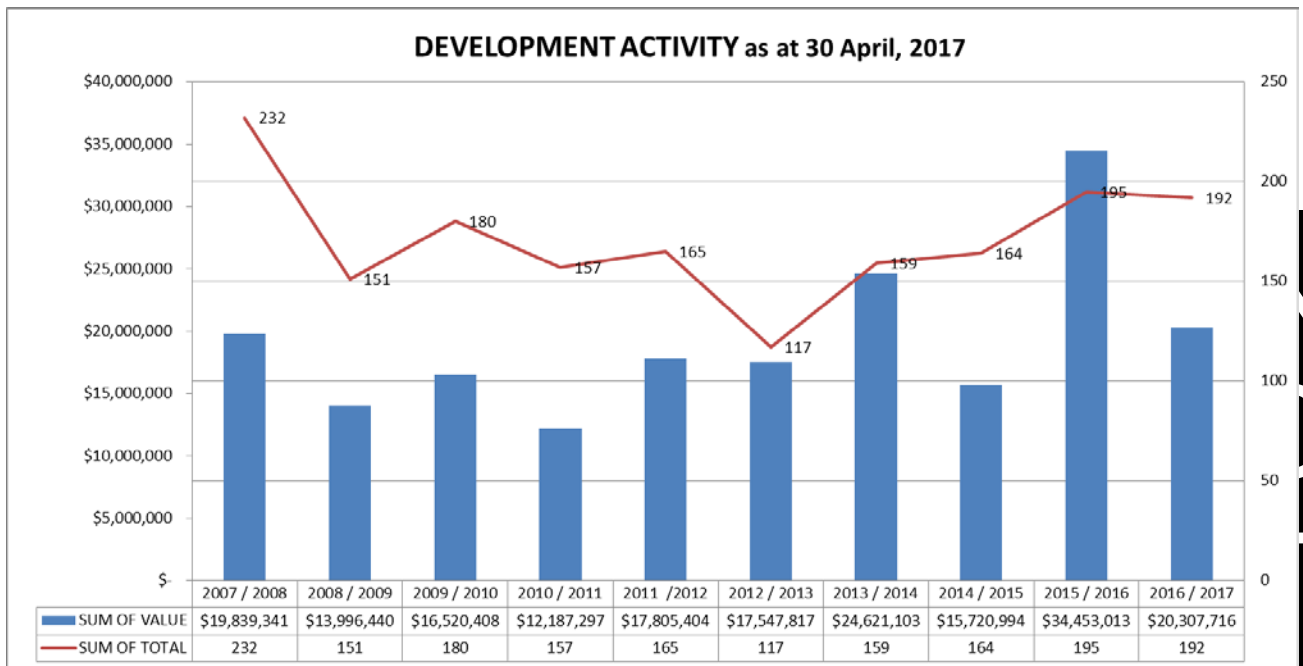
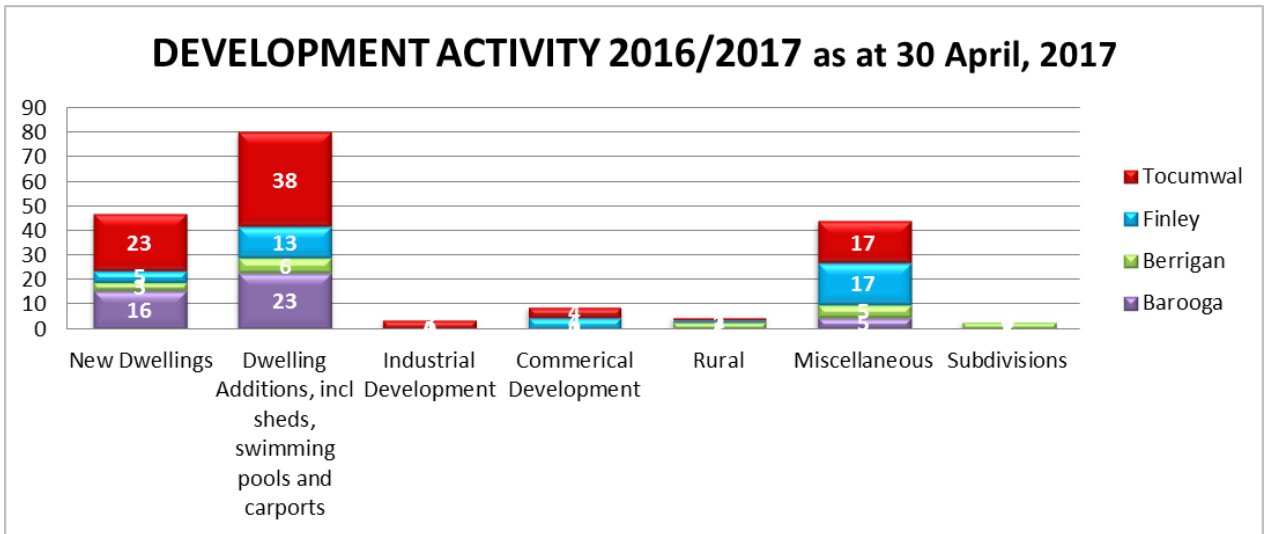
	This Month (Apr)	Year to Date	This Month's Value	Year to Date Value
<i>Development Applications (DA)</i>	8	123	\$565,745	\$15,037,731
<i>Construction Certificates (CC)</i>	2	79	\$118,300	\$13,083,953
<i>Complying Development Certificates (CDC)</i>	6	69	\$813,820	\$5,269,985
<i>Local Activity (s.68)</i>	7	86	0	0

## OTHER CERTIFICATES ISSUED FOR APRIL

	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	
	Apr	Year Total	Apr	Year Total	Apr	Year Total	Apr	Year Total	Apr	Year Total	Apr	Year Total
BAROOGA	11	88	0	2	1	2	1	1	0	2	1	18
BERRIGAN	8	50	0	5	1	14	0	4	0	0	0	3
FINLEY	7	108	0	15	0	8	0	2	0	0	0	2
TOCUMWAL	4	97	0	3	1	7	0	1	0	1	3	15
TOTAL	30	343	0	25	3	31	1	8	0	3	4	38

NOTING

Items for Noting



G N I D N

Committee meeting reports

---

**7.1 MINUTES OF THE CORPORATE SERVICES COMMITTEE MEETING**

**RECOMMENDATION** – that recommendations numbered 1 to 3 inclusive of the Corporate Services Committee Meeting held on 3<sup>rd</sup> May, 2017 be adopted.

**4. COMMITTEE REQUESTS – BAROOGA ADVANCEMENT GROUP**

**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:**

**RECOMMENDATION NO. 1** – that the Council install three (3) seats on the Barooga walking track subject to clarification be the Barooga Advancement Group about the location of such seats.

**5. FINLEY SCHOOL OF ARTS**

**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:** 05.101.3

**RECOMMENDATION NO. 2** - that the Council adopt the concept plan for the Finley School of Arts redevelopment as amended for the hall crossover and the removal of garden beds and glass panel doors.



Committee meeting reports

---

**6. 2017/18 OPERATING BUDGET**

**AUTHOR:** Director Corporate Services  
**STRATEGIC OUTCOME:** Good government  
**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance by Council of Council operations and reporting

**FILE NO:**

**RECOMMENDATION NO. 3** - that the Council adopt the 2017/18 operating budget and budget commentary as a draft for inclusion in the 2017/18 Operational Plan subject to:

- inclusion of provision of public toilets at Barooga and Finley cemeteries and cleaning costs of \$12,000.
- Increase in cemetery user charges of \$6,000 per annum plus meet half of the cost of cleaning public toilets at the Barooga and Finley cemeteries.
- reduction in the budget for replacement servers by \$15,000.
- reduction in the budget for the concept plan for the redevelopment on the Finley School of Arts by \$31,000.

Committee meeting reports

---

**7.2 MINUTES OF THE TECHNICAL SERVICES COMMITTEE MEETING**

**RECOMMENDATION** – that recommendation numbered 1 inclusive of the Technical Services Committee Meeting held on 3<sup>rd</sup> May, 2017 be adopted.

**4. CEMETERY AMENITIES BUILDINGS**

**AUTHOR:** Director Technical Services  
**STRATEGIC OUTCOME:** Supported and engaged communities  
**STRATEGIC OBJECTIVE:** 3.1 Create safe, friendly and accessible communities  
**FILE NO:** 24.030.7, 24.030.8, 24.030.9, 24.030.10

**RECOMMENDATION NO. 1** - that the Council support the development of Modus Australia public toilets at Barooga and Finley cemeteries at an approximate cost of \$25,000 each plus annual cleaning costs of \$6,000 each per annum.

**C  
O  
M  
M  
I  
T  
T  
E  
E**

Items requiring Council Resolution

---

**8. MAYOR'S REPORT**

**RECOMMENDATION** – that the Mayor's Report be received.

**R  
E  
S  
O  
L  
U  
T  
I  
O  
N**

Items requiring Council Resolution

---

9.

**DELEGATES REPORT**

**RESOLUTION**

Items requiring Council Resolution

---

10. GENERAL BUSINESS

RESOLUTION