



ORDINARY COUNCIL MEETING

Wednesday 17 May, 2023

at 9:15am

Council Chambers, 56 Chanter Street, Berrigan



Late Items Agenda



Ordinary Council Meeting

Wednesday 17 May, 2023

LATE ITEMS BUSINESS PAPER

The Ordinary Council Meeting of the Shire of Berrigan will be held in the Council Chambers, 56 Chanter Street, Berrigan, on Wednesday 17 May, 2023 when the following business will be considered:-

ITEMS OF BUSINESS

8 **REPORTS TO COUNCIL** 3

8.12 Acquisition of 12-14 Hayes St, Berrigan 3

8.14 Finance - Accounts 8

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8.15 Council Action List Report 13

8.13 153 Sepplets Road, Barooga 33

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

KARINA EWER
CHIEF EXECUTIVE OFFICER

8 REPORTS TO COUNCIL

8.12 Acquisition of 12-14 Hayes St, Berrigan

Author:	Deputy Chief Executive Officer, Matthew Hansen
Strategic Outcome:	2. Good government
Strategic Objective:	2.1. Berrigan Shire 2032 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting
Delivery Program:	2.1.3. Council operations and financial management support ethical, transparent and accountable corporate governance
Council's Role:	Service Provider: The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council Regulator: The Council has legislated roles in a range of areas which it is required to fund from its own funds (apart from fees for cost recovery, government grants etc)
Appendices:	Nil

Recommendation

That the Council proceed with the acquisition of 12-14 Hayes St, including refunding of \$31,000 of rates paid by the mortgagee between 1998 and 2014.

Purpose

This report is to seek Council approval for the Chief Executive Officer to proceed with the acquisition of 12-14 Hayes St, Berrigan, including the writing off of outstanding rates and refunding rates paid previously.

Summary

As part of Council's request for staff to consider key worker housing options, staff commenced investigating available land parcels. This parcel was identified as a block that would normally have come to Council for non-payment of rates and should be pursued as ownership vested instead in the Crown.

Background

12-14 Hayes St (the property) is a block of land in the Berrigan urban area. The 2,023m² vacant block is owned by Crown Lands NSW and has an unimproved capital value of \$31,400.



Despite the land being owned by Crown Lands NSW, the land itself has an outstanding rates balance of \$13,029.23 and Council have been pursuing payment in one form or another for many years.

The owner of the property had ceased paying rates in 1993 and was declared bankrupt in 1998. There was a mortgage on the property and the mortgagee (an individual) paid all outstanding rates on the property until 2014. The mortgagee ceased paying rates when he was informed by the trustee in bankruptcy that they proposed to disclaim the property and transfer it to the State of NSW. Why this happened, or how it was allowed to happen, with outstanding rates on the property is unknown given Council's rights under the *Local Government Act 1993* (LG Act) to obtain outstanding rates in a property settlement.

With the land owned by Crown Lands NSW, it is exempt from ordinary rates as per the LG Act, however Council has continued to charge vacant land charges for water, sewer and domestic waste management. Crown Lands NSW have refused to pay, claiming that Council has not right to levy these charges. Council disagrees.

Council made an offer to Crown Lands NSW to acquire the land in return for writing off the outstanding rates. The land itself is suitable for development and having it effectively "banked" by Crown Lands NSW made the land useless. Crown Lands were also failing to maintain the land and it was overgrown; this has now been rectified and the land is regularly slashed.

Crown Lands refused the offer for policy and probity reasons. They did advise that they may be able to transfer the land to the mortgagee under [s133\(9\) of the Bankruptcy Act 1966](#) if Council could locate the holder of the mortgage

Council has been pursuing this option which has included following several lines of investigation including the NSW Trustee and Guardian, Probate, Supreme Court of NSW, McCarthys Solicitors in Berrigan and Crown Lands NSW itself. It has also sought advice from a barrister and engaged private detectives.

Earlier this year, contact was finally made with the mortgagee who had effectively written off the debt. He is willing to cooperate with the Council, subject to being able to recover the rates he had paid on the property between 1993 and 2014. This has been calculated at approximately \$31,000. If

this is paid, he would transfer the mortgage to Council and Council would then make the s133(9) application

The result is that Council has an opportunity to acquire this land for \$31,000. The Council would also write off another \$13,000 in rates it has little to no prospect of collecting. The land could be developed by Council or sold – either way ending back on the market for residential land.

Relevance to Community Strategic Plan and Other Strategies /Masterplans / Studies

N/A

Issues and Implications

Council has almost completed the work on the house moved from the Tocumwal Aerodrome to Flynn Street in Berrigan. This will provide an opportunity to house at least one of the possible incoming middle managers as they are identified and engaged. Council owns no further property in Berrigan at this stage, though it does have parcels in Finley.

The opportunity to develop this parcel as key worker housing should be considered prior to sale as an empty parcel.

Policy

N/A

Financial

\$31,000 for the repayment of rates, legal fees for the search already undertaken and the cost of building key worker housing should that option be taken up.

\$1,000 would be paid to the mortgagee on transfer of the mortgage and the remaining \$30,000 paid on transfer of title to Council.

Legal / Statutory

As outlined above. There are some legal matters to attend to should Council choose to continue with this process.

Community Engagement / Communication

NIL

Human Resources / Industrial Relations (If applicable)

NIL

Risks

The following risks have been assessed as per the Council's [Risk Management Framework](#):

1. Financial – purchase of parcel

	Consequence				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Although the repayment of the unpaid rates is a small amount (\$31,000), the amount is not budgeted and will have effect on the end of year outcomes for Council's financial position.

2. Financial – Development of site

	Consequence				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

The cost of building suitable key worker housing on the site will be a risk to Council as it would be investing in the delivery of housing, that is not the core business of Council usually. Council could choose to go to the market to deliver suitable key worker housing by the industry, however the arrangement with Council would still require Council to at least rent the site for a period of time, depending on the style of accommodation offered.

3. People and Culture

	Consequence				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Council are actively advertising for three middle management positions and the lack of housing at the moment is very concerning to the CEO in ensuring suitable accommodation for any / all incoming managers to ensure they have accommodation that will mean they stay and settle in the Shire.

Suitable accommodation is urgently required to ensure staff turn over continues at its currently low rate.

Options

1. Complete the process to repay the rates and have the land transferred to Council with a view to develop suitable key worker housing on the site.
2. Complete the process to repay the rates and have the land transferred to Council with a view to sell the parcel once the process is complete.
3. Abandon the process and allow the status quo to remain.

Conclusions

The parcel is a prime parcel in the township of Berrigan and staff believe, given its size, the opportunity for a multi-dwelling key worker housing property is sufficient to warrant continuing with the process and allowing Council to develop sufficient key worker housing for the needs of the community of Berrigan.

8.14 Finance - Accounts

Author:	Finance Manager, Tahlia Fry
Strategic Outcome:	2. Good government
Strategic Objective:	2.1. Berrigan Shire 2032 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting
Delivery Program:	2.1.3. Council operations and financial management support ethical, transparent and accountable corporate governance
Council's Role:	Service Provider: The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council
Appendices:	1. Council 17.05.2023 Appendices - Under Separate Cover.DOCX (under separate cover)

Recommendation: that the Council:

- a) Receive the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 30 April 2023,
- b) Confirm the accounts paid as per Warrant No. 04/23 totaling \$2,117,589.76 and
- c) Note the report on investments attached

Purpose

This report is designed to inform Council of its cash and investments as at 30 April 2023 and for Council to authorise expenditure for the month ending 30 April 2023.

Report:

- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 30 April 2023 is certified by the Finance Manager.
- b) The Finance Manager certifies that the Cash Book of the Council was reconciled with the Bank Statements as at 30 April 2023.
- c) The Finance Manager certifies the Accounts, including the Petty Cash Book made up to 30 April 2023, totaling \$2,117,589.76 and will be submitted for confirmation of payment as per Warrant No. 04/23
- d) The Finance Manager certifies that all Investments have been placed in accordance with:
 - i. [Council's Investment Policy](#),
 - ii. [Section 625 of the Local Government Act 1993 \(as amended\)](#),
 - iii. [the Minister's Amended Investment Order gazetted 11 January 2011](#),
 - iv. [clause 212 of the Local Government \(General\) Regulations 2021](#), and

v. Third Party Investment requirements of the Office of Local Government Circular 06-70

e) Funds have decreased in April by \$1.3M as expected due to Council's current capital works plan and ongoing increases in operational costs.

Overall funds have decreased by \$1.27M compared to the same period last year, however is expected to increase in May with the receipt of the quarterly FAG payment.

Statement of Bank Balances as at 30 APRIL 2023

Bank Account Reconciliation

Cash book balance as at 01 APRIL 2023	\$13,523,358.18
Receipts for APRIL 2023	\$ 813,528.29
Term Deposits Credited Back	\$ -
	<u>\$14,336,886.47</u>
<i>Less Payments Statement No 04/23</i>	
Bank Transfers	\$ -
Electronic Funds Transfer (EFT) payroll	\$ 634,874.74
Electronic Funds Transfer (EFT) Creditors E042175-E042365	\$ 1,417,618.41
Term Deposits Invested	\$ -
Loan repayments, bank charges, etc	\$ 65,096.61
Total Payments for APRIL 2023	<u>\$ 2,117,589.76</u>
Cash Book Balance as at 30 APRIL 2023	<u>\$12,219,296.71</u>
<i>Bank Statements as at 30 APRIL 2023</i>	\$12,219,296.71
Plus Outstanding Deposits	\$ -
Less Outstanding Cheques/Payments	\$ -
Reconciliation Balance as at 30 APRIL 2023	<u>\$12,219,296.71</u>

INVESTMENT REGISTER

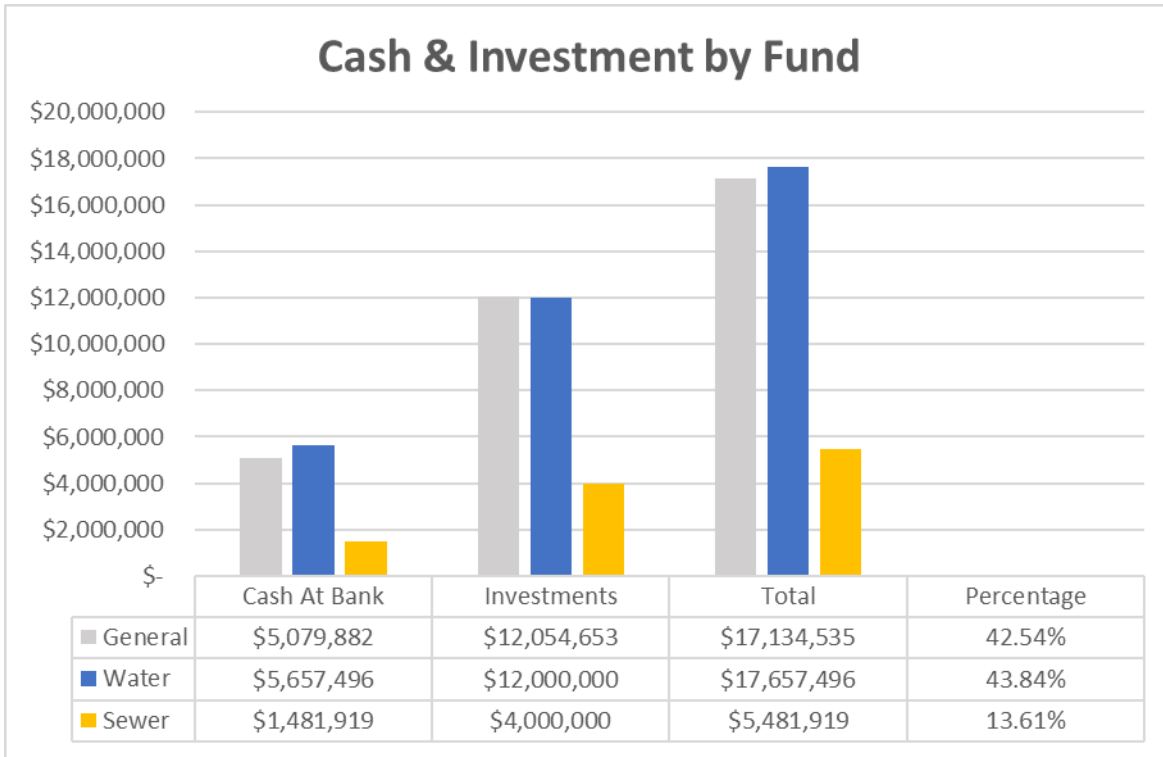
INSTITUTION	FUND	DEPOSIT NO.	TERM (days)	RATE	MATURITY DATE	INSTITUTION TOTAL	S&P RATING
AMP	GENERAL	133/17	365	**2.90%	23/05/2023	\$ 1,000,000.00	BBB+
AMP	GENERAL	125/16	365	**2.90%	31/05/2023	\$ 2,000,000.00	BBB+
AMP	WATER	136/18	243	**4.35%	19/06/2023	\$ 2,000,000.00	BBB+
AMP	SEWER	144/19	365	**4.50%	23/03/2024	\$ 2,000,000.00	BBB+
AMP	GENERAL	149/23	730	**5.00%	25/10/2024	\$ 2,000,000.00	BBB+
Bank Of Queensland	GENERAL	147/22	365	3.15%	29/05/2023	\$ 2,000,000.00	BBB+
Bank Of Queensland	WATER	153/23	731	4.60%	18/11/2024	\$ 2,000,000.00	BBB+
Bendigo Bank	WATER	142/18	365	*2.50%	26/09/2023	\$ 2,000,000.00	BBB+
Bendigo Bank	GENERAL	146/20	365	*2.50%	28/09/2023	\$ 5,054,653.00	BBB+
Defence Bank Limited	WATER	138/18	365	4.50%	11/01/2024	\$ 2,000,000.00	BBB
NAB	SEWER	151/23	214	4.20%	1/05/2023	\$ 2,000,000.00	AA-
NAB	WATER	148/23	365	4.50%	28/09/2023	\$ 2,000,000.00	AA-
WESTPAC	GENERAL	150/23	365	4.55%	29/09/2023	\$ 2,000,000.00	AA-
						<u>\$ 28,054,653.00</u>	

Total Funds Held at 30 APRIL 2023 **\$40,273,949.71**

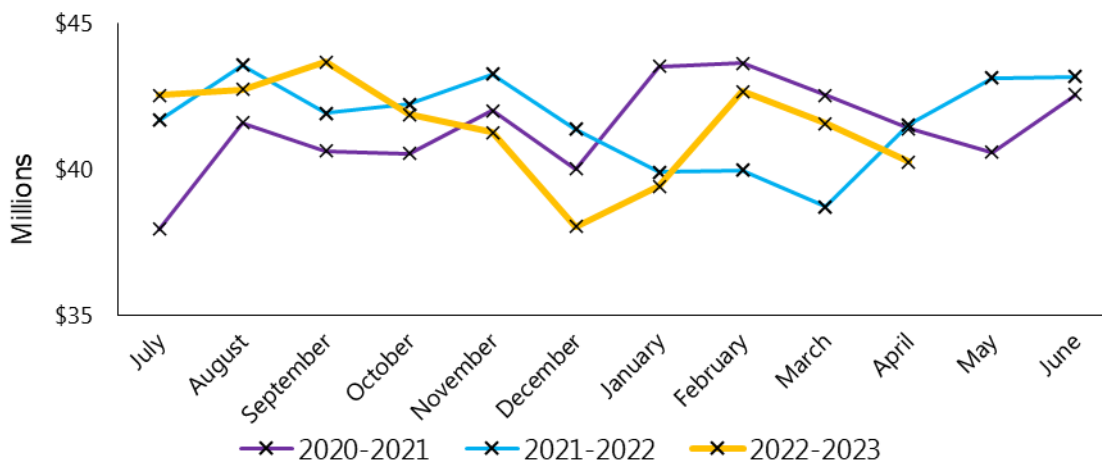
Tahlia Fry - Finance Manager

*The Council also receives an additional 0.25% commission
**The Council also receives an additional 0.20% commission

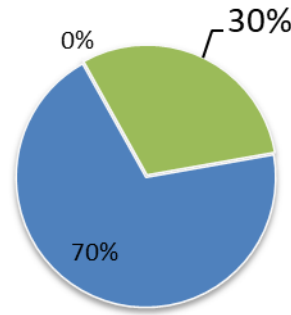
Total Funds held between General, Water and Sewer are as follows:



Total Cash and Investments

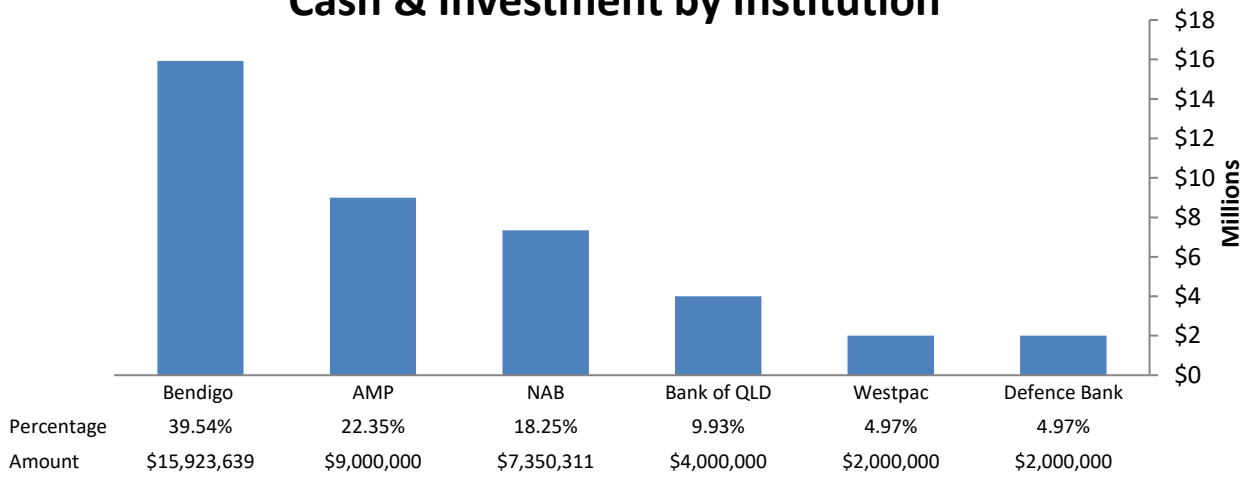


Cash & Investment by type



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

Cash & Investment by Institution



Term Deposits Credited Back

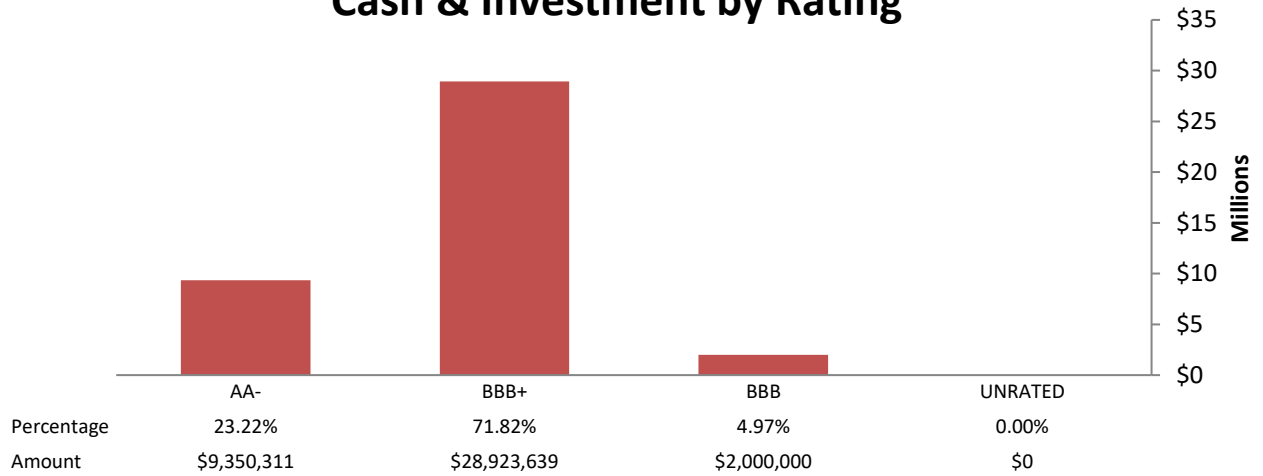
Prior Financial Institution	Term (Days)	Amount	Interest Rate	Maturity Date
NIL CHANGES FOR THE MONTH OF APRIL				

Term Deposits Invested / Reinvested

Current Financial Institution	Term (Days)	Amount	Interest Rate	Maturity Date
NIL CHANGES FOR THE MONTH OF APRIL				

*The Council also receives an additional 0.25% commission
 **The Council also receives an additional 0.20% commission

Cash & Investment by Rating



8.15 Council Action List Report

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	2. Good government
Strategic Objective:	2.1. Berrigan Shire 2032 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting
Delivery Program:	2.1.1. Council operations, partnerships and coordination of resources contribute toward the implementation of Berrigan Shire 2032
Council's Role:	Service Provider: The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council
Appendices:	<ol style="list-style-type: none">1. Outstanding Council Action as of 15.05.20232. Completed Council Actions from 19.04.2023 - 15.05.20233. Previous Council Action Items Actions

Recommendation

That Council receive and note the Council Action List Report.

Report

The Council Action List Report, is designed to note the motion, and actions being taken to implement that decision, including the timeframe in which it is likely to be completed.

The following reports have been generated from your information:

- Outstanding Council Actions as of 15.05.2023
- Completed Council Actions from 19.04.2023 – 15.05.2023
- Previous Council Action Items Actions

Division:	Council	Date From:	19/04/2023
Committee:		Date To:	15/05/2023
Officer:		Printed:	15 May 2023 2:24 PM

[Action Sheets Report](#)

Meeting	Officer/Director	Section	Subject
Council 19/04/2023	Nevins, Anne Ruffin, Joanne	Reports to Council	NSW Public Libraries Association Campaign - Birth to Five - Read and Thrive
Resolved OCM 071/23			
Moved: Cr Edward (Ted) Hatty			
Seconded: Cr Sarah McNaught			
That Council write a letter of support under the Mayor's signature to relevant State Representatives supporting the Birth to Five – Read to Thrive Campaign			
CARRIED			
11 May 2023 2:20pm Nevins, Anne - Completion			
Completed by Nevins, Anne (action officer) on 11 May 2023 at 2:20:01 PM - Completed			

Meeting	Officer/Director	Section	Subject
Council 19/04/2023	Ewer, Karina Ewer, Karina	Reports to Council	Designated Area Migration Agreements and Other Visa Options for Supported Employment for Council
Action			
Staff to further explore options for Supported Employment Services.			
10 May 2023 12:24pm Ewer, Karina			
Will be included in advertising for vacant positions and in recruitment and retention strategy once developed. No further action required at this time.			
10 May 2023 12:25pm Ewer, Karina - Completion			
Completed by Ewer, Karina (action officer) on 10 May 2023 at 12:25:42 PM - No further action required			

Meeting	Officer/Director	Section	Subject
Council 19/04/2023	Hansen, Matthew Hansen, Matthew	Reports to Council	Local Roads and Community Infrastructure - Phase 4
Action			
Councillors to dedicate an hour of their time, to supply Matt Hansen (Deputy Chief Executive Officer) with appropriate suggestions for the Local Roads and Community Infrastructure – Phase 4 Grant. Suggestions need to be supplied prior to the May Strategic and Policy Workshop.			

Division: Committee: Council Officer:	Date From: 19/04/2023 Date To: 15/05/2023 Printed: 15 May 2023 2:24 PM
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[Action Sheets Report](#)

27 Apr 2023 2:17pm Hansen, Matthew - Completion
 Completed by Hansen, Matthew (action officer) on 27 April 2023 at 2:17:49 PM - Report prepared for SPW

Meeting	Officer/Director	Section	Subject
Council 19/04/2023	Egan, Isobel Ewer, Karina	Reports to Council	Cemeteries Policy - For Adoption
<p>Resolved OCM 084/23</p> <p>Moved: Cr Roger Reynoldson</p> <p>Seconded: Cr Julia Cornwell McKean</p> <p>That Council</p> <ol style="list-style-type: none"> revoke the Cemeteries Policy adopted on 19 November 2003; and adopt the Cemeteries Policy attached as Appendix 1 to this report. <p style="text-align: right;">CARRIED</p>			
<p>27 Apr 2023 11:39am Egan, Isobel - Completion Completed by Egan, Isobel (action officer) on 27 April 2023 at 11:39:36 AM - Revoked cemeteries policy from 19 November 2003, amended policy register and forwarded adopted policy to funeral directors</p>			

Division: Committee: Council Officer:	Date From: Date To: Printed: 15 May 2023 2:22 PM
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Action Sheets Report

Meeting	Officer/Director	Section	Subject
Council 21/09/2022	Hansen, Matthew Hansen, Matthew	Reports to Council	Finley Saleyards - Viability and Options
<p>Resolved OCM 287/22</p> <p>Moved: Cr Renee Paine Seconded: Deputy Mayor Carly Marriott</p> <p>That Council, having considered the Viability and Options Report prepared by RegionalIQ,:</p> <ol style="list-style-type: none"> 1. Call for expressions of interest for willing partners to invest in the ongoing operation of the Finley Saleyards complex, and 2. Seek legal advice around the lease of the Finley Saleyards; and 3. Seek a registered valuer to provide market value for the saleyards precinct; and 4. Consult with the Berrigan Shire community after the responses for the expression of interest have been received. <p style="text-align: right;">CARRIED</p> <p>10 Oct 2022 8:57am Hansen, Matthew Quote sought for preparation of EPO documents</p> <p>03 Nov 2022 4:43pm Hansen, Matthew Quote has been accepted. Working with the contractor on the document</p> <p>03 Mar 2023 2:49pm Hansen, Matthew Call for Proposals issued.</p> <p>11 May 2023 2:03pm Hansen, Matthew Results of the Call for Proposals presented to the May 2023 meeting. Lease to be terminated at 30 June 2023.</p>			

Meeting	Officer/Director	Section	Subject
Council 16/11/2022	Srivastava, Rohit Srivastava, Rohit	Reports of Committees	Local Traffic Committee Meeting
<p>Resolved OCM 376/22</p> <p>Moved: Deputy Mayor Carly Marriott Seconded: Cr Roger Reynoldson</p> <p>That the Council adopt the following recommendations from the Local Traffic Committee Meeting held on Tuesday 8 November 2022.</p>			

Division: Committee: Council Officer:	Date From: Date To: Printed: 15 May 2023 2:22 PM
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Action Sheets Report

- LTC1. Council to obtain traffic data to identify times and speed of vehicles in regard to Berrigan Children’s Centre – Trucks
 - LTC2. Council approve the application made by BDDA to hold the Annual Christmas Night Market on Friday 2 December 2022 and temporary road closure of Chanter Street, Berrigan between the hours of 5:00pm – 11:00pm subject to: A Road Occupancy License to be obtained from Transport NSW for the event and provision of copy of current Public & Product Liability Certificate of Currency.
 - LTC3. Council approve the application made by Mild 2 Wild for the 2023 Rod Run event on Saturday 11 March 2023 and the temporary half road closure of Deniliquin Road, Deniliquin Street, Murray Street, Cowley Street, Duff Street subject to receiving current Public Liability Certificate of Currency with special provision noting Transport NSW and NSW Police as Interested Parties, and Berrigan Shire Council
 - LTC4. Council approve the application made by Cobram Barooga Cycle Club to hold their event each Sunday from 10:00am for the next twelve months, subject to receiving current Public Liability Certificate of Currency with special provision noting Transport NSW and NSW Police as Interested Parties, and Berrigan Shire Council.
 - LTC5. Council note the review of speed zone for Jerilderie Road, Berrigan and that the request is progressing with Transport NSW. (take’s 3-5 months to undertake currently)
 - LTC6. Council note the review of speed zone for Chanter Street, Berrigan and that the request is progressing with Transport NSW. (take’s 3-5 months to undertake currently)
- CARRIED**
- 10 Jan 2023 10:49am Davis, Jacq-Lyn - Reallocation
 Action reassigned to Srivastava, Rohit by Davis, Jacq-Lyn - Gary's resignation

Meeting	Officer/Director	Section	Subject
Council 16/11/2022	Ruffin, Joanne Ruffin, Joanne	Reports to Council	Corella Management Solution

Resolved OCM 389/22

Moved: Cr Edward (Ted) Hatty
Seconded: Cr Sarah McNaught
That Council:

1. endorse the Chief Executive Officer to sign the Letter of Intent to commence investigations and negotiations into the Cherrp Solution to manage Corellas in the Tocumwal Foreshore area;
2. that the Chief Executive Officer provide the Council with a detailed proposal for consideration to a future Council Meeting; and

<p>Division: Committee: Council Officer:</p>	<p>Date From: Date To:</p> <p>Printed: 15 May 2023 2:22 PM</p>
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Action Sheets Report

3. investigates the use of a collaborative grant rather than a procurement process to fund the works

CARRIED

18 Nov 2022 9:55am Ewer, Karina

Letter of Intent signed with change to Clause 3.1 that no longer requires the payment of \$200,000 on the signing of the Lol, rather this will form part of the Service Agreement and be spread over the 5 year agreement. Investigations into a collaborative grant will commence now. I also have a copy of the REAP agreement which will be signed when the Service Agreement is finalised and approved by Council (Step 4 of the Lol)

18 Nov 2022 11:25am Ewer, Karina

Letter of Intent finalised

09 Dec 2022 8:36am Ewer, Karina

Included Corella Management at Murray 4 CEOs meeting on 6 December 2022. Moira Shire and Federation interested in concept.

11 Jan 2023 2:44pm Ewer, Karina

10/014/2023 Met with Kelly Grains regarding Cherrp Solution and their thoughts (Jo Ruffin has also met)

11 Jan 2023 2:44pm Ewer, Karina

Met with proponent to discussion options for delivery including grant funding. Looking into business case report to be developed by Cherrp and the ways in which that report might be verified locally through Berrigan Shire experience.

23 Feb 2023 1:39pm Ewer, Karina - Reallocation

Action reassigned to Ruffin, Joanne by Ewer, Karina - Jo is overseeing the project currently and gathering survey information. Working with project group on business case information for grant funding opportunities etc.

Meeting	Officer/Director	Section	Subject
Council 16/11/2022	Wajid, Noureen Ruffin, Joanne	Reports to Council	Development Application 17-23-DA-D7 - Inground Fiberglass Swimming Pool
Resolved	OCM 397/22		
Moved:	Cr Sarah McNaught		
Seconded:	Cr Edward (Ted) Hatty		
<p>That the Council REFUSE Development Application 17/23/DA/D7 for the installation of Inground Fiberglass Swimming Pool as the proposal does not generally comply with the development controls of Chapter 2 of the Berrigan Development Control Plan 2014 and potentially will impact on the residential amenity and character of the existing streetscape in the neighbouring environment along Barooga Street.</p>			
<u>In Favour:</u>	Cr Matthew Hannan, Cr Sarah McNaught, Cr Roger Reynoldson and Cr John Taylor		
<u>Against:</u>	Cr Carly Marriott, Cr Edward (Ted) Hatty and Cr Julia Cornwell McKean		

CARRIED 4/3

Division: Committee: Council Officer:	Date From: Date To: Printed: 15 May 2023 2:22 PM
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Action Sheets Report

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Meeting	Officer/Director	Section	Subject
Council 14/12/2022	Ewer, Karina Ewer, Karina	Reports to Council	Reconciliation Action Plan
<p>Resolved OCM 417/22</p> <p>Moved: Cr Roger Reynoldson Seconded: Cr John Taylor</p> <p>That Council endorse the wording of the draft Reconciliation Action Plan so that staff may develop into a more polished product for Council adoption. Further, Council nominate Cr Cornwell McKean as Council's RAP Champion.</p> <p style="text-align: right;">CARRIED</p>			
<p>23 Dec 2022 9:19am Ewer, Karina Motion 2022/137 - Cr Cornwell McKean and Cr Marriott that Council prepare a Reconciliation Action Plan for Berrigan Shire</p> <p>23 Dec 2022 9:20am Ewer, Karina 14/09/2022 First Draft Sent to Reconciliation Action Australia for initial consultation</p> <p>23 Dec 2022 9:20am Ewer, Karina 11/10/2022 response from Reconciliation Action Australia received</p> <p>23 Dec 2022 9:20am Ewer, Karina 12/10/2022 reviewed document and sent to relevant staff and Uncle Dozer</p> <p>23 Dec 2022 9:21am Ewer, Karina 14/10/2022 response from Cr Cornwell-McKean regarding V2</p> <p>23 Dec 2022 9:21am Ewer, Karina 07/11/2022 sent reminder to Uncle Dozer (assume he has been caught up in flooding events)</p> <p>23 Dec 2022 9:21am Ewer, Karina 07/11/2022 - response from Uncle Dozer that agrees with V2 of our Reconciliation Action Plan.</p> <p>23 Dec 2022 9:21am Ewer, Karina 07/11/2022 Submitted second draft to Reconciliation Australia for comment. Once it is agreed to by Reconciliation Australia will bring to Council for consideration</p> <p>23 Dec 2022 9:30am Ewer, Karina Email sent to Uncle Dozer to ask for availability etc for Reconciliation Working Group to start meeting in the New Year. Council have adopted the Actions for the RAP but the rest of the document needs to be finalised (messaging, values etc)., I have also emailed Bianca to arrange an internal ad to go out to ask for those who would like to be on the finalisation of the RAP.</p> <p>23 Feb 2023 1:35pm Ewer, Karina Finalised wording to be presented to Council at March Ordinary meeting so publishing of electronic document can be done.</p>			

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Action Sheets Report

31 Mar 2023 7:58am Ewer, Karina
 Final document sent to Reconciliation Australia for approval on 15 March 2023.

12 Apr 2023 12:22pm Ewer, Karina
 Conditional approval of the Reflect RAP received from Reconciliation Australia. We are now able to get the document ready for publishing and I have asked Uncle Dozer to help me source a Bangerang artist for the front cover. It is possible the RAP will be a June 2023 to June 2024 document given the time taken to work through the process. , I will continue to update as we go.

Meeting	Officer/Director	Section	Subject
Council 14/12/2022	Hansen, Matthew Hansen, Matthew	Reports to Council	Banking arrangements - s355 volunteer committees
<p>Resolved OCM 420/22</p> <p>Moved: Cr John Taylor</p> <p>Seconded: Cr Julia Cornwell McKean</p> <p>That the Council, by 30 June 2023, establish a model for banking services for its volunteer committees of management established under s355 of the Local Government Act 1993, where</p> <ol style="list-style-type: none"> 1. Council will be responsible for the provision of banking services for each committee 2. Council will open an account for each committee with a single institution – named “Berrigan Shire Council – XXXXX Committee of Management. 3. Council staff will manage the accounts via online banking, including authorising signatories from the volunteer committee members. 4. Volunteer committees will be provided with online access to the accounts to make payments and a card to allow for cash deposits and withdrawals. 5. Funds held in these accounts are reserved for the use of that Committee and Council itself will not withdraw funds from these accounts other than in exceptional circumstances, authorised by a resolution of the Council. <p style="text-align: right;">CARRIED</p> <p>Cr Ted Hatty voted against the motion.</p> <p>23 Dec 2022 9:07am Hansen, Matthew Letter sent to committees to inform them of proposal 21/12/2022, Merrtings to be held in each town in January 2023</p> <p>06 Feb 2023 9:55am Hansen, Matthew Meetings held with all s355 committees regarding the arrangements</p> <p>21 Mar 2023 5:32pm Hansen, Matthew Advice has been sought from Council's bankers</p> <p>08 May 2023 8:16am Hansen, Matthew Met with NAB - model is acheivable</p>			

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Council 14/12/2022	Hansen, Matthew Hansen, Matthew	Reports to Council	Council Action List Report
<p>Action: <i>Council Resolution 197/2021</i></p> <p>Crs Morris and Glanville that the Council adopt Excess Mass Charging formula for Category 3 Liquid Trade Waste Discharges in accordance with NSW Department of Planning, Industry and Environment Liquid Trade Waste Management Guidelines for Councils in Regional NSW 2021 as outlined in this report.</p> <p>09 Jan 2023 5:16pm Hansen, Matthew Advice being sought from NSW Water Directorate on a charging model</p> <p>06 Feb 2023 9:52am Hansen, Matthew Waiting on advice from Water Directorate. DCEO to follow up before meeting</p> <p>11 May 2023 2:01pm Hansen, Matthew Delayed pending finding qualified Trade Waste Officer</p>			

Meeting	Officer/Director	Section	Subject
Council 14/12/2022	Ewer, Karina Ewer, Karina	Reports to Council	Council Action List Report
<p>Action: <i>Council Resolution 28/2022</i></p> <p>Crs McNaught and Hatty that the Council:</p> <ol style="list-style-type: none"> 2. Direct the CEO and Director Infrastructure to engage with Murrumbidgee Local Health District to integrate road works with the proposed redevelopment of Finley Hospital; 3. Carry forward the \$350,000 budget allocation towards the road works at Dawe Ave, with work to recommence once the scope of the Finley Hospital redevelopment is known. <p>23 Dec 2022 9:14am Ewer, Karina The Finley Hospital has received \$25M in funding to upgrade the facilities. Dawe Avenue expenditure will be held over until the work on the new hospital facility is close to completion so that Council spends this money once and ensures it is the work needed for the site into the future. Council are working with MLHD to keep across where their project is up to.</p> <p>06 Feb 2023 9:54am Ewer, Karina Am attending the Steering Committee meetings for the refurbishment.</p> <p>12 Apr 2023 12:27pm Ewer, Karina Have continued to meet with MLHD regarding hospital operations. Council also met with Department of Health at the April SPW who gave Council an update as to the progression of the planning phase for the hospital upgrade.</p>			

Meeting	Officer/Director	Section	Subject
Council 14/12/2022	Ewer, Karina Ewer, Karina	Reports to Council	Council Action List Report

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Action: Council Resolution 56/2022

Crs Hatty and Taylor that the Council direct the CEO to undertake a formal review regarding the future use and management of the Tocumwal Town Beach area.

23 Dec 2022 9:05am Ewer, Karina

This matter is linked to a number of factors which will require consideration. The Audit Report from Centium will be used to address the governance concerns. , I am working with Crown Lands to change the boundary of the area as camping currently occurs on the Riverine Zone and not on the Crown Land parcel used to assess the numbers of campers. This error could have seen Council face considerable financial costs in fines however Crown Land have agreed to work with us to legitimise the camping practices as much as is possible. Work on this matter has been held up due to the flooding., A survey was taken of the Tocumwal Community that clearly noted residents would like to see a hybrid model applied to the Town Beach area so that some camping is allowed going forward, but also that there is a designated area for day trips to allow locals to access the beach more freely even in high tourist seasons., The grey water project has also been held up due to flooding. This must be complete prior to the resumption of camping as it is noted in the Centium report and other eariler reports to be a high risk of envrionmental damage for the site., A concept plan of the site, once the boundaries are finalised, will be undertaken and put out for public comment. This might be the best time for a town meeting if that is to occur., It is envisaged Council will need to implement a booking system (along with the Foreshore Committee if they wish to re-engage) for the sites. These sites will need to be clearly demarkated and length of stay carefully monitored. The resourcing required to do this work may be substantial and will require a decision of Council I believe at this stage. It has been very difficult to attract a care-taker.

31 Mar 2023 7:52am Ewer, Karina

Met surveyor on site 22 February 2022. Surveyor said had not been asked to include Town Beach area in survey plan. Will redraw maps and send through to me

31 Mar 2023 7:55am Ewer, Karina

Emailed surveyor 22/03/2023 to ask how drawings are going. He emailed back stating they had completed the intial Title Establishment fieldwork and was working on the plans. He hoped to have the drafts to me in the next week.

31 Mar 2023 7:57am Ewer, Karina

31/03/2023 followed up with email again to see where work up to.

31 Mar 2023 9:35am Ewer, Karina

Draft plans received. Surveyor again advised will await conversation with Crown Lands after Tuesday 4 April 2023 to finalise and submit for approval.

12 Apr 2023 12:26pm Ewer, Karina

Spoke with Surveyor. Crown Lands are happy with the drawings provided to date. He is now working through the requirements of the Lands Department so the new plans can be recognised. We are asking for consideration to allow Council to manage the Town Beach camping area more effectively under the entire parcel and under one Crown Land Plan of Management.

27 Apr 2023 11:36am Ewer, Karina

Surveyor confirmed the Water Boundary Determination Application and Redefinition Plan have now been forwarded to Crown Lands for the creation of the Crown Folio at Tocumwal Beach. Peter Bisset is currently on leave. Cost for submission of the Water Boundary Plan is \$275 and will be added to our final invoice from the surveyor.

11 May 2023 8:01am Ewer, Karina

Crown Lands Senior Surveyor has confirmed consent of our surveyor's definition of the Murray River boundary for both areas subject to the realignment of the boundary for the Foreshore parcel. Crown Folio Creation Plans have therefore been submitted. Once they are returned from the registry office, they will be lodged with the Land Registry Office for formal Registration. Due to the confusion of instructions regarding this matter, the surveyors fees are higher than originally quoted as there is an amount of work that had to be redone due to the originally provided instructions.

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Council 14/12/2022	Hansen, Matthew Hansen, Matthew	Reports to Council	Council Action List Report

Action: Council Resolution 107/2022

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Cr Hatty and Cr Paine that the Council:

4. Direct the Chief Executive Officer to formalise a Crown Land lease for the occupancy of the shopfront at Tocumwal War Memorial Hall on a commercial basis.

09 Jan 2023 5:18pm Hansen, Matthew

Crown Land Management Plan needs to be prepared and land surveyed before a lease can be drawn up. Current licence needs to be extended.

06 Feb 2023 9:52am Hansen, Matthew

Still waiting on the development of a Crown Land Management Plan

21 Mar 2023 5:31pm Hansen, Matthew

Quote for Crown Land Plan of Management received. Working on a 30 June completion

06 Apr 2023 12:34pm Hansen, Matthew

CT Management Group commissioned to deliver PoM. Work to start 14 April 2023. , Annual licence agreement with laundromat to be extended 12 months.

11 May 2023 2:01pm Hansen, Matthew

Consultation on PoM to start week of 22 May

Meeting	Officer/Director	Section	Subject
Council 14/12/2022	Ruffin, Joanne Ruffin, Joanne	Reports to Council	Council Action List Report
Action: Council Resolution 165/2022			
Cr Marriott and Cr Paine that the Council consult with the Finley Railway Park Committee of Management regarding a change in structure of the Committee and why			
10 Jan 2023 12:27pm Ruffin, Joanne - Target Date Revision			
Target date changed by Ruffin, Joanne from 28 December 2022 to 22 February 2023 - Meeting still to be scheduled with committee. Email forwarded to Bec Matheson 09012023 to schedule meeting			
31 Jan 2023 11:53am Ruffin, Joanne			
Meeting scheduled with Committee January 24th was postponed due to illhealth of Council Officer. Correspondence received from the Committee suggests that they would like to defer discussion at this time given the previous meeting was not cancelled. Suggest that this action be carried forward to April quarter for action and update revised target			
31 Jan 2023 11:57am Ruffin, Joanne - Target Date Revision			
Target date changed by Ruffin, Joanne from 22 February 2023 to 28 April 2023 - See note - re postponement of planned meeting			

Meeting	Officer/Director	Section	Subject
Council 14/12/2022	Ruffin, Joanne Ruffin, Joanne	Reports to Council	Council Action List Report
Action: Council resolution 233/2022			
Cr Cornwell McKean and Cr Taylor that the Council note the following:			
<ul style="list-style-type: none"> • that conditional approval to operate for a 3-month period will be granted; and 			

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- that conditions will include:
 - All Underground Petroleum Storage System (UPSS) risks must be addressed or plan for remediation agreed by the relevant agencies.
 - A plan is developed, in consultation with Council officers, to undertake recommended remediation of on-site waste-water treatment system.
 - Council Officers and/or Council contractors be granted access to conduct a site-by-site compliance and safety assessment per relevant building and fire safety regulations
- 10 Jan 2023 12:28pm Ruffin, Joanne - Target Date Revision**
 Target date changed by Ruffin, Joanne from 28 December 2022 to 22 February 2023 - Significant work has been undertaken S68 approval must be extended. Audit for Fire Safety will be completed mid January and report will be prepared
- 10 Jan 2023 12:29pm Ruffin, Joanne**
 Work to date completed - UPSS report and plan; Public Meetings held with residents and Fire Safety Audit Commenced and will be completed end of January
- 06 Feb 2023 3:12pm Ruffin, Joanne**
 Section 68 application has been received by Council and is currently being assessed. The applicants have indicated that they are making progress. The tenants have been advised via letter box drop and email that a new three month approval will be issued when the application has been assessed and that it will cover the period from the 4 February

Meeting	Officer/Director	Section	Subject
Council 18/01/2023	Ewer, Karina Ewer, Karina	Reports to Council	Regional Program for Infrastructure Recovery (Flood Grants)
Resolved OCM 003/23			
Moved: Cr Roger Reynoldson			
Seconded: Cr Julia Cornwell McKean			
That Council:			
<ol style="list-style-type: none"> 1. endorse the Regional Flood Recovery Management Program to deliver flood repair works to major infrastructure alongside Murray River, Edward River and Federation Councils. 2. delegate authority to the CEO to determine the funding and resources to be allocated to this project. 3. direct the CEO to report quarterly to Council on the status of relevant infrastructure projects. 			
CARRIED			
31 Mar 2023 7:50am Ewer, Karina			
Update for all shared grant funding programs prepared for April Ordinary Council meeting			
10 May 2023 12:28pm Ewer, Karina			

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Preferred supplier appointed. Awaiting confirmation grant funding will go ahead. Change of Government may see dis-continuation as we have only signed the acceptance of the grant offer, not the Deed of Agreement

Meeting	Officer/Director	Section	Subject
Council 15/02/2023	Ewer, Karina Ewer, Karina	Reports to Council	Tocumwal Foreshore Committee of Management
<p>Moved: Cr Edward (Ted) Hatty Seconded: Cr Roger Reynoldson</p> <p>That Council reinstate the delegation for care, control and management of the Town Beach camping area to the Tocumwal Foreshore Committee of Management, subject to the signing of the Project Agreement. Staff are to report to Council on the progress of the overall project on a bi-monthly basis until all matters are closed out.</p> <p>17 Feb 2023 10:18am Ewer, Karina Finalised draft of Project Plan to include roles and responsibilities and other minor changes requested at Feb Ordinary Council meeting. Sent email to Ross Bodey, Judy Carlon and Gary Hiles to meet to discuss and sign as per motion of Council.</p> <p>23 Feb 2023 1:29pm Ewer, Karina Meeting held 21 Feb 2023 to agree to timeframes for project etc. Meeting went well and was again quite positive.</p> <p>23 Feb 2023 1:30pm Ewer, Karina Draft Project Plan provided to Committee for comment prior to signing.</p> <p>12 Apr 2023 12:24pm Ewer, Karina I cannot remember the date but the Foreshore Committee refused to sign the agreement. Council have therefore undertaking management of the Town Beach area for the time being. Now Easter is over we will again approach the Committee to see if they are ready for further discussions.</p>			

Meeting	Officer/Director	Section	Subject
Council 15/03/2023	McQueen, Emma Hansen, Matthew	Reports to Council	Fullers Road Landcare Group
<p>Resolved OCM 062/23</p> <p>Moved: Cr Edward (Ted) Hatty Seconded: Cr John Taylor</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. dissolve the Fullers Road Landcare Group and revoke their delegation. 2. negotiate an agreement with the Fullers Road Landcare to disperse the remaining funds to the 19 participating landholdings for the maintenance of trees that were planted and associated costs and/or for future tree planting. 			

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3. Recognise the Fullers Road Landcare Group at a future Council meeting

CARRIED

11 May 2023 2:09pm McQueen, Emma
 Emma to follow up with Committee re fund distribution
 11 May 2023 2:10pm McQueen, Emma
 Invite Committee to Council meeting

Meeting	Officer/Director	Section	Subject
Council 19/04/2023	Ewer, Karina Ewer, Karina	Reports to Council	Cultural Audit
Resolved OCM 075/23			
Moved: Cr Julia Cornwell McKean			
Seconded: Cr Sarah McNaught			
That Council adopt the Cultural Audit as attached and direct the CEO to place the document out for tender.			
CARRIED			
27 Apr 2023 11:34am Ewer, Karina Documents finalised the sent to selected tenders (through LG Procurement) on 27 April 2023. Tender closes 1 June 2023			

Meeting	Officer/Director	Section	Subject
Council 19/04/2023	Hansen, Matthew Hansen, Matthew	Reports to Council	Tocumwal Carpark
Resolved OCM 082/23			
Moved: Cr Roger Reynoldson			
Seconded: Cr Julia Cornwell McKean			
That the Council			
1. develop a plan to construct a car park on Barooga St, Tocumwal, excluding land under 9 and 11 Barooga St, Tocumwal			
2. after consultation with Tocumwal Rotary, demolish the old Tocumwal hardware shop at 15 Murray St, Tocumwal			

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3. explore options for 11 Barooga St Tocumwal

CARRIED

27 Apr 2023 2:15pm Hansen, Matthew
 Design being prepared by Council staff. Seeking a quote on a concept plan

Meeting	Officer/Director	Section	Subject
Council 19/04/2023	Ruffin, Joanne Ruffin, Joanne	Reports to Council	Development Application - 60-23-DA-D1 153 Seppelts Road, Barooga

Motion lapsed

Council delegated decision authority to the relevant Council Officers.

Meeting	Officer/Director	Section	Subject
Council 19/04/2023	Ewer, Karina Ewer, Karina	Confidential Matters	7 Flight Place - Call for Proposals

Resolved OCM 090/23

Moved: Cr John Taylor
Seconded: Cr Renee Paine

That Council adopt the Call for Proposals for 7 Flight Place document and direct the Chief Executive Officer to send out through relevant advertising agents

CARRIED

27 Apr 2023 11:16am Ewer, Karina
 Call for Proposals listed on Facebook Pages: Aviation Buy Swap and Sell, and Hangar Australia. Cfp also advertised in Aviation Trader and Recreational Aviation Australia as advised by Matt Hendersen., Advertising also on Council's Airpark Facebook Page which has all current AirrPark users on it but also a number of others. Sent through Council's normal Facebook Page also., Also advertised with QPL Rural (Real Estate Agent who manages the Temorah AirPark sales)., Cfp Closes 19 May 2023

Meeting	Officer/Director	Section	Subject
Council 19/04/2023	Hansen, Matthew	Confidential Matters	Unsolicited proposal - Worker housing

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Hansen, Matthew

Resolved OCM 093/23

Moved: Cr John Taylor

Seconded: Cr Edward (Ted) Hatty

That Council staff continue the negotiations with the proponents, with Cr Sarah McNaught appointed to represent Council on the consultative panel.

CARRIED

11 May 2023 2:07pm Hansen, Matthew
 Working with proponent on more detailed model

Meeting	Officer/Director	Section	Subject
Council 19/04/2023	Hansen, Matthew Hansen, Matthew	Action	Mural Costs at Foundry Park
- Action			
Council staff to investigate mural costs for Foundry Park.			
27 Apr 2023 2:15pm Hansen, Matthew Spoke to Kerry Anne Jones at South West Arts. Need to follow up regarding timeframes			

Meeting	Officer/Director	Section	Subject
Council 19/04/2023	Ewer, Karina Ewer, Karina	Action	Corella Report and Survey
- Action			
Corella survey to be shared with the community and Council staff to prepare a report for the next Council meeting.			
10 May 2023 12:26pm Ewer, Karina Letters written to Ministers and Local Member to provide financial assistance in managing over-abundant native species			

Meeting	Officer/Director	Section	Subject
Council 19/04/2023	Ruffin, Joanne	Motion	Motion

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Ruffin, Joanne

Resolved OCM 089/23

Moved: Cr Julia Cornwell McKean

That due to special circumstances, with the Grant funding being at risk, Barooga Netball Amenities room - DA 110/23/DA/DM. application expedite the regular planning process for this application.

CARRIED

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Meeting	Officer/Director	Section	Subject
Managers Meeting 1/06/2023	Ewer, Karina Ewer, Karina	Corporate Services	Motion 2020 - 148
Recommendation 1. rescind motion 2020/148 noting the changed circumstances since this motion was passed. The house has been moved to Berrigan for Key Worker housing and the block will be placed out under a Call for Proposals shortly these projects will be reported to Council as they are progressed			

Meeting	Officer/Director	Section	Subject
Managers Meeting 1/06/2023	Ewer, Karina Ewer, Karina	Corporate Services	Motion 2020 - 238
Recommendation Rescind motion 2020/238 and direct Council staff to develop a Food Van Policy for the Shire that will outline the criteria within which Food Vans may operate within this Shire.			

Meeting	Officer/Director	Section	Subject
Managers Meeting 1/06/2023	Ewer, Karina Ewer, Karina	Corporate Services	Motion 2017 - 24
Recommendation motion 2017/24 Council require further information to reconsider the installation of a footpath along Lawson Drive in Barooga under the half cost scheme.			

Meeting	Officer/Director	Section	Subject
Managers Meeting 1/06/2023	Ewer, Karina Ewer, Karina	Corporate Services	Motion 2017 - 199
Recommendation			

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determine to recommence the process to issue a demolition order for Lot 22 DP802966, 7 Davis Street Berrigan to ensure the illegal structure is removed from the site (2017/199)

Meeting	Officer/Director	Section	Subject
Managers Meeting 1/06/2023	Ewer, Karina Ewer, Karina	Corporate Services	Motion 2019 - 43.1

Recommendation

Determine to no longer pursue the development of a car and bike learner area in the Berrigan Shire area (2019/43.1).

Meeting	Officer/Director	Section	Subject
Managers Meeting 1/06/2023	Ewer, Karina Ewer, Karina	Corporate Services	Motion 2020 - 37

Recommendation

regarding motion 2020/37 Council would not like to pursue the development of a concept plan for an Indoor Play Centre in Finley (if Council do want to deliver this service staff will need to consider options for a potential site of the facility, the cost of delivering such a facility and the FTE required to do so

Meeting	Officer/Director	Section	Subject
Managers Meeting 1/06/2023	Ewer, Karina Ewer, Karina	Corporate Services	Motion 2020 - 37.19

Recommendation

Regarding motion 2020/37.19, Council would like a report to Council to explain the half cost scheme legislation and how it work.

Meeting	Officer/Director	Section	Subject
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Managers Meeting 1/06/2023	Ewer, Karina Ewer, Karina	Corporate Services	Berrigan Sportsground
<p>Recommendation</p> <p>Regarding the repainting of the interior or the Berrigan Sportsground Clubrooms, exterior of change rooms and time keepers box, Council direct staff to develop a assets and facilities maintenance program and include this project in that program.</p>			

Meeting	Officer/Director	Section	Subject
Managers Meeting 1/06/2023	Ewer, Karina Ewer, Karina	Corporate Services	Motion 2019 - 43.3
<p>This report was for information only.</p> <p>15 May 2023 2:09pm McDonald, Keelan Recind motion 2019/43.3 that Council develop strategies aimed at creating growth in the ages care and health servies and food manufacturing area, noting Councils current work in Key Worker Housing has the potential to provide supports in this area</p>			

Meeting	Officer/Director	Section	Subject
Managers Meeting 1/06/2023	Ewer, Karina Ewer, Karina	Corporate Services	Motion 2019 - 121
<p>This report was for information only.</p> <p>15 May 2023 2:14pm McDonald, Keelan Regarding motion 2019/121, Council would not like to revisit the possibilities for the Old Recreation Reserve in Berrigan.</p>			

8.13 153 Seppelts Road, Barooga

Author:	Deputy Mayor, Carly Marriott
Strategic Outcome:	1. Sustainable natural and built landscapes
Strategic Objective:	1.1. Support sustainable use of our natural resources and built landscapes
Delivery Program:	1.1.1. Coordinate strategic land-use planning
Council's Role:	Regulator: The Council has legislated roles in a range of areas which it is required to fund from its own funds (apart from fees for cost recovery, government grants etc)
Appendices:	Nil

Recommendation

That Council review the deferred commencement condition 2.B;

A revised site plan showing the proposed replacement dwelling being setback 100m from the nearest billabong top of bank.

Report

Cr Carly Marriott would like to move a motion that we review the deferred commencement condition 2.B, Cr Julia Cornwell McKean to second.

Please see the following email Cr Marriott received:

Attention Councillor Carly Marriott,

Request for review of:

DA NO 60/23/DA/D1

Spud Nominees

153 Seppelts Road

Barooga NSW

3644

I write regarding the determination made on 20/04/2023 by Brendan Oloan, Acting Building and Planning Manager at Berrigan Shire Council.

I request a review of this determination, specifically, the deferred commencement condition, 2.B:

A revised site plan showing the proposed replacement dwelling being setback 100m from the nearest billabong top of bank.

It is my understanding that this setback condition is to ensure public use of the waterways (Murray River) is not impacted by houses being built along the river. Given that the existing dwelling is already setback 100m on a billabong, surrounded by bushland, I request the Council review this condition at the May 17th Council meeting.

Regards,

David Murphy

0419 362 178

153 Seppelts Road

Barooga NSW

3644