

# ORDINARY COUNCIL MEETING

Wednesday 19 March, 2025 at 4:30pm Council Chambers, 56 Chanter Street, Berrigan





Agenda

#### **Our Vision**

Our diverse population and productive natural landscape fuel a vibrant economy and a harmonious and thriving community.

#### COMMUNITY STRATEGIC PLAN

Berrigan Shire Council's Community Strategic Plan Berrigan Shire 2040 is a common framework for measuring the achievement of Berrigan Shire 2040 strategic outcomes of:

CO. Our Community

EC. Our Economy

EN. Our Environment

IN. Our Infrastructure

CL. Our Civic Leadership

The Community Strategic Plan can be found here: Community Strategic Plan

#### RISK MANAGEMENT POLICY & FRAMEWORK

Berrigan Shire Council is committed to managing its risks strategically and systematically in order to benefit the community and manage the adverse effects to Council.

Risk Management is everyone's responsibility. It is an activity that begins at the highest level and is applied consistently through all levels of Council. All workers are required to integrate risk management procedures and practices into their daily activities and must be competent and accountable for adequately managing risk within their area of responsibility.

The Risk Management Policy & Framework can be found here:

Risk Management Policy and Framework



# Ordinary Council Meeting

# Wednesday 19 March, 2025

# **BUSINESS PAPER**

The Ordinary Council Meeting of the Shire of Berrigan will be held in the Council Chambers, 56 Chanter Street, Berrigan, on Wednesday 19 March, 2025 when the following business will be considered:-

# **ITEMS OF BUSINESS**

1	OPENING	OF MEETING	5
2	ACKNOWL	EGEMENT OF COUNTRY	5
3		S AND APPLICATIONS FOR LEAVE OF ABSENCE OR ATTENDANCE VIA AUDIO-	5
	3.1	Apologies/Leave of Absence	5
	3.2	Applications for Leave of Absence	5
	3.3	Attendance Via Audio-Visual Link	5
4	CONFIRMA	ATION OF PREVIOUS MINUTES	6
5	DISCLOSU	RES OF INTERESTS	6
6	MAYORAL	MINUTE(S)	6
	Nil		
7	REPORTS (	OF COMMITTEES	7
	Nil		
	7.1	Audit Risk and Improvement Committee - Minutes	7
	7.2	Local Traffic Committee Meeting	8
8	REPORTS	FO COUNCIL	11

	8.1	Councillor requests February 2025	11
	8.2	Correspondence February 2025 to March 2025	17
	8.3	Actions from previous meetings	20
	8.4	Development Determinations - February 2025	21
	8.5	Investment Report February 2025	25
	8.6	Australia Day Committee	28
	8.7	Finley School of Arts Committee of Management	29
	8.8	Insurance Renewals	30
	8.9	Advocacy Plan	33
	8.10	Procurement policies - revocation	34
	8.11	Policy - Related party disclosure	36
	8.12	CEO Study and Research Leave	51
	8.13	Lewis Crescent, Finley - Workers Accommodation	61
	8.14	Strategic Planning Report - Water and Sewer	81
9	NOTICES C	F MOTION/QUESTIONS WITH NOTICE	89
	9.1	Notice of Motion - Barooga Recreation Reserve LRCI funding	89
10	CONFIDEN	TIAL MATTERS	90
11	MOTIONS	WITHOUT NOTICE / QUESTIONS WITHOUT NOTICE	91
12	COUNCILL	OR REPORTS	91
	12.1	Mayor's Report	91
	12.2	Verbal Reports from Delegates	91
13	CONCLUSION	ON OF MEETING	91

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

K kwer



### 1 OPENING OF MEETING

In the spirit of open, accessible and transparent government, Berrigan Shire Council's meetings are audio recorded. By speaking at a Council Meeting, members of the public agree to being recorded. Berrigan Shire Council accepts no liability for any defamatory, discriminatory or offensive remarks or gestures that are made during the course of the Council Meeting. Opinions expressed or statements made by individuals are the opinions or statements of those individuals and do not imply any form of endorsement by Berrigan Shire Council.

Confidential matters of Council will not be recorded.

Recordings are protected by copyright and owned by Berrigan Shire Council. No part may be copied, recorded, reproduced or transmitted without the prior written consent of the Chief Executive Officer. Any recording is not, and shall not, be taken to be an official record of Berrigan Shire Council meetings or the discussion depicted therein. Only the official minutes may be relied upon as an official record of the meeting.

An audio recording of the Council Meeting will be taken for administrative and minute preparation purposes only and is provided to the public for listening purposes to support Council's statutory obligations.

# 2 ACKNOWLEGEMENT OF COUNTRY

"Berrigan Shire Council acknowledges the Traditional Custodians of the lands on which we live and thrive. We pay our respects to their elders; past, present and emerging. The peoples of these great Nations, their spirits and ancestors will always remain with our waterways and lands."

# 3 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE OR ATTENDANCE VIA AUDIO-VISUAL LINK BY COUNCILLORS

# 3.1 Apologies/Leave of Absence

Nil

# 3.2 Applications for Leave of Absence

### 3.3 Attendance Via Audio-Visual Link

Nil



# 4 CONFIRMATION OF PREVIOUS MINUTES

**Recommendation:** That the minutes of the Ordinary Council Meeting held in the Council Chambers Wednesday 19 February, 2025 be confirmed.

# 5 DISCLOSURES OF INTERESTS

# 6 MAYORAL MINUTE(S)

Nil



# 7 REPORTS OF COMMITTEES

Nil

7.1 Audit Risk and Improvement Committee - Minutes

Author: Deputy Chief Executive Officer, Matthew Hansen

Strategic Outcome: CL. Our Civic Leadership

**Strategic Objective:** CL-A. The community is serviced in an effective, financially

sustainable and responsible manner

**Delivery Program:** CL.2. Manage people, assets, resources, and risks responsibly to

support the Council's ongoing viability and maximise value

for money for ratepayers.

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:** 1. Minutes - Audit Risk and Improvement - 14.02.2025.pdf

(under separate cover) ⇒

### Recommendation

That the council receive and note the minutes of the audit, risk and improvement committee held on 12 February 2025.

# **Purpose**

The minutes of the audit risk and improvement committee meeting held on 12 February 2025 are attached to this report.

Item 7.1 Page **7** of **91** 



# 7.2 Local Traffic Committee Meeting

Author: Administration Support - Infrastructure, Natasha Rust

**Strategic Outcome:** IN. Our Infrastructure

Strategic Objective: IN-B. We can move through our shire, and to other places with

ease

**Delivery Program:** IN.1. Improve the road network to ensure safety, and

connectivity.

Council's Role: Strategic Partner: The Council partners with other agencies,

stakeholders, community groups etc in the delivery of a Council provided service or activity that aligns with Councils Strategic

outcomes or Delivery Program.

**Appendices:** 1. Local Traffic Committee Meeting Minutes - 20.02.2025.pdf

(under separate cover) <u>⇒</u>

### Recommendation

That Council adopt the following recommendations from the Local Traffic Committee Meeting held on Thursday 20 February 2025.

- LTC1. Council approve the application made by the Berrigan Sub-Branch of the Returned Services League to hold their annual parade on ANZAC Day, Friday 25 April, 2025 and the temporary road closure of Chanter Street, Berrigan between the hours of 8.30am and 10.30am.
- LTC2. Council approve the application made by the Finley Sub-Branch of the Returned Services League to hold their annual parade on ANZAC Day, Friday 25 April, 2025 and the temporary road closure of Murray Street, Finley between the hours of 10.30am and 12.30pm.
- LTC3. Council approve the application made by the Tocumwal Sub-Branch of the Returned Services League to hold their dawn service on ANZAC Day, Friday 25 April, 2025 and the temporary road closure of Deniliquin Street, Tocumwal between the hours of 5.30am and 7.00am and their annual parade on ANZAC Day, Friday 25 April, 2025 and the temporary road closure of Deniliquin Street, Tocumwal between the hours of 10.30am and 12.30pm
- LTC4. Council approve the application made by the Barooga Police Station for dedicated police vehicle parking. Area to be marked with painted area and signage.

Item 7.2 Page **8** of **91** 



- LTC5. Council note request for 45 degree angle parking at 59-61 Jerilderie Street, Berrigan was rejected as it does not meet a variety of standards. Transport for NSW advised that as Jerilderie Street is a regional road, mixed parking options cannot be enacted.
- LTC6. Council note a request to review speed zone around area of Trikki Kids Barooga (Nangunia Street) has been rejected. All speed zone reviews are undertaken by Transport for NSW, previous review should it did not meet criteria for a reduction. Council will undertake an audit of signage.

# Background

The Berrigan Shire Council Local Traffic Committee (LTC) meets quarterly as a technical review committee and is made up of a member of Transport for NSW, NSW Police, the Local Member of Parliament and a Councillor.

The Committee only advises the Council on matters for which the Council has delegated authority; being certain prescribed traffic control devices and traffic control facilities.

The Council must refer all traffic related matters to the LTC prior to exercising its delegated functions. Matters related to State Roads or functions that have not been delegated to the elected Council must be referred directly to Transport for NSW or relevant organisations. Such matters must not be referred to the LTC.

Council is not bound by the advice given by its LTC, however if Council does wish to act contrary to the unanimous advice of the LTC, or when the advice is not unanimous, it must notify Transport for NSW and the NSW Police and wait 14 days before proceeding.

### Report

A copy of the minutes from the meeting held on Thursday 20 February 2025 are attached as "Appendix 1".

#### Other items discussed in general business to note:

- Scoullar Street, Finley urban default for area is 50km/h
- Trucks parking in urban streets
  - 1hr parking only (break/meal),
  - enforcement issue, complaints need to be made to NSW Police for follow up
- Marion Drive, Tocumwal audit of signage to be undertaken
- Racecourse Road / Murray Street, Tocumwal quote for works with Transport for NSW. New signage to be ordered and installed by mid April 2025. Social media campaign around speed limit changes
- Disabled parking in shire
  - Has a review been previous undertaken by Council?
  - Refer to Director Infrastructure & CEO

Item 7.2 Page **9** of **91** 



Item 7.2 Page **10** of **91** 



### 8 REPORTS TO COUNCIL

# 8.1 Councillor requests February 2025

Author: Customer Communications Coordinator, Kayleigh Nolen

Strategic Outcome: CL. Our Civic Leadership

Strategic Objective: CL-A. The community is serviced in an effective, financially

sustainable and responsible manner

**Delivery Program:** CL.2. Manage people, assets, resources, and risks responsibly to

support the Council's ongoing viability and maximise value

for money for ratepayers.

**Council's Role:** Service Provider: The full cost (apart from fees for cost recovery,

grants etc) of a service or activity is met by Council

Appendices: Nil

This report is for information only.

# Report

This report provides the council with an update on action against requests made by councillors as required by the councillor access to information and staff interaction policy.

Page 11 of 91



Works Request Number	Logged Date	Closed Date	Fault/request Type	Service Details	Progress Comments	Resolution Comments	Requested by
8737	18/09/2024	-	Waste	Petition for the removal of waste collection in Honniball drive Tocumwal. Petition saved in Media of this request & Magiq.	<ul> <li>Legal Advice obtained. Town Service boundaries to be determined by councillors.</li> <li>-Awaiting Legal advice. Councillor Stringer has been notified by Matt Hansen.</li> <li>To be included in Statement of Revenue Policy to go to Council. 05/02/2025</li> </ul>	-	Cr Stringer
8755	25/09/2025	-	Boat Ramp	Request from Cr Stringer The sandbags have moved at Tocumwal jetty and they are catching boats. Can Gary and/or Darron contact him to work out what we can do, if anything.	River level too high to enable works to fix issue	-	Cr Stringer
8864	21/10/2024	-	Signage	Update on status of the Edwards Car Park sign	Men's shed has been contacted to make up sign, when this is done, council will put up	-	Cr Healy
9172	13/01/2025	25/02/2025	Roads	Vandalism of community signs on the southern entrance to Finley	As signs need to be replaced a decision needs to be made as to who is responsible for cost as these are not Council signs.	-	Cr Ngatokoa
9201	20/01/2025	-	Parking	I would like to raise a point about disability parking that was made to me by a resident who lives in Berrigan. Her sister cares for a person in a wheelchair. When they need to go to town, they are not able to park in the main centre. There are no designated parks where you can have side or rear vehicle access to disembark a wheelchair. Would it be possible to review the issue and allocate an appropriate parking area?	Under Consideration - Phoned Cr Dennis for more information	-	Cr Dennis

Item 8.1 Page **12** of **91** 



9221	21/01/2025	-	Roads	Is it possible for the hole near the drain to be fixed and/or for a hazard bollard etc to be put around it?	Hole filled, will require additional works.  Inspect and make safe	-	Mayor Cornwell McKean
9244	28/01/2025	04/03/2025	Parking issue	Received from a community member The disabled parking places in Tocumwal are inadequate - in number and in design. They do not meet Australian Standard of 3.2 meters wide by 5.4 meters long, and do not have a kerb ramp access to the footpath on the passenger side. There are some with kerb access to a footpath on the driver side which is not usable by the passengers as it would require them to walk around the rear of the car, possibly encountering traffic. In the course of my job as volunteer community health transport driver I transport aged/infirm/disabled community members around the towns in the Berrigan Shire as well as to Albury, Shepparton, Wangaratta, Yarrawonga etc. Many of my passengers have walkers and a few have wheelchairs. The towns in our Shire have, unfortunately, very poor design for our aged community members or those with a disability. I believe we can do better with our built environment to encourage inclusion and to provide access to all areas of our towns for these community members.	The Asset and Engineering team is conducting an investigation into DDA compliance and identifying the scope of works, including cost estimations to address any issues found. The scope of the investigation also includes assessing the possibility of additional DDA requirements in Tocumwal. The investigation report will be submitted to Gary by February 18, 2025.	The Asset and Engineering team conducted an investigation into DDA compliance, identifying the scope of works and estimating costs to address any issues found. The investigation also assessed the possibility of additional DDA requirements in Tocumwal. The investigation report was submitted to Gary on 13/02/2025 for further action and to notify the mayor.	Mayor Cornwell McKean
9267	03/02/2025	-	Parks & Gardens	Councillor Healy has emailed to say that the toilets behind CWA hall need pressure washing and the especially the skylight requires cleaning. Also, the BBQ area at Apex Park needs a clean including the concrete and BBQ's. Please see full email trail in Media	Toilets were inspected this morning and had been cleaned per BSC service level. Yes, there are stains on the brick work and rust on the door frames, my guess is there old and using too much Hypo (Sodium Hypochlorite/Chlorine) during and after Covid. Pressure washing will not solve the issue at hand.	-	Cr Healy

Item 8.1 Page **13** of **91** 



					Regarding a new toilet block has been ordered to replace the old brick ones. New toilets will hopefully be installed this FY  The toilets where reasonably clean this morning.  BBQ are generally cleaned and a pressure washed ¼  Happy to discus in further		
9302	07/02/2025	10/02/2025	Parks & Gardens	I raised the need for the trees on the entrance to Finley and some of Tocumwal needing water.  When we decided to plant non-native trees, we knew they would need significant amounts of watering especially during their growth stage and extended periods of drought and heat.  Can you inform me as to whether this has started as some are looking extremely stressed.		Aware of Issue - Will address as part of routine maintenance. Trees have been receiving water since before Christmas, established trees have been receiving water on a case by case basis by the gardeners when watering.	Cr Hannan
9309	10/02/2025	11/02/2025	Parks & Gardens	Request the sprinklers be turned on more frequently at the Toc Foreshore.	-	The sprinklers are on 5 days a week for 40 minutes a station, there are some areas are already wet around the splash park and require to turning down. Main damage to park is caused by markets especially when two markets are held consecutively.	Cr Stringer
9310	10/02/2025	13/02/2025	Building & Planning	Advice on DA granted for amphitheater and fishing stations.  How long does Council have to act on it?	-	Sent an email to the Councillor	Cr Dennis
9317	12/02/2025	24/02/2025	Ranger	A resident has been in touch with me about a dog harassing children while they are waiting	-	Spoke to Adam and pick the dog all good	Cr Stringer

Item 8.1 Page **14** of **91** 



				for the bus at the corner of Kelly and Charlotte St			
9332	14/02/2025	14/02/2025	Water	The sink and the toilet in the Finley Library are bubbling and there is black flecks in the water. It also smells.	-	Plumber is attending the site this afternoon so should be back in use today.	Cr Healy
9335	14/02/2025	14/02/2025	Illegal Dumping	there is a large pile of rubbish at pumps Beach. See full email trail in Media	-	Works completed by town maintenance.	Cr Stringer
9336	17/02/2025	-	Parks & Gardens	Disabled toilet - toilet floor has bulged, and the door will not fully open.	We have checked the issue and will need to pull up the flooring to assess what has caused the bulge, a decision was made not to cut the door to suit as this will lead to vermin and water ingress to the building.	-	Cr Ngatokoa
9382	24/02/2025	05/03/2025	Footpaths	Resident concern regarding the all-weather gravel footpath on Bruce Birrell Drive,		I have gathered information regarding the residents concern about the removal of the gravel footpath on Bruce Birrel Drive n.  After reviewing the subdivision plans, I found that no footpath was included along Bruce Birrel Drive in the approved engineering plans (approved on 08/08/2022 – 145/22/DA/D9).  Additionally, I checked the Tocumwal Pedestrian Access and Mobility Plan (PAMPS), which confirms that no footpath currently exists, and none is planned for future construction. This may explain why the subdivision plan was approved without a proposed gravel footpath on Bruce Birrel Drive.  I also reviewed the council's asset database, but no gravel footpath is recorded in Univerus Assets. I spoke with Darron, who is also unaware of any gravel footpath in that section.  Furthermore, there are no records of any expenditure related to a gravel footpath in that area.  It is up to the council to decide whether to include this footpath in PAMPS and	Mayor Cornwell McKean

Item 8.1 Page **15** of **91** 



		construct a gravel footpath along Bruce	
		Birrel Drive.	

Item 8.1 Page **16** of **91** 



# 8.2 Correspondence February 2025 to March 2025

Author: Chief Executive Officer, Karina Ewer

**Strategic Outcome:** CL. Our Civic Leadership

**Strategic Objective:** CL-A. The community is serviced in an effective, financially

sustainable and responsible manner

**Delivery Program:** CL.1. Improve Council processes to make doing business with

Council easier.

**Council's Role:** Service Provider: The full cost (apart from fees for cost recovery,

grants etc) of a service or activity is met by Council

**Appendices:** 1. Incoming Correspondence.pdf (under separate cover) <u>⇒</u>

2. Outgoing Correspondence.pdf (under separate cover) ⇒

This report is for information only.

# Report

The report is intended to ensure our work, such as advocacy, of the Mayor and CEO is transparent to the Council and the community.

All correspondence is grouped into one attachment (incoming and outgoing) to ensure appendices are manageable.

# Incoming

DATE	FROM	ТО	TOPIC	RESPONDED DATE
21 February 2025	Christine Dacey, Chief Executive Officer	Mayor Julia	Churchill Fellowships 2025	N/A
25 February 2025	Cr Jim Memeti, Mayor, Local Government Mayoral Taskforce Supporting People Asylum	Mayor Julia	Invitation to join the Local Government Task force Supporting People Seeking Asylum	N/A
27 February 2025	Stephan Mitchell, Development Manager, Samsung C & T Renewable	Karina Ewer  Cc Merran  Socha, Andrew Fletcher, Gary George, Matt	Proposed South Coree Battery Energy Storage System	N/A

Page 17 of 91



DATE	FROM	ТО	TOPIC	RESPONDED DATE
	Energy Australia Pty Ltd (SREA)	Hansen, Michael Eddie, Michelle Koopman, Tahlia Fry		
3 March 2025	John Piper	Cr John Stringer	Barooga Aquatic and Recreation Centre	4/03/2025
5 March 2025	The Hon Courtney Houssos MLC, Minister for Finance	Mayor Julia	Correspondence from Minister Houssos - Fines Amendment (Parking Fines) Regulation 2025	N/A
7 March 2025	Marianna Elfar, Inspector, Strategic Investigations Unit	Karina Ewer	Preliminary Inquiry – Local Government (State) Award 2023	N/A

# OUTGOING

DATE	FROM	ТО	REGARDS	TYPE
18 February 2025	Karina Ewer	Tony Tranter	Regional Economic Development and Community Investment Program – Funding Stage two Bullanginya Dream	Letter via email
21 February 2025	Karina Ewer	Stefan Hirschi	Mental Health Awareness Training in Regional Farming Communities	Letter via email
4 March 2025	Karina Ewer	John Piper	Barooga Aquatic and Recreation Centre	Letter via mail

Item 8.2 Page **18** of **91** 



DATE	FROM	ТО	REGARDS	TYPE
4 March 2025	Karina Ewer	Bobby Brooks, CEO, Sporties Barooga	Barooga Aquatic and Recreation Centre	Letter via mail
4 March 2025	Julia Cornwell McKean	Mayor George Weston, Leeton Shire Council Jackie Kruger, General Manager, Leeton Shire Council	Grand re-opening Roxy Theatre	Letter via email
5 March 2025	Julia Cornwell McKean	The Hon. Jenny Aitchison MP, Minister for Regional Transport and Roads	Concerns Regarding Accessibility and Regional Representation in Roundtable workshop review of the Roads Act 1993	Letter via Ministerial Portal

Item 8.2 Page **19** of **91** 



# 8.3 Actions from previous meetings

Author: Deputy Chief Executive Officer, Matthew Hansen

**Strategic Outcome:** CL. Our Civic Leadership

**Strategic Objective:** CL-A. The community is serviced in an effective, financially

sustainable and responsible manner

**Delivery Program:** CL.2. Manage people, assets, resources, and risks responsibly to

support the Council's ongoing viability and maximise value

for money for ratepayers.

**Council's Role:** Service Provider: The full cost (apart from fees for cost recovery,

grants etc) of a service or activity is met by Council

**Appendices:** 1. Outstanding Actions as of 12 March 2025 (under separate

cover) 흐

2. Completed Actions 13.02.2025 12.03.2025 (under separate

cover) <u>⇒</u>

#### Recommendation

That Council receive and note this report.

# Report

Attached as appendices to this report are the following reports on actions undertaken by council staff to implement the decisions from previous council meetings, including the expected timeframe for implementation.

- Outstanding actions as of 12 March 2025
- Completed Council Actions from 13 February 2025 to 12 March 2025

Item 8.3 Page **20** of **91** 



# 8.4 Development Determinations - February 2025

Author: Administration Support - Building & Planning, Kelly Milich

Strategic Outcome: CO. Our Community

Strategic Objective: CO-A. We're healthy and well with equitable access to services

**Delivery Program:** CO.1. Deliver initiatives, facilities and services to advance health

and wellbeing priorities

**Council's Role:** Service Provider: The full cost (apart from fees for cost recovery,

grants etc) of a service or activity is met by Council

Appendices: Nil

# Recommendation

That Council receive and note this report.

# Report

### **APPLICATIONS DETERMINED FOR FEBRUARY 2025**

Application	Proposal	Property	Status	Work Value
104/24/DA/D5	Residential Shed	48 Claire Drive, Tocumwal	Approved	\$2,000

### Key Performance Indicator – Development Assessment:

Average Lodgement Days - Berrigan	21
Average Assessment Days - Berrigan	53

Note: Calendar days include weekends and public holidays in the day count.

State Government Environmental Planning and Assessment (Statement of Expectations) Order 2024 focuses on housing deleverability and includes the Ministerial direction that Council Officers formally lodge a development application on the NSW Planning Portal within 14 days (average), from the date of submission. For Berrigan Shire, this equates to 8 days.

Note: The average lodgement days is defined as "total between the submission date and lodgement date for all DA's lodged divided by the total number of applications lodged within the selected time period. Calendar days include weekends and public holidays". Formal lodgement is the responsibility of staff and relies on an internal process (payment and receipting) of a development application fee invoice (aka a 'fee quote').

Page **21** of **91** 



In the January 2025 report to Council, the average number of lodgment days (in December 2024) was 21 days. In the February 2025 report (January 2024 stats) this was 22 days. In this March 2025 report (February 2025 stats) the average number of days is 21 days. This is unfortunately not within the Ministerial direction.

Staff are aware of the explanatory note of the Order which states that if a council is found not to be meeting these expectations, the Minister can take these matters into consideration as part of determining if it is appropriate to appoint a planning administrator or Sydney district or regional planning panel to exercise a council's functions.

The internal process behind the lodgement day timeframe is manual and electronic (email) and involves two teams — planning and finance. Staff continue to work within the current process and are clear about separating the fee payment from the Request for Further Information, and staff contact the applicant to pay the fee quote four times over an eight-day period. A message will soon be placed on Council's website to bring the Ministerial direction to the attenion of applicants and explain how they can assist staff achieve timeframes through their payment choice (over the phone payment using a credit card is the most efficient method), and timeliness.



Page 22 of 91



For Berrigan, average assessment timeframe was 53 days for FY 2024-25 up to 28-Feb-2025.



The 1 July 2024 Order outlines the Minister's expectation of determining a development application as soon as practical, or an average of 115 days, from lodgement; whichever is the lesser of Council's previous financial year average.

Development applications in January 2025 had an average assessment timeframe (and were determined) within 50 days.

The Planning & Development team are well aware of the 40-day statutory timeframe requirement in the EP&A Act and Regulations for determining a development application. Whilst short staffed, they are striving to achieve this statutory requirement, in particular for the smaller applications (e.g. for a new dwelling or a shed).

# APPLICATIONS PENDING DETERMINATION AS AT 28/02/2025

65/25/DA/DM	11-02-2025	Extension to an existing storage Facility	139 HUGHES STREET, BAROOGA NSW 3644 (Lot1//DP1299291)
66/25/DA/DM	18-02-2025	Housed facility for Cattle	796 MAXWELLS ROAD, FINLEY NSW 2713 (Lot70//DP752297)
67/25/DA/DM	19-02-2025	DEMOLITION OF DWELLING & SHED & TREE	18 FINLEY STREET, TOCUMWAL NSW 2714 (LotB//DP363604)
68/25/DA/D9	20-02-2025	SUBDIVISION	45 RACECOURSE ROAD, TOCUMWAL NSW 2714 (Lot2//DP834495)

Page 23 of 91



# OTHER <u>CERTIFICATES</u> ISSUED FOR FEBRUARY 2025

	s10.7(2) Planning Certificate		s10.7(5) Certificate		735A Certificate		s9.34 Certificate		s6.24 Building Certificate		Swimming Pool Certificate	
	FEB	Year Total	FEB	Year Total	FEB	Year Total	FEB	Year Total	FEB	Year Total	FEB	Year Total
BAROOGA	5	46	1	3	0	0	0	0	0	1	0	7
BERRIGAN	8	40	1	1	0	1	0	0	0	0	0	0
FINLEY	9	55	0	2	0	1	0	1	0	0	0	0
TOCUMWAL	22	102	2	6	0	0	0	0	0	1	1	3
TOTAL	44	243	4	12	0	2	0	1	0	2	1	10

Page **24** of **91** 



# 8.5 Investment Report February 2025

Author: Director Corporate Services, Simon Walsh

Strategic Outcome: CL. Our Civic Leadership

Strategic Objective: CL-A. The community is serviced in an effective, financially

sustainable and responsible manner

**Delivery Program:** CL.2. Manage people, assets, resources, and risks responsibly to

support the Council's ongoing viability and maximise value

for money for ratepayers.

**Council's Role:** Service Provider: The full cost (apart from fees for cost recovery,

grants etc) of a service or activity is met by Council

Appendices: Nil

# Recommendation

That Council note the report on investments.

# **Purpose**

This report is designed to meet Councils legislative monthly requirements in relation to Councils Investments as outlined in section 212 'Reports on council investments' in *Local Government* (General) Regulation 2021 for the period ending 28 February 2025.

#### Report

- a) The Finance Team Leader 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. clause 212 of the Local Government (General) Regulations 2021, and
  - iv. Council's Instrument of Delegation.
- b) Council's cash and investment portfolio remained stable at \$28M in the month of February 2025 with one re-investment of funds as highlighted below.

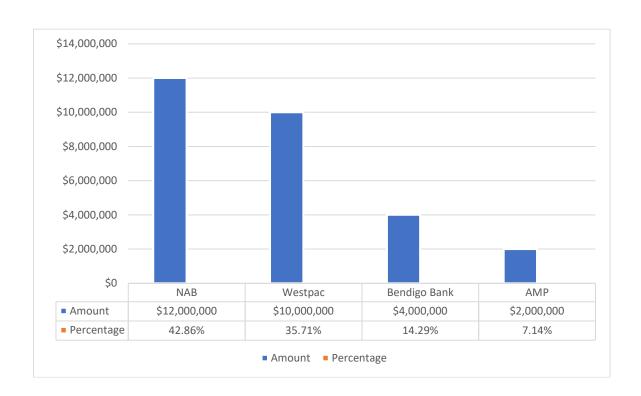
Item 8.5 Page **25** of **91** 



# **Investment Register**

INSTITUTION	FUND	DEPOSIT NO.	TERM (days)	RATE	MATURITY DATE	INSTI	TUTION TOTAL	S&P RATING
AMP Bank	SEWER	167/24	365	5.10%	19/12/2025	\$	2,000,000.00	AA-
Bendigo Bank	WATER	142/18	181	5.00%	26/03/2025	\$	2,000,000.00	BBB+
Bendigo Bank	WATER	166/24	365	5.05%	18/11/2025	\$	2,000,000.00	BBB+
NAB	GENERAL	161/24	214	5.07%	29/04/2025	\$	2,000,000.00	AA-
NAB	WATER	162/24	242	5.04%	27/05/2025	\$	2,000,000.00	AA-
NAB	WATER	163/24	334	4.95%	27/08/2025	\$	2,000,000.00	AA-
NAB	GENERAL	156/24	368	5.25%	10/06/2025	\$	2,000,000.00	AA-
NAB	SEWER	157/24	365	5.30%	30/07/2025	\$	2,000,000.00	AA-
NAB	GENERAL	160/24	365	4.65%	27/02/2026	\$	2,000,000.00	AA-
WESTPAC	GENERAL	150/23	365	4.82%	30/09/2025	\$	2,000,000.00	AA-
WESTPAC	SEWER	144/19	552	4.95%	1/10/2025	\$	2,000,000.00	AA-
WESTPAC	GENERAL	164/24	397	4.99%	12/11/2025	\$	2,000,000.00	AA-
WESTPAC	GENERAL	165/24	551	4.85%	15/04/2026	\$	2,000,000.00	AA-
WESTPAC	SEWER	158/24	729	4.95%	30/07/2026	\$	2,000,000.00	AA-
						\$	28,000,000.00	

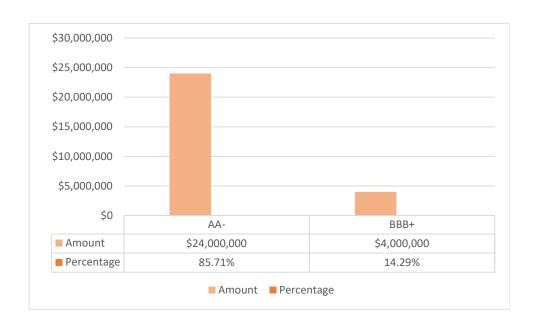
# **Cash & Investment by Institution**



Page **26** of **91** 



# **Cash & Investment by Rating**



Page **27** of **91** 



# 8.6 Australia Day Committee

Author: Executive Assistant, Keelan McDonald

Strategic Outcome: CO. Our Community

Strategic Objective: CO-B. We have a vibrant, inclusive, and creative community life

**Delivery Program:** CO.4. Respect, promote and celebrate our heritage, identity,

diversity, and culture

**Council's Role:** Service Provider: The full cost (apart from fees for cost recovery,

grants etc) of a service or activity is met by Council

Appendices: Nil

# Recommendation

That Council:

a) revoke existing members of the Section 355 Australia Day Committee of Management and

b) pursuant to section 355 of the *Local Government Act 1993*, appoint the persons defined in this report to the Section 355 Australia Day Committee of Management.

Barooga Representative:	Mick O'Dwyer
Berrigan Representative:	Chris Nevins
Finley Representative:	Ashley Haynes
Tocumwal Representative:	Deborah White

# Report

Advice of committee members has been received and can be endorsed by Council.

Item 8.6 Page **28** of **91** 



# 8.7 Finley School of Arts Committee of Management

Author: Recreation Officer, Christie Watkins

**Strategic Outcome:** CO. Our Community

Strategic Objective: CO-B. We have a vibrant, inclusive, and creative community life

**Delivery Program:** CO.7. Our community groups are supported.

Council's Role: Asset Owner: As the owner (or custodian, such as through a Trust

Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and

maintenance costs

Appendices: Nil

# Recommendation

That Council:

a) revoke existing members of the Finley School of Arts Committee of Management and

b) pursuant to section 355 of the *Local Government Act 1993*, appoint the following persons to the Finley School of Arts Committee of Management:

President:	Ross Whittaker
Secretary	Tracy Anderson
Treasurer	Christine Lawlor
Bookings Officer	Jan Gray
Committee:	Noel A'Vard, Anne Freestone, Kerry-Anne Lawlor, Ted Gray

# Report

Advice of committee members has been received and can be endorsed by Council

Page **29** of **91** 



#### 8.8 Insurance Renewals

Author: Enterprise Risk Manager, Michelle Koopman

Strategic Outcome: CL. Our Civic Leadership

**Strategic Objective:** CL-A. The community is serviced in an effective, financially

sustainable and responsible manner

**Delivery Program:** CL.2. Manage people, assets, resources, and risks responsibly to

support the Council's ongoing viability and maximise value

for money for ratepayers.

**Council's Role:** Asset Owner: As the owner (or custodian, such as through a Trust

Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and

maintenance costs

Appendices: Nil

#### Recommendation

That Council:

- note this report
- direct the Chief Executive Officer report to council on the total cost of the 2025-26 insurance renewals, once known.

# **Purpose**

This report is to provide Council with an overview of our insurance and changes we have encountered with this year's renewal process.

# Background

Council undergoes a process during February – April every year to formalise insurance coverage. This involves a comprehensive gathering of information for different policies which is used to secure cover with various underwriters.

Insurance coverage is affected by many factors which include previous claims, historical claims by other Councils, court decisions, and natural disasters. Each year the process around renewals becomes more complex as insurers require more information and more proactive controls in place before accepting cover.

In addition to the increasing scrutiny, Council is also facing rising costs; as a result insurance values are rising particularly where they are based on replacement costs. This is particularly evident with our building and contents insurance cover.

Last year, insurance valuations were conducted on Council's water and sewer infrastructure. This has had a profound effect on this year's values. Previously, valuations on water and sewer were conducted in the same manner as other buildings and included on our property schedules as building

Page **30** of **91** 



and contents with various buildings that make up the water or sewer treatment plants, identified individually. As a result of last year's valuations, there has been a shift in how water and sewer infrastructure are considered, and the "plants" are now grouped under one value per location. This value has increased substantially.

We will not know what our renewal premiums will be until all information is gathered from all Councils participating in the scheme, and insurers have been secured.

It is fair to assume however, the increase in values and the difficulties in securing cover will have an effect on our insurance costs.

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

# Issues and Implications

Staff are expecting a significant rise in insurance costs for the coming financial year.

#### Policy

N/A

#### Financial

As above.

#### Legal / Statutory

N/A

### Community Engagement / Communication

N/A

### <u>Human Resources / Industrial Relations (If applicable)</u>

N/A

#### Risks

The following risks have been assessed as per the Council's Risk Management Framework:

#### 1. Financial

	Consequence				
Likelihood	1	2	3	4	5
А	Medium	High	High	Very High	Very High
В	Medium	Medium	High	High	Very High
С	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Page **31** of **91** 



Without knowledge of what the premiums will be, we can expect there will be increases across the entire portfolio, and based on the new property values, it is likely to be a substantial increase.

# Conclusions

This is indicative of the insurance sector and what many individuals and businesses are facing. Following finalisation of the renewal process and information on premiums, a further report will be made to Council and ARIC.

Page 32 of 91



# 8.9 Advocacy Plan

Author: Chief Executive Officer, Karina Ewer

**Strategic Outcome:** CL. Our Civic Leadership

Strategic Objective: CL-B. Our community is informed and engaged in decision-

making

CL-C. A community where collaborative efforts enhance

development and service delivery

**Delivery Program:** CL.4. Strengthen community engagement and participation in

decision-making.

CL.5. Build partnerships with state agencies, businesses, and

non-profits

CL.6. Secure funding and resources for projects and services

CL.7. Actively participate in regional bodies to advance shared

action for our region

Council's Role: Advocate: The Council may advocate to another government or

other organisation for certain things to happen, this could range from a single event (such as writing to a Minister) through to an

ongoing campaign

**Appendices:** 1. Berrigan Shire Advocacy Plan 2025 (under separate cover)

 $\Box$ 

### Recommendation

That Council adopt the designed Berrigan Shire Advocacy Plan attached as an appendix to this report.

# Report

At the January Council Meeting, Council adopted the draft Berrigan Shire advocacy plan, with the designed version to be presented back to Council for review.

Page **33** of **91** 



8.10 Procurement policies - revocation

Author: Deputy Chief Executive Officer, Matthew Hansen

**Strategic Outcome:** CL. Our Civic Leadership

**Strategic Objective:** CL-A. The community is serviced in an effective, financially

sustainable and responsible manner

**Delivery Program:** CL.1. Improve Council processes to make doing business with

Council easier.

CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value

for money for ratepayers.

Council's Role: Service Provider: The full cost (apart from fees for cost recovery,

grants etc) of a service or activity is met by Council

**Appendices:** 1. Procurement Policy (under separate cover) <u>⇒</u>

2. Procurement manual (under separate cover) <u>⇒</u>

#### Recommendation

That Council

1. Revoke the following policies

- a. Procurement and disposal policy adopted 15 May 2017
- b. Disposal policy adopted 15 May 2017
- c. Local Preference policy adopted 15 May 2017
- d. Tender policy adopted 17 July 2019
- 2. Note the Procurement Policy and associated procedures endorsed by use by the Executive Leadership Team attached as appendix 1 and 2
- 3. Endorse the decision of the Chief Executive Officer to classify the Procurement Policy as administrative.

# Report

Council staff started the process of developing a new procurement framework in early 2024.

This process is now essentially complete with a new policy and an associated set of procedures adopted for use by the Executive Leadership Team in March 2025. The policy was classified as administrative, rather than statutory or strategic in nature.

The revised procurement framework replaces a range of policies previously adopted by council and these policies can now be revoked.

Item 8.10 Page **34** of **91** 



There is still work to be done to incorporate fuel cards into the procurement procedures, even though fuel cards are covered by the new procurement policy. When this work is complete, the existing fuel card policy will come to council for revocation.

The CEO has a statutory obligation to develop and implement a specific credit card policy as per the <u>Guidelines on the Use and Management of Credit Cards</u> issued by the Office of Local Government under s23A of the <u>Local Government Act 1993</u>. This policy is also under review along with associated procedures.

Item 8.10 Page **35** of **91** 



8.11 Policy - Related party disclosure

Author: Deputy Chief Executive Officer, Matthew Hansen

**Strategic Outcome:** CL. Our Civic Leadership

**Strategic Objective:** CL-A. The community is serviced in an effective, financially

sustainable and responsible manner

**Delivery Program:** CL.2. Manage people, assets, resources, and risks responsibly to

support the Council's ongoing viability and maximise value

for money for ratepayers.

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:** 1. Related Party Disclosure Policy - Draft - March 2025 <u>J</u>

### Recommendation

That Council

- 1. revoke its Related Party Disclosure Policy adopted 15 July 2020 and
- 2. adopt the Related Party Disclosure Policy attached to this report.

### Report

This report proposes council adopt a revised policy regarding related party disclosures.

# Background

Australian Accounting Standard AABD 124 requires council – as a reporting entity – to disclose transactions with related parties.

These disclosures draw attention to the possibility that Council's financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties

Item 8.11 Page **36** of **91** 



To provide guidance to councillors and managers on their obligations regarding related party disclosures, council developed a Related Party Disclosure Policy.

The policy provides guidance on:

- who and what parties are related parties to Berrigan Shire Council,
- who the Key Management Personnel (KMP) are,
- what is a related party transaction and how ordinary citizen transactions are defined,
- what will be disclosed and
- how information collected in declarations will be used.

The proposed policy is a complete rewriting of the current policy. The proposed policy simplifies and clarifies identifying KMP and other related parties. It also provides direct advice on the transactions council will report.

Item 8.11 Page **37** of **91** 





#### 88

#### **RELATED PARTY DISCLOSURE**

Strategic Outcome:	CL. Our Civic Leadership	
Policy type	Statutory	
Date of Adoption:	19 March 2025 Minute Number:	
Date for Review:	21 March 2029	
Responsible Officer:	Director Corporate Services	
Document Control:	Replaces the policy adopted on 15 July 2020	
Delivery Program Link:	CL.2 Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.	

#### 1. POLICY STATEMENT

The purpose of this policy is to ensure that Council meets all requirements regarding the disclosure of related party transactions.

#### PURPOSE

The objective of this policy is to ensure that Council's transactions with related parties are disclosed, thereby ensuring transparency in dealings and their effect on Council's financial reports. These disclosures draw attention to the possibility that Council's financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.

It is to ensure:

- that Council's financial statements comply with the disclosure requirements under Australian
   Accounting Standard AASB 124 Related Party Disclosures; and
- key management personnel are aware of their responsibilities in relation to reporting related parties and the disclosures that may be made in the annual financial statements.

It is important to note that AASB 124 is not designed to detect and report fraud or misconduct. It is to enhance transparency and accountability of Council transactions.

#### 3. SCOPE

Page **1** of **13** 

Item 8.11 - Appendix 1 Page **38** of **91** 





This Policy shall be applied in:

- 1. Identifying related parties and relevant transactions;
- 2. Identifying outstanding balances, including commitments, between Council and its related parties;
- 3. Identifying the circumstances in which disclosure of the items in (1) and (2) is required; and
- 4. Determining the disclosures to be made about those items.

This policy applies to elected members of Council, to Council management and those relieving in their roles, and to all consultants and contractors engaged by Council who are determined to be key management personnel.

#### 4. OBJECTIVE

This policy is developed to assist the Council with the Delivery Program Objective CL.2:

Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.

#### 5. **DEFINITIONS**

**Close family members:** Family members who may be expected to influence, or be

influenced by, the key management personnel in their dealings with Council, and includes spouse / partner, children and dependents, as well as children and dependents of spouse / partner. It can potentially also include grandparents, grandchildren, or siblings.

**Control:** An investor controls an investee when the investor is exposed, or

has rights, to variable returns from its involvement with the investee and has the ability to affect those returns through its power over

the investee.

**Joint control:** The contractually agreed sharing of control of an arrangement,

which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

**Key management personnel:** those persons having authority and responsibility for planning,

directing and controlling the activities of Council or Council entities,

directly or indirectly

Page 2 of 13

Item 8.11 - Appendix 1 Page **39** of **91** 





**Material:** Information is material to financial statements if omitting it or

misstating it could influence decisions that users make on the basis

of financial information.

Ordinary Citizen Transactions: transactions with a related party that are made on terms that are

considered reasonable if the parties were dealing at 'arm's length.

**Related entities:** Entities controlled or jointly controlled by Council, entities over

which Council has significant influence and any entities that are controlled or jointly controlled by KMP or their close family

members.

**Related parties:** Entities and persons related to Council.

**Related persons:** Council's key management personnel and close family members of

KMP.

**Related party transaction:** transfer of resources, services or obligations between a reporting

entity and a related party, regardless of whether a price is charged.

#### 6. POLICY IMPLEMENTATION

Council must disclose certain related party relationships and related party transactions together with information associated with those transactions in its general purpose financial statements in order to comply with Australian Accounting Standard AASB 124 Related Party Disclosures.

#### 6.1 Related parties

Council's related parties include:

- Key management personnel (KMP) of Council;
- Close family members of KMP;
- Entities related to Council, such as subsidiaries, joint ventures and associates; and
- Entities controlled or jointly controlled by KMP or their close family members.

Attachment A provides further information on Council's related parties.

#### 6.2 Related party transactions

A related party transaction is any transaction between Council and the above related parties, whether monetary or not. For Council purposes, ordinary citizen transactions are excluded. Attachment B provides further information on related party transactions.

Page **3** of **13** 

Item 8.11 - Appendix 1 Page **40** of **91** 





#### 6.3 Disclosure

Disclosure in Council's annual financial statements will only be made where a transaction has occurred between Council and a related party of Council, and the transaction is material in nature or size, when considered individually or collectively. Attachment C provides further information on disclosure requirements and materiality.

In order to meet the disclosure requirements, all KMP must periodically provide a related party declaration identifying any close family members and entities controlled or jointly controlled by KMP or their close family members. Related party declarations will be requested by Finance at least once each year, with the last update as at 30 June each year also including a list of any related party transactions for review and confirmation.

#### 6.4 Use of information

The information collected in the declarations will be used for the purposes of preparing Council's financial statement note disclosures. Finance will maintain a register to record and assess the related parties and related party transactions. The declarations and related party register will be audited as part of the annual external audit.

#### 7. RELATED LEGISLATION, POLICIES AND STRATEGIES

#### 7.1 Legislation

- Local Government Act 1993
- Government Information (Public Access) Act 2009
- Privacy and Personal Information Protection Act 1998
- Local Government (General) Regulation 2021
- Office of Local Government Code of Accounting Practice and Financial Reporting
- AASB 124 Related Party Disclosures
- AASB 10 Consolidated Financial Statements
- AASB 11 Joint Arrangements
- AASB 128 Investments in Associates and Joint Ventures

#### 7.2 Council policies and guidelines

- Governance Framework
- Code of Conduct
- Procurement Policy
- Procurement Manual

#### 8. RECORDS MANAGEMENT

Page 4 of 13

Item 8.11 - Appendix 1 Page **41** of **91** 





Information provided by KMP and other related parties shall be held for the purpose of compliance with Council's legal obligation and shall be disclosed where required for compliance or legal reasons only

All Records must be kept in accordance with Council's Records Management Policy (currently under development) and destroyed as per the General Retention and Disposal Authority: Local Government Records (GA39).

#### 9. REVIEW AND EVALUATION

This policy (procedure) will be evaluated and reviewed at least once every four (4) years as per Council's Governance Framework (currently under development) or as required.

#### 10. DOCUMENT AVAILABILITY

A number of legislative instruments require Councils to have the policy available for inspection at Council's principal office (i.e. Policies made under Part 3, of the Local Government Act 1993). Each document should therefore state the ways in which the policy is available including any relevant fees and charges for access to such policy. An example of the required statement is provided below:

This policy will be available for inspection at Council's principal office during ordinary business hours as per the requirements of section 18 (c) of the *Government Information (Public Access) Act 2009* and section 167 of the *Local Government Act 1993*.

Access to the policy in digital format is free and is available on Council's website <a href="https://www.berriganshire.nsw.gov.au/">https://www.berriganshire.nsw.gov.au/</a>

Printed copies of the document are available at Council's principal office (address noted below) and are subject to Council's Fees and Charges.

Berrigan Shire Council 56 Chanter Street BERRIGAN NSW 2712

Ph: 03 5888 5100

Email: mail@berriganshire.nsw.gov.au

#### 11. VERSION CONTROL

<b>Version Number</b>	Date	Summary	Responsible Officer
1.0	15/07/2024	New Policy document	Director Corporate Services
2.0	19/02/2025	Complete redrafting – improved accessibility	Karina Ewer

Page **5** of **13** 





**APPENDICES** 

Page **6** of **13** 

Item 8.11 - Appendix 1 Page **43** of **91** 





#### APPENDIX A - RELATED PARTIES IDENTIFICATION

This attachment considers who and what are related parties of Council.

A related party can be a person or an entity. An entity can be a company, trust, joint venture, partnership or association.

Council's related parties include:

- Key management personnel (KMP) of Council;
- Close family members of KMP;
- Entities related to Council, such as subsidiaries, joint ventures and associates; and
- Entities controlled or jointly controlled by KMP or their close family members.

#### Key management personnel (KMP)

KMP are defined as persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly.

Taking into account the guidance and examples provided in AASB 124 Related Party Disclosures, it has been determined that the following are KMP of Council:

- Mayor;
- Councillors; and
- Executive Leadership Team comprising the CEO, Deputy CEO and Directors.

If a person is acting in a position that would normally be considered a KMP role, that person is only a KMP if they have the same authority and responsibility for planning, directing and controlling the activities of Council. For example, if a person is acting in a KMP position while a KMP is on annual leave, and that person's participation in key decisions is limited during that period, the person would not be considered a KMP. Alternatively, if a person is acting in a vacant position and they participate in key decisions, then that person would be considered a KMP.

A KMP of a parent entity is also a related party to the parent entity's controlled entities.

#### Close family members of KMP

Close family members are defined as those family members who may be expected to influence, or be influenced by, the KMP in their dealings with Council, and includes:

• Spouse or partner;

Page 7 of 13

Item 8.11 - Appendix 1 Page **44** of **91** 





- Children and dependents of KMP; and
- Children and dependents of spouse or partner.

Dependent on the circumstances, it could also extend to other family members if the family member may be expected to influence, or be influenced by, the KMP in their dealings with Council.

#### **Entities Related to Council**

Entities controlled by Council, jointly controlled by Council or over which Council has significant influence are related parties of Council.

The terms 'control', 'jointly controlled' and 'significant influence' are used in this policy with the meanings specified in Australian Accounting Standards.

When assessing whether Council has control or joint control over an entity, AASB 10 Consolidated Financial Statements and AASB 11 Joint Arrangements need to be considered. AASB 10 states that an investor controls an investee when it is exposed, or has rights, to variable returns from its involvement with the investee and has the ability to affect those returns through its power over the investee. Joint control is defined in AASB 11 as the contractually agreed sharing of control of an arrangement, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

AASB 128 Investments in Associates and Joint Ventures details the criteria for determining whether Council has significant influence over an entity, where significant influence is defined as the power to participate in the financial and operating policy decisions of the investee but is not control or joint control of those policies.

#### Entities Controlled or Jointly Controlled by KMP or their Close Family Members

Entities controlled or jointly controlled by KMP, or close family members of KMP, are related parties of Council. The terms "control" and "jointly controlled" are used in this policy with the meanings specified in Australian Accounting Standards.

#### **Identification of Related Parties**

Compliance with AASB 124 requires more detailed personal information than what is currently covered in existing declarations and registers. As a result, Council requires all KMP to also provide regular related party declarations identifying:

- Close family members;
- Entities that are controlled or jointly controlled by KMP;

Page **8** of **13** 

Item 8.11 - Appendix 1 Page **45** of **91** 





- Entities that are controlled or jointly controlled by close family members;
- ABN or ACN of controlled / jointly controlled entities; and
- Start and end dates where there have been changes to related party relationships during the year.

Related party declarations will be requested by Finance at least once each year, with the last update as at 30 June each year also including a list of any related party transactions identified for review and comment by KMP. Declarations may also be requested when events trigger a change in KMP, for example following a council election.

Other sources, such as the register of interests and conflict of interest register, may also be reviewed by Governance to ensure that related party information is accurate and complete for financial reporting purposes.

The related parties identified will be recorded in a register (related party register) maintained by Governance and will be used for the purposes of identifying transactions between Council and its related parties.

#### Summary of Council's Related Parties

RELATED PARTY	CATEGORY	wно
Person	Key Management Personnel	Mayor, Councillors, Executive Leadership Team
Person	Close family members of KMP	Per related party declarations by KMP
Entity	Entities controlled / jointly controlled by a related person	Per related party declarations by KMP
Entity	Controlled entities	None at present

Page **9** of **13** 

Item 8.11 - Appendix 1 Page **46** of **91** 





#### ATTACHMENT B - RELATED PARTIES TRANSACTIONS IDENTIFICATION

Once related parties have been identified, the next step is the identification of related party transactions.

'A related party transaction is a transfer of resources, services or obligations between a reporting entity and a related party, regardless of whether a price is charged.' (AASB 124.9)

#### **Ordinary Citizen Transactions**

In accordance with guidance provided in AASB 124, 'a not-for-profit public sector entity may determine that information about related party transactions occurring during the course of delivering its public service objectives and which occur on no different terms to that of the general public is not material for disclosure in its general purpose financial statements and accordingly need not be disclosed.' These transactions are referred to as ordinary citizen transactions (OCTs).

OCTs are not material transactions because of their nature. These transactions are unlikely to influence the decisions that users of Council's financial statements make, having regard to both the extent of the transactions, and that the transactions have occurred within a public service provider / taxpayer relationship.

For example, if a Councillor were to walk their dog in a council owned park, then that would be a related party transaction. However, it is unlikely that users of the financial statements would be interested in this transaction. It is a taxpayer / government entity transaction that may be undertaken by any ordinary citizen.

Unless there are indications that such transactions have occurred on terms and conditions significantly different to those offered to the general public, OCTs will be excluded from being captured and reported as related party transactions at Council.

Examples of OCTs at Council include:

- Rates and utility charges;
- Use of Council facilities, equipment and services in accordance with Council's fees, charges and policies (e.g. visiting a Council park, library);
- Fines and other penalties on normal terms and conditions;
- Attendance at a Council function or activity open to the public;
- Any other transaction occurring during the course of delivering Council's public service objectives and which occur on no different terms to that of the general public.

Examples of transactions that are not considered OCTs for Council purposes include:

Procurement related transactions (e.g. KMP's company supplies materials/services to Council); and

Page 10 of 13

Item 8.11 - Appendix 1 Page **47** of **91** 





• Infrastructure charges (e.g. a KMP's company pays an infrastructure charge to Council).

#### **Identification of Related Party Transactions**

Related party transactions will be identified via the following high-level process:

- Collate information from Council's financial systems;
- Review conflict of interest register and other relevant documentation; and
- Obtain declarations from KMP that identified related party transactions are complete and accurate, including confirmation of terms and conditions of transactions.

Related party transactions (excluding OCTs) will be recorded in the related party register for the purposes of assessment and may be disclosed in Council's annual financial statements, depending on materiality.

Page **11** of **13** 

Item 8.11 - Appendix 1 Page **48** of **91** 





#### ATTACHMENT C - MATERIALITY

Prior to preparing Council's financial statement disclosures, related party transactions will be assessed for materiality. Transactions that are not considered material do not need to be disclosed.

When assessing materiality, both the size and nature of the transaction will be considered, individually and collectively.

Assessing materiality requires judgement and the following factors may indicate a material related party transaction:

- Significance in terms of size (by reference to materiality levels set by external auditors each year);
- Carried out on non-market terms;
- Outside normal operations;
- Subject to Council approval;
- Provides a financial benefit not available to the general public; and
- Transaction likely to influence decisions of users of financial statements.

#### **Financial Statement Disclosures**

Council must disclose the following information in its annual financial statements:

- Relationships between Council and its controlled entities (irrespective of whether there have been transactions between them);
- Key management personnel compensation in total and for each of the following categories:
  - Short-term employee benefits (wages, allowances, annual leave, bonuses);
  - Post-employment benefits (superannuation);
  - Other long-term benefits (long service leave); and
  - Termination benefits.
- Where related party transactions have occurred:
  - The nature of the related party relationship; and
  - Information about the transactions, outstanding balances and commitments, including terms and conditions
- Separate disclosure of related party transactions for each category of related party.

The types of transactions that may be disclosed if they are with a related party include:

- Purchases or sales of goods / services / property / other assets
- Leases;
- Guarantees given or received;
- Commitments:
- · Loans and settlements of liabilities; and

Page 12 of 13

Item 8.11 - Appendix 1 Page **49** of **91** 





• Bad and doubtful debts.

Page **13** of **13** 

Item 8.11 - Appendix 1 Page **50** of **91** 



#### 8.12 CEO Study and Research Leave

Author: Chief Executive Officer, Karina Ewer

**Strategic Outcome:** CL. Our Civic Leadership

**Strategic Objective:** CL-A. The community is serviced in an effective, financially

sustainable and responsible manner

**Delivery Program:** CL.2. Manage people, assets, resources, and risks responsibly to

support the Council's ongoing viability and maximise value

for money for ratepayers.

Council's Role: Service Provider: The full cost (apart from fees for cost recovery,

grants etc) of a service or activity is met by Council

**Appendices:** 1. 8.15 USA Delegation and ICMA Conference <u>↓</u>

2. Delegation to Tampa Florida 2025 Program 🕹

3. Study Leave CEO 🕹

#### Recommendation

That Council: 1. adopt the CEO Study and Examination Leave as presented,

- 2. direct the CEO to include the CEO Study and Examination Leave guidelines as schedule D of the CEO Contract,
- 3. support the CEO to attend the USA Delegation and ICMA Conference as per the provisions of the CEO Study and Research Leave guideline and
- 4. allow the CEO to attend the above delegation and conference without the requirement to access annual leave.

#### **Purpose**

The purpose of this report is to respond to Council's 22 January 2025 motion from its ordinary and provide a Study and Examination Leave guideline for council's consideration in relation to my request to attend the USA Delegation and ICMA Conference.

#### Summary

The original report provided to the Council at the 22 January 2025 Ordinary meeting is provided at appendix 1.

The outline of the delegation and conference are now available and are included at appendix 2.

#### Background

The study and examination leave guideline is provided as per the motion of council included below, which is from Council's 22 January 2025 Ordinary Council meeting

Page **51** of **91** 



#### 8.15 USA Delegation and ICMA Conference

#### LAPSED

Moved: Cr Katie Ngatokoa Seconded: Cr Renee Paine

That Council support the CEO to attend the USA Delegation and ICMA Conference by allowing the time of the trip to be seen as work time (i.e. not require the CEO to take leave from the period 20 October to 30 October 2025.

#### LAPSED

During debate Mayor Julia Cornwell McKean foreshadowed the following motion.

That council direct the Acting CEO to prepare a draft CEO Study Leave Policy for consideration by the council at its ordinary meeting to be held on 19 February 2025.

The original motion lapsed and the foreshadowed motion became the motion.

#### RESOLVED OCM 015/25

Moved: Mayor Julia Cornwell McKean

Seconded: Cr Renee Brooker

That council direct the Acting CEO to prepare a draft CEO Study Leave Policy for consideration by the council at its ordinary meeting to be held on 19 February 2025.

#### CARRIED

I remind council, I am not requesting any payment to attend the delegation or conference. I will bear those costs personally. I am asking council to consider allowing me to attend without deduction of annual leave from my annual leave accrual.

Council would need to decide if they would like to appoint an Acting CEO whilst I am attending the delegation and conference, or if they would prefer I work remotely during that time.

Under the Ministerial Circular related to Overseas Travel, I will need to provide council with a written report regarding the outcomes of my attendance and any costs to council.

I have applied for a scholarship to cover some of the costs of attendance.

It should also be noted that to date, other than the leadership training all management staff are currently undertaking, council has not provided me any professional development training in the almost four years I have been here. I have attended conferences with the Mayors etc but not engaged with other opportunities normally provided to CEOs/GMs as part of their professional development. I have to this point, undertaken all my own training and education at my own expense.

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

Nil

Page **52** of **91** 



#### Issues and Implications

There may be some perception from the community that council is bearing the cost of my attendance. I will need to ensure all communications regarding this matter articulate clearly that I will be meeting all costs personally.

#### **Policy**

Nil

#### **Financial**

Nil – other than the cost of my annual leave not being debited for the time I will be out of office.

#### **Legal / Statutory**

Nil

#### **Community Engagement / Communication**

Nil

#### <u>Human Resources / Industrial Relations (If applicable)</u>

Nil

#### Risks

The following risks have been assessed as per the Council's Risk Management Framework:

#### 1. Financial

	Consequence				
Likelihood	1	2	3	4	5
А	Medium	High	High	Very High	Very High
В	Medium	Medium	High	High	Very High
С	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

I will be covering the costs of flights, accommodation and attendance at the USA Delegation and ICMA Conference. The risk to council is therefore very low.

#### 2. Reputational

	Consequence				
Likelihood	1	2	3	4	5
А	Medium	High	High	Very High	Very High
В	Medium	Medium	High	High	Very High
С	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High

Page **53** of **91** 



Е	Low	Low	Medium	Medium	High

There may be some members of the community who will think Council has met the costs of attendance at this delegation and conference. I will ensure staff know I am meeting all costs. Other than advertising however, which I think would heighten the risk of commentary about the trip, some negative comment about my attendance is possible.

#### **Options**

- 1. Allow the CEO to attend the USA Delegation and ICMA Conference without debit to her annual leave accrual.
- 2. Allow the CEO to attend the USA Delegation and ICMA Conference with debit to her annual leave accrual at a rate of (half time or full time equivalent).
- 3. Do not allow the CEO to attend the USA Delegation and ICMA Conference.

#### **Conclusions**

I feel this is an excellent opportunity for me to engage with the different ways in which local governments globally operate and how they address the various (and I imagine at times similar) issues they face within their structures. It will also provide a valuable networking opportunity.

Page **54** of **91** 





Ordinary Council Meeting Agenda Wednesday 22 January, 2025

8.15 USA Delegation and ICMA Conference

Author: Chief Executive Officer, Karina Ewer

Strategic Outcome: CL. Our Civic Leadership

Strategic Objective: CL-A. The community is serviced in an effective, financially

sustainable and responsible manner

**Delivery Program:** CL.2. Manage people, assets, resources, and risks responsibly to

support the Council's ongoing viability and maximise value

for money for ratepayers.

Council's Role: No Role: The Council chooses not to have a role in relation to a

particular service or activity

**Appendices:** 1. USA Delegation and ICMA Conference (under separate

cover)

2. Councillors-and-overseas-travel-14June24 (under separate

cover)

#### Recommendation

That Council support the CEO to attend the USA Delegation and ICMA Conference by allowing the time of the trip to be seen as work time (i.e. not require the CEO to take leave from the period 20 October to 30 October 2025.

#### Report

This report seeks to gain Council's approval for me to attend the LG Professionals Delegation to the USA and attendance at the International City Managers Association (ICMA) Conference in Tampa, Florida.

I had hoped to attend the USA Delegation and ICMA Conference in 2024, however it clashed with our election dates.

For transparency, I am not asking Council to pay the costs of the delegation, nor the airfares. I have already paid the \$9,500 required to attend the trip and will book flights in the near future. Again, these will not be charged to council.

I have attached both the email and information from the LG Professionals website at appendix 1 for council's information. The 2025 Program will be provided to me later during 2025 when visits to relevant local government authorities in Florida are confirmed, and the ICMA conference details are finalised.

I am asking that Council do not request me to take holidays to attend the delegation and conference. The cost to Council therefore will be neutral, other than if council would like to appoint a person to act as CEO whilst I am in Florida.

Council's current Training and Development Policy is silent on the matter of study and study leave, though the review of the Workforce Development Plan will include consideration of training and

Item 8.15 Page **1** of **2** 





Ordinary Council Meeting Agenda Wednesday 22 January, 2025

development and therefore study and study leave requirements to be more in line with custom and practice today. Currently, where staff are studying for subjects relevant to their employment, I am providing them time during working hours were appropriate, to complete some components of their course work, particularly where that is related to the work they do. I also provide for leave to undertake exams etc when appropriate. I can however provide an interim Study Leave Policy for council's review if council feels this is more appropriate.

For your reference, I have included the Ministerial Circular related to Overseas Travel. I am aware this relates more to councillors undertaking overseas travel on behalf of council, however I believe the reporting requirements will be valid for this trip for me for the 2025-26 financial year. I will also provide council a report on returning from the travel.

I received confirmation of my PhD candidature on 22 November 2024. My research will focus on local government and the effect of the federal system on communities. I will also therefore apply to the university I am studying with to provide between \$500 and \$1,000 towards this trip. The amount will depend on how much I am eligible for as I have \$3,000 provided to complete the PhD which is meant to pay primarily for things such as editing, travel for interviews with participants etc.

Item 8.15 Page 2 of 2

Item 8.12 - Appendix 1 Page **56** of **91** 



embers have the unique opportunity to participate the upcoming delegation to Florida, USA. This ique opportunity includes attending the ICMA nference, the largest local government conference the world, held this year in Tampa, Florida.

ticipants will also visit several local government uncils in Florida to explore their recent and ovative projects. Delegates will have the chance to et and connect with senior representatives from the council visited.

#### hat's Included



#### **ICMA Conference Registration**

Attend one of the largest gatherings of local government professionals in the world, with over 5000 delegates, 450 speakers, 200 exhibitors and 200 educational offerings.



#### **Curated Council Visits**

Participate in curated council visits in Florida USA, with travel between councils included. Learn and connect with local council professionals as they showcase their different projects.



#### **Accommodation and Meals**

Accommodation, lunch and dinner is included for the duration of the delegation and conference. Any dinner functions selected at the conference will also be included.



Registrations Close: 30 May 2025 Delegation Dates: 21 - 24 October 2025 Conference Dates: 25 - 29 October 2025

### **Draft Itinerary**

#### Arrive in Miami, Florida USA

#### 21 October

Delegates will meet in Miami for dinner and orientation tour.

#### Council Visits in Florida, USA

#### 22 - 24 October

We will visit several councils from Miami, Orlando and Tampa areas, experiencing the high speed rail that links Miami and Orlando.

#### ICMA Pre-Conference Activity

#### 25 October

Get settled in our conference location and explore the Tampa area. Tonight, we will meet other delegates from the conference.

#### ICMA Conference Opening

#### 26 October

The conference will commence with a formal welcome and opening key note speaker, followed by a welcome reception with other conference delegates.

#### ICMA Full Conference Program

#### 27 - 29 October

Choose from the many learnings and networking sessions attend. The final day will finish at lunch, when the confere and delegation conclude. Delegates can make their travel arrangements home from Tampa anytime after lunch.

Visit our website: www.lgprofessionals.com.au or contact

Item 8.12 - Appendix 2 Page **57** of **91** 











## 2024 Delegation to Washington D.C and Pittsburgh

o give you an idea of what the Delegation could entail, the 2024 Council Projects that we visited are listed below alongside some feedback from previous delegates

#### Council Projects We Visited

#### Saithersburg, Maryland

- Financial counselling service for residents.
- Old Missile Control Site transformed into a vibrant community park.

#### Annapolis, Maryland

- Combat rising tides while creating a dynamic public space.
- Electric-powered ferries and expanded cycling pathways enhancing mobility and

#### Mt Lebanon, Pennsylvania

- A Home Rule Municipality.
- Streetscape project, fusion of art and urban renewal.

#### Hampton Township, Pennsylvania

- Floodplain Restoration Project.
- Township Community Park, where recreational, civic, and educational facilities converge.

## Daniel Wagner, Director Planning, Environment and Community Services Isaac Region

"The 2024 ICMA conference and study tour delegation was an invaluable experience for me as a mid-career professional to be able to meet an incredible network of like-minded local government professionals facing similar, but equally complex challenges in service delivery for local communities. The trip allowed me to compare and contrast international experiences to that of ours in Australia, ar has inspired new and creative ways of getting our job done. The professional connections gained on the trip will last me for many years to come. LG Professionals, NSW took great care to provide a comprehensive and thought-provoking itinerary, and made sure our experience was memorable and hasslefree. I can highly recommend this program for any senior local government professionals looking to broaden their horizons and perspectives on local service delivery."

### Allegra Zakis, Manager Strategy and Performance Blue Mountains City Council

"The LG Professionals NSW delegation, including the ICMA (International City Managers Association) conference in Pittsburgh was amazing. LG Professionals NSW do all the hard work for you in terms of organisation - once you arrive in the US all you need to do is engage and enjoy. Activities included were a great mix of social and work, with four council visits each showcasing something different, along with sight-seeing tours, dinners and free time which meant we got to see to high points of both Washington DC and Pittsburgh. The Councils we visited were really welcoming and had challenges and information to share about things both specific to the US and relevant to NSW, including flood barriers to protect from storm surge, redevelopment of dockyard precincts, streetscape improvements, responding to changes in community sporting preferences and managing large scale infill development."

Visit our website: www.lgprofessionals.com.au or contact

Item 8.12 - Appendix 2 Page **58** of **91** 



## CEO Study and Examination Leave Schedule D

#### **Purpose**

To outline entitlement and conditions for study and examination leave for Council's Chief Executive Officer (CEO).

#### **Authority / Application**

Section 6.2.2 of the CEO's contract states Council:

will provide the employee with reasonable opportunities to participate in professional development initiatives relevant to the duties and functions under this contract subject to the operational needs of Council....0

#### **Entitlement**

The CEO may be granted leave to:

- a) undertake study or research (study leave); and / or
- b) attend examinations (examination leave).

Leave shall be subject to the demands of council and shall be agreed with Council through a council motion at an open council meeting.

Council may choose to grant study or examination leave at full pay, half pay or without pay. Where study or examination leave at full pay is granted the CEO may study, research or attend examinations without using other leave entitlements.

Where Council does not grant study or examination leave at full pay the entitlement (i.e. long service or annual leave), may be taken at full pay, half pay or without pay as agreed between Council and the CEO.

Leave is based on the number of ordinary hours the CEO would have worked if leave was not taken.

#### Tier System

Study and Examination Leave is designed to allow the CEO to pursue courses of study or research projects that align with agreed professional development outcomes and / or that align with council's strategic objectives.

Item 8.12 - Appendix 3 Page **59** of **91** 



Leave will be considered through a three tiered system below:

- a) Essential refers to the ongoing process of acquiring new skills, knowledge and competencies crucial for maintaining and enhancing the CEO's effectiveness in their professional role. The goal of essential professional development is to ensure professionals remain competent, competitive and capable of meeting the evolving demands of local government.
- b) Highly Desirable refers to activities and learning opportunities that, whilst not strictly essential, significantly enhance the CEO's skills, knowledge and outcomes. Highly desirable professional development might help the CEO to stay ahead of industry trends, adapt to new challenges and achieve long term career goals.
- c) Desirable refers to activities and learning opportunities that are beneficial and advantageous for the CEO's growth, though not necessarily critical or highly sought after. Desirable professional development helps professionals stay current, improve their performance and increase their value to the organisation.

### Discretion and Leave Arrangements

The Council has total discretion in deciding whether to grant or refuse study leave (at full pay, half pay or without pay) for the CEO. In determining whether to grant study leave and the level of support, Council will take into account the tier system when assessing the costs and benefits for council in granting study leave.

As per council's Employee Leave Policy, only one form of leave may be accessed at any one time, irrespective of whether the leave is provided under study leave or other administrative arrangements (long service leave, annual leave, family leave etc).

Item 8.12 - Appendix 3 Page **60** of **91** 



8.13 Lewis Crescent, Finley - Workers Accommodation

Author: Director Community and Development, Andrew Fletcher

**Strategic Outcome:** EC. Our Economy

CL. Our Civic Leadership

Strategic Objective: EC-A. An economy characterised by growth, diversification, and

a skilled workforce

CL-A. The community is serviced in an effective, financially

sustainable and responsible manner

CL-C. A community where collaborative efforts enhance

development and service delivery

**Delivery Program:** EC.2. Attract new local employment opportunities across the

area

CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value

for money for ratepayers.

CL.5. Build partnerships with state agencies, businesses, and

non-profits

**Council's Role:** Asset Owner: As the owner (or custodian, such as through a Trust

Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and

maintenance costs

Appendices: 1. 2312 - DA documentation\_stamped-COMBINED

SET FINLEY (31.08.2023) PAN-367110.pdf ↓

2. Estimate Summary - Finley\_PAN-367110.pdf \( \frac{1}{2} \)

#### Motion

That Council rescind resolution OCM 030/24 adopted 11 March 2024, as per the Berrigan Shire Council Code of Meeting Practice and the *Local Government Act 1993* 

That Council continue to deliver resolution OCM 030/24, and direct the Chief Executive Officer to include a suitable funding proposal for the project for consideration by the council in the next Quarterly Budget Review Statement or the 2025/26 budget and capital works program.

#### **Purpose**

At the Council Meeting on 11 March 2024, Council agreed to call for tenders to design and construct two dwellings at 47 Lewis Crescent, Finley which could be for key worker housing.

Item 8.13 Page **61** of **91** 



Resolved: OCM 030/24

Moved: Cr John Taylor Seconded: Cr Edward (Ted) Hatty

That the Council

- 1. Call for tenders for the design and construction of two units to be constructed on 47 Lewis Crescent, Finley
- 2. The construction of the units to be funded by:
  - (a) \$300,000 from Council's Capital Works reserve
  - (b) a \$500,000 loan borrowed over a ten-year period with interest-only payments until redemption.

#### **CARRIFD**

The proposed funds and more information are now available about the potential cost associated with the two dwellings which requires further consideration.

#### Background

The property known as 47 Lewis Crescent, Finley is a corner allotment, which was retained as part of a larger subdivision which Council developed and then subsequently sold the created lots.

The construction of the dwellings was to be funded by \$300,000 from Council's Capital Works reserve and the remaining difference, anticipated to be \$500,000, from a loan borrowed over a ten-year period with interest only payments until redemption.

Officers have been working on preparing the tender document, however due to competing priorities, staff shortages and that the tender is required to be very detailed (design and construct), there has been a delay in finalising.

However, during the preparation of this document officers thought it timely to determine if Council still wanted to proceed, also recognising the 'allocated' way of funding the project was removed with the QBRS2 report last month.

Council determined in QBRS2 that the current financial capacity for debt borrowings to support, over and above anticipated requirement of \$500K, was not financially feasible and the deemed funds put aside for this purpose were released from restricted funds.

#### Issues and Implications

#### Similar Example – Cost

Council officers recently assessed and issued a Development Application for a similar proposal at 21 Lewis Crescent, Finley. In reviewing the proposal (two, two-bedroom single dwellings) officers note that the estimated development cost as identified on the application was \$1,308,752.51.

A copy of the approved plans is attached to illustrate this was not an overly large development and would have similar requirements to those included in the draft tender document.

Officers have a level of confidence this would be a reflective cost for this type of development based on considering similar types of development, but also that the NSW State Government recently identified a more realistic approach about how to estimate development costs (see

Item 8.13 Page **62** of **91** 



## https://www.planning.nsw.gov.au/policy-and-legislation/planning-reforms/estimated-development-cost).

The estimate summary of costs is attached, which was provided as part of the application (public information as part of the DA process).

#### Market

Officers have also reviewed the existing market (realestate.com), and although the dwellings could be made available for key workers and/or staff and would attract a rental return, undertaking the development appears to be at odds with what the dwellings may be worth and/or the current market.

A new dwelling (GJ Gardener, 4 bedrooms) is being advertised on a lot in Lewis Crescent for \$494,509.00. Although this dwelling may be larger than proposed in the tender, it is a single house on a larger lot and 'volume house builders' are known to provide value for money and can undertake works generally cheaper than engaging a private/smaller builder.

Reviewing the same website, it is evident that if someone wants to purchase existing housing stock in Finley, there are numerous examples of existing appropriate dwellings around \$350,000 to \$400,000. Although these dwellings are not new builds (and may attract a higher level of maintenance) these are generally larger, on their own lot but readily available (not a 2-year project).

#### Policy 116 Affordable Housing for Key Workers

Policy 116 of Berrigan Shire Council focuses on providing affordable housing for key and essential workers, such as those in education, healthcare, and emergency services. The policy emphasises the importance of affordable housing as a critical component of social and economic development in the region. It outlines the council's commitment to:

- increasing affordable rental housing for moderate income earners,
- identifying council-owned land for future affordable housing developments,
- advocating for local and regional affordable housing needs and
- managing affordable housing assets strategically to balance social outcomes and financial sustainability.

Rescinding the decision would not be contrary to the policy, rather the site could be retained and considered at a later date for future development.

#### Council's Current Position

Although the development can be financed through various methods, any financial return would be a long-term investment. This raises the question of, is it the right time to invest in this type of long - term return and is this a high priority of Council?

Officers are also concerned that we may not have significant resources (staff) to manage a long-term project at the present time. Irrespective of how the tender is managed, considerable staff time and effort would be required, who may not have the expertise or time to allocate to this project unless appropriately defined and included in the Project Management areas, operational plan and budget.

The purpose of the above is to illustrate a few key points which require Council consideration and may have not been known at the time of the decision:

 If Council is to proceed with the design and construct tender, there appears to be insufficient budget to realise the development. The estimate has not considered any additional costs that

Item 8.13 Page **63** of **91** 



may be required (plans, surveys, management, services and contingency). Although some of these costs could be 'passed on' through the tender process, or the scope of works be reduced (two, two-bedroom dwellings), it may become an unattractive proposition and not result in any tenders being submitted.

- A review of a similar development has suggested the actual cost of development is more likely to be \$1,300,000.00+.
- If key worker accommodation is considered a priority, Council could consider purchasing existing housing stock, which has less 'hidden' costs.
- Does Council reconsider the option of selling the lot at 47 Lewis Crescent, Finley?
- Does Council have the time and resources to 'manage' a development and is this a priority?

#### **Options**

The following options are available to Council:

- Continue pursuing the motion and make changes to the budget allocation for 24/25.
- Rescind the motion.
- Rescind the motion and identify what Council officers are required to pursue which could include:
  - selling the lot known as 47 Lewis Crescent, Finley and / or
  - purchasing an additional existing dwelling for worker's accommodation.

#### Conclusions

While the Council's original motion aligns with its commitment to supporting affordable housing for key workers under Policy 116, the updated financial estimates, market conditions, and resource constraints warrant a reassessment of priorities.

Rescinding the motion offers an opportunity to explore alternative approaches, such as purchasing existing housing stock or reallocating resources to other critical areas. A thoughtful review of the options available will ensure Council achieves its long-term goals in a financially responsible and efficient manner.

Item 8.13 Page **64** of **91** 



# Y DEVELOPMENT

1T, FINLEY, NSW



## **DRAWING SCHEDULE**

G.01	Cover Sheet
G.02	Location Plan
G.03	Site Plan
G.04	Street & Boundary Elevations
G.05	Landscape Plan
G.06	Shadow Diagrams - Sheet 1
G.07	Shadow Diagrams - Sheet 2
G1.10	Drawing Schedule & Perspective
G1.30	Floor Plan
G1.31	Roof Plan
G1 40	Flevations - Sheet 1

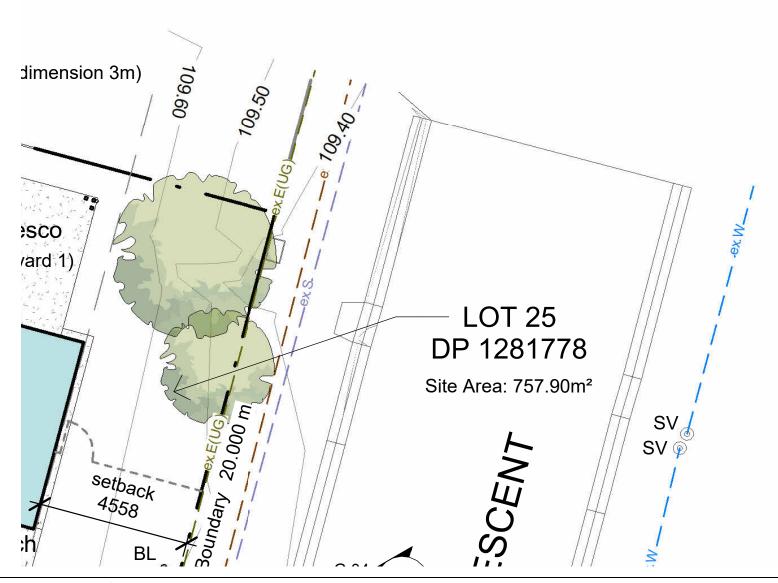
Page **65** of **91** 





Item 8.13 - Appendix 1





## **GFA Calculations** \*

**DWELLING 1** 

GFA \* 133.6m<sup>2</sup>

**DWELLING 2** 

GFA \* 135.0m<sup>2</sup>

Total GFA \* 268.60m<sup>2</sup>

\* Gross Floor Area (GFA) measured to inside face of external walls as defined under Berrigan Local Environment Plan 2013

(Refer to floor plan drawings for detailled fully enclosed covered areas (FECA) & unenclosed covered areas (UCA)

## Site Area

Site Area = 757.90m<sup>2</sup> (as surveyed)

Site Coverage = Building Area / Site Area

268.60m<sup>2</sup> / 757.90m<sup>2</sup> = 35.5%

## Legend

RL 167.50

reduced level to hard surface



new deciduous trees



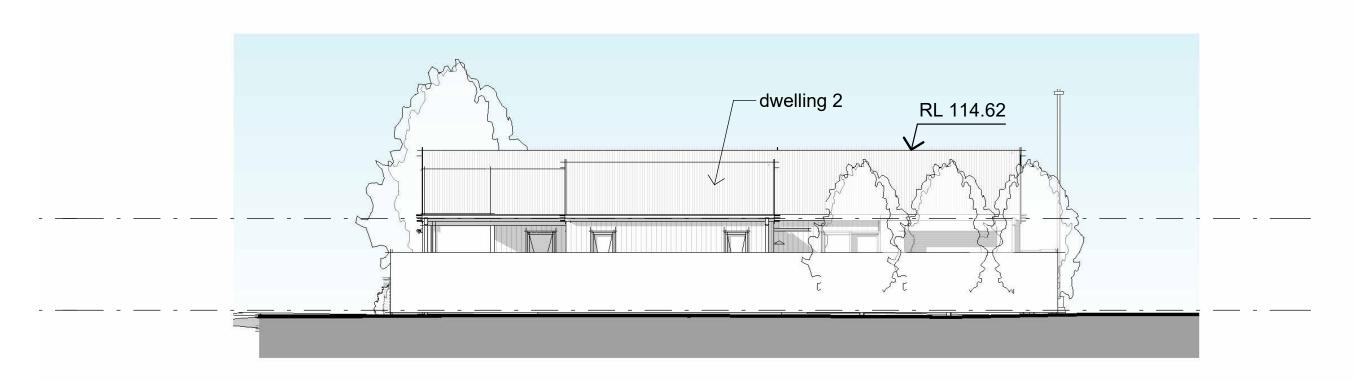
new building footprint



concrete path

Page **67** of **91** 



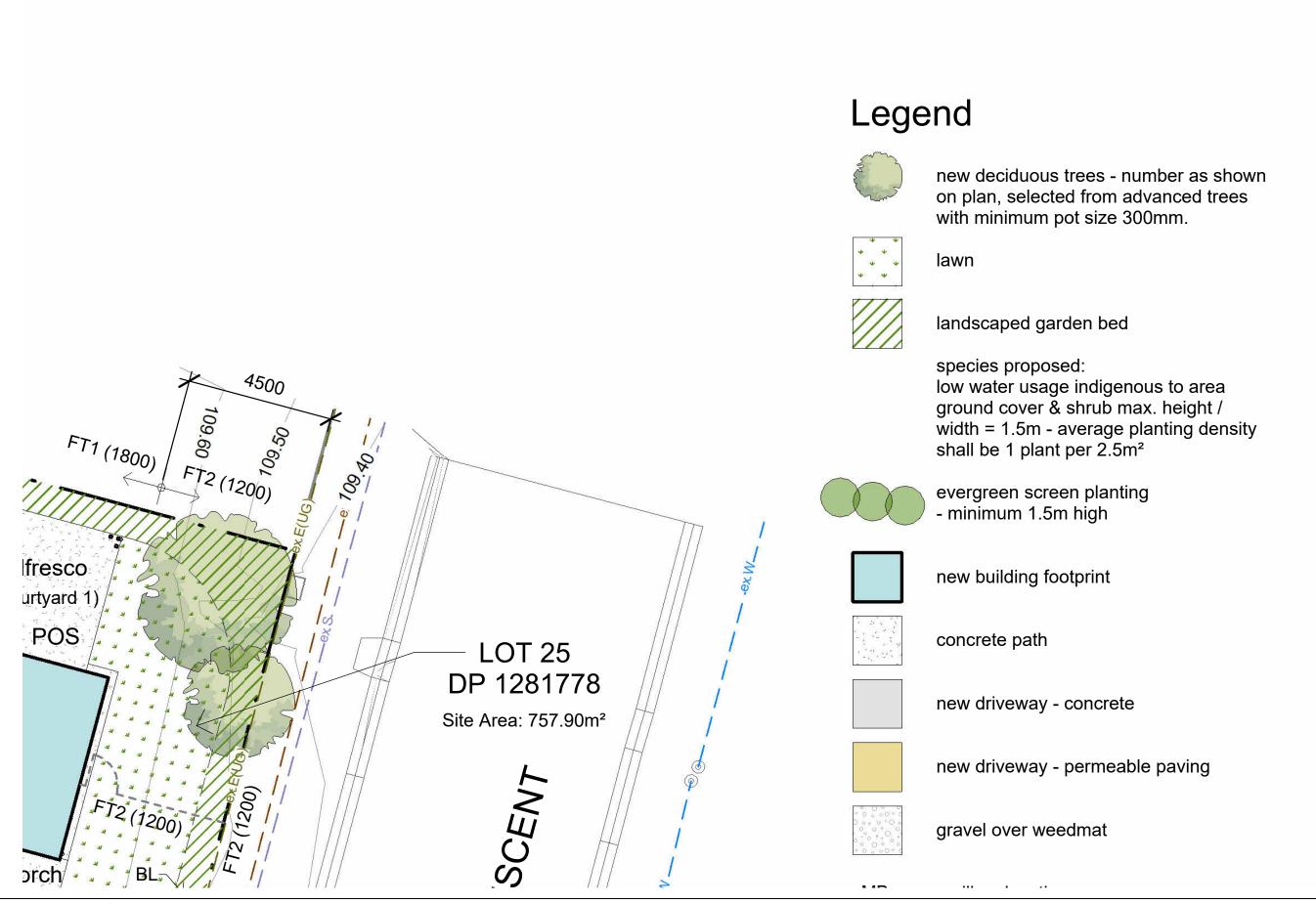


# Western Boundary Elevation 1:200



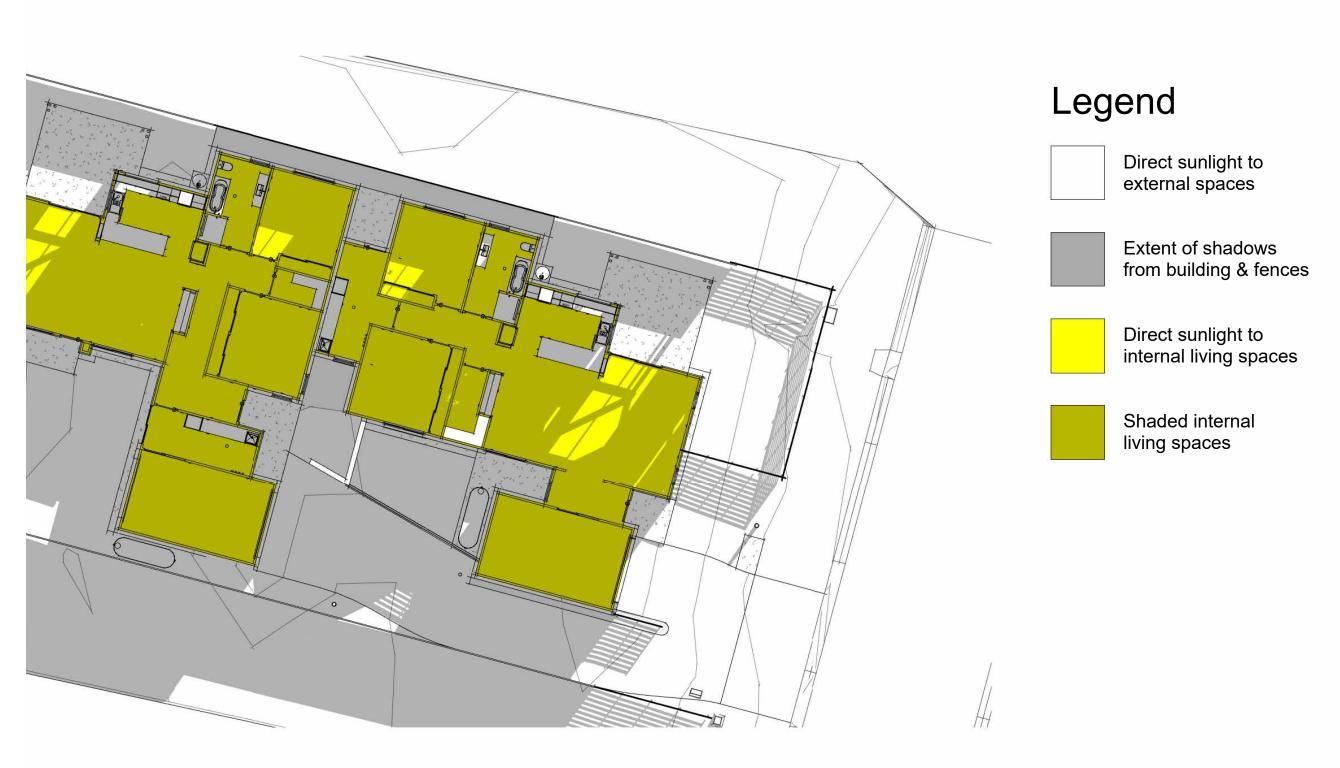
Page **68** of **91** 





Page **69** of **91** 



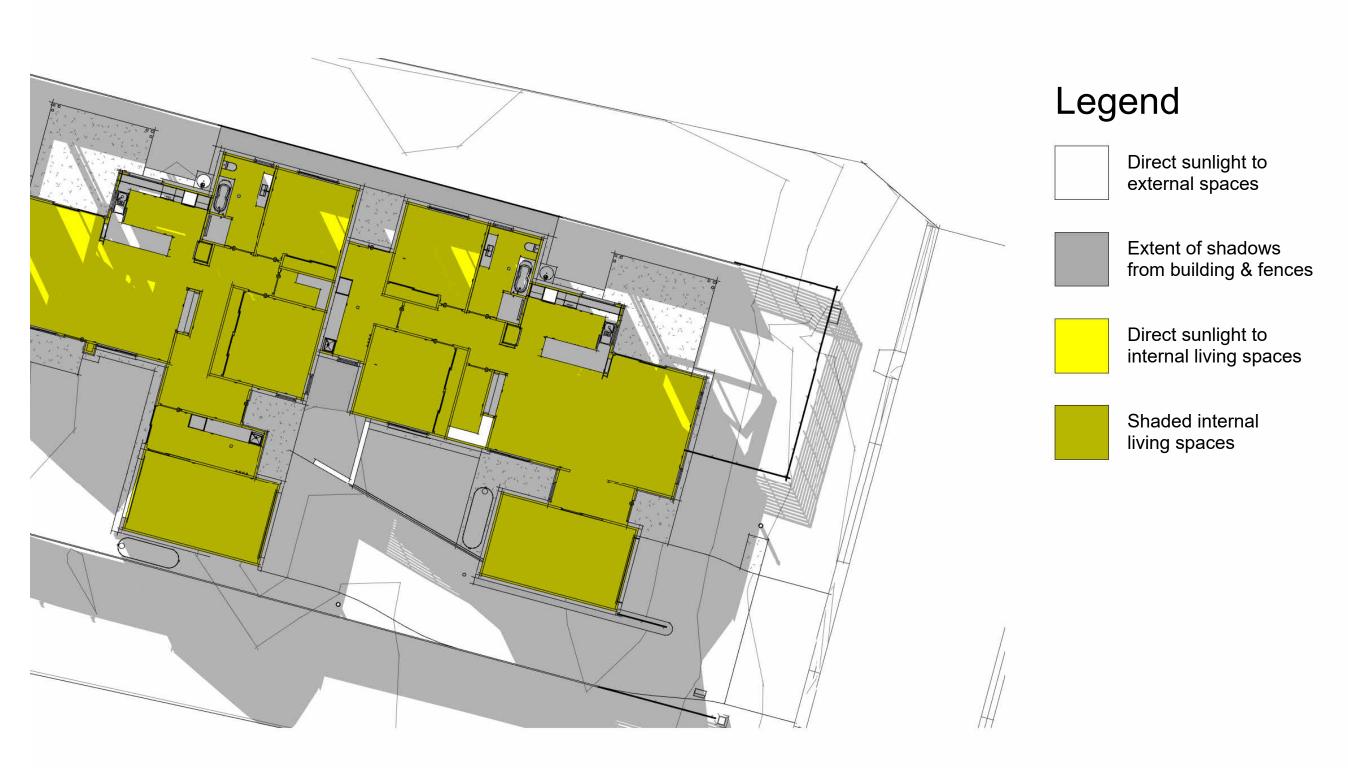


dy 10am - 22 June



Item 8.13 - Appendix 1





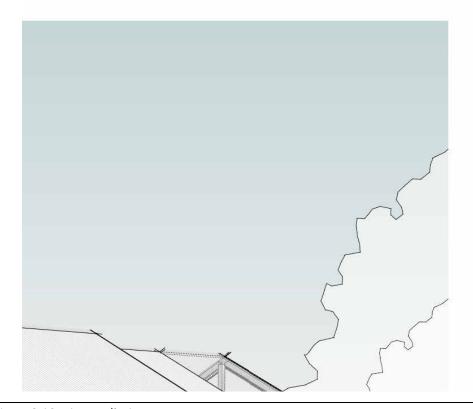
dy 2pm - 22 June

Item 8.13 - Appendix 1



# TIAL DESIGNS

## ING SERVICES

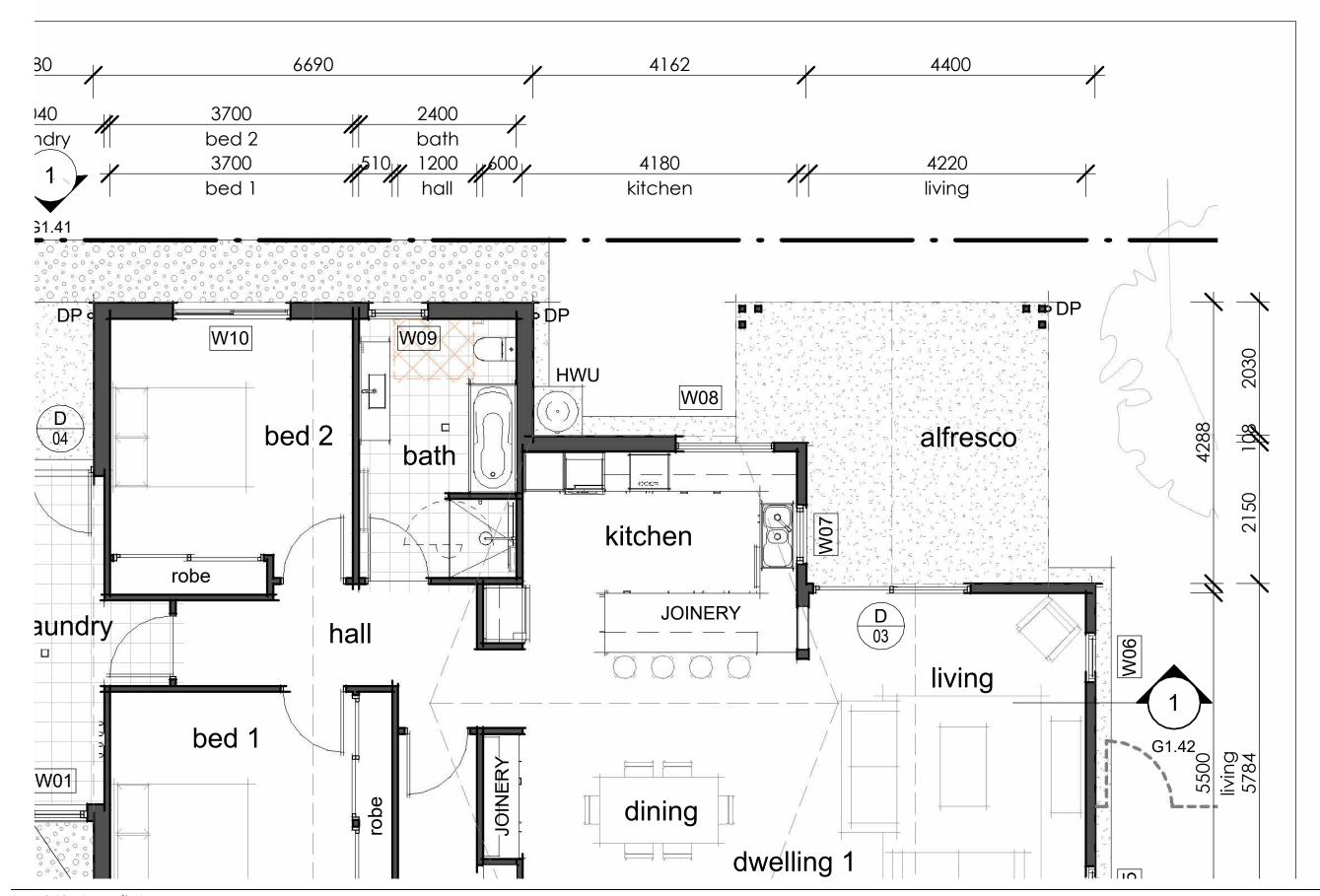


## **DRAWING SCHEDULE**

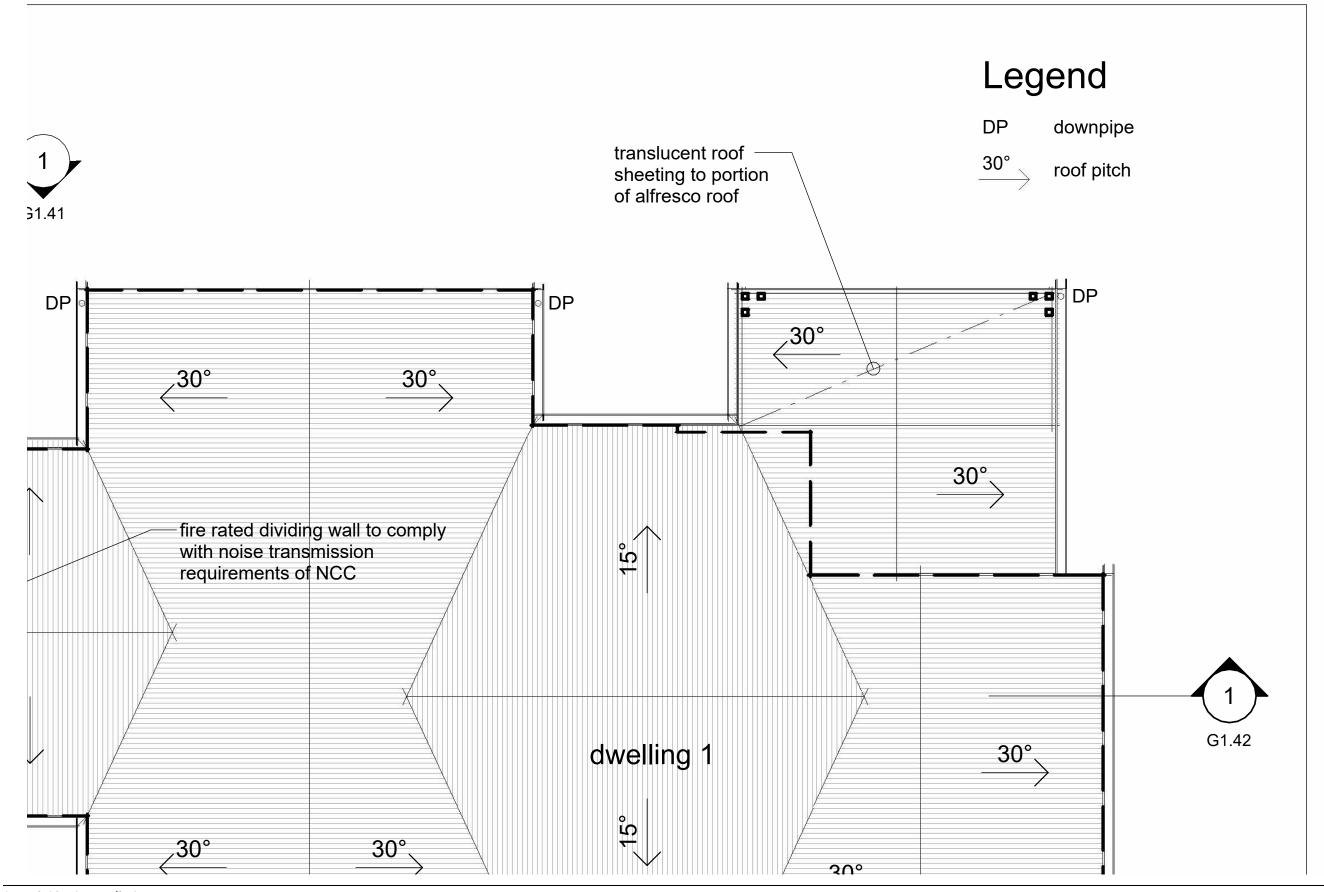
G1.10	Drawing Schedule & Perspective
G1.30	Floor Plan
G1.31	Roof Plan
G1.40	Elevations - Sheet 1
G1.41	Elevations - Sheet 2
G1.42	Sections
G1.50	Schedules & BASIX Commitments

Item 8.13 - Appendix 1 Page **72** of **91** 

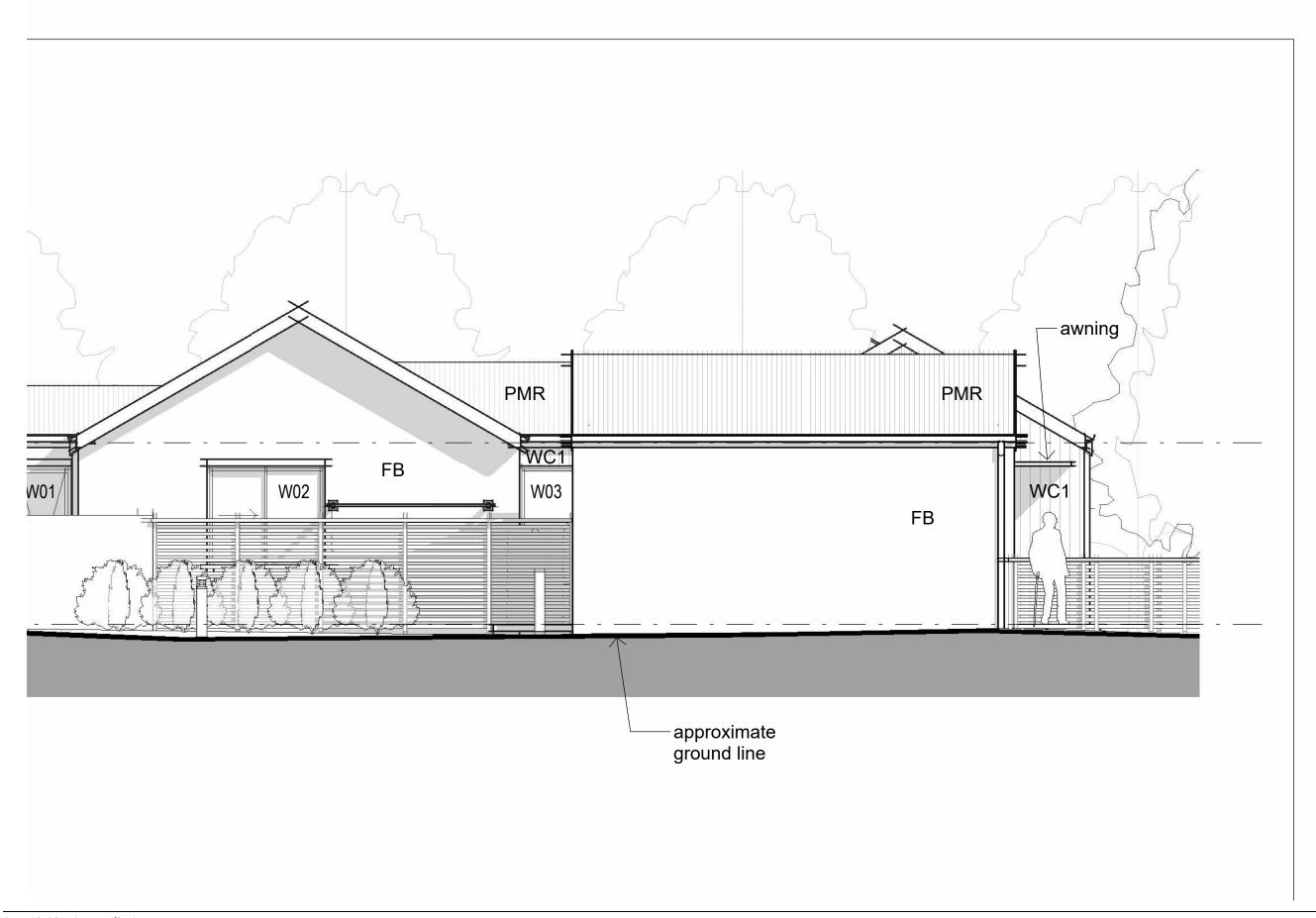






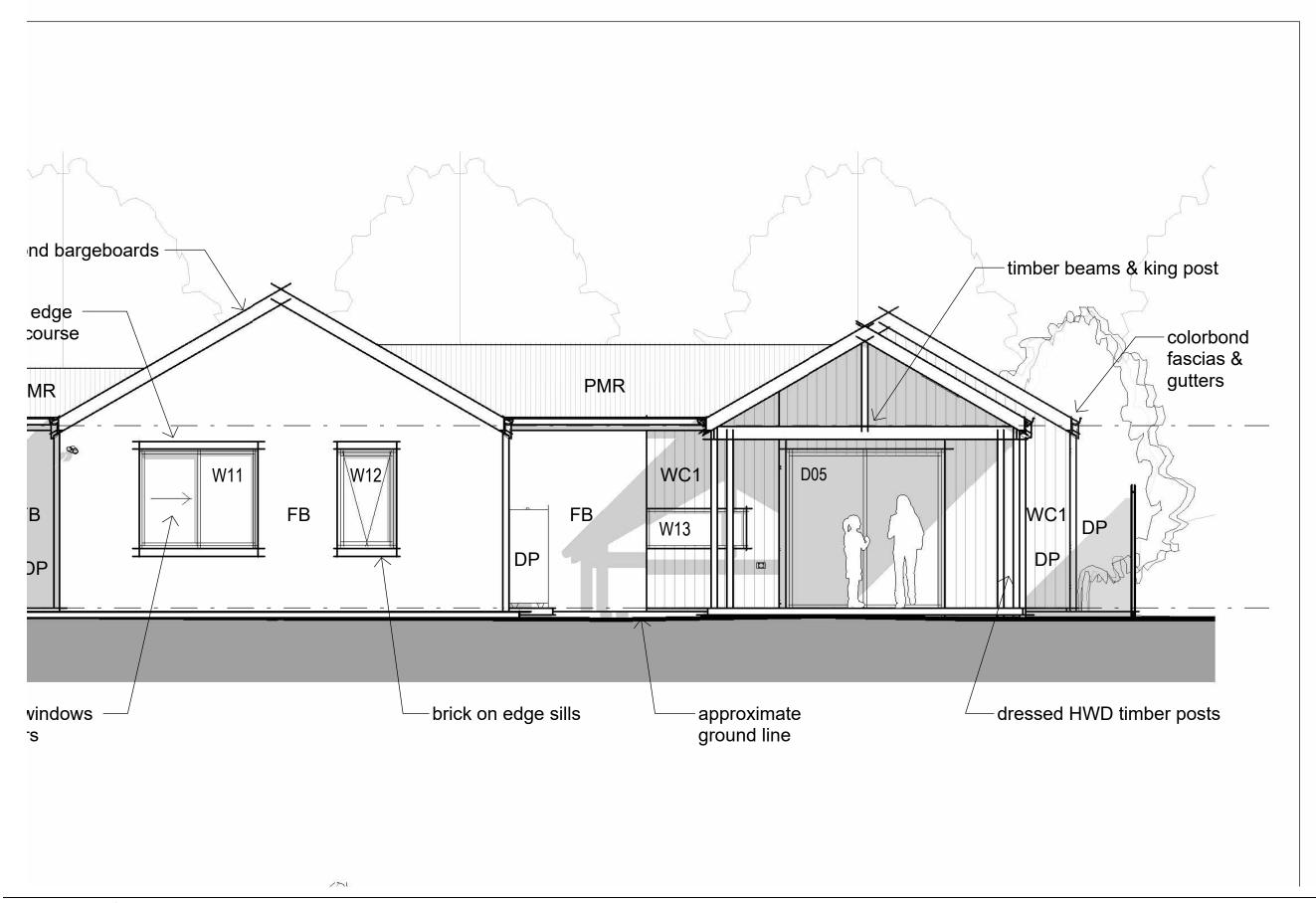






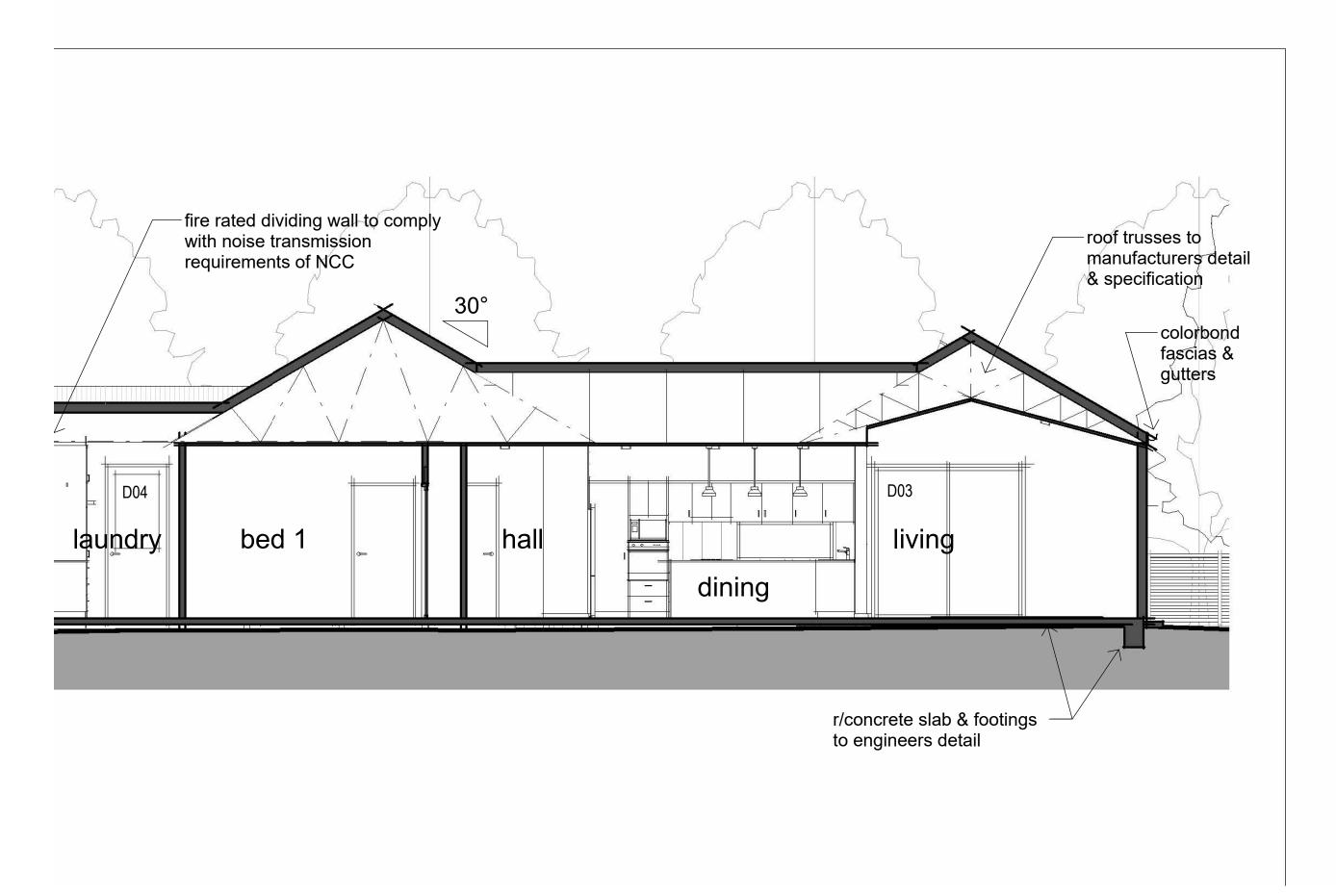
Item 8.13 - Appendix 1





Page **76** of **91** 





Item 8.13 - Appendix 1 Page **77** of **91** 



num rating of 4 star (> 6 but <= 7.5 L/min)

ith a minimum rating of 4 star in each toilet

g of 5 star in the kitchen in the

n rating of 5 star in each bathroom in the

st 5,000 L (litres) to each individual collect rain runoff from at least:

# **ENTS**

JNK-01, for details

# **ENERGY COMMITMENTS**

### **HOT WATER**

The applicant must install the following hot water system in the development, or a system with a higher energy rating: electric storage

### **COOLING SYSTEM**

The applicant must install the following cooling system, or a system with a higher energy rating, in the living area: 1-phase airconditioning; Energy rating: 2.5 Star (old label, zoned) The applicant must install the following cooling system, or a system with a higher energy rating, in the bedrooms: ceiling fans + 1-phase airconditioning; Energy rating: 2.5 Star (old label, zoned)

The cooling system must provide for day/night zoning between living area and bedrooms. The applicant must install ceiling fans in all bedrooms of the development.

### HEATING SYSTEM

The applicant must install the following heating system, or a system with a higher energy rating, in the bedrooms and living areas: 1-phase airconditioning; Energy rating: 2.5 Star (old label, zoned)

The heating system must provide for day/night zoning between living areas and bedrooms

### VENTILATION

The applicant must install the following exhaust systems in the development:

To each Bathroom: individual fan, ducted to façade or roof; Operation control: manual switch on/off

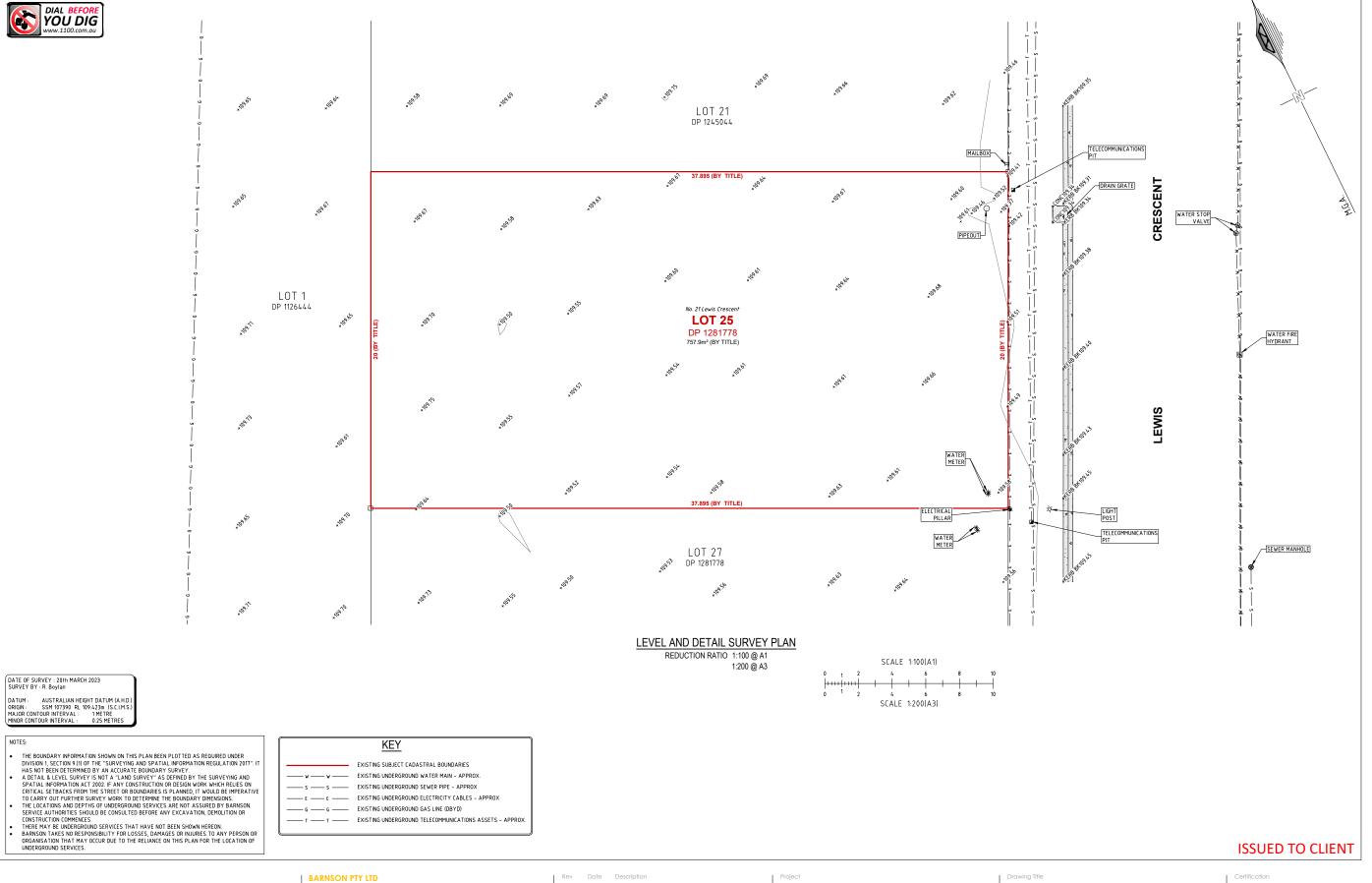
Kitchen: individual fan, ducted to façade or roof; Operation control: manual switch on/off Laundry: natural ventilation only

### ARTIFICIAL LIGHTING

The applicant must ensure that the "primary type of artificial lighting" is fluorescent or light emitting diode (LED) lighting in each of the following rooms, and where the word "dedicated" appears, the fittings for those lights must only be capable of accepting fluorescent or light emitting diode (LED) lamps:

• all the bedrooms, dedicated;







phone 1300 BARNSON (1300 227 676)
email generalenquiry@barnson.com.au
web barnson.com.au
THIS DRAWING IS TO BE BEAD IN CONJUNCTION WITH GENERAL BUILDING DRAWINGS, SPECIFICATIONS & OTHER
CONSULTANTS DRAWINGS APPLICABLE TO THIS PROJECT, ALL DIMERSIONS IN MILLIMETERS DO NOT SCALE DIMERSIONS TO BE CHECKED ON SITE BROVE COMMENCEMENT OF MORE REPORT DISCEPTANCES TO ARRIVON FYLLT IN. NO PART

Rev Date Description
A 23-03-2023 ISSUED TO CLIENT

Project

LEVEL AND DETAIL SURVEY OVER

LOT 25 IN DP 1281778

Site Address
21 LEWIS CRESCENT
FINLEY NSW 2713
Cilent
PUBLIC WORKS ADVISORY - DEPT. OF REGIONAL NSW

Drawing Title

LEVEL AND DETAIL SURVEY PLAN

Survey RB | Original Sheet Size A1 | Project No.

Drawn JS | Check RB | Revision A | Drawing N

41055 **LO1** 



No.	21 Lewis Cres Finley Estimate	%	Inc GST
1	Detailed Excavation	1.77%	\$23,164.26
2	Piers/Piling	1.08%	\$14,133.81
3	In-Situ Concrete	6.32%	\$82,691.14
4	Masonry	3.87%	\$50,635.35
5	Metalwork	0.30%	\$3,973.40
6	Carpentry	8.15%	\$106,698.24
7	Joinery	5.32%	\$69,576.14
8	Windows & Glazing	7.43%	\$97,209.32
9	Doors, Frames & Hardware	2.83%	\$37,038.74
10	Wall Linings & Ceilings	6.45%	\$84,478.70
11	Insulation & Barriers	1.24%	\$16,231.66
12	Wall & Floor Finishes	4.59%	\$60,073.33
13	Metal Roofing & Plumbing	5.54%	\$72,521.46
14	External Cladding	2.37%	\$31,018.44
15	Painting	2.49%	\$32,634.66
16	Hydraulic Services	5.05%	\$66,079.74
17	Electrical Services	4.71%	\$61,703.44
18	Solar System	1.08%	\$14,198.65
19	Mechanical Services	3.14%	\$41,155.70
20	Subtotal - Building/Trade Works		\$965,216.18
21	Site Demolition	0.07%	\$926.20
23	Concrete Driveway	1.77%	\$23,155.00
24	External & Site Works	1.59%	\$20,839.50
25	Soft Landscaping	3.15%	\$41,215.90
26	Fire Services	0.00%	\$0.00
	Hydraulic Services - Mains	1.24%	\$16,208.50
28	Electrical Services - Mains	1.70%	\$22,228.80
29	Services - Infrastructure Upgrade	0.00%	\$0.00
30	Subtotal - Site Works &		\$124,573.90
31	FF&E	5.72%	\$74,818.44
	Subtotal - FF&E		\$74,818.44
33	Builder's Preliminaries & Overheads	8.49%	\$111,144.00
34	Subtotal - Builder's Overheads		\$111,144.00
35	Subtotal - Separate Price	0.00%	\$0.00
36	Locality Index	1.68%	\$22,000.00
37	Cost Escalation	0.84%	\$11,000.00
	Subtotal - Contingencies		\$33,000.00
39	* Estimate Notes & Exclusions		\$0.00
GFA:	268.6 m2.		\$1,308,752.51

Item 8.13 - Appendix 2 Page **80** of **91** 



# 8.14 Strategic Planning Report - Water and Sewer

Author: Operations Manager Sustainability, Vageesh Nonavinakere

**Strategic Outcome:** IN. Our Infrastructure

Strategic Objective: IN-B. Our hidden infrastructure works and meets the needs of

our community

**Delivery Program:** IN.3. Strive to deliver best practice waste, water, sewerage and

stormwater.

**Council's Role:** Part Funder: The Council either provides funding to another body

to meet part of the cost of that body providing a function/service activity, or receives funding from another body (usually a government agency) to meet part of the cost of the Council

delivering it.

Appendices: 1. Project Plan - strategic plan for water and sewerage

services Rev 2.pdf (under separate cover) <u>⇒</u>

2. Berrigan IWCM Strategy Program.pdf (under separate

cover) <u>⇒</u>

3. Berrigan SC Strategic Planning proposal final.pdf (under

separate cover) 幸

4. BSC170 - Exemption from Procurement Process Authorisation for PWA.pdf (under separate cover) ⇒

# Recommendation

#### That the Council:

- accept the fee proposal submitted by NSW Public Works (NSWPW) to develop strategic plans for Berrigan Shire Council's water and sewer services to the value of \$740,700 (excl. GST), of which 60% is funded by the NSW Government's Department of Climate Change, Energy, the Environment and Water (DCCEEW) and 40% (\$296,280) funded by Council,
- 2. note the total project budget, inclusive of additional allowances for contingency, provisional items, project management and services of \$960,170. As above, 60% to be funded by the DCCEEW and 40% (\$384,068) to be funded by Council.
- 3. note the Request for Exemption from Procurement Process document seeking authorisation to contract directly with NSWPW and not call for tenders for the works, as permitted under s55(3)(b) of the *Local Government Act 1993*,
- 4. delegate the signing of the Request for Exemption from Procurement Process to the CEO,
- 5. authorise its Seal to be affixed to the relevant contracts in the presence of two signatories authorised to affix the seal, pursuant to Regulation 400 of the *Local Government (General)* Regulation 202,1
- 6. appoint Gary George as the contract Authorised Person and

Item 8.14 Page **81** of **91** 



7. authorise the Authorised Person to approve variations on the Contract up to a maximum value of 10% of the contract sum.

### Purpose

The purpose of this report is to request council approval for the implementation of Project 25-025: Development of a Strategic Plan for Water and Sewerage services in the townships of Barooga, Tocumwal, Finley and Berrigan in accordance with the Regulatory Assurance Framework, July 2022.

# Summary

Berrigan Shire Council are responsible for the safe management of water and sewerage infrastructure assets within the shire footprint. To better understand the current and future service needs, along with any key risks and opportunities, evidence based strategic planning is necessary.

The Strategic Plan for Berrigan Shire's water and sewerage services will comply with DCCEEW's Regulatory and Assurance Framework (July 2022) objectives, which are to ensure:

- safe and secure drinking water supply to protect public health and the environment, and to support economic development and liveability,
- effective sewerage services to protect public health and the environment, and to support economic development and liveability,
- services that meet customer and community needs, expectations, and preferences and
- financially sustainable water utilities with efficient and affordable pricing for services.

This plan will empower council to make and implement strategic decisions, and prudent financial management. Essentially, this document becomes a know how of council infrastructure loaded with detailed information of every element of assets for water and sewerage infrastructure.

# **Background**

On 1 July 2022, NSW Department of Planning and Environment (DCCEEW) implemented a new framework for local water utilities in NSW.

The <u>Regulatory and Assurance Framework</u> sets a new standard under which local water utilities must manage their water and sewer services to ensure safe, secure, sustainable and affordable water and sewerage services for healthy and resilient communities, businesses and the environment, now and into the future.

As a result, Berrigan Shire Council have engaged NSW Public Works (NSWPW) to submit a proposal to develop a Strategic Plan for all water and sewerage services in the townships of Barooga, Tocumwal, Finley and Berrigan.

The strategic plan defines the services to be provided and will identify key actions required to provide an agreed level of service in the most cost effective manner for the current and future communities whilst outlining the associated risks and funds required to provide these services over the next 25 years or more.

Item 8.14 Page **82** of **91** 



The strategic plan covers the entire infrastructure scheme including pipe network, gravity and pressure mains, treatment plants, pump stations, storage reservoirs, detention and storage basins.

The project will be part funded by Berrigan Shire Council and part funded by DCCEEW. DCCEEW will fund 60% of the project costs, Berrigan Shire Council to fund the remaining 40%.

### Strategic Planning Proposal

Under the guidance of the department's (DCCEEW) Regulatory Assurance Framework, with the assurance of co-funding, NSWPW have submitted a proposal detailing the scope of works to be completed as part of the paper.

Over the last few months council and DCCEEW have thoroughly reviewed the scope of works and deliverables and are now satisfied the proposal will provide a comprehensive analysis of BSC's water and sewerage services, in accordance with the Project's objectives (Appendix 1).

### Fee proposal

NSWPW have provided a detailed fee proposal, totalling \$740,700 (excl. GST) to complete the works. (Appendix 2).

They have also provided some optional tasks, outlined in the below Project Cost table. The optional costs have been included in the overall project budget as provisional sums. A contingency of 10% has been allowed for on their lump sum base rate.

### **Funding**

Under the Stream 2 funding, DCCEEW will co-fund the project with a 60% contribution of the total fee. The balance of 40% will be funded by the council. As per 24/25 FY and 25/26 FY (proposed)capital budget, council's contribution will be coming from the water and sewer reserves.

NB: Stream 2 funding expires on 31 December 2025. All DCCEEW funded contributions will need to be completed by then. Any costs spent beyond the fund expiry date will be borne by the council.

Source of funds and the breakdown of project cost is described in the table below:

### Project Cost

			Cost	DCCEEW	Council
Item 1	Description	Status		60%	40%
1	Project Overheads	Estimate	\$ 50,000.00	\$ 30,000.00	\$ 20,000.00
2	NSWPW Proposal	Quote	\$740,700.00	\$ 444,420.00	\$ 296,280.00
3	Contingency	Estimated	\$ 74,070.00	\$ 44,442.00	\$ 29,62800
4	Provisional Items	Quote	\$ 95,400.00	\$ 57,240.00	\$ 38,160.00
	Total		\$ 960,170.00	\$ 576,102.00	\$ 384,068.00

### Cost Sharing between the segments

Item	Description	Council funding	% Split	Water	Sewer	
1	Project Overheads	\$ 20,000.00	50%	\$ 10,000.00	\$	10,000.00
2	NSWPW Proposal	\$ 296,280.00	50%	\$148,140.00	\$	148,140.00
3	Contingency	\$ 29,62800	50%	\$14,814.00	\$	14,814.00

Item 8.14 Page **83** of **91** 



4	Provisional Items	\$ 38,160.00	50%	\$ 19,080.00	\$ 19,080.00
	Total	\$ 384,068.00		\$ 192,034.00	\$ 192,034.00

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

Asset Management Plan for water and sewer infrastructure.

# Issues and Implications

Berrigan Shire continue facing challenges and issues in meeting the ever growing demand for services. In addition to the growth, climate change is also impacting the serviceability of our network as the demand for services continue to rise whilst performance of our aged assets continue to struggle. Some of the key issues are listed below with implications that can be quite significant over a period:

- Asset Capacity and Performance constraints and poor operability
- Asset life cycle management asset creation and disposal
- Asset condition and failure aged asset, poor performance and serviceability
- Demand management unable to support growth due to inadequate capacities and asset creation
- Regulatory and compliance levels of Service, affordable fees and charges
- Environmental Impact sewer water quality, overflows, flooding due to inadequate stormwater network
- Short term solutions to long term issues minor upgrading/renewals
- Reactive based investment decisions than proactive sustainable decisions providing solutions to development proposals on demand than looking at a bigger picture with sustainable investment decisions.

#### Policy

Asset Management Policy

#### Financial

Strategic Planning paper comprises of water and sewer elements. The budget is split between these two elements.

#### Water

Under the Capital works program, \$1,000,000 for Barooga Water Tower in the 24/25 FY has been allocated with the funds coming from the water reserve. This project has been put on hold until the Strategic Planning document becomes available. Hence, a portion of the allocated budget for the water tower will be diverted to this project. As the project will carry over to next financial year, the 25-26 expected expenditure will be included in the forecast budget for that year.

### Sewer

Item 8.14 Page **84** of **91** 



Under the revised capital expenditure program, \$190,000 for sewer relining works in the 24/25 was allocated with the funds coming from the sewer reserve. Since the allocated budget is not going to be fully consumed in this financial year, a portion of this will be diverted to this project. As the project will carry over to next financial year, it will be forecasted in 25/26 FY.

## Co-funded by DCCEEW

Strategic Planning paper is co-founded by the department on a 60:40 ratio. Council is required to fund 40% of the total project cost.

# Legal / Statutory

Under <u>Section 55(3)</u> (b) of the <u>Local Government Act 1993</u>, Council is not obliged to invite tenders for "a contract entered into by a council with the Crown (whether in right of the Commonwealth, New South Wales or any other State of a Territory), a Minister of the Crown or a statutory body representing the Crown"

Council's procurement process documents this decision in an Exemption from Procurement Process Authorisation form attached to this report. As detailed in the document, council can obtain best value for this work by contracting directly with NSWPW, largely through the co-contribution from DCCEEW.

# Community Engagement / Communication

Council's Integrated Planning and Reporting framework depicting Asset Management Strategy and Planning available on the Council's website.

The Strategic Planning Report will be published in council's website once completed.

# <u>Human Resources / Industrial Relations (If applicable)</u>

The project will be managed by an external consultant with the support of BSC Engineering and management team.

### Risks

The following risks have been assessed as per the Council's Risk Management Framework:

#### 1. Financial

	Consequence					
Likelihood	1	2	3	4	5	
Α	Medium	High	High	Very High	Very High	
В	Medium	Medium	High	High	Very High	
С	Low	Medium	High	High	High	
D	Low	Low	Medium	Medium	High	
E	Low	Low	Medium	Medium	High	

Cost to council is minor when considered against program of works that encompasses high value projects that may not provide long term financial sustainability due to lack of understanding of asset performances and capacity could result in increased spending on interim solutions.

Item 8.14 Page **85** of **91** 



#### 2. Built Environment

	Consequence				
Likelihood	1	2	3	4	5
А	Medium	High	High	Very High	Very High
В	Medium	Medium	High	High	Very High
С	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Capacity constraints and asset performance could fail in meeting the servicing strategy. This can impact on the security of water, water quality and the environmental impacts. Additionally, growth can put strain on our existing infrastructure and may even potentially impact on the services and asset failures.

### 3. Community

	Consequence				
Likelihood	1	2	3	4	5
А	Medium	High	High	Very High	Very High
В	Medium	Medium	High	High	Very High
С	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

The community may continue to express dissatisfaction with infrastructure constraints and performance issues, as these interruptions affect their needs. This ongoing frustration could harm the reputation of council and lead to increased complaints about council services. Additionally, these issues could negatively impact local economic growth

#### 4 Natural Environment

	Consequence				
Likelihood	1	2	3	4	5
А	Medium	High	High	Very High	Very High
В	Medium	Medium	High	High	Very High
С	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Due to infrastructure constraints, some sections of sewer network and sewer points are prone to surcharge during peak wet weather flow. The sewer overflows have adverse effect on the environment and may lead to penalties from EPA. Aged pumpstations failure can cause overflow and impacting on the environment. Poor sewer quality from the storage ponds may end up contaminating stormwater runoff that eventually flows into the creek polluting rivers/canals/streams.

Item 8.14 Page **86** of **91** 



### 5 Project Specific Risks

Attached project plan has identified specific risks to the project are described in detail. Please refer to the Project Plan for more information.

# **Options**

- 1. Implementation of the Strategic Plan for water and sewerage services
  - Benefits
    - Strategic Plan for water and sewerage services that complies with DCCEEW's Regulatory and Assurance Framework.
    - Better understanding of council owned infrastructure
    - Clarity on capacity, constraints, risks and issues
    - Infrastructure needs for now and future
    - Long-term planning to support growth
    - Enable strategic decision on infrastructure investment
    - Sustainable financial management
    - Community fulfillment
    - Infrastructure security
  - Risks
    - Time and budget overruns
    - Dependent on external resources
    - Exposure of unidentified risks
    - Defer Barooga water tower project
  - 2 Reject and/or defer the Project
    - Benefits
      - Short term financial savings
    - Risks
      - Lack of understating of council's infrastructure
      - Inadequate water security and services
      - Poor council image with the community
      - Environmental risk
      - Lack of Strategic focus with poor investment decisions
      - Missing out on funding opportunity from the department ending in Dec 2025

Item 8.14 Page **87** of **91** 



### Conclusions

Given the critical objectives of this project, it is highly recommended council approve the strategic planning proposal and associated project budget for water and sewerage services in partnership with DCCEEW.

As a local water utility, council is required to undertake effective, evidence based strategic planning in accordance with the Regulatory Framework, July 2022. The implementation of this project will ensure council's ability to deliver safe, secure, accessible and affordable water supply and sewerage services now and into the future.

Item 8.14 Page **88** of **91** 



# 9 NOTICES OF MOTION/QUESTIONS WITH NOTICE

# 9.1 Notice of Motion - Barooga Recreation Reserve LRCI funding

Author: Mayor, Julia Cornwell McKean

**Council's Role:** Service Provider: The full cost (apart from fees for cost recovery,

grants etc) of a service or activity is met by Council

**Asset Owner:** As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and

maintenance costs

Appendices: Nil

I, Councillor Julia Cornwell McKean, hereby submit the following Notice of Motion to the Berrigan Shire Council's Ordinary Meeting of Council to be held on 19 March 2025.

### Motion

That Council direct the Chief Executive Officer table a report to the ordinary council meeting scheduled for April 2025, relating to Phase 3 of the Local Roads and Community Infrastructure (LRCI) program that:

- 1. provides details of the funds spent against Berrigan Shire's allocation, and
- 2. provides a detailed chronology of the processes undertaken to identify suitable projects, including interactions with s355 committees of council

# Background

Item 9.1 Page **89** of **91** 



### 10 CONFIDENTIAL MATTERS

### Recommendation

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

## 10.1 Update Gloury v Alkeen and Berrigan Shire Council

This matter is considered to be confidential under Section 10A(2) - (g) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

# 10.2 12-14 Hayes St Berrigan - options

This matter is considered to be confidential under Section 10A(2) - (c) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.



# 11 MOTIONS WITHOUT NOTICE / QUESTIONS WITHOUT NOTICE

- 12 COUNCILLOR REPORTS
- 12.1 Mayor's Report
- 12.2 Verbal Reports from Delegates

# 13 CONCLUSION OF MEETING

The next Ordinary Council Meeting will be held on Wednesday 16 April 2025 from 9:00am in the Council Chambers, 56 Chanter Street, Berrigan.

There being no further business the Mayor, Mayor Julia Cornwell McKean closed the meeting at type time.