



Council Chambers,
BERRIGAN 2712

Sir/Madam,

The Ordinary Meeting of the Council of the Shire of Berrigan will be held in the **Council Chambers**, Berrigan, on **15th October, 2014**, when the following business will be submitted:-

9:00AM

Public Question Time

COUNCIL MEETING

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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, 15th October, 2014

BUSINESS PAPER

1. **APOLOGIES**
Cr Bernard Curtin, Rowan Perkins (General Manager)

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

3. **VISITORS ATTENDING MEETING**

10:30 am Nick Bell and Phil Delahunty, Audit Managers,
RSD Chartered Accountants

4. **CONFIRMATION OF MINUTES**
RECOMMENDATION – that the Minutes of the meeting held in the Council Chambers on Wednesday 17th September, 2014, be confirmed.

- 5.1 **FINANCE – ACCOUNTS**

AUTHOR: Finance Manager

STRATEGIC OUTCOME: Good government

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

RECOMMENDATION – that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 30 September 2014, be received and that the accounts paid as per Warrant No. 09/14 totalling \$3,351,974.56 be confirmed.

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Items requiring Council Resolution

REPORT

- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 30 September 2014 is certified by the Finance Manager.
- b) The Finance Manager certifies that the Cash Book of the Council was reconciled with the Bank Statements as at 30 September 2014.
- c) The Finance Manager certifies the Accounts, including the Petty Cash Book made up to 30 September 2014, totalling \$3,351,974.56 and will be submitted for confirmation of payment as per Warrant No. 09/14
- d) The Finance Manager certifies that all Investments have been placed in accordance with Council's Investment Policy, Section 625 of the Local Government Act 1993 (as amended), the Minister's Amended Investment Order gazetted 11 January 2011, clause 212 of the Local Government (General) Regulations 2005 and Third Party Investment requirements of the Office of Local Government Circular 06-70.
- e) September has seen a decrease in total funds held at the end of August. The decrease is comparable with the same period last year and represents the general pattern in cash holdings over the year. Total funds held are expected to decrease slightly over the October period.

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Items requiring Council Resolution

Changes in Investment Portfolio for September 2014

Previous Investment			New Investment		
Prior Financial Institution	Amount	Interest Rate	Current Financial Institution	Amount	Interest Rate
NEW			Defence Bank	\$1,000,000	3.55%
Hume Bank	\$1,000,000	3.80%	Hume Bank	\$1,000,000	3.40%
AMP	\$1,000,000	3.90%	AMP	\$1,000,000	3.50%
NEW			BOQ	\$1,000,000	3.45%

Please note that interest rates of term deposits are entirely dependent on the fluctuating requirements of the institutions quoting on any given day.

For each re-investment the team seeks a minimum three quotes, however given

- the limited number of institutions the Council are currently registered to deal with, and
- the fact that the Council often already have our limit invested with some of them,

the pool of potential choices often means that the Council has limited choices.

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Items requiring Council Resolution

Statement of Bank Balances as at September 2014

Statement of Bank Balances as at 30 September 2014

Bank Account Reconciliation

Cash book balance as at 1 September 2014	\$ 3,201,065.63
Receipts for September 2014	\$ 1,271,851.30
Transfers from NAB at Call Account/Term Deposits Credited Back	\$ -
	<u>\$4,472,916.93</u>
Less Payments Statement No 09/14	
Cheque Payments V75381-V75393	\$ 35,403.76
Electronic Funds Transfer (EFT) payroll	\$ 434,719.95
Electronic Funds Transfer (EFT) Creditors E019098-E019362	\$ 867,671.73
Transfers to NAB At Call Account/Term Deposits Invested	\$ 2,000,000.00
Loan repayments, bank charges, etc	\$ 14,179.12
Total Payments for September 2014	<u>\$ 3,351,974.56</u>
Cash Book Balance as at 30 September 2014	<u>\$1,120,942.37</u>
Bank Statements as at 30 September 2014	\$ 1,121,127.07
Plus Outstanding Deposits	
Less Outstanding Cheques	\$ 184.70
Reconciliation Balance as at 30 September 2014	<u>\$1,120,942.37</u>

INVESTMENT REGISTER

INSTITUTION	DEPOSIT NO.	TERM (days)	RATE	MATURITY DATE	INSTITUTION TOTAL
National Australia Bank	01/09	At Call	2.60%		\$ 513,605.86
Central Murray Credit Union	104/14	180	4.00%	14/12/2014	\$ 2,000,000.00
Bendigo Bank	85/11	90	3.55%	9/12/2014	\$ 2,000,000.00
BOQ	107/14	150	3.45%	10/02/2015	\$ 1,000,000.00
WAW Credit Union	83/11	180	3.85%	27/10/2014	\$ 2,000,000.00
Defence Bank Limited	102/14	210	3.55%	29/03/2015	\$ 1,000,000.00
Defence Bank Limited	106/14	210	3.55%	9/04/2015	\$ 1,000,000.00
Hume	91/12	120	3.40%	12/01/2015	\$ 1,000,000.00
Hume	87/11	180	3.70%	27/01/2015	\$ 1,000,000.00
IMB	105/14	90	3.50%	13/10/2014	\$ 2,000,000.00
AMP	99/13	270	3.50%	12/06/2015	\$ 1,000,000.00
Goulburn Murray Credit Union	101/14	270	3.65%	13/05/2015	\$ 1,000,000.00
Goulburn Murray Credit Union	103/14	180	3.55%	9/12/2014	\$ 1,000,000.00
					<u>\$ 16,513,605.86</u>

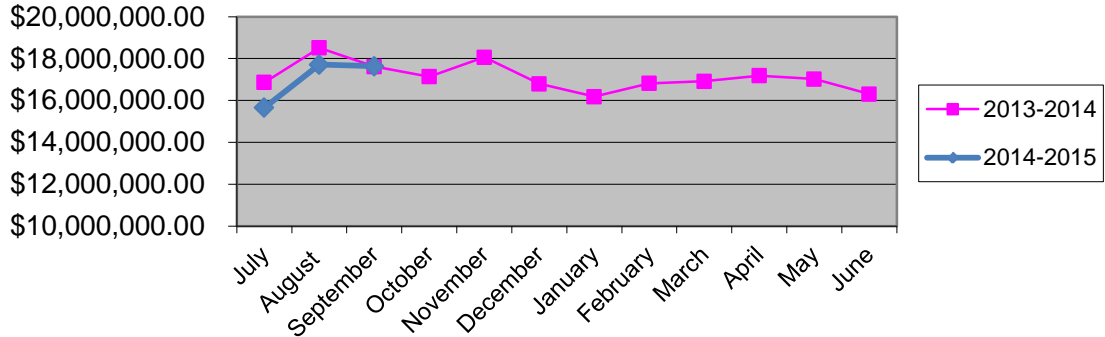
Total Funds Held at 30 September 2014

\$17,634,548.23

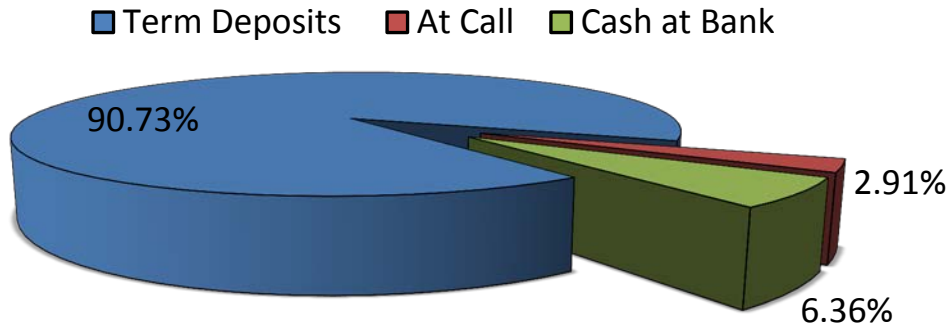
Carla von Brockhusen - Finance Manager

Items requiring Council Resolution

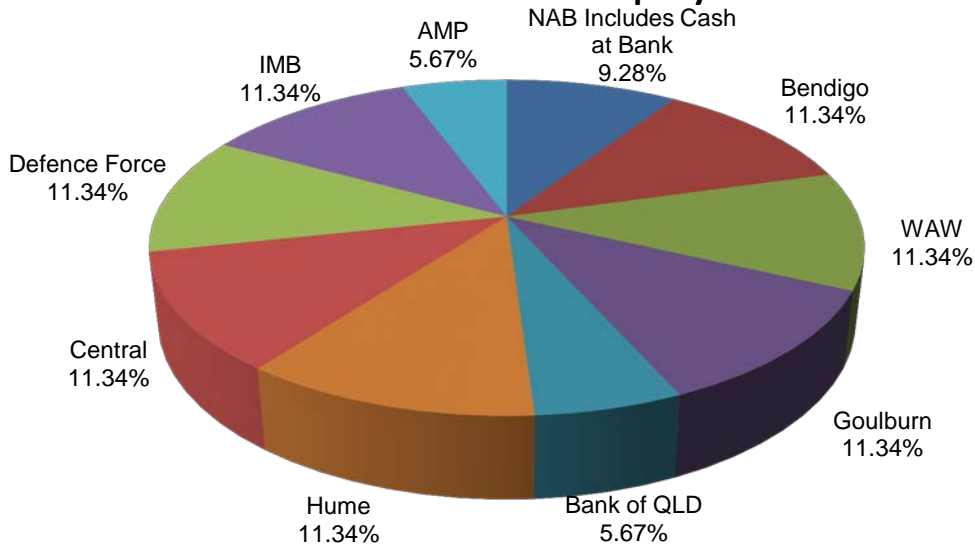
Summary of Total Fund Held at Month End



Funds Held By Council at Month End



Funds held with each Institution Company at Month End



5.2

SALE OF LAND AT TOCUMWAL AERODROME

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Items requiring Council Resolution

AUTHOR: General Manager

STRATEGIC OUTCOME: Diverse and resilient business

STRATEGIC OBJECTIVE: 4.2 Strengthen and diversify the local economy

FILE NO: 05.005.9

RECOMMENDATION: - that the Council sign and seal all documents relating to the sale of lots 31 and 32 DP 1190777, Liberator Place, Tocumwal.

REPORT:

As Councillors may be aware the subdivision at the Tocumwal Aerodrome is complete and the blocks have been made available for sale with five blocks already sold.

Negotiations are taking place on Lots 31 and 32, DP 1190777 and therefore the above resolution is required.

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Items requiring Council Resolution

5.3 PECUNIARY INTEREST RETURNS

AUTHOR: General Manager

STRATEGIC OUTCOME: Good government

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

FILE NO: 13.045.2

RECOMMENDATION: - that the Council note the tabling of Pecuniary Interest Returns received from Councillors and staff for the period 1st July, 2013 to 30th June, 2014.

REPORT:

Tabled at this meeting are Pecuniary Interest Returns as required and in accordance with Section 450a of the Local Government Act duly completed by:

- | | | |
|-------------|----------------------|---|
| Councillors | John Bruce | |
| | Bernard Curtin | |
| | Andrea O'Neill | |
| | Brian Hill | |
| | Matthew Hannan | |
| | Denis Glanville | |
| | Colin Jones | |
| | Darryl Morris | |
| Staff: | Rowan Perkins | (General Manager) |
| | Matthew Hansen | (Director Corporate Services) |
| | Fred Exton | (Director Technical Services) |
| | Laurie Stevens | (Development Manager) |
| | Paul Riley | (Building Surveyor) |
| | Michelle Koopman | (Enterprise Risk Manager) |
| | Carla von Brockhusen | (Finance Manager) |
| | David Basil | (Operations Manager) |
| | Myles Humphries | (Environmental Engineer) |
| | Merran Socha | (Economic Development Officer) |
| | James Brown | (Town Planner) |
| | Jo Ruffin | (Strategic & Social Planning Coordinator) |

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Items requiring Council Resolution

5.4 2013/14 ANNUAL FINANCIAL STATEMENTS

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 12.066.1

RECOMMENDATION: - that the Council, having satisfied itself in relation to the preparation of its financial reports and special schedules:

1. refer its financial statements to the Auditors for the audit report.
2. at its meeting to be held on Wednesday 19^h November 2014, the Council present its audited financial reports and audited reports to the public and that the Council's intention be publicly notified.
3. sign the attached General Purpose Financial Report "Statement by Council" and the Special Purpose Financial Report "Statement by Council".
4. adopt the valuation of assets that Senior Officers have prepared in accordance with recognised valuation procedures as to a fair and reasonable value of those assets (see note 9).

REPORT:

The 2013/14 Annual Statements have been prepared and audited and are now ready for adoption by the Council.

A copy of the Statements is attached as Appendix A.

The report below has the following sections:

- A brief summary of the key results and performance measures
- An explanation of one of the key drivers of the results – the cessation of the payment of part of the annual Financial Assistance Grant to Council in advance.
- Some general comments on the statements
- A run down on the statutory process required to formally adopt the financial statements
- A detailed analysis of the Financial Statements and associated notes and schedules.

Items requiring Council Resolution

This is the first year of a new audit contract with RSD Chartered Accountants now auditing the Council's financial statements.

The work of the Finance Manager and her team to prepare these statements should also be acknowledged.

Summary of Results

The table below is a brief summary of the key results for the 2013/14 financial statements.

When the result of a significant change in the payment of government grants is taken into account, the results demonstrate a very healthy underlying result.

<u>Overall performance</u>	<u>2013/14</u>	<u>2012/13</u>
Operating surplus	\$0.2m	\$0.2m
Operating deficit before capital grants and contributions	(\$1.5m)	(\$0.4m)
 <u>Revenue and expenses</u>		
Total revenue	\$18.9m	\$19.0m
Total expenses	\$18.7m	\$18.8m
 <u>Cash and investments</u>		
Cash and cash equivalents	\$2.3m	\$1.8m
Investments	\$14.0m	\$16.0m
 <u>Balance Sheet</u>		
Total assets	\$204.9m	\$204.0m
Total liabilities	\$4.1m	\$4.1m
Total equity	\$200.9m	\$199.9m
New assets 2013/14	\$6.7m	\$5.5m
 <u>Water and Sewer funds</u>		
Total assets	\$204.9m	\$204.0m
Total liabilities	\$4.1m	\$4.1m
Total equity	\$200.9m	\$199.9m
New assets 2013/14	\$6.7m	\$5.5m

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Items requiring Council Resolution

The new Federal Government's decision to cease the practice of paying 50% of the Financial Assistance Grant (FAG) in advance has had a massive impact on these results. This impact is discussed at length in the report below.

Performance measures

Some of the performance measures included in the "Fit for the Future" guidelines and other Office of Local Government documents are shown below. Again, note that the impact of the cessation of advance payments of FAG has had an impact on some of these measures, including the Operating Performance Ratio.

<u>Industry Indicators</u>	<u>Benchmark</u>	<u>2013/14</u>	<u>2012/13</u>
Operating Performance Ratio	Between (3% and 10%)	(9.78%)	(2.60%)
Own Source Operating Revenue Ratio	Greater than 60%	63.99%	60.36%
Unrestricted Current Ratio	Greater than 1.50:1	4.05:1	3.49:1
Debt Service Cover Ratio	Greater than 2.00	26.03	33.55
Rates Outstanding Percentage	Less than 10.00%	5.05%	5.44%
Cash Expense Cover Ratio	Greater than 3.00	13.59	14.35
<u>Infrastructure Asset Performance Indicators</u>	<u>Benchmark</u>	<u>2013/14</u>	<u>2012/13</u>
Building and Infrastructure Renewals Ratio	Greater than 100%	76.54%	62.25%
Building and Infrastructure Renewals Ratio (General Fund)	Greater than 100%	98.55%	85.21%
Infrastructure Backlog Ratio	Less than 0.02	0.02%	0.05%
Asset Maintenance Ratio	1.00	1.00	1.00
Capital Expenditure Ratio		1.24	1.03
Capital Expenditure Ratio (General Fund)		1.46	1.10

Items requiring Council Resolution

Impact of Financial Assistance Grant changes

When considering the financial statements and comparing to past years, it is important to recognise the impact of the Federal Government’s decision to pay a proportion of FAG in advance over the past 4 years and the more recent decision to cease this practice for 2014/15 grant.

In June 2013, the Council was paid \$2.15m (approximately 50%) of its 2013/14 FAG in advance. Under accounting standards, this income must be recognised in the year it was received.

In simple terms, the impact on the Council’s financial statements is as follows

<u>IMPACT OF FAG PAID IN ADVANCE</u>		
	2012/13	2013/14
Grant Income	No effect	Understated by \$2.15m
Cash and Investments	Overstated by \$2.15m	No effect

Because the funds were received in June 2013, the 2013/14 financial statements do not include the full FAG entitlement for the Council for that year – thus an understatement of income.

The prepayment also meant that at 30 June 2013, the Council held \$2.15m that it normally would not receive until the 2013/14 financial year.

Adjusting for this distortion (see table below), the Council’s operating result was quite strong – a significant operating surplus before capital grants and contributions

Consideration of this distortion also places the Council’s cash flow statement into a different light – the Council’s cash position improved over the 2013/14 year.

General comments

Overall, the Council retains a strong cash position in all three operating funds.

The Council’s balance sheet remains strong with adequate provisions and correct asset values. Taking into account the effect of the cessation of the advance payment of FAG, the Council’s operating position and cash flow performance was quite strong.

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Items requiring Council Resolution

The 2014/15 year will see significant challenges before the Council. The “pause” in indexation of FAG will require the Council to make some tough decisions about expenditure priorities and its revenue generation over the next three years. The Council will also need to consider how to ensure it meets the targets for sustainability set in the recently launched “Fit for the Future program.

Continued careful monitoring of the Council’s financial position is required to ensure this Council is sustainable and able to deliver for its community, today and into the future.

Statutory Process

The Council is now required to do the following:

1. Complete the statutory process for adoption and completion.
2. Assure itself that the Statements have been prepared in accordance with the appropriate standards (prior to adoption) and formally refer the Statements to the Council’s Auditors for the Audit Report.

The audit was performed from Tuesday 23 September to Wednesday 24 September 2014. Issues which arose from the audit have been addressed by staff to the satisfaction of the Auditors.

After satisfying itself with the accuracy and correct preparation of the Statements, the Council is required to do the following:

1. Adopt the statements and report on the conduct of the Audit.
2. Advertise the Statements for public submissions for a period of 7 days after receiving the Auditors report. An advertisement can be placed in the local papers (SRN and Cobram Courier) on Wednesday 15 October 2013 which would give the public until Friday 7 November to make submissions. The Statements could then be formally adopted at the ordinary meeting on Wednesday 19 November.
3. Make the Statements available to various authorities including the NSW Office of Local Government.

If Council does not adopt the Statements in time for advertisement on 15 October, the timetable for the rest of the process may need to be amended

Preparation of the Statements

The Statements are required to and have been drawn up in accordance with:

- The Local Government Act 1993 and the Local Government Regulations.

Items requiring Council Resolution

- Australian Accounting Standards.
- The Local Government Code of Accounting Practice and the Local Government Asset Accounting Manual.

The Statements are also in accordance with the Council's accounting records for the year ended 30 June 2014.

The Council is required to prepare five primary reports which form the cornerstone of the financial statements, they are:

- An Income Statement
- A Statement of Comprehensive Income
- A Balance Sheet
- A Statement of Changes in Equity
- A Statement of Cashflows

In addition to these statements are Notes 1 to 27, the Special Purpose Financial Reports and Special Schedules 1 to 9.

The Statements and corresponding notes which form the Council's accounts along with the Special Purpose Financial reports are audited. The Special Schedules are considered supplementary to the accounts and therefore are not audited. They are prepared for the benefit of other authorities such as the Grants Commission, the Department of Lands, the Australian Bureau of Statistics and other Councils.

The following commentary on the Annual Accounts and Special Purpose Financial Accounts is provided for the Council's information. **Please note that all figures are in \$000's unless otherwise noted.**

Income Statement

The Income Statement shows the surplus or deficit from ordinary activities before capital amounts and therefore gives an indication of the Council's performance in providing services that are funded from periodic operating income. These results generally exclude capital injections of funds which pay for capital works; the corresponding expenditure for these items appears in the Balance Sheet in the form of an asset.

The surplus from ordinary activities line shows how much the Council's wealth has increased or decreased over the year as a result of its activities. It is important to note that the Council is required by the NSW Local Government Code of Accounting Practice to recognise grants and contributions in its Income Statement even if the corresponding expenditure has not been incurred in that period.

Items requiring Council Resolution

The Council should note that the Council's result from ordinary activities result has improves from a \$170 operating surplus in 2012/13 to a **\$228 operating surplus** in 2013/14. On the face of it, this would appear to be a relatively minor change but it disguises some quite big shifts – especially regarding the sources of Council's revenue.

Some of the more material changes are listed below:

- An increase in Rates and Annual Charges of \$709
- An decrease in Operating Grants of \$1,838 (as discussed above)
- An increase in Capital Grants of \$1,138
- An increase in Employee Benefits of \$955
- An decrease in Materials and Contracts of \$1,027

Detailed discussion on each of these items follows in this report.

The result before capital grants and contributions shows the impact of the shift from operating grants to capital grants identified above – a \$402 deficit in 2012/13 becoming a \$1,482 deficit in 2013/14.

Capital grants and contributions include grants such as the RMS REPAIR program, the Regional and Local Community Infrastructure Program (“stimulus package”) grant and developer contributions to infrastructure, either in cash or as contributed assets. In 2013/14, the Council received \$200 in contributed assets from developers.

This deterioration in the Council's financial performance is of some concern but it needs to be considered with some care. The major driver of the deterioration is the cessation of the practice of paying a proportion of FAG in advance.

To help determine the underlying position, some analysis of the 2012/13 and 2013/14 financial results may be useful.

<u>ADJUSTMENT FOR FAG PAID IN ADVANCE</u>		
	2012/13	2013/14
Operating Deficit before Capital Grants	\$ (402)	(\$1,482)
FAG adjustment	NIL	\$2,147
Underlying surplus/deficit	\$ (402)	\$665

Items requiring Council Resolution

This is a more realistic operating result for the Council to use as its benchmark for its financial performance for the year – a significant improvement in its underlying financial position

Detailed discussion of the one-off items will follow in this report.

Statement of Comprehensive Income

The Statement of Comprehensive Income links the Council's operating result in its Income Statement to the Council's Balance Sheet, specifically the increase in Council Equity (i.e. the Council's assets less its debt).

In 2013/14, the Statement reflects the Council's operating surplus of \$228, the gain on revaluation of \$762 and a movement correcting a prior period classification error of \$180, making a total increase in Council equity for the year of \$1,170

Note that losses on revaluation must be shown in the Income Statement and affect the Council's operating result whereas gains on revaluation must not be shown in the Income Statement and are posted directly to Council Equity through this statement.

Balance Sheet

The Balance Sheet is presented so as to reveal the following aspects of the Council's financial situation:

1. Information about the financial structure of the Council, its obligations, its equity and the types of resources available to it.
2. Information about the capacity of the Council to adapt to changes in its operating environment.
3. Information about the short and long term solvency of the Council by classifying its assets and liabilities into current and non-current.

The Balance Sheet recognises the basic accounting equation of Assets minus Liabilities equals Equity. The equity of Berrigan Shire comprises the accumulated surpluses from previous years.

In Berrigan Shire's case the Balance Sheet shows an increase in equity from \$199,902 to \$200,891. As discussed above this reflects the Council's operating surplus of \$228 shown in the Income Statement and the \$942 increase in valuation of the Council's infrastructure, property, plant and equipment assets and other adjustments.

Current Assets – the Council's cash and other assets likely to be realised over the next twelve months – have decreased by \$957 over the financial year.

Items requiring Council Resolution

This is almost entirely the impact of the cessation of the payment of FAG in advance.

Non-current Assets have increased by \$1,904, made up of net revaluations of \$762, net new/disposed/transferred/written off/depreciated asset movement of \$1,273 and a small decline of receivables of \$9.

Current liabilities – the Council's debts likely to be redeemed over the next year – have increased by \$80. This reflects the increasing amount of principal being paid off the Council's borrowings as well as an increase in Council's provisions – mainly relating to staff entitlements.

Non-current liabilities have decreased by \$123 due to the continued retirement of long to medium term debt.

An analysis of the ratios in Note 13 shows that the Council's unrestricted current ratio has remained fairly stable, with a small improvement from 3.41:1 in 2012 to 4.04:1 in 2013. This is consistent with historic figures.

The Debt Service Cover Ratio, which is a measure of the Council's long term ability to meet debt repayments, has declined somewhat from 33.55 to 26.04. This reflects the advance payment of Financial Assistance Grant in 2012/13 artificially deflating last year's revenue. Even with this in mind, this ratio still demonstrates that the Council is able to comfortably meet its loan obligations.

The Own Source Operating Revenue Ratio has increased from 60.36% in 2012/13 to 63.99% this year. This means that the Council was able to raise 63.99% of its own revenue with the balance coming from grants from the other levels of government.

This result is quite important in the current circumstances. The "Fit for the Future" program recently launched by the NSW government gives a result of 60% or above for this ratio as a key indicator of a sustainable council.

Statement of Changes in Equity

The Statement of Changes in Equity shows how the total changes in Equity have been derived. There were three changes in equity in 2013/14. There was an increase of \$228 flowing from the Income Statement, an increase in the Asset revaluation reserve to recognize the new valuations of \$762 and a transfer from retained earnings to the revaluation reserve of \$180.

Cash Flow Statement

The Cash Flow Statement communicates information about the change in an organisation's liquidity and solvency during the year. It requires the grouping of cash receipts and cash payments into the following three classifications. They are:

Items requiring Council Resolution

- **Operating Activities:** These involve providing goods and services and include all transactions and other events that are not financing or investing activities.
- **Investing Activities:** These involve activities relating to the acquisition and disposal of non-current assets, including property, plant and equipment and other productive assets and investments.
- **Financial Activities:** Involves those activities which relate to changing the financial structure of the entity.

The Cash Flow Statement does not take into account non-cash items such as depreciation and accrued expenses and revenue. It is important because it shows the amount of cash created by Council's activities which governs the Council's ability to spend.

Overall the Council's cash and investments declined by \$1,480 during the year. This is mainly the result of the cessation of the payment of FAG in advance.

Date	Cash and Cash Equivalents	Investments	Total
30 June 2010	3,499	9,950	13,449
30 June 2011	1,979	13,600	15,579
30 June 2012	1,332	16,000	17,332
30 June 2013	1,789	16,000	17,789
30 June 2014	2,309	14,000	16,309

Notes 1 to 27 provide detail to the abovementioned statements.

Note 1 sets out the Council's accounting policies used to draft these set of statements including its policies on recognising and valuing assets, liabilities, income and expenses. The policies set down in this note have a considerable impact on the figures shown in the statements.

Note 2 shows the financial statements split by function (i.e. Governance, Administration, Water, Sewer etc.). One item worth noting in this report is how much of the Council's overall expenditure and asset base relates to the operation and maintenance of infrastructure such as roads, water, sewer and community amenities.

Note that Sewerage Services function reported an operating surplus of \$159; this is a pleasing result and will be discussed in more detail later in the report.

Note 2b provides some explanation of what activities are included in the various functions

Items requiring Council Resolution

Notes 3 to 5 provide more detail on the Income Statement.

Note 3 details the Council's revenue. Revenue is broken down into several components.

- The Council's rate and charges revenue increased by \$709 (9.0%) in 2013/14. This has three main drivers:
 - The 3.4% permissible increase in general rates and the decision by the Council to increase some of its other service charges (Water, Waste and Stormwater) by a similar amount.
 - Some growth in the number of rateable assessments
 - It also reflects a decision by the Council to increase its Sewer charges to return its sewer operations to a surplus position.
- User charges and fees declined by \$21 (1.1%) in 2013/14. Most items in this classification have remained steady with an increase in private works offset by reductions in chargebacks from swimming pools and small reductions in building regulation charges and water revenue
- Interest and Investment Revenue declined by \$85. This is largely as a result of the cuts in official interest rates impacting on the available returns from the Council's investment portfolio. This is the second year in a row interest revenue has declined and the Council may not be in a position to rely on growth in this source of income in the future
- Other Revenue has declined by \$15. A reduction in revenue from sale of gravel is largely offset by increased revenue from the temporary trading of high security water.
- Operating grants received by the Council decreased by \$1,856. The only significant driver for this result is the cessation of the advance payment of FAG as identified earlier in this report.
- Capital Grants tend to vary widely from year to year depending on the current projects being undertaken by the Council. In 2013/14 the amount of Capital Grants and Contributions received by the Council totaled \$1,710.

Capital grants received in 2013/14 include \$118 from Roads and Maritime Services (RMS) for the new boat ramp and parking area at Tocumwal. There were also contributions from RMS for road works totaling \$144.

- Contributions to s64 and s94 plans were reasonably consistent with historic trends. There was a significant increase in contributed assets

Items requiring Council Resolution

(physical assets such as roads, footpaths etc. handed to the Council by developers). This relates to private sub-divisions in Tocumwal, the rotunda at Barooga Botanical Gardens and assets at Barooga Recreation Reserve and Berrigan CWA hall.

- The value of restricted grants and contributions (i.e. those grants and contributions that the Council has an obligation to spend in specified manner) has remained steady in 2013/14.

Note 4 details the Council's expenses. Expenses are broken down into several components.

- Employee costs have increased by \$955 (15.2%). This result is driven by several factors;
 - Obligatory wage increases set down in the Local Government State Award – along with maternity leave, this accounts for \$315 of the increase
 - The increase in leave entitlements owed to Council staff; i.e. leave not taken. This amounts to \$396 of the total increase in employee costs. This large increase relates mainly to changes in the method of measurement used – such as on-costing superannuation and workers' compensation insurance.
 - The cost of staff training increased by \$67
 - Other employee costs increased by \$96; this includes items such as rostered days off not taken and the like.

Note that the Council's increase in ordinary rates and charges revenue of \$272 is not sufficient to even cover the increase in Council wages.

- Materials and Contracts expenses have increased by \$1,027 (6.9%). This figure can move sharply however depending on the mix of maintenance and capital works projects in any given year.
- Depreciation increased by 4.5% over the past year. This is mainly driven by valuation changes and the first-time recognition of some recreation assets.
- Other expenses cover a wide range of areas. Some of the key figures are shown below.

Items requiring Council Resolution

Other Expenses	2013/14	2012/13	% Change
Swimming pools	\$92	\$62	↑ 48%
Tourism and area promotion	\$85	\$107	↓ 21%
Sporting grounds	\$61	\$130	↓ 53%
Election expenses	\$ -	\$51	N/A
Electricity and heating	\$401	\$440	↓ 9%
Street lighting	\$156	\$220	↓ 29%

Councillors expenses have increased by \$1 and allowances paid to Councillors increased by \$3.

Note 5 shows the gains and losses made by the Council from the disposal of assets.

The result shows a \$94 gain on Disposal of Plant and Equipment from the sale or trade-in of Council plant made in the normal course of business. Other gains include an \$88 gain on the sale of real estate at the Finley St and Tocumwal Aerodrome subdivisions and a small loss on the sale of the old Finley Library.

Notes 6 to 10 provide additional detail on the amounts shown in the Balance Sheet

Note 6a, 6b and 6c provide more detail on the Council's Cash and Investments. As mentioned above, the Council's total cash and investments have decreased from \$17,789 to \$16,309 in 2013/14.

All Cash and Cash equivalents are held as "At fair value through profit and loss" and all Investments are "Held to Maturity". Given the Council's existing investment portfolio, which consists of term deposits there is little difference between the two.

External restrictions are those imposed on the Council by legislation relating to separate funds such as water, sewer and domestic waste as well as grants and contributions that come with conditions that the funds be spent on specific projects.

Internal restrictions are restrictions on funds which the Council places voluntarily on itself such as employee leave entitlements, the plant replacement reserves and the economic development reserve. Total internal restrictions have not changed this year.

The amount of unrestricted funds has declined by \$3,290 to \$3,988. The table below provides some further detail about the Council's unrestricted cash.

Items requiring Council Resolution

Note again that one of the most significant drivers of this result is the cessation of the advance payment of the FAG grant. This accounts for more than 60% of the reduction in unrestricted funds.

<u>UNRESTRICTED CASH ANALYSIS</u>	
	<u>\$000's</u>
Reserve funds as at 30-6-14	12,239
Unexpended grants as at 30-6-14	82
Total Reserve Balances as at 30-6-14	12,321
Cash and investments 30-6-14	<u>16,309</u>
Unrestricted cash as at 30-6-14	3,988
 Unrestricted cash as at 30-6-14	 3,988
Unspent works carried forward from 13/14	1,396
Less unexpended grants restricted	<u>82</u>
Net unspent works carried forward	<u>1,314</u>
 Balance of unrestricted cash at 30-6-14	 2,674

Note that when allowing for the Financial Assistance Grant paid in advance last year, the Council's actual unrestricted cash available to spend on new initiatives at 30 June 2013 was only around \$2.1m.

Despite the "headline" reduction of a \$3,290 decline in unrestricted cash, the impact of prepayments of FAG and works carried forward inflated the 2012/13 figure and this year has seen an improvement in the Council's underlying cash position.

Note 7 provides additional detail on the Council's receivables; i.e. the amounts that are owed to the Council. Net receivables have increased by \$208 (18%).

- Outstanding rates and charges have decreased by \$3 (0.6% decrease). After last year's increase, this is welcome and reflects well on the approach taken by Council staff to address this issue. The Council's performance in collecting outstanding rates and charges is quite respectable when matched against its peers.
- Income Accruals have increased by \$199 – This is mainly a result of some extraordinary items in 2011/12 and the 2012/13 amount is a return to normal levels.

RESOLUTION

Items requiring Council Resolution

Note 8 details inventories of stock and materials and developed real estate owned by the Council as well as any prepayment of expenses such as insurance or software support.

The only significant change from 2012/13 is the addition of the developed land at the Tocumwal Aerodrome to Council's real estate inventory. Note that movements in the Council's developed land inventory are also detailed in this note.

Note 9a and 9b provides details on the movements in value of the Council's Infrastructure Property Plant and Equipment (IPPE) assets. These represent the overwhelming balance of the Council's assets. The carrying value of the Council's IPPE assets increased from \$184,491 to \$186,526 at the end of 2012/13.

The left hand columns in Note 9a shows the situation at the commencement of the 2013/14 year, the middle columns show the changes to asset values throughout the course of the year and the rightmost columns show the situation at the end of the financial year. Items worth noting include:

- The Council added \$6,727 of assets in 2013/14, \$3,402 related to renewals of infrastructure, \$1,372 to new infrastructure and the remaining \$1,953 of non-infrastructure additions. \$255 of this relates to assets given to the Council by developers and the balance represents Council's construction or purchase of additional assets.
- This is offset by the Council recognising depreciation to the value of \$5,405 as discussed earlier.
- The net revaluation increments to equity of \$762 are also shown in this table.

Note 9b shows those IPPE assets owned by the Council that are externally restricted.

Note 10a and 10b provide additional information on the Council's payables, borrowings and provisions; i.e. the amounts that the Council owes others or is otherwise committed to pay in the future.

- Payables have remained steady overall but there has been a significant increase in salaries and wages owing (a timing issue relating to payment dates) and a decrease in payments for goods and services owing and accrued expenses.

This decrease is as a result of a conscious effort to process and pay all accounts for goods and services provided before the end of the financial year.

Items requiring Council Resolution

- Borrowings continue to decline with the only external loan held by the Council at present is for the construction of the new Finley Water Tower, due for repayment in 2017/18.
- 2013/14 has seen the Council's Provision for Employee Benefits increase by \$72

The main drivers for the increase are on-costs on annual leave and long service leave recognising superannuation and workers' compensation insurance payable on leave entitlements.

The table below provides some history on the level of the provision

Financial year	Provision for Employee Leave (000s)	% increase
2005/06	1,390	
2006/07	1,499	7.84%
2007/08	1,670	11.41%
2008/09	1,848	10.66%
2009/10	2,080	12.55%
2010/11	2,090	0.48%
2011/12	2,032	-2.78%
2012/13	2,140	5.31%
2013/14	2,212	3.36%

As previously reported to the Council, the large increase in the Council outstanding leave balances is a significant issue and more needs to be done to bring this figure down.

- Under the Local Government Award as it exists, the Council cannot pay out accrued Leave to employees as a lump sum, even if the employee is willing. This can only be waived in cases of hardship. There is some scope in new legislation to pay additional amounts to staff members to take leave – i.e. 6 weeks' pay for 3 weeks leave.
- Voluntary programs to encourage employees to take leave have not been successful. As the Council workforce continues to age, employees start to consider leave entitlements as part of their retirement savings. While this is not the purpose of leave

Items requiring Council Resolution

entitlements, it is difficult to change the cultural mindset of these staff.

- Compulsory programs to force employees to take leave have several problems. Firstly, they alienate employees and secondly, those members of staff with large leave entitlements often tend to be key employees, and therefore difficult and costly to replace.

These problems do not mean the Council should not attempt to reduce entitlements owed but it should be aware there is no 'quick fix'.

Note 10a (ii) demonstrates that while the Council is required to show nearly all leave entitlements owing as "current", i.e. likely to be due and payable in the next 12 months, in reality the Council does not expect a substantial proportion of these entitlements to be actually taken in 2013/14.

- The Provision for Asset Remediation/Restoration covers the likely cost to the Council to remediate certain areas such as quarries and landfills when they reach the end of their useful lives. The Council is required to show this as a liability as well as incorporate this cost in the cost of the asset.

Note 11 reconciles the Council's operating result to the cash provided by the Council's net operating activities. These can differ due to items such as depreciation, asset write-offs, contributed assets and changes in amounts owed to creditors and owed by debtors and in inventory levels.

Note 12 to 27 provide additional information over and above the information provided in the statements.

Note 12 details the Council's future expenditure commitments not shown in the balance sheet such as commitments on long term contracts such as domestic waste collection. These commitments have declined somewhat as many of the large construction contracts shown in 2013 were mostly completed by June 2014.

Note 13 sets out some relevant ratios and performance benchmarks. These have been discussed earlier.

Note 14 relating to Investment property has been left blank as the Council holds no property for investment purposes.

Note 15 provides further information on the Council's exposure to financial risks. The Council holds the vast majority of its cash and investments in Term Deposits and at-call accounts while its only borrowing is a standard loan with

Items requiring Council Resolution

a fixed interest rate for the term of the loan. As a result, the risk of default or interest rate movement to the Council is very slight.

Note 16 provides an explanation of significant variances from the Council's budget in the Income Statement and Statement of Cash Flows.

Note 17 reconciles the Council's developer contributions. Note that Drainage developer contributions are used to partly repay the internal loan used to fund the stormwater drainage works.

Note 18 provides further information on other potential liabilities and assets that do not meet the threshold for inclusion in the financial statements or are otherwise difficult to value but are worthy of being disclosed. While the Council has some industry-wide contingent liabilities for items such as Defined Benefit Superannuation plans and Statewide and StateCover Mutual, there are no contingent liabilities specific to the operations of this Council.

Council has not recognised land under roads acquired before 30 June 2008.

Note 19 relating to Controlled Entities, Associated Entities and Interests in Joint Ventures has been left blank as the Council has no interest in any entity of this nature.

Note 20 provides further information on the Council's equity, including retained earnings and reserves.

Note 21 provides details on the Council's Financial Result and Financial Position by fund. This note duplicates much of the information shown in the Special Purpose Financial Statements and Special Schedules.

A key figure to note is that the sewer fund has an operating surplus of \$171, the first operating surplus made by the sewer fund since 2009. This result follows from the Council increasing sewer charges in 2013/14 to move the sewer fund into surplus.

The Water fund improved its operating result, returning a surplus of \$635. This is because of the increase in revenue from the temporary transfer of high security water entitlements.

Note 22 sets out the details of those assets the Council has classified as "held for sale". The amount shown in this note represents the carrying value of the following assets:

- A block of land on Flynn St, Berrigan acquired through the sale of land for unpaid rates.
- A block of land on Ingo Renner Drive, Tocumwal acquired through agreement with the owner.

Items requiring Council Resolution

- o A blok of land on the Riverina Highway surplus to Council requirements.

The Council has resolved to sell these properties.

Note 23 details any post-balance date events. The Council is unaware of any material or significant “non adjusting events” that should be disclosed.

Note 24 relates to discontinued operations. The Council has not classified any of its operations as discontinued.

Note 25 relates to Intangible Assets; the Council has not recognised any intangible assets.

Note 26 sets out the Council’s liability for the restoration, rehabilitation and remediation of its waste management and gravel pit sites. This is required to be done on a **net present value** basis, i.e. the future expected costs are discounted to 2014 dollar amounts.

The **decrease** in the provision in 2013/14 is \$3. An decrease of \$11 relates to a change in the discount rates used in the calculation and an increase of \$8 relates to amortisation of the discount used, which is treated as a borrowing cost.

The Council recognises obligations to restore the following operations:

Asset/Operation	Estimated year of restoration	Net Present Value of provision (000s)
Finley Recycle centre	2059	\$11
Tocumwal Inert Hard Waste Depot	2017	\$33
Berrigan Landfill	2059	\$127
Pine Lodge Gravel Pit	2038	\$53
TOTAL		\$224

Note 27 provides information on the Fair Value measurement of Council’s assets and liabilities.

At the risk of being flippant, I am not convinced that this note adds much of value to the financial statements for an entity such as Council however it is currently a requirement of AASB 13 (an accounting standard) and the Local Government Code of Financial Practice and Reporting.

Items requiring Council Resolution

The idea behind the note is to advise the user of the statements of the methods and assumptions used in the valuation of the Council's assets and liabilities

There are two main valuation techniques used:

- "Market approach" – where the valuation has been determined through the observation of sales and purchases of similar assets in an active market
- "Cost approach" – where the valuation is determined through assessing the cost of replacing the asset with a modern equivalent.

Within these techniques, the valuers use three classes of inputs, arranged in a hierarchy of reliability:

- Level 1 – unadjusted quotes in active markets for identical assets
- Level 2 – inputs other than quoted prices included in Level 1 that are observable for the entity either directly or indirectly
- Level 3 – inputs that are not based on observable market data

The format and content of this note may change over time as the industry comes to grips with the best method to provide the required information in the most efficient manner.

Special Purpose Financial Reports - The Special Purpose Financial reports have been prepared to report the results of Business Units determined by the Council in accordance with the requirements of the National Competition Policy (NCP) guidelines. The Council has identified two category 2 type business units being the Water Supply Service and the Sewerage Service.

A category 2 type business is one that is defined as having annual operating revenue of less than \$2 million. This year the Water Supply Service had operating revenue of \$2.98 million, exceeding the 2 million cap.

The Special Purpose Financial Reports comprise a balance sheet and operating statement along with associated notes to the accounts for each deemed business.

NCP imputation payments are added to total expenses in the operating statement for each business to accurately reflect the amount of expenditure each business would incur if they were not owned by the Shire. Items such as land tax and Council rates are calculated and included as NCP imputation payments which are then shown as expenditure against the business.

It is important to recognise that the businesses do not actually pay these NCP imputation charges. They are merely added to the total expenses to reflect what the business would have paid if they were not Council owned.

Items requiring Council Resolution

Special Schedules - These schedules contain the Council's financial data presented on a fund basis. They are unaudited but are used by other authorities and are also used as work sheets in preparing the annual statements.

- **Special Schedule 1** is a statement of the net cost of services provided by the Council
- **Special Schedule 2** is a statement of long term debt
- **Special Schedules 3 – 6** are restatements of the Water and Sewer Financial Statements already shown in Note 21 of the General Purpose statements and again in the Special Purpose Statements
- **Special Schedule 7** is a report on infrastructure assets. This includes condition assessments, estimates of infrastructure backlog and data on infrastructure renewal and maintenance.

Information from this Schedule will be used as part of the "Fit for the Future" self-assessment. It will be audited from 2014/15 onward

- **Special Schedule 8** is a ten year financial projection extracted from the Council's Long Term Financial Plan
- **Special Schedule 9** is a statement of Permissible Income – the amount that Council is permitted to raise from ordinary rates. Unlike the rest of the financial statements, this statement is for the 2014/15 (i.e. this) financial year.

Satisfaction and adoption

Prior to adoption of the Statements and referral to formal audit, the Councils should satisfy itself that the statements have been prepared in line with statutory and other requirements to present a true and fair view of the Council's financial position and financial performance.

To aid the Council in this task, a copy of the Representation Letter to the Council's auditors prepared by the General Manager and Responsible Accounting Officer (Finance Manager) is attached as Appendix B.

This letter, while prepared for the auditors rather than the Council, should be suitable for use by the Council for the purpose identified above.

The Council can, of course, take the opportunity to ask further questions to satisfy themselves in this matter.

Items requiring Council Resolution

Having satisfied itself the Council is then required to:

1. Send a copy of the Statements to its Auditor.
2. As soon as possible after adoption of the reports and receipt of the Auditors Report, the Council must:
 - a) Make available a copy of the Statements and Reports to the Chief Executive of the Office of Local Government and the Australian Bureau of Statistics.
 - b) Fix a date for a meeting at which it proposed to present its financial Statements and Auditor's Reports to the public.
 - c) Give Public Notice of the date so fixed (which must be more than two weeks after notice is given but not more than one month after the Auditor's reports are received).

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Items requiring Council Resolution

**5.5 DRAFT LOCAL POLICY FOR THE
RELOCATION OF PREVIOUSLY USED
RESIDENCES**

AUTHOR: Development Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

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

FILE NO:

RECOMMENDATION: that the draft Local Policy for the Relocation of
Previously Used Residences, as set out below, be placed on public
exhibition for the statutory period under the provisions of the Local
Government Act 1993.

1. POLICY STATEMENT

This policy is to ensure the following:

- A consistent style of dwelling within an area.
- Some certainty to owners of existing properties that there is a minimum acceptable standard of dwelling development within an established streetscape.
- To prevent low cost; poor quality and inappropriate development.
- That genuine developers have the opportunity to undertake alternative residential construction in appropriate locations by re-using existing resources.
- That such projects are completed in an appropriate period of time with minimal impact on adjoining residents.
- To minimize potential exposure to previously used building products now banned from sale or use in residential construction (such as asbestos cement or lead paint) in the interests of environmental health.
- The protection of public interest.

2. PURPOSE

The purpose of this policy is to ensure that previously used residences should only be relocated to areas where upon completion they will be compatible with surrounding structures and be of a satisfactory quality,

Items requiring Council Resolution

design, size and appearance which will positively contribute to the built environment of the proposed locality.

3. SCOPE

This policy applies to the RU5 - Village Zones of Barooga, Berrigan, Finley and Tocumwal; and

to the R5 Large Lot Residential Zones throughout the Shire of Berrigan, under the provisions of Berrigan Local Environmental Plan 2013.

4. OBJECTIVE

This policy is developed to assist the Council with Delivery Plan Objective 1.1.1.3

In accordance with relevant legislation, codes and policies – process and approve / refuse development applications.

5. DEFINITIONS

Previously used residence– These are dwellings which have at some time been occupied. They may have been constructed as transportable buildings or conventionally constructed on a site with piers and platform floor.

Relocation - The physical moving of a residence from one site to another for the purposes of being used as a dwelling house.

6. POLICY IMPLEMENTATION

6.1 Application

Previously used residences must be compatible with the existing surroundings upon completion.

All residences must make a positive contribution to the built environment.

Previously used residences will generally only be considered appropriate as infill development in older established areas, not in newly established subdivisions or housing estates.

Where the proposed (previously used) residence is located on a site outside the Shire, the applicant must provide the Council with clear and current photographs of the structure and a written report from a suitably qualified and experienced building professional to state that the building

Items requiring Council Resolution

is structurally sound and suitable for transportation by a competent person.

Any building which was constructed elsewhere more than five years previously will be carefully scrutinized by the Council and applicants will need to provide a compelling submission to support the proposal to relocate. Such buildings may not satisfy the present construction standards required by the Building Code of Australia (for water proofing; glazing; framing, etc); but must satisfy the performance requirements of the Code.

Any building constructed before 1987 may potentially contain asbestos building products. Work Health & Safety Regulations now prohibit the use of asbestos and lead based paint in residential construction work. The relocation of a previously used residence is considered to be construction work and may therefore require the safe treatment or removal of such products.

Developers will need to satisfy the Council that the project will be completed within an acceptable period of time. This will vary depending upon the age, style and location of the building and may involve the payment of a ten thousand dollar (\$10,000) refundable cash bond or provision of a bank guarantee prior to commencement of any work. In any event, the Council will require the structure to have the external appearance of a new dwelling within three months of its relocation to any site.

6.2 Concessions

It is expected that all development should positively contribute to the public domain. Buildings should be attractive when viewed from public places.

In developing policies, the Council hopes to provide guidance to potential developers and the general community as well as to development assessment staff.

The Council may choose to vary this plan at any time without further community consultation upon assessment of an individual development application. All proposals will be given a merit based assessment by authorised staff and proposals which fail to satisfy the requirements of this policy will be referred to the Council for final determination.

Applicants must satisfy the Council that there will be a positive community benefit gained from varying this plan.

Items requiring Council Resolution

Examples of this may include:

Dwellings which were constructed more than five years previously, that are to be relocated and modified by substantial additions or by cosmetic modernization such as brick veneering, replacement of windows, re-pitching and replacement of roofing.

A concession for relocation of a manufactured home from an approved caravan park or manufactured home estate onto a single residential allotment as a separate dwelling, granny flat, or accommodation for an additional member of the family

A concession may also be granted by the Council on the grounds of genuine financial hardship, where alternative accommodation is unattainable and the proposal will be an improvement to existing circumstances. This may be seen to be in the public interest where it will result in an improvement to the neighbourhood.

6.3 Community Consultation

The relocation of previously used dwellings into residential areas of the Village zone can often be quite a sensitive matter to the existing residents. It is important for the Council to ensure that an informed assessment of the merits of each proposal is made in the public interest. In order to achieve this, every application for relocation of a used residence, which was constructed more than five years previously and is proposed within the Village zone, will be publicly advertised and adjoining landowners invited to make comment.

6.4 Council Requirements for submitting an Application

All development proposals for relocation of previously used residences are required to obtain development consent from the Council in accordance with the provisions of the *NSW Environmental Planning & Assessment Act 1979*.

If development consent is granted to the applicant, it will then be necessary to obtain a construction certificate and to appoint a Principle Certifying Authority, prior to the commencement of any work.

Failure to do so is an offence under the Act, for which substantial penalties apply.

6.5 Additional Requirements

Additional information to be submitted with application:

- Plans
- Photographs

Items requiring Council Resolution

- Professional building condition report
- Approximate age or year of original construction (Where a building is less than 5 years old a copy of the previous construction approval documents or occupation certificate must be provided).
- Detailed specification of materials used in construction (including linings and cladding materials)
- Details of any proposed modifications
- Expected time table for completion of specified work
- Written submission in support of the proposal

Council requirements for submitting a development application are specified on the back of the development application form.

7 RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *Local Government Act 1993*
- *Environmental Planning & Assessment Act 1979*
- *Berrigan Shire Council local Environmental Plan 2013*
- *Work Health and Safety Act 2011*

7.2 Council policies

- **Berrigan Shire 2023 (Community Strategic Plan)**
- **Berrigan Shire Council Development Control Plan**

REPORT:

Council currently has a Policy for the Relocation of Previously Used Residences which refers to the previous planning instrument and is now out of date due to the introduction of Berrigan Local Environmental Plan 2013.

In the interests of maintaining acceptable levels of development within the Local Government Area it is considered that the policy should be updated to reflect the current planning instrument.

Whilst the Policy has served Council well in the past this modification is basically an exercise in ensuring the correct legislation is referred to. However, due to an issue with a current development, it is recommended that the refundable cash bond or bank guarantee applicable to each development be increased from \$5,000 to \$10,000. This increase is put in place to ensure that should the developer fail to comply with the time limit provisions of each development, the Council can engage contractors or undertake works to complete the restoration works to a satisfactory standard that is acceptable to the surrounding community.

Items requiring Council Resolution

5.6 CHRISTMAS OFFICE CLOSURE AND DECEMBER COUNCIL MEETING

AUTHOR: General Manager

FILE NO: 13.044.1

RECOMMENDATION: - that the Council:

- Close the Shire Office from 4.00 pm on Wednesday 24th December, 2014 reopening on Monday 5th January, 2015 with those days not being public holidays or weekends being deducted from staff leave entitlements.
- Close the Shire Libraries from close of business on Wednesday 24th December, 2014 until Monday 5th January, 2015 with those days not being public holidays or weekends being deducted from staff leave entitlements.
- That the Council's December Council meeting be held on Wednesday 17th December, 2014.

REPORT:

The Council often varies the date of its December Council meeting to allow outcomes to be implemented prior to Christmas.

The meeting would normally be held on 17th December, 2014 and as this allows adequate implementation time prior to Christmas office closure, it is suggested that the proposed date be retained.

Also, the Council has a Policy of closing the Shire Office between Christmas and New Year with those days not being public holidays, weekends etc. being deducted from staff leave entitlement.

This year, if implemented as per the Policy the Shire Office will close on Wednesday 24th December, 2014 and reopen on Friday 2nd January, 2015.

It is anticipated that many office staff will apply for leave on Friday 2nd January, 2015. It is also expected that external business demand will be minimal and therefore it is suggested that the office close on Wednesday 24th December, 2014 and reopen on Monday 5th January, 2015.

In relation to the Libraries these generally follow the Council's adopted office closure, though closing at normal close of business. It is therefore suggested that Libraries also close after normal business on Wednesday 24th December, 2014 and re-open on Monday 5th January, 2015.

The outdoor staff will maintain a skeleton staff to attend to essential maintenance and emergencies. Normal on-call arrangements will apply through contact with the general office telephone number.

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Items requiring Council Resolution

5.7 REVOCATION OF STOCK IMPOUNDING POLICY AND DOG AND DOG IMPOUNDING POLICY

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 11.011.1, 11.011.3

RECOMMENDATION: - that the Council

- Revoke Policy 34 “Dog and Dog Impounding Policy” adopted on 16 January 1996.
- Revoke Policy 67 “Stock Impounding Policy” adopted on 16 January 1996.

REPORT:

In 1996 the Council adopted two policies regarding the impoundment of wandering stock and the impoundment of dogs.

These policies were recently reviewed by Council staff as part of a general review of the Council’s policies. The review was determined that the policy no longer reflects current practice and should be either reviewed or revoked.

The items covered by the policies are adequately dealt with in the legislation and thus replacements are not required.

However the Council may – if it wished – request Council staff to prepare replacement policies for consideration.

Items requiring Council Resolution

5.8 BERRIGAN DEVELOPMENT CONTROL PLAN 2014

AUTHOR: Development Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO:

RECOMMENDATION: that Berrigan Development Control Plan 2014 be approved in accordance with the provisions of the Environmental Planning and Assessment Regulation 2000.

REPORT:

At the August General Council meeting it was resolved to publicly exhibit Draft Development Control Plan 2014 for public comment for the statutory 28 day period.

The DCP was duly exhibited for the statutory period. No submissions in respect of the document have been received.

It is considered that the DCP can now be approved, subject to minor formatting alterations as indicated in Appendix C, and given effect by public notice in a local newspaper in accordance with the provisions of Clause 21 of the Environmental Planning and Assessment Regulation 2000.

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Items requiring Council Resolution

**5.9 BAROOGA ADVANCEMENT GROUP
COMMITTEE OF MANAGEMENT**

AUTHOR: General Manager

STRATEGIC OUTCOME: Good government

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

FILE NO: 02.036.1

RECOMMENDATION: - that the Council:

- A) Revoke existing members of the Barooga Advancement Group Committee of Management.
- B) pursuant to Section 355 of the Local Government Act, 1993, appoint the following persons to the BAROOGA ADVANCEMENT GROUP Committee of Management:

President	Darrell Bowden
Secretary	Karen Bruce
Treasurer	Nikki Foster and Tash Bignell
Committee	John Bruce, Bob Davis, Trevor Ellison, Barry Kennedy, Sue Kennedy, Lyn Thatcher, Denis Thatcher, Ian Yeoman.

REPORT:

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

Items requiring Council Resolution

**5.10 DEVELOPMENT APPLICATION 34/15/DA/DM
STRAWBERRY FIELDS CAMPING AND
MUSIC EVENT 2014**

AUTHOR: Development Manager

STRATEGIC OUTCOME: Diverse and resilient business

STRATEGIC OBJECTIVE: 4.2 Strengthen and diversify the local economy

FILE NO: 34/15/DA/DM

RECOMMENDATION: that Development application 34/15/DA/DM be approved subject to the following conditions:

1. Approved Plans

The development shall be implemented substantially in accordance with the details set out on the Strawberry Fields Site Map, Event Plan, Emergency Procedures Manual and on the application form and any supporting information received with the application except as amended by the conditions specified hereunder.

2. Pollution

All necessary precautions must be taken to ensure that pollution of waterways does not occur in accordance with the provisions of section 120 of the Protection of the Environment Operations Act 1997.

3. Impact on Adjoining Properties

Measures must be taken to minimise and control the emission of dust and noise from the property to ensure that there is minimal impact on adjoining properties.

4. Combustible Material

The event site and camping areas must be grazed and / or slashed prior to the event so as to reduce combustible material and reduce the risk of harm by fire.

5. Aboriginal Place or Objects

Activities on the site must not harm or desecrate any Aboriginal place or object in accordance with the National Parks and Wildlife Act 1974. Should any Aboriginal object be discovered and / or harmed in, on or under the land, the event organiser must notify the NSW Office of Environment and Heritage.

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Items requiring Council Resolution

6. Mosquito Borne Diseases

Precautions must be undertaken prior to, and during, the event to reduce the potential for exposure to mosquito borne diseases given that there are large areas of stagnant water in close proximity to the site. The Murrumbidgee Local Health District of the NSW Department of Health in Wagga Wagga can be contacted on (02) 69339100 for advice.

7. Food Stall Holders

All food stall holders must operate in accordance with the NSW Food Act 2003 to ensure that the health and well being of patrons is maintained.

8. Emergency Services

All emergency service organisations in the locality must be notified at least two weeks prior to the event to ensure that all resources will be available in case of emergency. In addition, due to poor phone coverage in the area, you will be required to set up a communications centre that utilizes appropriate phone/satellite phone technology to enable liaison with emergency services in particular NSW Ambulance Service and NSW Rural Fire Service prior to the event.

9. Fencing

Appropriate fencing must be provided and maintained between the event site and adjoining properties throughout the event in order to contain patrons and prevent stock escaping.

10. Security

All security personnel must be licensed in New South Wales. Boundaries with adjoining properties are to be monitored at all times with patrons warned upon entry that penalties apply if caught trespassing. Sufficient security personnel must be employed to achieve the above requirement and a security presence must be maintained from Thursday until Tuesday noon. This condition is added to maintain site safety and ensure patrons do not encroach on adjoining properties.

11. Native Vegetation

Any destruction or injury to native vegetation is to be undertaken in accordance with the provisions of the Native Vegetation Act 2003 and where necessary an approval obtained from the Murray Local Land Services.

12. Litter

Garbage bins must be provided throughout the area and the site must be inspected following the event to ensure all litter is collected and disposed of appropriately. At the cessation of the event a site inspection must be arranged with Council officers to ensure that there is no refuse remaining on site.

Items requiring Council Resolution

13. Site Inspection

An inspection by Council officers prior to the event must be arranged and undertaken to ensure all conditions of consent have been met and the proposal has been implemented in accordance with the submitted documents.

14. Traffic Management

Provision must be made on site for extensive traffic queuing areas and a sufficient number of traffic management staff employed to direct traffic in an orderly manner to ensure that queuing on Lower River Road does not occur at peak times or in the event of access to the camping areas being obstructed.

15. Liquor Licensing

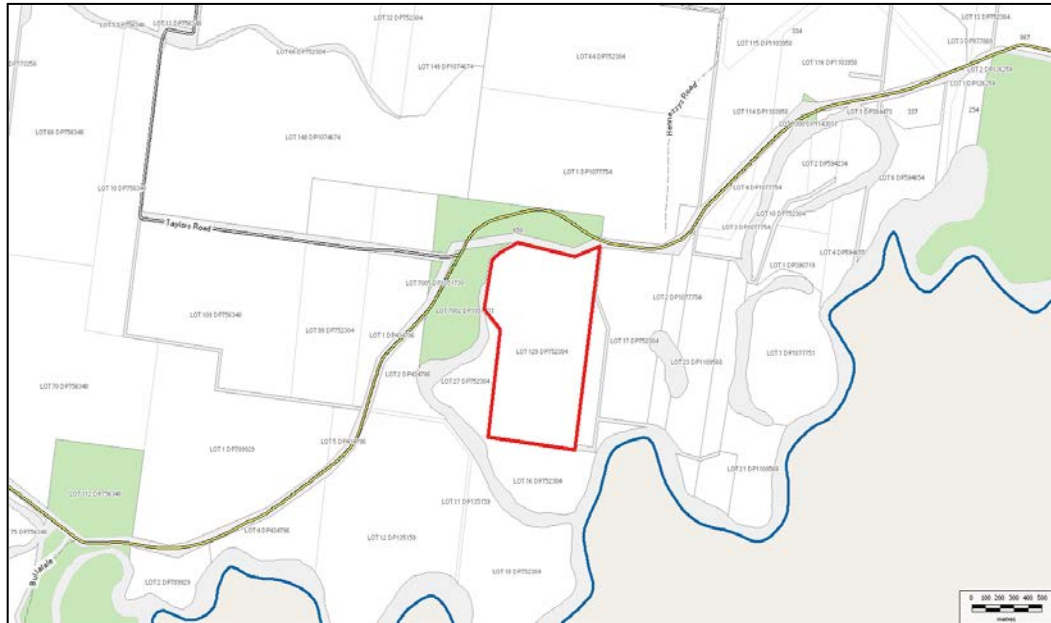
A valid liquor license issued by the NSW Independent Liquor and Gaming Authority must be in place for the event and all persons responsible for the sale of alcohol must possess accredited Responsible Service of Alcohol certificates. Evidence of this must be provided to Council prior to commencement of the event.

REPORT:

Site

The site is Lot 129 DP752304, Lower River Road, Tocumwal which has an area of 80.84ha. The land is located approximately 10km west of the township of Tocumwal within the RU1 – Primary Production Zone under the provisions of Berrigan Local Environmental Plan 2013 (BLEP). The land is designated bushfire and flood prone and is located in the area to which Murray Regional Environmental Plan No. 2 – Riverine Land applies (MREP2). The site consists largely of bush land, scrub, cleared areas and waterways. Adjoining properties are generally rural agricultural in nature with the nearest permanent residence located approximately 3km from the site.

Items requiring Council Resolution

Proposal Details

The proposed activity is an outdoor music festival with live performers, DJs and camping. The event is likely to attract up to 4000 patrons, gates open at 12pm Friday 21 November and close at 12pm Tuesday 24 November. Café's, food and retail stalls will be incorporated within designated market areas and a garden bar will serve craft ciders, beers and a limited range of spirits. Speakers and workshops will feature during the day time with primary entertainment running from 4pm Friday 21nd November to 2am Saturday 22rd November and then from 9am Saturday 23rd November to 8.30pm Monday 23th November. All patrons are to have vacated the property by 12pm Tuesday 24th November, after which time only Event Staff will remain to complete site cleanup.

A covering letter, site plan, a detailed and comprehensive Event Plan has been prepared and submitted in support of this application incorporating waste and traffic management plans as well as environmental, community engagement and operational management plans. An Emergency Procedures manual incorporating fire, medical and security management plans has also been submitted (See Appendix D).

Statutory Details

The proposed event is able to be undertaken on the land with the consent of Council under the zoning provisions of Berrigan Local Environmental Plan 2013.

Due to the proximity of the event with the Murray River consideration of potential impacts that may ensue are required to be assessed under the Murray Regional Environmental Plan No.2 – Riverine Land. As a temporary use of the land the proposal does not trigger any specific referral or consultation requirements under the provisions of this plan and it is not

Items requiring Council Resolution

inconsistent with the general aim of the plan to enhance the riverine environment for the benefit of all users. Given the limited duration of the event and the substantial environmental commitments provided by the proponent in the Event Plan, it is considered that the provisions of MREP2 have been satisfied.

Advertising / Notification

The proposed event was advertised, neighbours notified and referred to a number of public authorities and emergency service organisations. Written submissions on the proposal were accepted until Friday 10th October 2014. At the close of agenda Tuesday 7th October three written submission had been received (any further submissions to be distributed in Council meeting).

The Ambulance Service of NSW has advised that it had no objections to the proposal.

The NSW EPA has not objected to the proposal however has requested the Council to ensure that the proponent is aware of and implements measures to minimize and control the emission of dust and noise, and to ensure that the pollution of waterways does not occur.

The adjoining property owner has objected to the proposal on a number of grounds including noise, trespassing, access on Lower River Road and fire risk.

Response to issues with previous events

Trespassing

An increased security presence at last year's event significantly reduced trespassing to the adjoining lagoon as did the provision of a dedicated swimming area within the site. The event organizers have indicated that a new professional security company will be employed this year and a condition of consent will require appropriate fencing to be provided and maintained at all times between the event site and adjoining properties. Security staff will patrol these boundaries for the duration of the event. A significantly higher security presence is proposed for this year's event and a condition of consent will require adequate numbers to effectively patrol the boundaries.

It is also worth noting that the majority of trespassing incidences last year involved local youth gaining access to the site via adjoining properties. The event this year will include a designated swimming area, advertised and sign posted throughout the site with patrons being advised upon entry that any person caught trespassing will be permanently ejected from the event and have their ticket confiscated.

Items requiring Council Resolution

Noise disturbance

Another condition of consent will require measures to be taken to minimize noise impact on neighbouring properties. A site inspection conducted by a Council Officer during the event last year noted that noise was not considered excessive given the nature of the event. This confirms the statement in the event plan that continued improvements have been with regard to noise management made due to stage location and sound system engineering.

Litter

Dedicated waste management staff will roam the grounds collecting loose rubbish and litter which will be securely bagged and disposed of into dedicated skips. The size of this waste management team will be increased in 2014.

Following the event the area will be inspected by the organizers to ensure all litter has been removed. In response to submissions made in previous years concerning this issue an inspection will also be made by Council officers at the cessation of the event to ensure there is no refuse remaining on site.

Improvements this year include a waste management plan, a \$5 environmental subsidy imposed on attendee's to the site and other recycling initiatives as outlined in the Plan.

Traffic / Lower River Road

A comprehensive traffic management plan has been submitted by the applicant. Furthermore, queuing areas will be provided within the site aimed at reducing the impact on Lower River Road. It is proposed to double these queuing areas in 2014 to at least 1km in length as well as doubling traffic management staff during peak times which will be reinforced via a condition of consent.

Potential Fire Risk

A designated fire warden supported by a 13 man fire team will be on site at all times, ensuring compliance with the total fire ban policy. Extensive fire prevention strategies are outlined in the Emergency Management Plan (Appendix D) and appropriate fire fighting vehicles and equipment will be readily available on site.

Security

The security team and security staff will be dramatically increased this year. The organizers will be employing the services of a new security company and will comply with all legislation outlining the ratio of security personnel to patrons. Discussions with NSW Police Force have indicated that the security employed on site are required to be licensed in NSW and a condition of consent will be applied to reflect this requirement. It must also be ensured that appropriate numbers be employed to prevent encroachment on to neighbouring properties and for a security presence to be maintained for the duration of the event i.e. from Thursday until Tuesday noon.

Items requiring Council Resolution

Effect on Native Animals

Appropriate noise and pollution conditions of consent will minimize the impact on native animals. An event of this nature will obviously unavoidably affect native animals in the area but with the duration of the event being five days this is not likely to be a long term impact. A condition of consent will require appropriate fencing between the site and adjoining properties to minimise the impact on neighbouring stock and prevent them from escaping.

Access to the site

The main access track leading into the festival has had significant improvements undertaken in previous years to allow for all weather access and there were no issues associated with this during the 2013 event.

Discussion

The site adjoins Lower River Road, is slightly undulating, contains significant native vegetation and has a cleared area of approximately 25ha. A large lagoon traverses the northern section of the property. The event is proposed to be held in the central cleared section of the property with camping extending northwards adjacent to the lagoon and southward to the property boundary.

The attached Event Plan provides a comprehensive overview of the event incorporating waste and traffic management plans as well as community engagement and operational management plans. A separate Emergency Procedures manual incorporates fire, medical and security management plans and received no objection having been referred to all relevant authorities with NSW Ambulance offering a letter of support.

The proponent has demonstrated that the event is to be well organized in a professional manner. All perceived issues have been thoroughly addressed with lessons having been learnt from previous years and significant improvements having been made.

Whilst it is recognised that there will be some disruption in the area over the period of the event it is considered that, given the relative isolation of the site and distance from residential properties, the potential impacts will be minimal. It is worth noting that the nearest permanent residence is approximately 3km from the event site.

Based on the information provided by the applicant it would appear that the event is to be undertaken in a responsible manner however it must be ensured that, in the event of consent being granted for the activity, appropriate conditions are applied that address the above issues. These conditions have been applied in previous years and have been strengthened and enhanced for the event in 2014.

Items requiring Council Resolution

The facilities to be provided for patrons at the event are more than adequate and there are appropriate plans in place which effectively address the health and well being of those attending the event and minimize any potential impacts of the event on adjoining land owners. A condition of consent will require the development to be implemented in accordance with the details set out in these plans.

Finally it is worth noting the positive economic impacts likely to result from the attraction of up to 4000 patrons to the outskirts of Tocumwal. In addition to the potential benefits of those attending taking a detour into the township of Tocumwal the applicant proposes to actively support local businesses by renting out local motels and B&Bs for staff accommodation, engaging local contractor and equipment hire and providing complementary free market stalls to residents of Tocumwal. In this regard it should be noted that the Tocumwal Chamber of Commerce is in full support of the event and the economic benefits that are generated.

Section 79C Evaluation

Section 79C of the Environmental Planning and Assessment Act 1979 outlines what matters a consent authority is to take into consideration in determining a development application.

79C (a)(i) the provisions of any environmental planning instrument

Applicable EPIs	Applicable Clauses	Compliance
Murray Regional Environmental Plan #2 – Riverine Land	Clause 9 – General principles Clause 10 – Specific principles Clause 13 – Planning control & consultation	Yes Yes Yes

79C (a)(ii) the provisions of any draft environmental planning instrument

Applicable EPIs	Applicable Clauses	Compliance
Berrigan Local Environmental Plan 2013	Clause 2.8 – Temporary Use of Land Clause 5.11 – Bush fire hazard reduction Clause 6.2 – Flood Planning Clause 6.5 – Terrestrial Biodiversity Clause 6.6 – Riparian Land and Waterways Clause 6.7 – Wetlands	Yes Yes Yes Yes Yes Yes

Section 79C (1) (a)(iii) any development control plan

Applicable DCPs	Applicable Clauses	Compliance
Development Assessment and Control Community Consultation Policy	Clause 3.2 – Public Notification Clause 3.3 – Notification in Local Newspaper	Yes Yes

Items requiring Council Resolution

79C (a)(iv) any matters prescribed by the regulations

	Applicable Clauses	Compliance
Environmental Planning and Regulations	Part 6 – Procedures Related to Development Applications	Yes

79C (b) the likely impacts of that development

Primary Matters	Comment
Access, Transport and Traffic	A comprehensive traffic management plan has been submitted and access to the site has been upgraded.
Public Domain	Suitable pedestrian linkages are provided within the site.
Utilities	A minimum of 30000 liters of clean drinking water will be provided through a temporary underground piping system and six generators with a rated power output of 40KVa will be employed.
Environmental Impacts	Any significant environmental impacts are considered to be short term in nature due to the limited duration of the event. The proposal was referred to the Office of Environment and heritage for comment with no objection received. An environmental action and waste management plan outlines a commitment to the environment and adequate measures for sanitary facilities, sewerage disposal and waste collection.
Noise	Noise pollution is inevitable and measures have been taken to mitigate this with improvements made from previous years. The site is located in a suitable area with very few residential properties in close proximity.
Natural Hazards	A comprehensive emergency management plan has been submitted establishing the administrative structure and procedures for the handling of emergencies including natural hazards (See Appendix D).
Safety, security and crime prevention	Professional security officials will control underage admission, monitor the festival boundary and prevent access to the electrical generators. Officials will also handle patrons displaying anti-social behavior and summon emergency services as required.
Social Impact	This proposal has the potential to have a negative impact in terms of social cohesion in the locality. This has been mitigated as far as is possible through notification and consultation with residents in the locality and wider Tocumwal community organisations.
Economic Impact	The proposal will have a significant positive economic impact. Event attendees are likely to patronage shops and services in Tocumwal and local businesses are actively tendered.

79C (c) the suitability of the site for the development

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Items requiring Council Resolution

Primary Matters	Comment
Does the proposal fit in the locality?	The locality of the site being isolated and far from significant numbers of residential dwellings is ideal for a use of this nature.
Are the site attributes conducive to development?	Necessary precautions have been taken to mitigate any site attributes which are not conducive to development.

79C (d) any submissions made in accordance with this Act or the Regulations

Primary Matters	Comment
Public Submissions	One submissions received by close of agenda – submissions received following this to be considered in Council meeting.
Submissions from Public Authorities	Two supporting submissions received from NSW Ambulance and NSW EPA - any further submissions to be considered in Council meeting.

79C (e) the public interest

Primary Matters	Comment
Community Interests	The event is ultimately considered to be in the public interest by attracting a significant number of visitors to the area and stimulating the local economy in Tocumwal.

Conclusion

The Strawberry Fields camping, lifestyle and music event is to be held in an appropriate location that will minimise any potential nuisance to the general community. The proposed event is supported by a well developed event plan that addresses all the necessary components of an event of this nature. A comprehensive emergency procedures manual demonstrates that all hazards and risks associated with such an event have been mitigated. Whilst there will be some disruption in the locality this is not anticipated to be significant and is only of short term duration.

All issues arising from the event in previous years have been addressed and measures put in place to rectify them. Matters raised in submissions have been considered and the proposal is ultimately deemed to be in the public interest from an economic perspective.

It is considered that the proposed development is satisfactory and can be supported subject to the above conditions.

Items requiring Council Resolution

5.11 NSW GRAIN HARVEST MANAGEMENT SCHEME 2014/16

AUTHOR: Director Technical Services

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities

FILE NO: 28.108.1

RECOMMENDATION: that the Council participate in the NSW Grain Harvest Scheme 2014/16, subject to agreement from Murray Irrigation Pty Ltd that they support such participation in relation to increased loadings on their structures.

REPORT:

The NSW Government has approved the Grain Harvest Management Scheme which will run from 1 October, 2014 to 30 June, 2016 to improve the productivity and efficiency of the grain transport task.

The Scheme was developed by Transport for NSW and will now be administered by Roads and Maritime Services.

Under the scheme, eligible heavy vehicles may exceed regulated total mass limits by up to 5% when delivering the following grains to participating grain receivers in participating council areas:

Cereals that are wheat, barley, rice, oats, triticale, sorghum, maize or millets
Oilseeds that are canola, sunflowers, monola or safflower

Pulses that are chickpeas; faba; beans; lupins; mung; beans; field; peas; soybeans; vetch; or lentils.

This is a broader range of grains than was available under the 2013/14 Scheme.

Local councils may decide to participate in the Scheme for the complete period or for specific time periods and may also specify access conditions.

The consensus reached with engineers from our neighbouring Councils is that we all recommend our Council's participation in the scheme until the end of

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Items requiring Council Resolution

April 2015 and review the effect of the scheme in March 2015 with a further recommendation regarding participation for the 2015-16 period.

As advised when the scheme was considered last year, many roads within the Council area are crossed by irrigation channels and have associated bridges and culverts that are the responsibility of Murray Irrigation Limited to maintain. These structures are subject to the conditions of an agreement between MIL and the Council (CAAT Agreement) that may jeopardize the Council's responsibility for maintenance costs should it approve access to vehicles that have higher mass loadings than those approved by the State Government for general access or concessional mass limits. Murray Irrigation provided written confirmation last year that they supported the scheme and a similar assurance would be required before Council agreeing to participate in the new scheme. In this regard Murray Irrigation has been requested to advise their position in relation to the scheme.

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Items requiring Council Resolution

5.12 JOINT ORGANISATION PILOT - RAMROC**AUTHOR:** Director Corporate Services**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance by Council of Council operations and reporting**FILE NO:** 13.010.1, 14.099.2**RECOMMENDATION:** - That the Council advise RAMROC that it supports participation in the "Fit for the Future" Joint Organisation pilot program under a model that includes all existing RAMROC councils.

REPORT:

At its special meeting held on 8 October, 2014, the Riverina and Murray Group of Councils (RAMROC) made the following resolution:

RESOLVED that this meeting of RAMROC resolves to submit an Expression of Interest to the Office of Local Government, proposing the design and establishment of one comprehensive Joint Organisation with no regional sub-groupings. The RAMROC Expression of Interest for the Pilot Joint Organisation proposes the inclusion of all RAMROC Councils across the Upper Murray, Mid-Murray and Murrumbidgee groupings as set out in the State Government's "Fit for the Future" roadmap for Joint Organisations, as well as incorporating Balranald and Wentworth Shire Councils
(Moved Albury and seconded Griffith)

This resolution supports what has been the Council's preferred Joint Organisation model throughout the Local Government Review process.

In the opinion of the RAMROC executive, any submission to participate as a pilot program would need the support of all councils and as such they have asked member Councils to advise them of their support and participation.

There was some support at the meeting for an alternate Joint Organisation model covering the Mid-Murray region (Berrigan, Jerilderie, Murray, Conargo, Deniliquin and Wakool) and the Council could consider this model as an alternative should it wish.

The minutes of the Special Meeting are attached as Appendix E.

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Items requiring Council Resolution

5.13 LIBRARY STRATEGIC PLAN

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged communities

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

FILE NO: 03.095.2

RECOMMENDATION: - that the Council adopt the 2014 Library Services Strategic Plan as attached as Appendix F.

REPORT:

The Library Manager, with advice and assistance from the Strategic and Social Planning Officer, has prepared a Library Services Strategic Plan for consideration and adoption.

This plan replaces the previous Library Services Strategic Plan, which expired in 2010.

The plan sets out the proposed strategic direction for the Berrigan Shire Library Service for the next four years. It has been developed in line with the Integrated Planning and Reporting Framework and as such is integrated into the Council's Community Strategic Plan and other plans and strategies.

Once adopted, the Library Services Strategic Plan will then be incorporated into future Delivery Programs and Operational Plans, should the Council choose to fund the proposed activities. The plan can also be used to seek funding assistance from other bodies.

Input into the plan was provided by library staff, library patrons and the general community through a comprehensive community engagement and consultation process.

The plan identifies three key strategic outcomes for the Library Service

1. **Contemporary Rural Library Service** – As a rural, stand-alone library service, it will continue to offer traditional collections while increasing access to digital content and the digital literacy of the broader community.
2. **Responsive Community Hub** – the library service has a role to play in promoting community wellbeing by bringing people together and to

Items requiring Council Resolution

support creative activities and access to cultural opportunities

3. **People Management** – to ensure that the library service can provide the types and level of service desired by our community, the service will strive to ensure all library staff are suitably trained and qualified and maintain staffing levels.

Activities proposed in the strategic plan include:

- Improved marketing and promotion
- Use of social media and other types of media such as newsletters and email
- Support library users in the use of digital technology and online databases.
- Promote “cyber safety” and awareness of the risks of being online
- Investigate options for increasing floor space at Tocumwal library
- Investigate and trial alternative opening hours
- Develop a local history program
- Develop seniors programs

The Council may choose to:

- adopt this plan,
- revise this plan, or
- request Council staff to make revisions and bring those changes to a future meeting.

Questions and comments on the plan are welcome.

Items requiring Council Resolution

5.14 NATIONAL STRONGER REGIONS FUND

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 4.2 Strengthen and diversify the local economy

FILE NO: 15.128.31

RECOMMENDATION: - that the Council:

- submit an application under the National Stronger Regions Fund for infrastructure works at the Tocumwal Intermodal
- Commit up to \$1m to the project as its contribution

That Council staff prepare a report on the impact of borrowing \$1m for this project to the November Council meeting for consideration.

REPORT:

The Federal Department of Infrastructure and Regional Development is inviting applications for funding under a new program – the National Stronger Regions Fund. The funding guidelines are attached as Appendix G.

The Federal Government states that “the Fund will invest \$1 billion over five years and support investment in the priority economic and infrastructure areas – from freight and transport projects to convention centres and major multi-purpose sports facilities.”

The Council must match funding provided in this program “dollar-for-dollar”

Applicable projects

The guidelines state:

Grant funding of between \$20,000 and \$10 million (GST exclusive) will be provided for infrastructure projects which provide economic benefit and have an identifiable and sustainable impact on a region. Projects must be capital in nature and could involve the construction of new infrastructure, or the upgrade, extension or enhancement of existing infrastructure.

Some examples shown in the guidelines for suitable projects include:

Items requiring Council Resolution

- *improve or upgrade transport networks to support connectivity and freight movement, such as transport hubs, intermodal services, airports, or upgrades to wharves or cargo loading facilities which cannot be funded by the market;*
- *enhance the efficient movement of freight, support an industrial estate or strengthen supply chains;*
- *increase access to water and waste services, support improved water management or enhance irrigation services (routine upgrades and repairs will not be funded);*
- *extend or enhance services to regions, for example deliver gas pipelines to new industrial estates, upgrade water pipes to support irrigation and industrial growth, or more efficiently manage waste water;*
- *convention centres and community or performance centres which deliver economic benefits or support increases in tourism;*

The guidelines strongly discourage applications for local sporting facilities.

Timeframes

The Council would need to submit an application for Round 1 by

2. Key Dates

Key Dates	
NSRF Announced	1 October 2014
NSRF Guidelines Published	1 October 2014
Round One Applications Open	1 October 2014
Round One Applications Close	28 November 2014
Round One Application Assessment Completed	31 March 2015
Announcements of Round One Projects to be Funded	May 2015
Round Two Applications Open	1 May 2015
Round Two Applications Close	31 July 2015
Round Two Application Assessment Completed	31 October 2015
Announcements of Round Two Projects to be Funded	December 2015

RESOLUTION

Items requiring Council Resolution

Suitable projects

The scope of the funding program is reasonably wide – based around “infrastructure” improvement creating “economic benefit”.

The Council has identified on several occasions their interest in the infrastructure works required at the Tocumwal Intermodal. An application for these works would clearly meet the funding criteria, subject to the Council providing matching funding. The matching funding could in the form of a loan, or a drawing down from reserves.

A reasonable proportion of the work required to submit an application has been done for the Intermodal project and this could be put together reasonably quickly.

However the Council would still be required to seek community approval for a loan (if it chooses to borrow), update its Long Term Financial Plan and perhaps complete a Capital Expenditure Review.

The Council may wish to consider other suitable projects including but not limited to:

- Mobile black spots
- Tocumwal foreshore boardwalk

If the Council chose to choose another project, Council staff would need to spend a considerable amount of time scoping and preparing the project for submission. In this case it might be more suitable to consider an application for that project in Round 2.

Items requiring Council Resolution

5.15 REQUEST FOR ASSISTANCE – CHARITY HAY RUN**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:** 2.163.1**RECOMMENDATION:** - that the Council provide \$500 as its contribution to the RAMROC donation to the Charity Hay Run.

REPORT:

At their meeting on 8 October 2014, The Riverina and Murray Group of Councils (RAMROC) encouraged its member Councils to financially support the Charity Hay Run.

The Charity Hay Run provides assistance to farmers affected by the drought conditions in northern New South Wales by arranging a convoy of trucks to deliver hay from this region.

The organisers have approached RAMROC for assistance. RAMROC have suggested that member Councils may consider an amount of between \$500 to \$1,000, to be collected by RAMROC to deliver as a bulk donation to the organisers. Correspondance from RAMROC is attached as Appendix H.

When dealing with similar applications in the past, Council staff have refused funding on the basis that, while worthy, the activity does not benefit the Berrigan Shire community. That said, participation in this funding arrangement would demonstrate commitment to a project supported by its RAMROC partners.

The request does not meet any of the criteria in the Council's policy on [Requests for Donations and Financial Assistance](#), however the Council can still support this request, if it so chooses.

Items requiring Council Resolution

5.16 ORGANISATIONAL STRUCTURE – EARLY INTERVENTION SERVICE

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged communities

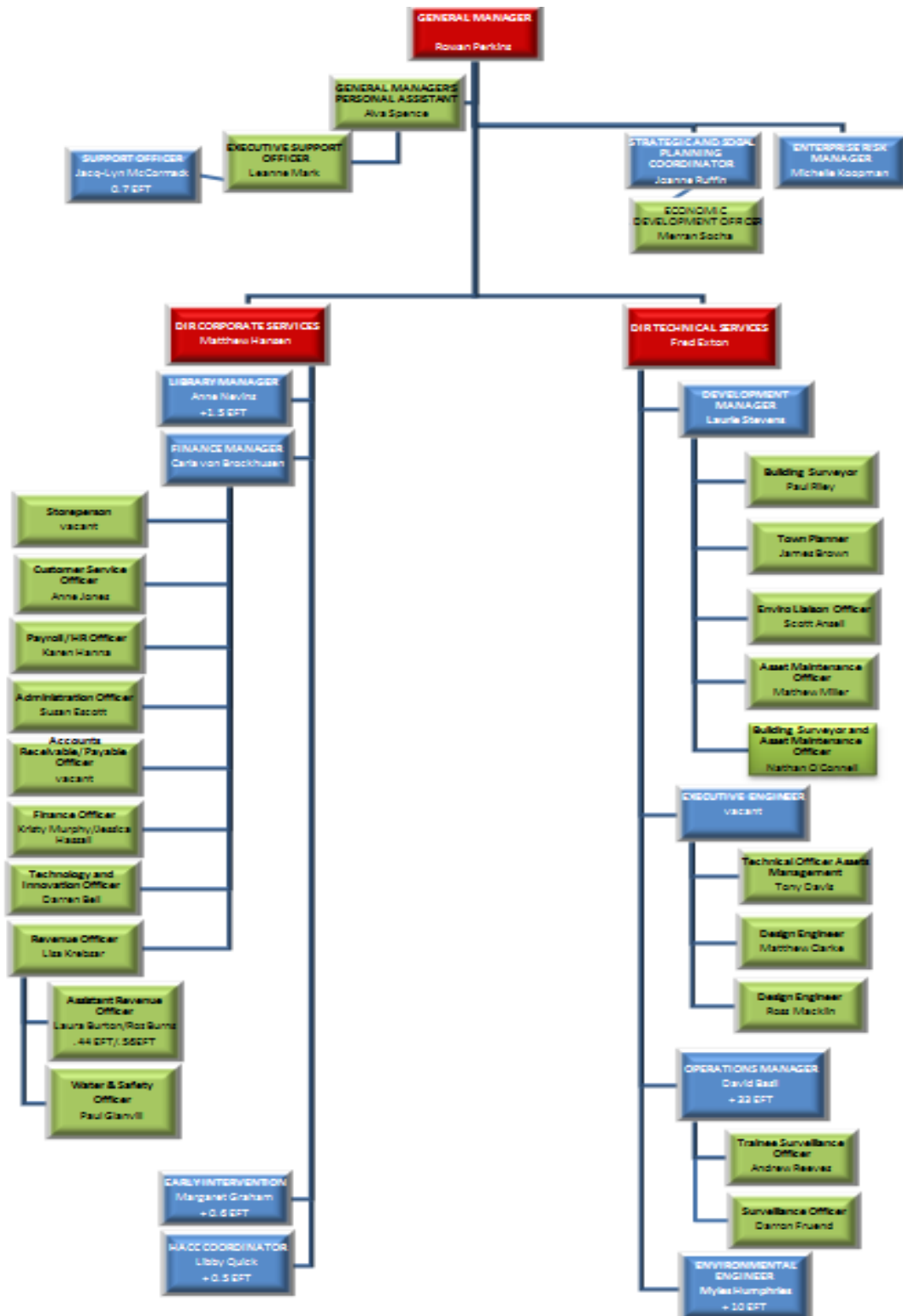
STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO: 3.160.3

RECOMMENDATION: - that the Council amend its organisational structure to include a part-time Early Intervention Officer position as shown below

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Items requiring Council Resolution



RESOLUTION

Items requiring Council Resolution

REPORT:

As previously reported to the Council, the Berrigan Shire Early Intervention Service has been expanded to take in the provision of Early Intervention services to Urana Shire.

Ageing Disability and Home Care NSW has provided additional funding to the Council to employ an additional part-time person to assist in the provision of this service across Berrigan, Jerilderie and Urana Shires.

Before this person can be employed, the Council will need to amend their organisational structure to formally create this position. The revised structure is shown above.

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Items requiring Council Resolution

**5.17 HOME AND COMMUNITY CARE –
EXPRESSIONS OF INTEREST**

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO: 03.160.5

RECOMMEDATION: that the Council, noting the Expressions of Interest:

- **Select Intereach Limited as its preferred provider for Home and Community Care services in Berrigan and Jerilderie Shires. and**
- **Recommend to ADHC NSW and the Department of Health and Aging that the Council's responsibilities and funding under the Council's current funding agreements be passed on to Intereach Limited from a date to be set.**

REPORT

This Expression of Interest is for the provision of Home and Community Care services in Berrigan and Jerilderie Shires currently provided by Berrigan Shire Council with funding from ADHC NSW and the Federal Department of Health and Aging.

The Expression of Interest was to determine a preferred provider of these services, given the Council's decision to divest itself of these services pending the introduction of the National Disability Insurance Scheme (NDIS) and the Consumer Directed Care (CDC) model.

Note that the Council has no power to appoint an organisation to provide these services – this is a role for the funding bodies themselves. This process is simply to determine a preferred provider to recommend to the two funding bodies.

Expressions of Interest closed on 2.00pm, Wednesday 4 June 2014. Three submissions were received.

1. MHA Care Limited
2. Intereach Limited
3. Berrigan and District Aged Care Association Limited (Amaroo)

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Items requiring Council Resolution

Panel membership

The submissions were evaluated by the following:

Matthew Hansen – Director Technical Services
 Joanne Ruffin – Social and Strategic Planning Officer
 Ryan Quamby – Senior Project Officer – ADHC NSW

Consideration of the Tenders

Each expression of interest was evaluated separately in accordance with the evaluation criteria:

Criteria	Highest Possible Score	Weighting
1. Appropriate accreditation	4	5
2. Current provider within Berrigan and/or Jerilderie Shires	4	5
3. Appreciation of needs of local rural communities	4	5
4. Existing physical presence in Berrigan and/or Jerilderie Shires or commitment to establish one	4	5
5. Capacity to deliver service	4	5
6. Employment opportunities for existing staff	4	5
7. Demonstrated experience and capacity	4	5

A summary of each tenders evaluation by the evaluation panel is provided in the Confidential section.

Summary

Based on the evaluation criteria, the evaluation panel has selected Intereach Limited as its preferred provider of Home and Community Care services in Berrigan and Jerilderie Shires.

Items for Noting

RECOMMENDATION – that Items for Noting numbered 6.1 to 6. Inclusive be received and noted.

6.1 QUARTERLY LIBRARY REPORT

AUTHOR: Library Manager

STRATEGIC OUTCOME: Good government

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

FILE NO: 03.095.2

REPORT:

The July to September quarterly report reflects a healthy local library world.

Programs

Two school holidays events of Looms and Wacky Weaving enticed a total of 321 children to participate, while the regular weekly Story Time sessions attracted 417 pre-schoolers plus their carers.

Mah-jong remains a strong social group, as does the Scrabble and iPad conversation group. A fledgling Mothers Group has been initiated by mothers from a community need in Berrigan which we are trying to nurture by encouraging use of the library facilities based around weekly Story times.

Monthly films, school class groups, Four Book Clubs and Broadband for Seniors library programs continue with positive community support.

Events

Popular children's author Michael Salmon charmed all the children in Finley, [323] while local Tocumwal author, Megan Keith explained the self-publishing world to Tocumwal Friends of the Library and local residents.

Genealogy Week was celebrated with a Family History Workshop at Barooga and Tocumwal branches facilitated by Cobram Genealogy Society with 19 interested participants who were informed of the Family History resources the Library Service has to offer community members.

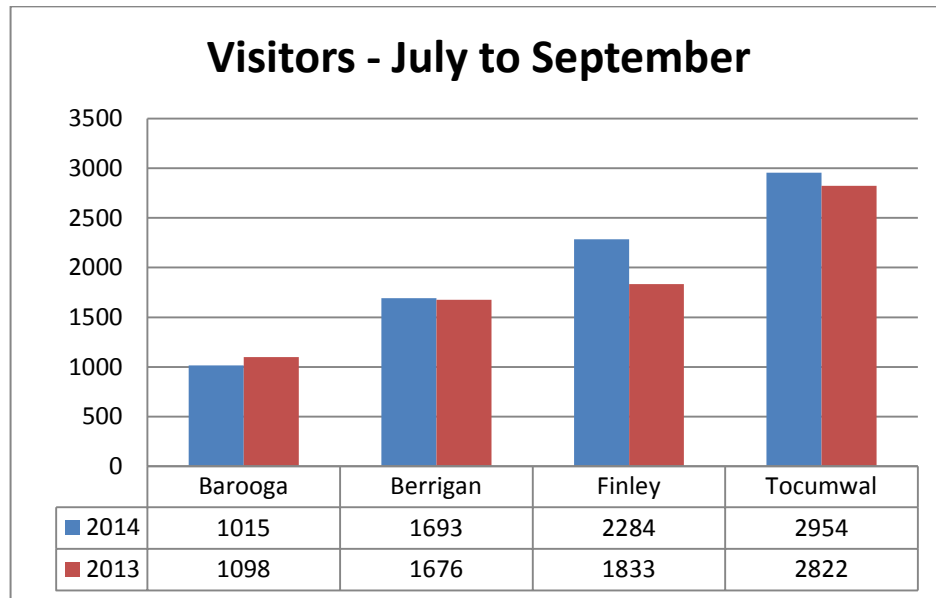
Barooga Library community room hosted a language learning class for 20 Japanese exchange students.

NOTING

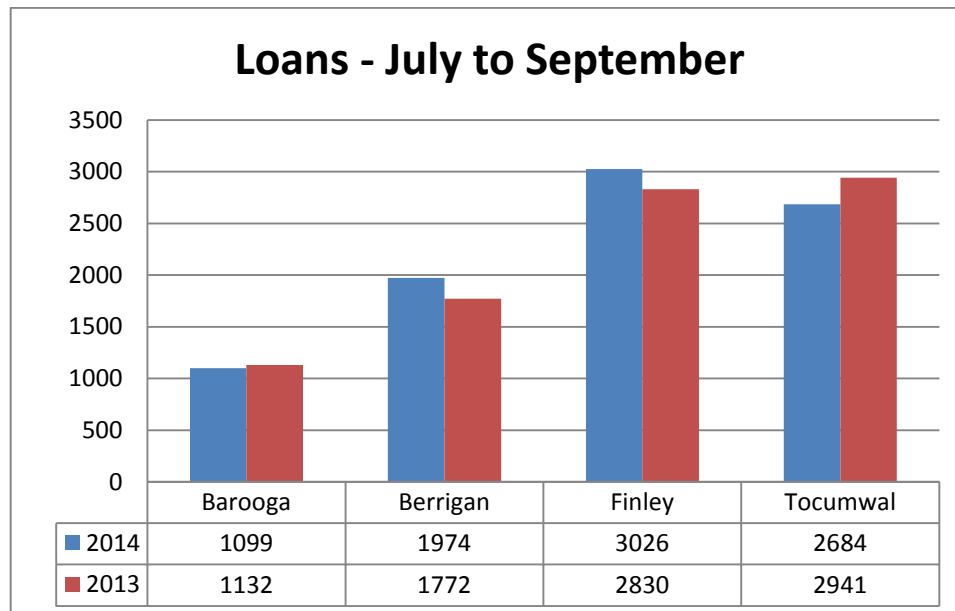
Items for Noting

Statistics

All libraries except Barooga saw a small increase in visitor numbers for the September quarter from the corresponding period last year

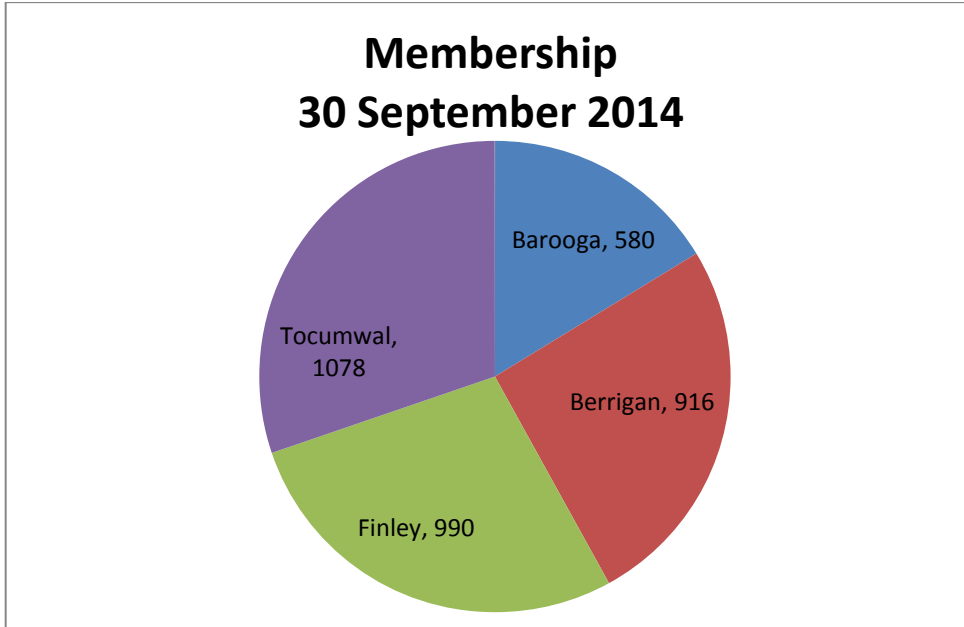


There was a strong increase in loans from Finley and Berrigan with a small decline at Tocumwal and Barooga

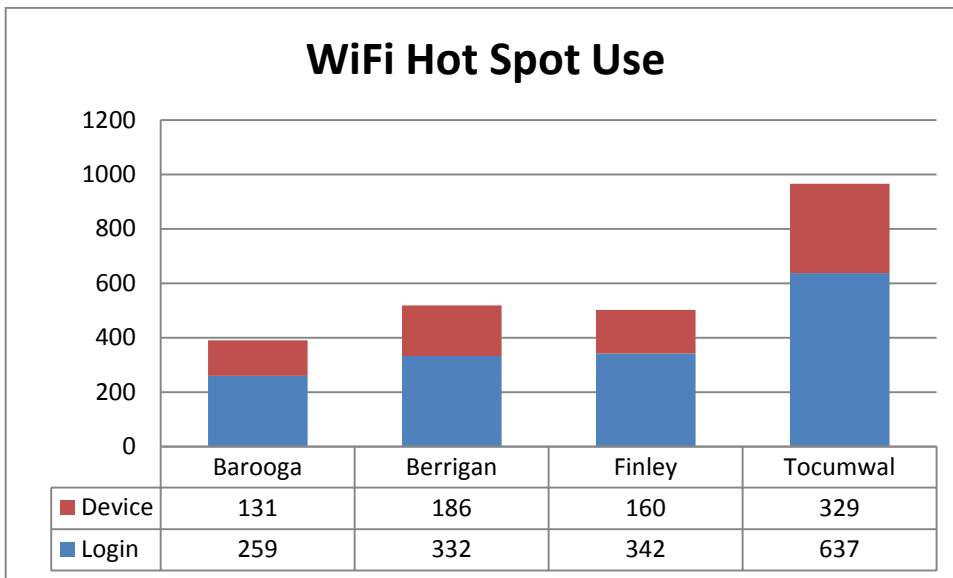


Items for Noting

The library service added 47 new members in the September quarter with membership reasonably evenly balanced across the four branches. Note that the library service launched new membership cards in September.



Use of the WiFi hotspot remains popular, especially in Tocumwal.



Items for Noting

6.2 DRAFT ANNUAL REPORT 2013- 2014

AUTHOR: Strategic & Social Planning Coordinator

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.1 Berrigan Shire 2023 objective and strategies inform Council planning and community led projects

FILE NO: 04.121.8

REPORT:

Each year the Council produces an Annual Report to review its performance and achievements for the past financial year. The document is designed to provide an insight into the Council's operations and financial position, and indicate how the Council has performed in achieving the activities it set itself during the year.

This is second year that Council's Annual Report has been prepared in accordance with the Department of Local Government's Integrated Planning and Reporting Framework.

A draft copy of this report has been attached as Appendix I.

The format of the report reflects that this is not a report to the Office of Local Government or the New South Wales Government; it is a report to the community. As such it can be published and read a one complete document or 5 separate reports allowing readers the opportunity to focus only on the areas which are of interest to the reader.

In six parts the Annual Report includes:

- An introduction which provides the reader with brief overview of the Shire, its vision for the future in addition to comments from the Mayor and General Manager
- The Shire Profile introduces Councillors, Councillor Management and includes information on Council meeting attendance, organizational structure, payments to Councillors and Senior staff
- The Our Performance section of the Annual Report is where readers will find information about the highlights and challenges faced by the Council during the financial year in implementing its *Delivery Program 2013 – 2017*;

Items for Noting

- Summary tables reporting on Council's performance against the objectives set out in the Council's *Annual Operational Plan* will also be found in this section
- Information not contained elsewhere in the report and which must be reported in order to meet legislated reporting requirements is the section labelled Statutory Requirements
- The State of our Assets report provides information about capital works program in addition to a snapshot of Councils asset management practices and performance
- The section titled Financials contains as in past years a community financial report and will when finalised the financial statements for the 2013/14 financial year

To ensure compliance, the Department of Local Government's revised checklist for Council's to use in the preparation of their annual reports has been used.

Under the Local Government Act the Council is required to provide a copy of its Annual Report to the Minister for Local Government by 30 November.

Council is invited to comment on the content and format of this draft report prior to its finalisation and subsequent adoption by council at the November 2013 ordinary council meeting.

At this stage the draft report is not 100% complete as it still requires some information that will flow from the Annual Financial Statements etc.

Items for Noting

**6.3 TENDER NO. T03/14/15 – INSITU PAVEMENT
STABILISATION FOR 2014/2017
CORRECTION**

AUTHOR: Development Manager

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities

FILE NO: T03/14/15

REPORT:

Item 5.15 on the September 2014 Council agenda indicated that the above tender was for the 2014/2015 financial year.

Please note that the tender was for the three year period from 2014/2017. The contract documents reflect the three year period and have been sent to the successful tender for endorsement prior to signing and sealing by Council.

Items for Noting

6.4 RATES COLLECTIONS AND OUTSTANDING DEBTORS BALANCES – FIRST QUARTER 2014/2015

AUTHOR: Revenue Officer

STRATEGIC OUTCOME: Good government

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

FILE NO: 25.138.1

REPORT:

1. Rates & Charges

Rates collection as at 30 September 2014 is 35.36% of total rates and arrears raised in 2014/15, which compares slightly unfavourably to the 37.78% collected for the same period last year.

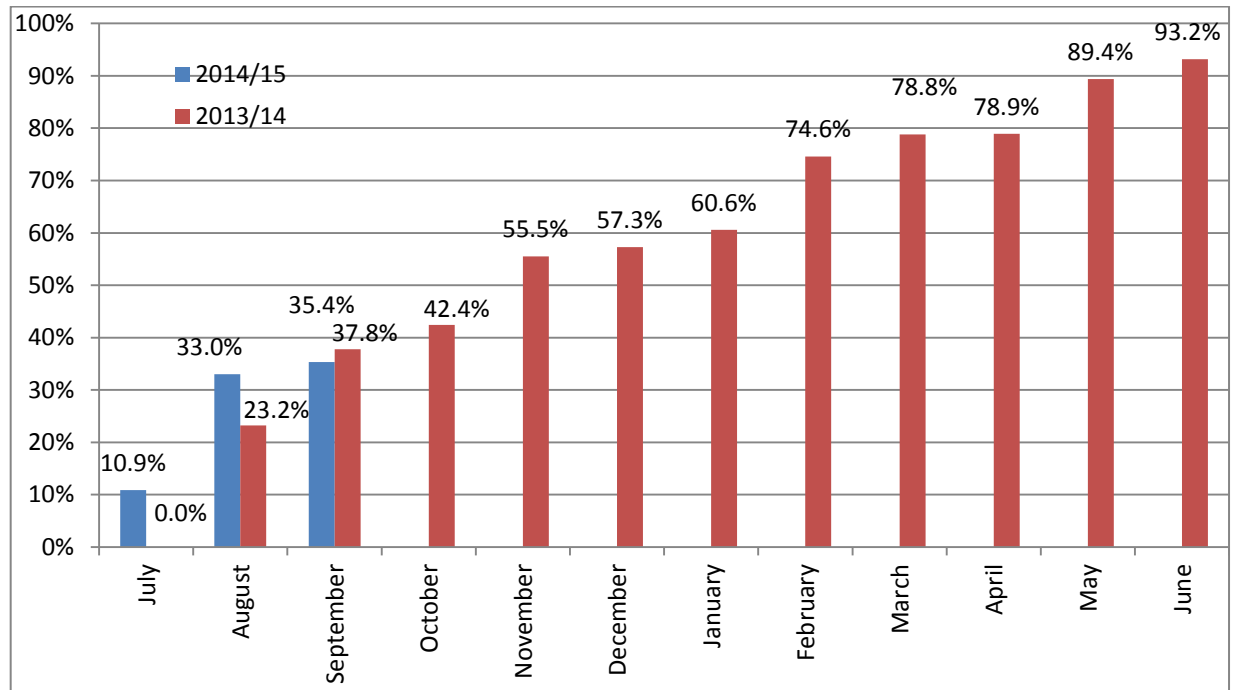
This is slightly down on last year because water consumption accounts were issued on 25 September 2014 – i.e. this contains nearly all of the current water consumption notices.

A Rates Collection Ratio comparison graph is shown below for Councillors' information.

NOTING

Items for Noting

RATES COLLECTION COMPARISON GRAPH



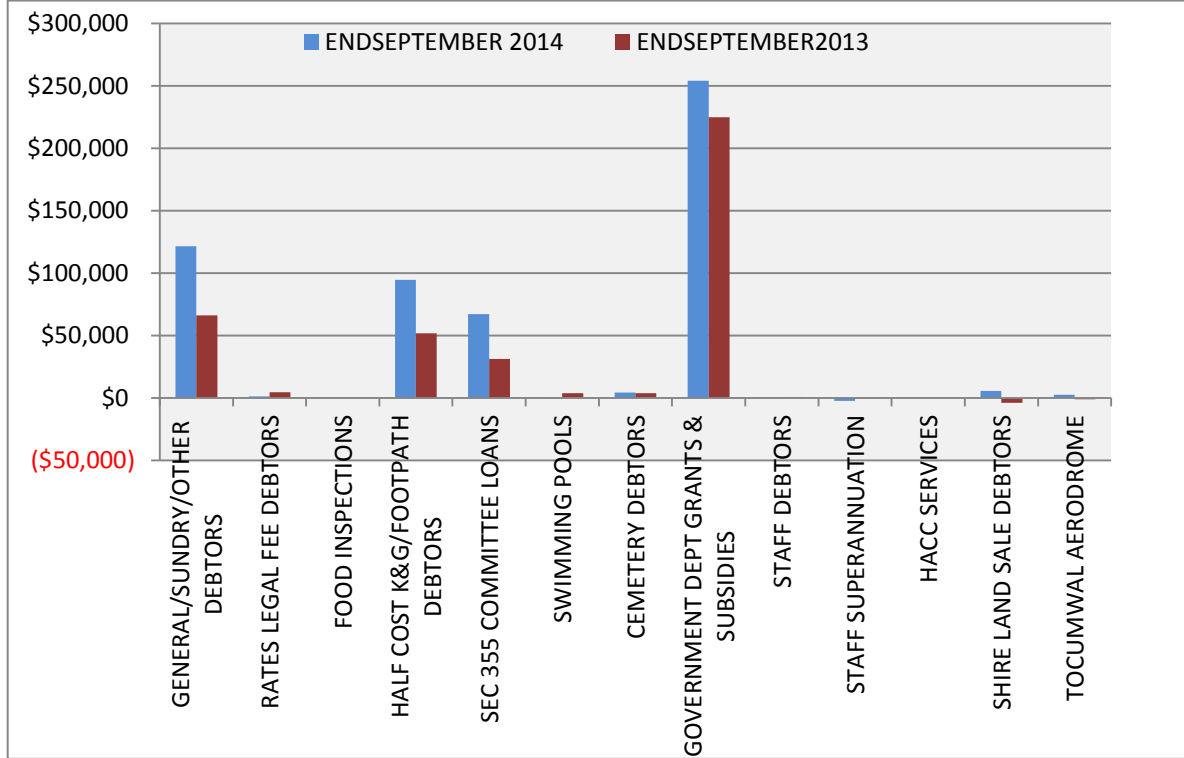
2. Debtors

Significant differences in the debtors are noted in the areas of General Debtors, Half Cost Debtors and Section 355 Committee Loans. There is also a difference in the Government Department Grants and Subsidies; this will increase each year while our pensioner numbers are increasing.

A summary list of outstanding debtors as end September, 2014, and for the same period last year, and a comparison graph, is as follows:-

Items for Noting

DEBTORS COLLECTION COMPARISON GRAPH



Items for Noting

6.5 ROADS TO RECOVERY FUNDING

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities

FILE NO: 3.160.3

REPORT:

The Federal Minister for Infrastructure and Regional Development has provided advice to the Council about their funding allocation under the Roads to Recovery Scheme.

The Council's life of programme funding allocation is \$3,632,269 – allocated as follows:

Financial Year	Allocation
2014-15	\$605,378
2015-16	\$1,210,756
2016-17	\$605,378
2017-18	\$605,378
2018-19	\$605,378

The first payments under the new scheme will be made in November 2014.

This allocation, while welcome, does not compensate for the “pause” in indexation of the Financial Assistance Grant.

Items for Noting

6.6 SPORT FACILITY PROGRAM**AUTHOR:** Director Corporate Services**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 3.2 Support community engagement through life-long learning, culture and recreation**FILE NO:** 15.128.3

REPORT:

The NSW Office of Sport and Recreation has announced that it is accepting applications for funding under the Sport Facilities Program.

The program provides grants of up to \$25,000 on a “dollar for dollar” basis for projects that increase participation by improving facilities. Applications close on 31 October.

More information about the program can be found at <http://www.dsr.nsw.gov.au/grants/sfp.asp>

At the time of writing I am aware of at least one application for funding under this program from a Berrigan Shire sporting group.

If the Council wishes to submit a project it may resolve to do so.

NOTING

Items for Noting

6.7 DEVELOPMENT DETERMINATIONS FOR MONTH OF SEPTEMBER 2014

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 SEPTEMBER

Application	Description	Property Location	Applicant	Owner	Status	Value	Days Taken	
27/15/DA/D1	BV Dwelling & Attached Garage	8 NUGGET FULLER DRIVE, TOCUMWAL NSW 2714 (Lot104//DP1070311)	Jg King Homes Shepparton	MR BD JAQUES & MS BL JAQUES	Approved 09-09-2014	\$ 224228.00	Active 3	Total 3
28/15/DA/D5	Shed Extension	7-8 KEOGH DRIVE, TOCUMWAL NSW 2714 (Lot20//DP1100718)	Mr Bruce Cardwell	MR BL CARDWELL & MRS JC CARDWELL	Approved 16-09-2014	\$ 18111.00	Active 7	Total 7
15/15/CD/M4	Residential Storage Shed	2-6 FLYNN STREET, BERRIGAN NSW 2712 (Lot15/2/DP3329)	Mr Gavin Barry	MR G R BARRY AND MRS K N BARRY	Approved 08-09-2014	\$ 4999.00	Active 1	Total 1
16/15/CD/M6	Additions to Dwelling	74 HONNIBALL DRIVE, TOCUMWAL NSW 2714 (Lot26//DP791586)	D & M Bowden Construction	MR K F MCCUMSTIE AND MS J MCCUMSTIE	Approved 10-09-2014	\$ 235000.00	Active 1	Total 1
17/15/CD/M1	BV Dwelling & Attached Garage	7 AVA COURT, TOCUMWAL NSW 2714 (Lot22//DP270154)	Dennis Family Homes	MR SP HALLORAN AND MRS K HALLORAN	Approved 12-09-2014	\$ 432136.00	Active 1	Total 1
32/15/DA/D5	Residential Storage Shed	134-136 CHANTER STREET, BERRIGAN NSW 2712 (Lot10/P/DP3197)	Mr David Hawker	MR D S HAWKER	Approved 23-09-2014	\$ 22000.00	Active 6	Total 6
18/15/CD/M1	BV Dwelling & Attached Garage	38 KELLY STREET, TOCUMWAL NSW 2714 (Lot871//DP1174505)	Ross & Robin Elder	MR RS ELDER AND MRS RD ELDER	Approved 30-09-2014	\$ 184230.00	Active 11	Total 11

APPLICATIONS PENDING DETERMINATION AS AT 03/10/2014

Application No.	Date Lodged	Description	Property Location
21/15/DA/D2	11-08-2014	Barooga Professional Bull Riding Event	18-38 BURKINSHAW STREET, BAROOGA NSW 3644 (LotPT261//DP1138087)
22/15/DA/DM	13-08-2014	Demolition of Church Buildings and Erection of Assembly Building	13-19 DENISON STREET, FINLEY NSW 2713 (Lot1/2/DP758412)
29/15/DA/DD	11-09-2014	Upgrade of Public Boat Ramp	BAROOGA NSW 3644 (Lot80//DP752274)

Items for Noting

30/15/DA/DD	12-09-2014	Upgrade of Skate Park	82-96 DENISON STREET, FINLEY NSW 2713 (Lot1/18/DP758412)
31/15/DA/DD	15-09-2014	Upgrade of Skate Park	102-108 DENILQUIN STREET, TOCUMWAL NSW 2714 (Lot8/29/DP758981)
33/15/DA/DM	17-09-2014	Relocation of Shipping Container and Transportable Building	60 MORRIS DRIVE, TOCUMWAL NSW 2714 (Lot29//DP270154)
34/15/DA/DM	18-09-2014	Strawberry Fields Festival 2014	LOWER RIVER ROAD, TOCUMWAL NSW 2714 (Lot129//DP752304)
19/15/CD/M8	19-09-2014	Residential Storage Shed	10 BELINDA COURT, TOCUMWAL NSW 2714 (Lot11//DP270154)
35/15/DA/D1	24-09-2014	New Dwelling	BUSHLANDS ROAD, TOCUMWAL NSW 2714 (Lot7//DP286078)
20/15/CD/M5	25-09-2014	Inground Fibreglass Swimming Pool	7 FRANKS ROAD, BAROOGA NSW 3644 (Lot11//DP1142719)
21/15/CD/M4	30-09-2014	Pergola	21-22 KEOGH DRIVE, TOCUMWAL NSW 2714 (Lot33//DP1118257)
36/15/DA/D5	01-10-2014	Carport	20 NANGUNIA STREET, BERRIGAN NSW 2712 (Lot1//DP567135)
37/15/DA/D5	01-10-2014	Carport	3 HARLEY COURT, FINLEY NSW 2713 (Lot14//DP713898)
38/15/DA/D9	03-10-2014	Strata Subdivision	3-4 GOLF VIEW COURT, BERRIGAN NSW 2712 (Lot12//SP46250)

TOTAL APPLICATIONS DETERMINED / ISSUED

	This Month (September)	Year to Date	This Month Value	Year to Date Value
<i>Development Applications Determined</i>	3	30	\$264,339.00	\$4,865,481.00
<i>Construction Certificates Issued</i>	8	22	\$1,134,347.00	\$2,245,889.00
<i>Complying Development Cert. Issued</i>	4	17	\$856,365.00	\$856,365.00
<i>Local Activity Approvals Issued</i>	6	18	0	

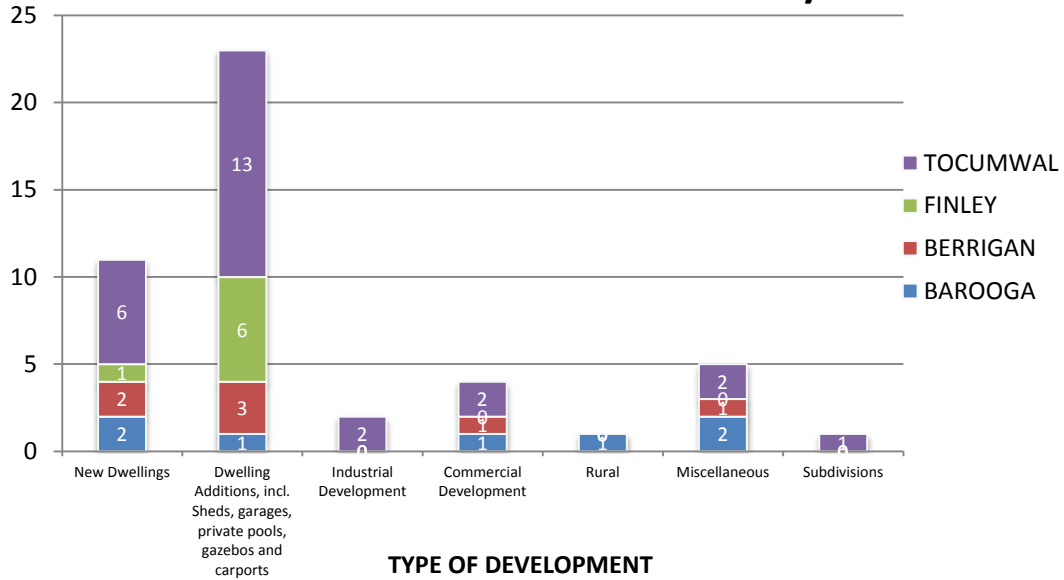
OTHER CERTIFICATES ISSUED FOR SEPTEMBER

	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	
	Sept	Year Total	Sept	Year Total	Sept	Year Total	Sept	Year Total	Sept	Year Total	Sept	Year Total
BAROOGA	6	20	0	0	0	0	0	0	0	0	0	1
BERRIGAN	3	15	0	1	0	1	0	0	0	2	0	0
FINLEY	15	32	2	3	0	0	0	0	0	0	0	0
TOCUMWAL	8	29	0	0	0	0	0	0	1	1	0	0
TOTAL	32	96	2	4	0	1	0	0	1	3	0	1

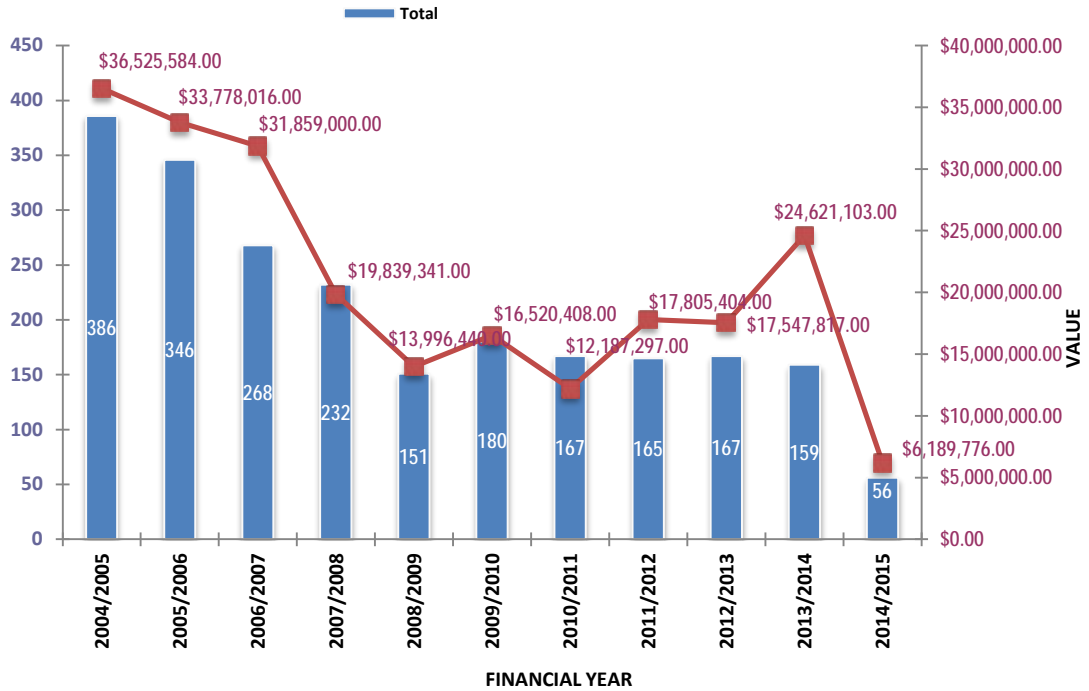
NOTING

Items for Noting

DEVELOPMENT ACTIVITY 2014 / 2015



DEVELOPMENT ACTIVITY



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Items requiring Council Resolution**7 CLOSED COUNCIL**

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

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

The matters and information are the following:

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

7.1 LEGAL ADVICE RECEIVED STREET RENAMING PROJECT

This item is classified CONFIDENTIAL under section 10A(2)(g) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege

It is not in the public interest to reveal the legal advice provided to the Council.

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Items requiring Council Resolution

7.2 HOME AND COMMUNITY CARE – EXPRESSIONS OF INTEREST

This item is classified CONFIDENTIAL under section 10A(2)(a) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (a) personnel matters concerning particular individuals (other than councillors)

It is not in the public interest to reveal the personal details of a particular individual.

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

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

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Items requiring Council Resolution

- 7.1 **LEGAL ADVICE RECEIVED STREET RENAMING PROJECT**
- 7.2 **HOME AND COMMUNITY CARE – EXPRESSIONS OF INTEREST**

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

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Confidential Items requiring Council Resolution

RECOMMENDATION – that the Council move out of closed and into open Council.

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Items requiring Council Resolution

Open Council resumed at

**RESOLUTIONS FROM THE CLOSED
COUNCIL MEETING**

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

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Items requiring Council Resolution

8. MAYOR'S REPORT

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RECOMMENDATION – that the Mayor's Report be received.

Items requiring Council Resolution

9. DELEGATES REPORT

RESOLUTION

Items requiring Council Resolution

10. GENERAL BUSINESS

RESOLUTION