



Council Chambers,  
BERRIGAN NSW 2712

Sir/Madam,

The Ordinary Meeting of the Council of the Shire of Berrigan will be held in the **Council Chambers**, Berrigan, on **Wednesday 21<sup>st</sup> November, 2018** when the following business will be submitted:-

**9:00AM**

**Public Question Time**

## **COUNCIL MEETING**

1.	APOLOGIES .....	2
2.	DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTEREST .....	2
3.	VISITORS ATTENDING MEETING .....	2
4.	CONFIRMATION OF MINUTES .....	2
5.1	FINANCE - ACCOUNTS .....	2
5.2	FINANCIAL STATEMENTS 2017/18 .....	7
5.3	INTEGRATED PLANNING TIMETABLE .....	9
5.4	DISASTER RECOVERY FUNDING ARRANGEMENTS .....	11
5.5	NOTICE – NATIVE TITLE MANAGER .....	13
5.6	WASTE MANAGEMENT PLAN - BERRIGAN LANDFILL .....	15
5.7	AGENCY INFORMATION GUIDE .....	18
5.8	DRAFT ANNUAL REPORT 2017 - 2018 .....	20
5.9	INVESTMENT POLICY .....	22
5.10	SURPLUS RAMROC FUNDS .....	31
5.11	RURAL SCHOLARSHIP OPPORTUNITIES AT WESTERN SYDNEY UNIVERSITY .....	32
5.12	BERRIGAN SHIRE LAND USE STRATEGY 2018 .....	33
5.13	ROAD NAMING .....	35
5.14	ROAD NAMING – BATE LANE .....	36
5.15	T12/17/18 - WATER METER REPLACEMENT AND AUTOMATIC METER READING NETWORK FOR BERRIGAN SHIRE .....	37
5.16	SUSPENSION OF ALCOHOL FREE ZONE – Mild2Wild event march 2013 .....	38
6.1	TENDER T06/18/19 SUPPLY OF ROADBASE FOR STRATHVALE ROAD, BERRIGAN .....	40
6.2	T04/18/19 STABILISATION .....	42
6.3	T05/18/19 SUPPLY AND DELIVERY OF CUT-BACK BITUMEN .....	43
6.4	DEVELOPMENT DETERMINATIONS FOR MONTH OF OCTOBER 2018 .....	44
7.1	MINUTES OF THE TECHNICAL SERVICES COMMITTEE MEETING .....	48
7.2	MINUTES OF THE CORPORATE SERVICES COMMITTEE MEETING .....	49
9.	MAYOR'S REPORT .....	50
10.	DELEGATES REPORT .....	51
11.	GENERAL BUSINESS .....	52
12.	CLOSE OF MEETING .....	

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

ROWAN PERKINS  
GENERAL MANAGER



## **Council Meeting**

**Wednesday 21<sup>st</sup> November, 2018**

### **BUSINESS PAPER**

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**1. APOLOGIES**

Cr Morris

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

**3. VISITORS ATTENDING MEETING**

Val Daly; Julia Stava – Alexander Garden

Competition Judges

Alexander Garden Competition Winners: Jennifer  
Gaylard; Thomas & Heather Pyle; John & Val Hand &  
Joan Henderson

**4. CONFIRMATION OF MINUTES**

**RECOMMENDATION** – that the Minutes of the meeting held in the  
Council Chambers on Wednesday 17<sup>th</sup> October, 2018 be confirmed.

**5.1 FINANCE - ACCOUNTS**

**AUTHOR:** Finance Manager

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 2.1 Berrigan Shire 2027 objectives and  
strategic actions facilitate the effective  
governance by Council of Council  
operations and reporting

**FILE NO:** 12.024.1

**RECOMMENDATION:** - that the Financial Statement, Bank Reconciliation  
Certificate and Petty Cash Book made up to 31 October 2018, be  
received and that the accounts paid as per Warrant No. 10/18 totaling  
\$1,597,362.08 be confirmed.

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### Items requiring Council Resolution

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**REPORT:**

- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 31 October 2018 is certified by the Finance Manager.
- b) The Finance Manager certifies that the Cash Book of the Council was reconciled with the Bank Statements as at 31 October 2018.
- c) The Finance Manager certifies the Accounts, including the Petty Cash Book made up to 31 October 2018, totaling \$1,597,362.08 and will be submitted for confirmation of payment as per Warrant No. 10/18
- d) The Finance Manager certifies that all Investments have been placed in accordance with:
  - i. [Council's Investment Policy](#),
  - ii. [Section 625 of the Local Government Act 1993 \(as amended\)](#),
  - iii. [the Minister's Amended Investment Order gazetted 11 January 2011](#),
  - iv. [clause 212 of the Local Government \(General\) Regulations 2005](#), and
  - v. Third Party Investment requirements of the Office of Local Government Circular 06-70
- e) October has seen a slight decrease in total funds held at the end of September. The decrease is roughly comparable with the same period last year and represents the general pattern in cash holdings over a year.

Total funds held are expected to increase over the November period as the second quarterly FAG instalment and rates instalments become due. Council currently has an additional \$4.8 million more in cash and investments than the same time last year, although most are already either for specific capital grants to be undertaken, already committed or restricted funds.

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## Items requiring Council Resolution

Statement of Bank Balances as at 31 OCTOBER 2018**Bank Account Reconciliation**

Cash book balance as at 1 OCTOBER 2018	\$ 7,901,826.83
Receipts for OCTOBER 2018	\$ 1,145,310.47
Term Deposits Credited Back	\$ -
	<b>\$ 9,047,137.30</b>

*Less Payments Statement No 10/18*

No Chq Payments	\$ -
Electronic Funds Transfer (EFT) payroll	\$ 745,916.78
Electronic Funds Transfer (EFT) Creditors E030011-E030210	\$ 824,177.21
Term Deposits Invested	\$ -
Loan repayments, bank charges, etc	\$ 27,268.09
Total Payments for OCTOBER 2018	\$ 1,597,362.08

**Cash Book Balance as at 31 OCTOBER 2018****\$ 7,449,775.22***Bank Statements as at 31 OCTOBER 2018*

\$ 7,449,775.22

## Plus Outstanding Deposits

## Less Outstanding Cheques/Payments

**Reconciliation Balance as at 31 OCTOBER 2018****\$ 7,449,775.22****INVESTMENT REGISTER**

INSTITUTION	DEPOSIT NO.	TERM (days)	RATE	MATURITY DATE	INSTITUTION TOTAL
AMP	133/17	365	2.75%	28/05/2019	\$ 1,000,000.00
AMP	125/16	365	2.75%	5/06/2019	\$ 2,000,000.00
AMP	136/18	365	2.75%	17/10/2019	\$ 2,000,000.00
Goulburn Murray Credit Union	124/16	365	2.75%	15/05/2019	\$ 2,000,000.00
Bendigo Bank	141/18	365	2.30%	13/09/2019	\$ 2,000,000.00
Bendigo Bank	142/18	365	2.30%	26/09/2019	\$ 2,000,000.00
Central Murray Credit Union	126/16	365	2.70%	31/08/2019	\$ 2,000,000.00
Defence Bank Limited	138/18	275	2.80%	10/01/2019	\$ 2,000,000.00
Defence Bank Limited	102/14	365	2.80%	4/04/2019	\$ 2,000,000.00
Defence Bank Limited	106/14	365	2.90%	29/06/2019	\$ 2,000,000.00
ME Bank	139/18	272	2.80%	25/03/2019	\$ 2,000,000.00
ME Bank	132/17	212	2.83%	8/08/2019	\$ 2,000,000.00
ME Bank	140/18	365	2.83%	8/08/2019	\$ 1,000,000.00
WESTPAC	137/18	94	2.76%	8/01/2019	\$ 2,000,000.00
T-CORP HOURGLASS AT CALL		AT CALL			\$ -
					<b>\$ 26,000,000.00</b>

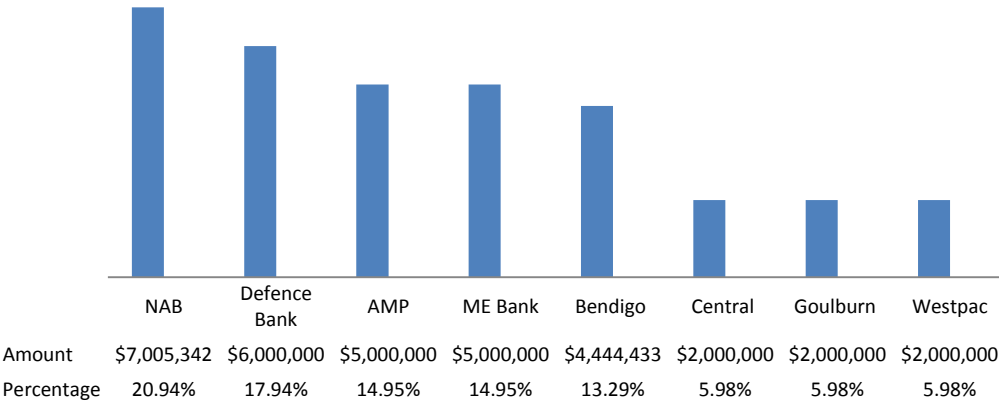
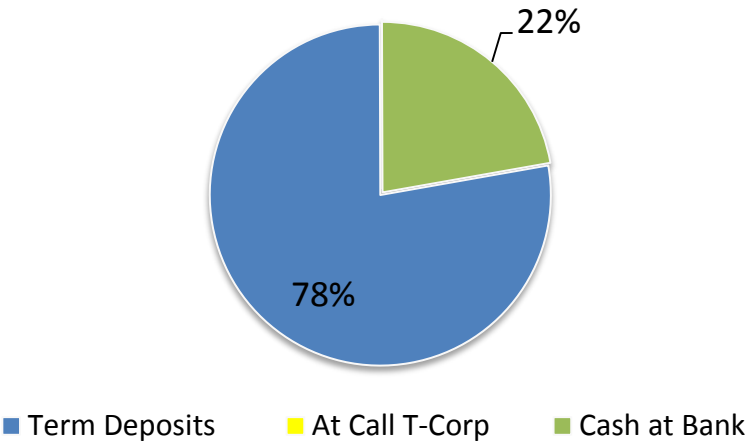
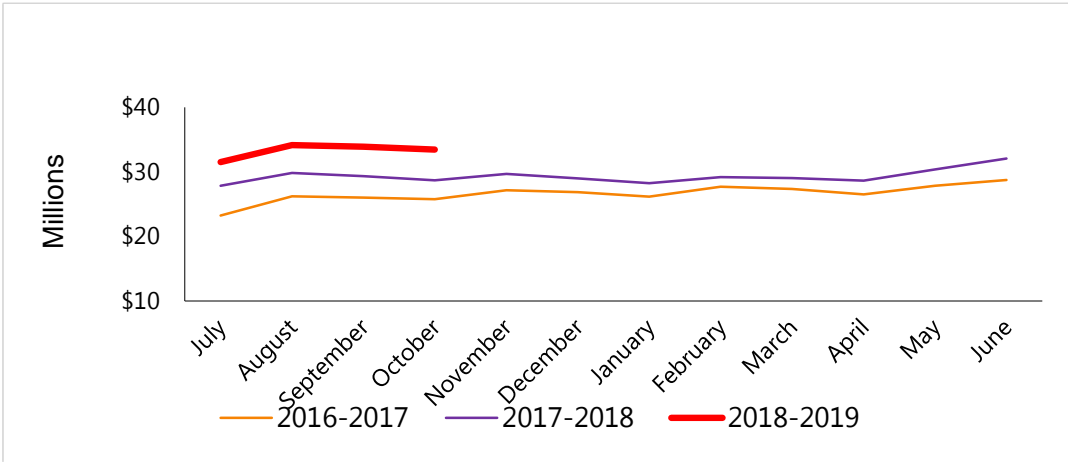
**Total Funds Held at 31 OCTOBER 2018****\$33,449,775.22**

Carla von Brockhusen - Finance Manager

**Total Cash and Investments**

RESOLUTION

Items requiring Council Resolution



RESOLUTION

Items requiring Council Resolution

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Term Deposits Credited Back

AMP (CURVES)	275	\$ 2,000,000.00	2.65%	17-Oct-18
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Term Deposits Invested

AMP (CURVES)	365	\$ 2,000,000.00	2.75%	17-Oct-18
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RESOLUTION

**Items requiring Council Resolution**

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**5.2 FINANCIAL STATEMENTS 2017/18****AUTHOR:** Director Corporate Services**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting**FILE NO:** 12.019.1**RECOMMENDATION:** - that the Council, not having received any submissions in relation to its 2017/18 Annual Statements and having considered the reports presented by the Audit Office of New South Wales, adopt the 2017/18 Annual Statements and the Report on the conduct of the Audit

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**REPORT:**

The Council adopted the draft Financial Statements for public exhibition and referred them to the Auditor General of New South Wales for audit, at its ordinary meeting held on Wednesday 17 October 2017.

The Audit Office of New South Wales has provided a report on the conduct of the audit.

The report on the conduct of the audit summarises the Council's financial results, makes comparisons to previous years and identifies and explains variations. It also comments on the Council's financial performance and key balance sheet items.

In the opinion of the Auditors, all ratios remain satisfactory. The Auditors remarked that the Council continues to maintain a sustainable level of unrestricted working capital.

In particular the report on the conduct of the audit also contains General Purpose Audit Report and the Special Purpose Audit report. These are statutory reports and importantly both have been issued without any qualification. The General Purpose report relates to the consolidated financial accounts while the Special Purpose report relates to the Council's designated business units being water supplies and sewerage services.

Mr. Phil Delahunty, Principal for RSD Audit – the contractor conducting the audit on behalf of the Auditor General of NSW – attended the Council's October meeting and answered questions raised by Councillors. At this

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**Items requiring Council Resolution**

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meeting he reiterated that the Council was in a sound financial position and that he had no concerns regarding the state of the accounts.

The public exhibition period closed at 5pm Friday 2 November 2018 and no submissions were received. The Council can now complete the statutory process for finalising the accounts by adopting the above recommendation.

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## Items requiring Council Resolution

**5.3 INTEGRATED PLANNING TIMETABLE****AUTHOR:** Strategic & Social Planning Coordinator**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.1 Berrigan Shire 2027 objectives and strategies inform Council planning and community led projects**FILE NO:** 04.121.4

**RECOMMENDATION:** - that the Council adopt the following timetable to complete its review of the Community Strategic Plan and the development of its suite of Integrated Plans for implementation in the 2019 - 2020 financial year:

1. Week beginning 3 December 2018 Capital Works inspection tour conducted.
2. 4 January 2019 Council Officers commence a review of the base case for the Long Term Financial Plan which will include a working draft of the Capital Works Program.
3. Week beginning 4 February 2019 2-day Corporate Workshop which will include:
  - a. Overview of Resourcing Strategy (Long-term Financial Plan, reviewed Asset Management Strategy, and reviewed Workforce Development Plan).
  - b. Councillor comment on Council Officers' review of the Resourcing Strategy and base case scenario assumptions used for internal review of the Long Term Financial Plan,
  - c. Identification of priority projects for further scoping and consideration and inclusion in Annual Operational Plan 2018 – 2019.
4. 21 February 2019 the Council to adopt its draft Capital Works Program.
5. 21 March 2019 Ordinary Council Meeting
  - a. Reviewed Delivery Program 2017 – 2021 presented to the Council for initial comment.
6. 18 April 2019 Council to
  - a. Review Draft Operational Plan 2019 - 2020
  - b. Review Draft Rating and Revenue Policy 2019 – 2020; and
  - c. Review Draft Fees and Charges 2019 – 2020.
7. 15 May 2019 endorse for public exhibition and comment the reviewed

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**Items requiring Council Resolution**

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- a. **Resourcing Strategy 2017 – 2027 inclusive of**
  - i. **Long Term Financial Plan 2019 – 2029;**
  - ii. **Workforce Development Plan 2017 – 2021; and**
  - iii. **Asset Management Strategy 2017 – 2027.**
- b. **Reviewed Delivery Program 2017 – 2021.**
- c. **Draft Annual Operational Plan 2019 – 2020.**
- d. **Draft Rating and Revenue Policy 2019 – 2020.**
- e. **Draft Fees and Charges 2019 – 2020.**

**8. 19 June, 2019 adopt all of the above as**

- a. **Its final suite of Integrated Plans inclusive of the Community Strategic Plan; and**
- b. **Set 2019 - 2020 rates and charges by resolution.**

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**REPORT:**

Historically, at the November Council meeting the Council considers the process and parameters to progress and finalise for the upcoming financial year the review of its Integrated Plans.

Set out in the above recommendation is what appears to be a logical process that draws together all of the components in this process. The development of these dates ensures that Council Officers have clear timeframes for the completion of the many elements required by the Integrated Planning and Reporting process and which are reflected on a day to day basis by Council's commitment to its Capital Works Program and Recurrent Operations.

Whilst the above has been suggested there may be a need to vary the suggested timeframes as the process unfolds. For immediate Council consideration is agreement on a date for the Capital Works tour and scheduling of the Corporate Workshop. The Capital Works tour provides the Council with an overview of works scheduled in its current Program of works and to highlight projects identified by Council Officers as needing consideration by the Council for subsequent inclusion a draft Capital Works Program.

Council Officers would also benefit from some guidance from the Council on likely projects and topics in addition to the aforementioned program and agreement on the Corporate Workshop date.

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**Items requiring Council Resolution**

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**5.4 DISASTER RECOVERY FUNDING ARRANGEMENTS****AUTHOR:** Director Technical Services**STRATEGIC OUTCOME:** Sustainable natural and built landscapes**STRATEGIC OBJECTIVE:** 1.3 Connect and protect our communities**FILE NO:**

**RECOMMENDATION:** - that the NSW Office of Emergency Management be advised that Berrigan Shire Council accepts the opt-in option for the new interim Day Labour Arrangements relating to the Disaster Recovery Funding Arrangements.

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**REPORT:**

Advice has been received from the NSW Office of Emergency Management that the Commonwealth was replacing the existing Natural Disaster Relief and Recovery Arrangements (NDRAA) with the Disaster Recovery Funding Arrangements (DRFA) on 1 November, 2018.

To comply with the DRFA and to remain eligible for future funding assistance from the Commonwealth, the NSW Government is revising the NSW disaster assistance arrangements.

The most significant changes under the DRFA impacting local councils relate to the Restoration of Essential Public Assets, which includes public roads, bridges and other infrastructure. These changes include:

- Three new sub-categories:
  1. Emergency Works
  2. Immediate Reconstruction Works; and
  3. Essential Public Asset Reconstruction Works
- Revised time limits for:
  1. Compiling estimated reconstruction costs
  2. Restoration works completion; and
  3. Submission of final reimbursement claims
- Evidence requirements for damaged essential public assets:
  1. Pre-disaster condition
  2. Scope of damage
  3. Evidence that the damage is a direct result of the eligible disaster; and
  4. Photographic evidence demonstrating the completion of works.

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### Items requiring Council Resolution

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- More detailed and comprehensive requirement for damaged asset data to be included in funding claims, as well as the requirement for long-term record keeping for audit purposes.

The NSW Government is revising state and agency guidelines and submission forms to comply with the DRFA. The revised guidelines to be published by 1 November, 2018.

#### Interim Day Labour Arrangements

From 1 November, 2018 the NSW Government is removing restrictions on day labour (including internal plant and equipment hire) for councils that opt-in to a new co-funding model aligned with the DRFA cost-sharing principles.

- The interim Day Labour Arrangements include:
  - a) Eligibility to claim for costs related to day labour (incl. internal plant and equipment hire)
  - b) An extended time limit for Emergency Works from 21 days to 3 months; and
  - c) A new co-funding model for councils aligned with the DRFA cost sharing principle.

The Office of Emergency Management have provided a calculation tool to allow direct comparison of Council's contribution utilising the existing formula and the proposed opt-in formula.

Several scenarios have been run on the model and it indicates that the difference in Council's contributions would be as follows:

Type of Event	Existing Arrangements	Opt-in Proposal
Single disaster event in year	\$29,000	\$35,685
Two disaster events in year	\$58,000	\$71,370
Three disaster events in year	\$58,000	\$95,160

As can be seen from the above Council will be marginally worse off on a financial basis by opting in to the new proposal, however, I am sure this minor financial penalty will be more than offset by having the flexibility to use Council day labour and plant and equipment to complete the works and by being able to claim the cost of emergency works carried out immediately following the event which would normally be completed by day labour.

## Items requiring Council Resolution

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**5.5 NOTICE – NATIVE TITLE MANAGER****AUTHOR:** Director Corporate Services**STRATEGIC OUTCOME:** Sustainable natural and built landscapes**STRATEGIC OBJECTIVE:** 1.2 Retain the diversity and preserve the health of our natural landscapes and wildlife**FILE NO:** 21.180.1**RECOMMENDATION:** that the Council give notice to the Minister Forestry and Lands that it has appointed the following staff as Native Title Managers:

- Laurie Stevens
- Elizabeth Schindler
- Michael Millar

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**REPORT:**

[The Crown Land Management Act 2016](#) (CLMA) is the legislation with which the Council must now comply when managing Crown Land for which it is responsible. This includes the management of Native Title on those lands.

[Section 8.6 of CLMA](#) requires the Council to employ or engage a “Native Title Manager” whose role is to “ensure the [Council’s] dealings with the land comply with any applicable provisions of the native title legislation.” Further, those Native Title Managers must have approved training and qualifications.

The Council has three appropriately trained and qualified staff:

- Laurie Stevens – Development Manager
- Elizabeth Schindler – Town Planner
- Michael Millar – Revenue Coordinator

[Section 8.8 of CLMA](#) requires that the Council must provide formal, written notice to the Minister Forestry and Lands about the Council’s Native Title Managers, including their name and contact details. This notice must be given no later than 31 October each year. This obviously won’t be possible in 2018.

The giving of such notice to the Minister must be done via resolution of the Council. The Council is unable to delegate this function to the General Manager as per [Section 377\(1\)\(s\) of the Local Government Act 1993](#)

**Items requiring Council Resolution**

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As such it would be appropriate for the Council to resolve to provide notice to the Minister that it has appointed Laurie Stevens, Michael Miller and Elizabeth Schindler as Native Title Managers as per s8.6 of the CLMA.

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## Items requiring Council Resolution

**5.6 WASTE MANAGEMENT PLAN - BERRIGAN LANDFILL****AUTHOR:** Engineering Services Manager**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 1.2 Retain the diversity and preserve the health of our natural landscapes and wildlife**FILE NO:****RECOMMENDATION:** that Council transfers \$256,000 from the DWM Garbage Reserve into this year's budget to cover capital improvements for Berrigan Landfill.**REPORT:**

In April, 2017 Council adopted a draft Waste Management Plan for the period 2016-2020.

The plan considered a number of issues with recommendations for addressing them and one of the key issues was issue number 11 as set out below.

**11. Improvement in Landfilling Techniques to Maximise Landfill Space at Berrigan Landfill**

*The economic benefits of having access to our own landfill at Berrigan are substantial as indicated in the next item and therefore it is extremely important that the life of the landfill be extended for as long as possible.*

*To date the operation of the landfill has been about minimising annual operational costs and providing convenience to users.*

*Council currently utilizes a "deep cell, tip and cover" technique to landfill waste at Berrigan. This technique has proved to be economical and user friendly, however, it also has a number of less desirable outcomes including:*

- Poor compaction rates, estimated at less than 0.4t/m<sup>3</sup>. This is due to minimal effect of machinery movements over waste filled at depths up to 6m.*
- Use of excessive cover materials that displace volumes otherwise available for waste*
- Not an approved EPA landfill technique*

## Items requiring Council Resolution

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*Council will need to adopt best practise shallow cell, maximum compaction techniques to improve landfill density rates and prolong the current landfill site. The NSW EPA recommends that landfills receiving less than 50,000 tonnes per annum, the waste compaction goal is 0.65t/m<sup>3</sup>, excluding cover material. This figure dictates an increase in compaction rates of at least 50%. Staff will need to consider modification of current techniques and machinery and thereby make recommendations to Council, in relation to cell excavation and machinery.*

*There are alternative methods of operation that will improve the utilization of air space and therefore extend the life of the landfill. Some options that will need to be considered are construction of an internal transfer station to restrict access to the tip face and reduce cover frequency, improved compaction by reducing layers and utilizing more effective compaction equipment or even baling waste prior to disposal as is done by at least one NSW rural based Council. These and other options need further consideration by staff before a recommendation can be made.*

### **RECOMMENDATION #11**

***That Council endorse research and preparation of a separate report to Council by December 2017 that outlines improvements in landfilling techniques and associated machinery to maximise current landfill compaction rates.***

Landfill airspace can be defined as the volume of space on a landfill site that allows for the disposal of municipal solid waste. One of the main aims in managing a waste facility is maximising and optimising the air space.

Staff have spent considerable time in researching the appropriate solution and are currently trialing second hand compaction equipment at the Berrigan Landfill and the results are very promising. It is believed twice the amount of waste is fitting into the same volume as a result of compaction (however, this depends on the waste type incoming).

From the results achieved from using the compaction equipment it was decided to modify the landfill cell shape to allow for a more efficient use of the air space. The main aim is to keep the compaction machine operating on as small an area as possible to maximize the number of passes over the waste to achieve the most effective compaction for time.

As the Landfill cell has been modified, most of the rubbish will now be brought to the cell floor and pushed up with the compactor. As a result, the floor must have all weather access and not flood and to achieve this it is proposed purchase and install a small solar pump package.

The efficiency and safety of the landfill operation can also be improved by preventing the general public from accessing the landfill hole directly. This



### Items requiring Council Resolution

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can be achieved by constructing a transfer station on site for cars, utes and trailers to dump into a bin with the bin being transported down the hole only when it is filled.

To achieve these efficiencies there is a need for capital investment and this will require modification of the capital plan attached to the draft Waste Management Plan as well as the current year's budget.

The approved budget for this financial year allows for \$100,000 (note \$50,000 of original budget of \$150,000 used to balance over expenditure last year) to purchase a Landfill Compactor and \$66,067 for the construction of the new hole.

The forward budget in the draft plan allows for \$50,000 in each financial year for the construction of new holes and also allowed for \$150,000 in 2020/21 for the installation of a weighbridge that is no longer considered necessary.

The modification of the landfill cell has come at a cost of \$120,000, however this is mitigated by the fact that it is large enough to last for two years.

The waste compactor that the Council has been hiring has been hired with an option to buy including a credit towards the purchase cost of all hire fees paid.

#### Recommended Budget Changes

Item	Existing Budget	Proposed Budget
New Landfill Hole	\$66,000	\$120,000
Solar Pump	Nil	\$12,000
Compactor	\$100,000	\$170,000
Transfer Station	Nil	\$120,000
<b>Total</b>	<b>\$166,000</b>	<b>\$422,000</b>

It is recommended that this increased expenditure be funded by transfer from the DWM Garbage Reserve.

The last 2 years were extremely profitable for the landfills due to receiving Mr. Fluffy Asbestos and railway sleepers and this has resulted in the DWM Garbage Reserve having a balance of \$4,107,618 compared to the budgeted balance of \$1,259,527.

Items requiring Council Resolution

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## 5.7 AGENCY INFORMATION GUIDE

**AUTHOR:** Director Corporate Services

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting

**FILE NO:** 12.019.1

**RECOMMENDATION:** that, pursuant to section 21 of the *Government Information (Public Access) Act 2009* the Council adopt the Agency Information Guide as per Appendix "A".

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### REPORT:

The [Government Information \(Public Access\) Act 2009](#) (GIPA Act) provides a range of obligations on the Council – and all NSW Government instrumentalities – regarding the provision of information to the public.

One of the obligations the Council is required to meet is to "adopt" an Agency Information Guide. The Agency Information Guide must be published on the Council's website.

[Section 20 of the GIPA Act](#) states:

*(1) An agency (other than a Minister) must have a guide (its "agency information guide") that:*

- (a) describes the structure and functions of the agency, and*
- (b) describes the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public, and*
- (c) specifies any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the exercise of the agency's functions, and*
- (d) identifies the various kinds of government information held by the agency, and*
- (e) identifies the kinds of government information held by the agency that the agency makes (or will make) publicly available, and*

## Items requiring Council Resolution

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*(f) specifies the manner in which the agency makes (or will make) government information publicly available, and*

*(g) identifies the kinds of information that are (or will be) made publicly available free of charge and those kinds for which a charge is (or will be) imposed.*

*(2) An agency must make government information publicly available as provided by its agency information guide.*

Further information on the Agency Information Guide is available on the Information and Privacy Commission website

[Section 21 of the Act](#) requires that the Agency Information Guide be adopted at periods of no less than 12 months (i.e. at least annually).

While the Act uses the term “adopt” this does not mean “adopt” in the sense of “pass by voting” as most of the bodies covered under the Act cannot make resolutions. Instead, it means to “take on for use”. However, it would be more straightforward and transparent to demonstrate compliance with the Act by adopting it by resolution of the Council.

The Agency Information Guide was last adopted by the Council in November 2017. The only substantial change from the 2017 version is the inclusion of the Council’s purpose as set out below.

### **Our Purpose**

*Making an even better Berrigan Shire*

The aim of the Berrigan Shire Council is to develop our community and assist where we can to help it grow and achieve the community’s vision. We work alongside our community and use our skills, our staff and our resources to contribute to the improvement of the entire Shire.

We are one team focused on the one purpose of making an even better Berrigan Shire.

Other changes either reflect changes in office bearers, legislation or are otherwise cosmetic.

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Items requiring Council Resolution

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**5.8 DRAFT ANNUAL REPORT 2017 - 2018**

**AUTHOR:** Strategic & Social Planning Coordinator

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting

**FILE NO:**

**RECOMMENDATION:** that the Council adopt the Draft Annual Report 2017- 2018 attached as Appendix “B”.

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**REPORT:**

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

A copy of this year's report is attached as an Appendix “B”.

Council's Annual Report reflects the requirement of the Department of Local Government's Integrated Planning and Reporting Framework. The format of the report recognises that this is not a report to the Division of Local Government or the New South Wales Government; it is a report to the community.

As such it can be published and read as one complete document or five separate reports allowing readers the opportunity to focus only on the areas that are of interest to the reader. The Council also publishes and distributes each year, via unaddressed mail to households and businesses, an abridged version of the Annual Report providing a summary of the year's highlights and financial position.

The Annual Report attached as an appendix includes:

An introduction that provides the reader with a brief overview of the Shire, its vision for the future in addition to comments from the Mayor and General Manager. The Shire Profile introduces Councillors, Councillor Management and includes also information on Council meeting attendance.

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## Items requiring Council Resolution

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Information on the Council's Planning Framework and operational performance follow. Readers of this Report will find information about Operational Plan activities and performance. Summary tables reporting on the Council's performance against the objectives set out in the Council's Annual Operational Plan will also be found in this section.

Information not contained elsewhere in the report and which must be declared to meet legislated reporting requirements is found in the section labelled Statutory Requirements.

The State of our Assets Report provides information about our capital works program in addition to a snapshot of Councils asset management practices and performance.

The section titled Financial Management contains as in past years a community financial report in addition to the Financial Statements for the 2017/18 Financial Year presented to the Council at its Ordinary Council meeting 17 October 2018.

The Council's Annual report has been prepared in accordance with the statutory requirements outlined in section 428 of the Local Government Act 1993, clause 217 of the Local Government (General) Regulation 2005, the Freedom of Information Act 1989, the Privacy and Personal Information Act 1998, the Government Information Personal Access Act, 2009, the Companion Animals Act and the Companion Animals Regulation 2008.

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Items requiring Council Resolution

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## 5.9 INVESTMENT POLICY

**AUTHOR:** Director Corporate Services

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting

**FILE NO:** 12.024.2

**RECOMMENDATION:** that the Council

- revoke its Investment Policy adopted on 15 November 2017; and
- adopt the Investment Policy set out below

### INVESTMENT POLICY

**File Reference No:** 12.024.2

**Strategic Outcome:** Good government

**Date of Adoption:** 21/11/2018

**Date for Review:** 20/11/2019

**Responsible Officer:** Director Corporate Services

#### 1. POLICY STATEMENT

In order to meet future financial commitments, Berrigan Shire Council retains cash that it has no plans to spend in the immediate future. To make better use of this cash and to retain its future value, the Council will invest these spare funds – in line with legislation and other legal requirements.

This policy is made under section 625 of the *Local Government Act* 1993 (the Act) and in accordance with the Ministerial Investment Order published in the Government Gazette of 12 February 2011 and Office of Local Government Circular 17-29

#### 2. PURPOSE

The purpose of this policy is to provide a framework for the investing of Council's funds at the most favourable rate of interest available to it at the time whilst having due consideration of risk and security for that

## Items requiring Council Resolution

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investment type and ensuring that its liquidity requirements are being met.

While exercising the power to invest, consideration is to be given to the preservation of capital, liquidity, and the return of investment.

The Council's Financial Strategy 2016 commits the Council to the following action:

*Maintain the existing Investment Policy settings prioritising preservation of capital over investment return.*

Preservation of capital is the principal objective of the investment portfolio. Investments are to be placed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.

Investments should be allocated to ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring the risk of significant costs due to the unanticipated sale of an investment.

Investments are expected to achieve a market average rate of return in line with the Council's risk tolerance.

### 3. SCOPE

This policy applies to all Council officers with responsibility for the investment of Council's funds.

### 4. OBJECTIVE

This policy is developed to assist the Council with Delivery Plan Objective 2.1.3.1:

*Coordinate Council investments, financial management, financial operations and processing*

### 5. DEFINITIONS

Credit risk – the risk that an institution or a product the Council has invested in fails to pay the interest and/or repay the principal of an investment;

Market risk – the risk that the fair value or future cash flows of an investment will fluctuate due to changes in market prices;

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## Items requiring Council Resolution

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**Liquidity risk – the risk the Council is unable to redeem the investment at a fair price within a timely period; and**

**Maturity risk – the risk relating to the length of term to maturity of the investment – the longer the term, the greater the length of exposure and risk to market volatilities;**

**Preservation of Capital – the requirement for preventing losses in an investment portfolio's total value (considering the time value of money);**

**Diversification – setting limits to the amounts invested with a particular financial institution or government authority to reduce credit risk;**

**Liquidity – ensuring that funds are available in a timely manner to meet the Council's cash flow requirements without the unanticipated, and potentially disadvantageous, sale of investment products.**

### **6. POLICY IMPLEMENTATION**

#### **6.1 Delegation of authority**

**Authority for implementation of the Investment Policy is delegated by Council to the General Manager in accordance with the *Local Government Act 1993*.**

**The General Manager may in turn delegate the day-to-day management of Council's investments to the Responsible Accounting Officer, or to other Officers. This is subject to regular review.**

**Officers' delegated authority to manage Council's investments shall be recorded in line with the Council's standard procedures regarding delegations.**

**Officers with delegated authority under this policy will be required to acknowledge they have received a copy of this policy and understand their obligations in this role.**

#### **6.2 Prudent person standard**

**The investment will be managed with the care, diligence and skill that a prudent person would exercise. As trustees of public monies, officers are to manage Council's investment portfolios to safeguard the portfolio in accordance with the spirit of this Investment Policy, and not for speculative purposes.**



## Items requiring Council Resolution

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### 6.3 Ethics and Conflicts of Interest

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio.

Councillors and Officers are obliged to act in accordance with the Council's Code of Conduct and comply with the Council's procedures for declaring gifts and actual or perceived conflicts of interest.

Independent advisors are also required to declare that they have no actual or perceived conflicts of interest. Dealings between the Council and an independent advisor will be in line with the Council's Statement of Business Ethics.

### 6.4 Approved investments

Investments are limited to those allowed by the most current Ministerial Investment Order that has been issued by the NSW Minister for Local Government.

### 6.5 Prohibited investments

In accordance with the Ministerial Investment Order, this investment policy prohibits but is not limited to any investment carried out for speculative purposes including:

- Derivative based instruments;
- Collateralised Debt Obligations (CDOs);
- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Stand-alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind.

This policy also prohibits the use of leveraging (borrowing to invest).

### 6.6 Local economic benefit

The Council will give consideration to investment products from institutions that provide a direct economic benefit to the Berrigan Shire community. This may include:

- Institutions that operate a retail branch in the Shire
- Institutions specifically established for the purpose of investing in the local area including the Berrigan Shire, such as local credit unions.

## Items requiring Council Resolution

This is conditional upon the Council complying with its other obligations under this policy and the achievement of comparable investment security and rates of return. Any such consideration will be in line with the Council's obligations under legislation and its purchasing policies and procedures.

### 6.7 Risk management

In accordance with the Council's Risk Management Policy and Framework, the Council should minimise risks and encourage and promote transparency and good governance.

Risks will be assessed with resultant investment decisions authorised by the General Manager, or in accordance with Delegated Authority.

Controls will be integrated into investment management strategies which recognise these risks:

- Credit risk
- Market risk
- Liquidity risk
- Maturity risk

When addressing these risks, the Council and its officers will consider the following key principles:

- Preservation of Capital
- Diversification
- Liquidity

In addition to employing controls to reduce counterparty risk, management and operational controls for corruption prevention will be employed, which include:

- Fraud Control measures as identified in the Council's Fraud Control Policy and associated plans.
- Compliance with the Council's Code of Conduct
- The use of the Council's Gift and Conflict of Interest Disclosure procedures
- Reference to the Internal Reporting Policy.
- Monthly reporting to the Council
- External Auditing

### 6.8 Investment advisor

The Council may, from time to time, appoint a consultant to provide independent advice on the Council's investment strategy or on

## Items requiring Council Resolution

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individual investment products. Independent advisors must be licenced by the Australian Securities and Investment Commission and must be appointed by resolution of the Council.

The advisor must be an independent person who has no actual or potential conflict of interest in relation to investment products being recommended and is free to choose the most appropriate product within the terms and conditions of the investment policy. This specifically excludes the appointment of advisors that receive commissions from providers of investment products likely to be reviewed or recommended.

The independent advisor is required to provide written confirmation that they do not have any actual or potential conflicts of interest in relation to the investments they are recommending or reviewing, including that they are not receiving any commissions or other benefits in relation to the investments being recommended or reviewed.

The requirement for advisors to be independent and declare any conflict of interests does not apply where the Council is seeking investment advice from the NSW Treasury Corporation as per Office of Local Government Circular 17-29.

### 6.9 Measurement

The Council will measure and report on its investments to the Council on a market value basis. The market value is to be assessed at least once a month to coincide with the monthly Investment Report.

For the purpose of the annual financial statements, investments will be valued in line with Australian Accounting Standards and the Local Government Code of Accounting Practice and Financial Reporting

### 6.10 Benchmarking

Performance benchmarks can be established and should be based on sound and consistent methodology. When determining benchmarks, consideration should be given to the Council's risk profile and liquidity requirements.

Benchmarks will be determined by the Council on an as-needs basis but reviewed no less than annually as part of the Council's budget process.

Performance against benchmarks will be included in a monthly report to the Council.

## Items requiring Council Resolution

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### 6.11 Reporting and reviewing of investments

Documentary evidence must be held for each investment and details thereof maintained in an Investment Register.

The documentary evidence must provide Council legal title to the investment.

Certificates must be obtained from the financial institutions confirming the amounts of investments held on the Council's behalf as at 30 June each year and reconciled to the Investment Register.

All investments are to be appropriately recorded in Council's financial records and reconciled at least on a monthly basis.

A monthly report will be provided to Council. The report will detail the investment portfolio in terms of performance, percentage exposure of total portfolio, maturity date and changes in market value.

### 6.12 Policy review

This Investment Policy will be reviewed by the Council no less than annually. It will also be reviewed as required in the event of legislative changes.

The Investment Policy may also be amended as a result of other events that provide the Council with opportunities that are to the advantage of the Council and in the spirit of this policy.

Any amendment to the Investment Policy must be by way of Council resolution.

## 7. RELATED LEGISLATION, POLICIES AND STRATEGIES

### 7.1 Compliance

All investments are to comply with the following

- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- *Ministerial Investment Order*
- *Local Government Code of Accounting Practice and Financial Reporting*
- Australian Accounting Standards
- Office of Local Government Circulars

## Items requiring Council Resolution

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### 7.2 Relevant Council documents

- Long Term Financial Plan
- Financial Strategy 2016
- Fraud Control Policy
- Fraud Control Plan
- Risk Management Policy and Framework
- Code of Conduct
- Internal Reporting Policy
- Statement of Business Ethics

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#### REPORT:

The Council, in its role as trustee of public monies, has a responsibility to prudently invest its surplus funds. To provide guidance to Council staff when investing Council funds, the Council has an Investment Policy. The policy complies with the Ministerial Investment Order issued in February 2011.

This policy is required to be reviewed annually. It was last reviewed in November 2017.

As well as its Investment Policy, the Council's powers to invest in specific investment products are restricted by the Ministerial Investment Order.

The policy sets out the principles that the Council will use when investing surplus funds, lists any restrictions placed on specific types of investments and sets some requirements for reporting on investments to the Council. The policy addresses the risks to the Council as a result of its investments in line with the Council's Risk Management Policy and Framework.

The Council has traditionally taken a very conservative investment position and this is reflected in the proposed policy. The policy states that the Council's principal objective is the preservation of capital with investment return a lower priority.

The proposed policy is only cosmetically different from the existing policy – minor formatting changes and the like. It would not require any changes to the Council's current investment portfolio.

Other than cash held for current expenditure, the Council's existing investment portfolio is solely made up of term deposits held with organisations listed as authorised deposit-taking institutions by the Australian Prudential Regulation Authority.

The Council may wish to consider modifying the section of the proposed policy relating to "Local Economic Benefit" following the closure of the NAB

### Items requiring Council Resolution

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branch in Berrigan and the Council's operation of an agency of the Bendigo Bank at the Council administration office.

The Council should also be aware that there are some indications that the Office of Local Government and NSW Treasury are looking to tighten some of the rules that apply to investments by Councils – including a limit on investments with some institutions. This would have an impact on the Council's current investment portfolio – most directly its investments with Bendigo Bank. This will need to be monitored.

The Council currently has around \$33m under investment at present.

RESOLUTION

## Items requiring Council Resolution

**5.10 SURPLUS RAMROC FUNDS****AUTHOR:** General Manager**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.2 Strengthen strategic relationships and partnerships with community, business and government**FILE NO:**

**RECOMMENDATION:** That the Council agree to contribute \$10,918.67 ex GST in surplus funds from the wind up of Riverina and Murray Regional Organisation of Councils (RAMROC) to the Riverina and Murray Joint Organisation (RAMJO) subject to all other former members of RAMROC transitioning to RAMJO making a similar contribution.

**REPORT:**

As Councillors may be aware the establishment of the Riverina and Murray Joint Organisation (RAMJO) resulted in the members of the Riverina and Murray Regional Organisation of Councils (RAMROC) resolving to wind that organization effective at 30<sup>th</sup> June 2018.

Following the wind up of RAMROC each financial member Council is entitled to a share of its unspent funds based on membership contributions. In this Councils case that the share of unspent funds is \$10,918.67 from a total of unspent funds of \$144,615.31.

At the inaugural meeting of RAMJO, it was resolved that it be recommended to members transitioning from RAMROC to RAMJO that that any unspent funds that they receive be re-contributed to RAMJO.

The Council has received its share of the unspent funds and RAMJO has now formally requested that the Council re-contribute its funds.

The Council now needs to determine whether it will agree to the request or not.

The request appears to be a reasonable one and will assist with provision of some working capital for RAMJO during its early inception. Equally the Council will be no worse off than it planned to be albeit it could have used the funds for some other purpose. The Council can, of course, retain the reimbursed funds for its own purposes.

In the spirit of co-operation it is recommended that the funds be transferred to RAMJO subject to all transitioning members taking similar action.

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Items requiring Council Resolution

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**5.11 RURAL SCHOLARSHIP OPPORTUNITIES AT WESTERN SYDNEY UNIVERSITY**

**AUTHOR:** General Manager

**STRATEGIC OUTCOME:** Supported and engaged communities

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

**FILE NO:** 08.129.2

**RECOMMENDATION:** that the Council not participate in the Western Sydney University Rural Medical Scholarship Scheme.

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**REPORT:**

The Council has received an invitation from the Western Sydney University to sponsor a rural medical scholarship with the aim of supporting a local student to complete a medical degree.

A scholarship is typically used to assist with accommodation, tuition and course related expenses, books and computer equipment, travel and living expenses.

The Council would also have the opportunity to bond a scholarship so that the recipient would be required to work within a defined area for a defined period.

The invitation is not supported for several reasons, namely:

- Other similar national scholarships are available from the Commonwealth Government which are not restricted to a particular university and are bonded to work in a rural area for six years. These scholarships are limited 100 places per year.
- Universities are required by the Commonwealth to provide third of medical school places to rural students.
- The Council financially and practically supports the Bush Bursary Program through the Rural Doctors Network to host medical students in the area for two weeks per year.
- The Council sponsors an accommodation scholarship at Charles Sturt University which is becoming increasingly difficult to fill.

If the Council chooses to support the invitation it would receive naming rights and an opportunity to participate in the selection process.

The amount of the scholarship appears to be open to the Council's discretion and would be balanced against any bonding requirements.



## Items requiring Council Resolution

## 5.12 BERRIGAN SHIRE LAND USE STRATEGY 2018

**AUTHOR:** Development Manager

**STRATEGIC OUTCOME:** Sustainable natural and built landscapes

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

**FILE NO:**

**RECOMMENDATION:** that Council adopt the Berrigan Shire Land Use Strategy 2018 as Appendix “C” and refer it to the NSW Department of Planning and Environment for endorsement.

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**REPORT:**

Council, in conjunction with the NSW Department of Planning & Environment, have finalised the Berrigan Shire Land Use Strategy 2018. (Refer to Appendix “C”).

The Strategy contains a vision for Berrigan Shire for the next twenty years and provides investigation areas for each of the four towns for development potential. The Strategy also contains chapters on future rural land use and tourism.

Community consultation and referral to various agencies and adjoining local government areas has been undertaken with a total of six responses being received with a brief summary of each indicated below:

- Civil Aviation Safety Authority (CASA) – CASA has recommended that Council establishes a policy to protect aviation infrastructure within the strategy. It is considered that a separate policy within the document may not be appropriate as the current Obstacle Surface Limitation Plan as well as the development assessment process under the Environmental Planning and Assessment Act 1979 provides sufficient protection for aviation related activities.
- Murrumbidgee Council – supportive of strategy particularly the healthcare precincts and self-care developments in Berrigan and Finley which will be of a benefit to the Murrumbidgee Council area and the region in general. Also supportive of the expansion of the industrial areas in Finley and Tocumwal to allow for the expansion of agricultural businesses in the region. Suggested that the protection of and upgrade of the Tocumwal intermodal be included in the strategy however it is considered that the current zoning and tenure of the land is sufficient.
- Office of Environment & Heritage (OEH) – has provided comments regarding Biodiversity, Aboriginal Cultural Heritage and Flooding

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**Items requiring Council Resolution**

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relative to the investigation areas surrounding the four towns. Whilst there comments were comprehensive they were mainly procedural in nature and too detailed to include in a broad strategy document. The issues raised are matters to be considered at the development stage should that occur in the future.

- Roads and Maritime Services (RMS) – no objection to the strategy however requested that the efficiency and safety of the road network be considered in a strategic manner when development occurs.
- Department of Primary Industries – Agriculture – supportive of the document however suggested update of census data for the value of agricultural production for the local government area (difficulty creating graph with short notice however can be amended at a later date). Also advised of an outdated description of “prime agricultural land” and suggested that a discussion of soil capability by a new method indicating distribution of soil categories and management of this land be included in the strategy. Again the strategy is not the appropriate vehicle to include this much detail and will be considered on an individual basis upon future development.
- Crown Lands responded however have no issues or comments to make.

(Copies of the responses in full are attached in Appendix “D”).

In response to the submissions it is considered that the majority of the issues raised are not matters to be included in a broad strategic document and these can be effectively addressed if and when development occurs.

The Berrigan Shire Land Use Strategy 2018 is a document that will provide guidance for the future development of the local government area in a responsible and sustainable manner and it is considered that it would be appropriate to adopt this document and refer it to the NSW Department of Planning and Environment for endorsement.

Items requiring Council Resolution

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**5.13 ROAD NAMING**

**AUTHOR:** Development Manager

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 1.3 Connect and protect our communities

**FILE NO:** 28.110.1

**RECOMMENDATION:** that the following road names be adopted and formalised by notice in the Government Gazette:

- Tessier Drive
- Allan Street
- Hadley Street

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**REPORT:**

At the general Council Meeting held on 18<sup>th</sup> April 2018 it was resolved to undertake the statutory process to name three new roads constructed as part of a new residential subdivision off Bruton Street in Tocumwal.

Pursuant to Section 163 of the Roads Act 1993 and Part 2 of the Roads Regulation 2008 the names were advertised and referred to a number of interested agencies by utilising the NSW Online Road Naming System.

No responses were received by Council regarding the proposed new road names.

It is considered that the following road names can now be adopted and formalised by notice in the Government Gazette:

- Tessier Drive
- Allan Street
- Hadley Street

RESOLUTION

Items requiring Council Resolution

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**5.14 ROAD NAMING – BATE LANE**

**AUTHOR:** Development Manager

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 3.1 Create safe, friendly and accessible communities

**FILE NO:**

**RECOMMENDATION:** that community consultation be undertaken with a view to naming a lane off Jersey Street, Tocumwal in accordance with the Roads Act 1993 and the Road Transport (General) Regulation 2013.

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**REPORT:**

Council is in receipt of a request to erect a directional sign at the entrance to a lane off Jersey Street, Tocumwal to direct people to a property and to enable an address to be created to enable connection to telecommunication and electricity services and to enable access for emergency vehicles.

The applicant has purchased two adjoining allotments located at the rear of 19-21 Jersey Street, Tocumwal which has access from Jersey Street via an all weather lane. The property has historically consisted of three allotments having access to Jersey Street and having a Jersey Street address however the property has been split and now is owned by separate entities. (See Appendix "E").

It would be appropriate in this instance to officially name the lane to provide a legal address to facilitate this request in accordance with Councils Street Naming and Addressing Policy.

The property owner has suggested that his surname be utilised as the road name however this does not comply with the principles of the policy or with the Geographical Names Board of New South Wales.

It is understood that the Bate family owned and operated the old adjoining cordial factory and it may be appropriate to name this lane Bate Lane which would comply with Council's policy.

## Items requiring Council Resolution

**5.15 T12/17/18 - WATER METER REPLACEMENT  
AND AUTOMATIC METER READING  
NETWORK FOR BERRIGAN SHIRE****AUTHOR:** Director Corporate Services**STRATEGIC OUTCOME:** Good government**STRATEGIC OBJECTIVE:** 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting**FILE NO:** T12/17/18**RECOMMENDATION:** that the Council note the contract for Water Meter Replacement and Automatic Meter Reading Network as attached as Appendix "F".**REPORT:**

In February 2018 requests were lodged via VendorPanel for Water Meter Replacement and Automatic Meter Reading Network for Berrigan Shire with the closing date for submissions being 14th March, 2018.

The evaluation panel reported to the General Manager with a recommendation that he accept the offer from Itron Australasia Pty Ltd for a total cost of \$1,857,004.12 (inc GST) in accordance with the revised schedule for a mix of magflo and mechanical meters and subject to the inclusion of the 15 year sliding scale warranty for meters.

As this was a pre-approved contract via Local Government Procurement, the General Manager accepted the recommendation on Council's behalf.

After some negotiation – mostly around the clauses regarding retention and liquidated damages – a final contract has been prepared for signing. Again, as a pre-approved Local Government Procurement contract, the General Manager has delegated authority to sign the contract.

Given the size of this contract, it may be appropriate for the Council to note the contract prior to the General Manager's exercising his authority to sign.

This project is funded from specific allocations in previous and current budgets adopted by the Council in its Operational Plans and the price is within the net budgeted amount of \$1,708,000 (ex GST).

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Items requiring Council Resolution

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**5.16 SUSPENSION OF ALCOHOL FREE ZONE –  
MILD2WILD EVENT MARCH 2013**

**AUTHOR:** Director Corporate Services

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 2.2 Strengthen strategic relationships and partnerships with community, business and government

**FILE NO:** 24.128.1

**RECOMMENDATION:** that the Council, subject to Police approval and development consent being given;

- Suspend the Alcohol Free Zone for the area closed to traffic on Deniliquin Rd and Anzac Avenue, Tocumwal from 6.00pm to 12.00pm on Saturday 9 March 2019 in accordance with Section 645 of the Local Government Act.
- Suspend the notice under Section 632 of the Local Government Act prohibiting the consumption of alcohol at the Tocumwal Foreshore Area (Reserve 53211) from 6.00pm to 11.00pm Saturday 9 March 2013.

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**REPORT:**

The Mild2Wild Rod and Custom Club are proposing to hold a three-day street rod and custom car event in Tocumwal on the weekend of Friday, 8 March 2018 to Sunday, 10 March 2018. The event will involve a motor vehicle parade and the temporary closure of some streets over part of this period.

Elements of the event will require Development Consent and this will take place through the existing Council procedures.

On the evening of Saturday, 9 March 2018, the club proposes to hold a static display along Anzac Avenue and in the car parking spaces adjacent to the foreshore park. During this period, the adjacent roads will be closed to traffic from 6.00pm to 10.30pm – subject to Council and police approval.

The Club have requested the restrictions on alcohol consumption in the area closed to traffic be lifted during this period and for a short period following.

The area in question is covered by two separate alcohol restrictions. The road reserve, including the road and footpath and much of the foreshore area on

### Items requiring Council Resolution

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the “road” side of the levee, is covered by the Alcohol Free Zone restrictions under [s644B of the Local Government Act 1993](#) (the Act) These restrictions prohibit the consumption of alcohol at all times.

The foreshore area itself (i.e. the area that is not in a road reserve or carpark) is covered by a notice issued by the Council under [s632 of the Act](#), which prohibits the consumption of alcohol between sunset and sunrise.

The Council has no set policy on the lifting of alcohol restrictions but it has lifted these restrictions on alcohol consumption for this event in the past. Previous events conducted by this club have not created any public disturbance issues and the event does attract a significant number of visitors to the town.

Under [s645 of the Act](#), the Council may suspend the operation of an Alcohol Free Zone if desired. If so, the Council must publish notice of the suspension in a newspaper circulating in the area concerned. In addition, the Alcohol-Free Zone guidelines advise that the Council must liaise with the police.

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## Items for Noting

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**RECOMMENDATION** – that Items for Noting numbered 6.1 to 6.4 inclusive be received and noted.

### **6.1 TENDER T06/18/19 SUPPLY OF ROADBASE FOR STRATHVALE ROAD, BERRIGAN**

**AUTHOR:** Engineering Services Manager

**STRATEGIC OUTCOME:** Sustainable natural and built landscapes

**STRATEGIC OBJECTIVE:** 1.3 Connect and protect our communities

**FILE NO:** T06/18/19

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#### **REPORT:**

On the 9<sup>th</sup> November, 2018, at the request of the Engineering Services Manager, the General Manager accepted the tender submission from Andrew Goldman Excavations for the Supply of Road Base Material for Strathvale Road Berrigan for a supply and deliver rate of \$28.60/tonne.

The total value of the contract based on Tender Price is \$286,000.

The Tender had 4 submissions:

**ANDREW GOLDMAN EXCAVATIONS  
BORAL RESOURCES PTY LTD  
BURGEES EARTHMOVING PTY LTD  
EB MAWSONS & SONS PTY LTD**

All tenders were considered by the Tender Evaluation Committee:

Matthew Clarke	Engineering Services Manager
Fred Exton	Director of Technical Services
Gary George	Assets and Operations Manager

#### Consideration of Tenders

Each Tender was evaluated in accordance with the following evaluation Criteria:



### Items for Noting

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Criteria	Highest Possible Score	Weighting
1. Price	4	5
2. Compliance with Specification	4	5
3. Track Record	4	2
4. Quality Systems	4	2
5. Availability of Appropriate Skills & Resources	4	2

#### Supervisor

The superintendent of the contract will be the Director of Technical Services and the superintendent's representative will be the Engineering Services Manager.

**NOTING**

**Items for Noting**

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**6.2 T04/18/19 STABILISATION****AUTHOR: Assets & Operations Manager****STRATEGIC OUTCOME: Sustainable natural and built landscapes****STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities****FILE NO: T04/18/19**

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**REPORT:**

As it is anticipated that Berrigan Shire Council will spend more than \$150,000 inclusive of GST on the supply, spreading and mixing of stabilisation binders with material in a nominated pavement course or sub grade layer as part of rehabilitation works for 2018/2019 financial year. In accordance with Clause 163 of the Local Government (General) regulation 2005, Berrigan Shire Council has accepted a quotation from DOWNER EDI WORKS PTY LTD for the estimated tender treatment rate of \$73,290 per 7000m<sup>2</sup>.

DOWNER EDI WORKS PTY LTD was the winning Tender based on the evaluation criteria of treatment rate, compliance with specification, past experience, WHS systems and availability of appropriate skills and resources.

The Contract is for the provision of Insitu Pavement Stabilisation works on various roads within the shire of 2018/2019 financial year. This is a schedule of rate contract subject to Location, stabilisation agent used, application rate %, Depth, spread, mix and binder at the time quotation.

Submissions were received from:

- STABILIFIX
- DOWNER EDI WORKS PTY LTD
- S.P.A.
- HIWAY
- KERWAY
- ACCURATE ASPHALT
- STABILICORP

**Items for Noting**

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**6.3 T05/18/19 SUPPLY AND DELIVERY OF CUT-BACK BITUMEN****AUTHOR: Assets & Operations Manager****STRATEGIC OUTCOME: Sustainable natural and built landscapes****STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities****FILE NO: T05/18/19**

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**REPORT:**

As it is anticipated that Berrigan Shire Council will spend more than \$150,000 inclusive of GST on the supply, delivery and spraying of bulk cut-back bitumen for 2018/2019 financial year. In accordance with Clause 163 of the Local Government (General) regulation 2005, Berrigan Shire Council has accepted a quotation from DOWNER EDI WORKS PTY LTD for the estimated total amount of \$810,531 through the Local Government Procurement Contract for Bitumen, Emulsions and Asphalt Materials and Services (LGP213).

DOWNER EDI WORKS PTY LTD was the winning Tender based on the evaluation criteria of application rate, compliance with specification, past experience, WHS systems and availability of appropriate skills and resources.

The Contract for the supply, delivery and spraying of bulk cut-back bitumen for 2018/2019 financial year is a schedule of rate contract subject to rise and fall based on the price of bitumen supplied by Bitumen Importers Australia (B.I.A) which was \$1,215.00 + GST per tonne at the time quotation.

Submissions were received from:

- STATE ASPHALT SERVICES PTY LTD
- DOWNER EDI WORKS PTY LTD
- FULTON HOGAN INDUSTRIES PTY LTD

**NOTING**

## Items for Noting

## 6.4 DEVELOPMENT DETERMINATIONS FOR MONTH OF OCTOBER 2018

**AUTHOR:** Executive Support Officer

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting

**FILE NO:**

**REPORT:**

### APPLICATIONS DETERMINED FOR OCTOBER

Application	Description	Property Location	Applicant	Owner	Status	Value	Days Taken	
32/19/D/D1	BV DWELLING & ATTACHED GARAGE	26 MACFARLAND STREET, BAROOGA NSW 3644 (Lot102//DP773293)	Mr SR & Mrs JT Robbins	MR SR & MRS JT ROBBINS	Approved 02-10-2018	\$ 365256.00	Active 15	Total 15
33/19/DA/D2	CARPORT WITH SOLAR PANELS	1-11 TUPPAL STREET, FINLEY NSW 2713 (Lot204//DP752299)	PPA Direct	FINLEY BOWLING CLUB	Approved 04-10-2018	\$ 30000.00	Active 16	Total 16
35/19/DA/D1	BV DWELLING & ATTACHED GARAGE RESIDENTIAL STORAGE SHED	101 NGAWA ROAD, BAROOGA NSW 3644 (Lot76//DP257589)	D & M Bowden Construction	MR GF PARSONS AND MS CE EDDY	Approved 03-10-2018	\$ 373450.00	Active 14	Total 14
7/19/CD/M6	ADDITIONS TO DWELLING	5 COREE STREET, FINLEY NSW 2713 (LotA//DP383393)	Denbrok Constructions	MR PJ AND MRS MT ROURKE	Approved 22-10-2018	\$ 30000.00	Active 4	Total 27
36/19/DA/D3	3 x SILO SHEDS	SILLO ROAD, TOCUMWAL NSW 2714 (Lot314//DP1121397)	Kelly (Finley) Super Pty Ltd	KELLY (FINLEY) SUPER PTY LTD	Approved 04-10-2018	\$ 1500000.00	Active 15	Total 15
37/19/DA/D5	RESIDENTIAL STORAGE SHED	7 GYPSIE CRESCENT, BAROOGA NSW 3644 (Lot48//DP1110847)	M V Marine	MR BJ AND MRS JA DOYLE	Approved 05-10-2018	\$ 25000.00	Active 13	Total 13
38/19/DA/D5	RESIDENTIAL STORAGE SHED	19 JERILDERIE STREET, TOCUMWAL NSW 2714 (Lot15//DP599238)	Mr R Clarke	MR R CLARKE	Approved 04-10-2018	\$ 8000.00	Active 12	Total 12
39/19/DA/D2	SELF STORAGE SHEDS	ENDEAVOUR STREET, FINLEY NSW 2713 (Lot6//DP814092)	S D & F J Quirk	MR S D QUIRK AND MRS F I QUIRK	Approved 08-10-2018	\$ 40000.00	Active 10	Total 10
40/19/DA/D9	2 LOT SUBDIVISION	52-54 MURRAY STREET, TOCUMWAL NSW 2714 (Lot77//DP6464)	Mrs B Campbell	MRS B CAMPBELL	Approved 09-10-2018	\$ 0.00	Active 10	Total 10
41/19/DA/D5	RESIDENTIAL STORAGE SHED	14 INGO RENNER DRIVE, TOCUMWAL NSW 2714 (Lot20//DP790167)	Mr B & Mrs D Newnham	MR BA AND MRS DJ NEWNHAM	Approved 17-10-2018	\$ 3900.00	Active 16	Total 16
11/19/CD/M5	INGROUND FIBREGLASS SWIMMING POOL	83-87 SNELL ROAD, BAROOGA NSW 3644 (Lot12//DP1138900)	Mr D & Mrs P Nolan	MR DP NOLAN & MRS PT NOLAN	Approved 02-10-2018	\$ 40930.00	Active 4	Total 4
42/19/DA/D5	RESIDENTIAL STORAGE SHED	54 HENNESSY STREET, TOCUMWAL NSW 2714 (LotA//DP385346)	Mr S Patterson	MR ST PATTERSON & MS JN LOADER	Approved 22-10-2018	\$ 18000.00	Active 17	Total 17

NOTING

## Items for Noting

43/19/DA/D5	RESIDENTIAL STORAGE SHED	40 COBRAM STREET, BERRIGAN NSW 2712 (Lot1//DP220999)	O'Halloran Property Service	MR MV CAMERON	Approved 22-10-2018	\$ 27954.00	Active 13	Total 16
44/19/DA/DM	CHANGE OF USE - DWELLING TO BACKPACKERS ACCOMMODATION	500 RACECOURSE ROAD, TOCUMWAL NSW 2714 (Lot92//DP752296)	Mr E Hatty	MR EJ HATTY AND MRS FM HATTY	Approved 23-10-2018	\$ 5000.00	Active 11	Total 15
45/19/DA/DM	CHANGE OF USE - DWELLING TO BACKPACKERS ACCOMMODATION	1319 WOOLSHED ROAD, TOCUMWAL NSW 2714 (Lot73//DP752285)	Mr E Hatty	MR D V HATTY	Approved 31-10-2018	\$ 5000.00	Active 21	Total 21
46/19/DA/D5	RESIDENTIAL STORAGE SHED	47 HENNESSY STREET, TOCUMWAL NSW 2714 (Lot1//DP1211314)	Murray Valley Engineering	MR RJ GODDARD AND LA JACKSON	Approved 29-10-2018	\$ 48000.00	Active 19	Total 19
12/19/CD/M5	INGROUND FIBREGLASS SWIMMING POOL	24 WOLLAMAI STREET, FINLEY NSW 2713 (Lot5//DP1097289)	Outdoor Indulgence Pty Ltd	MR M J & MRS J A PHILPOT	Approved 16-10-2018	\$ 32360.00	Active 9	Total 9
47/19/DA/D1	BV DWELLING & ATTACHED GARAGE	21-23 WOLLAMAI STREET, FINLEY NSW 2713 (Lot1//DP534387)	Mr P J & Mrs K N Murrowood	MR PJ AND MRS KN MURROWOOD	Approved 29-10-2018	\$ 286666.00	Active 16	Total 16
48/19/DA/DM	SPLASHPARK	TOCUMWAL FORESHORE, ANZAC AVENUE, TOCUMWAL NSW 2714 (Lot7002//DP1019579)	Berrigan Shire Council	BERRIGAN SHIRE COUNCIL	Approved 23-10-2018	\$ 909194.00	Active 12	Total 12
13/19/CD/M6	ADDITIONS TO DWELLING	363 LOCKHART ROAD, LALALTY NSW 3644 (Lot12//DP842180)	Mr S Rennie	MR J P RENNIE	Approved 11-10-2018	\$ 50000.00	Active 2	Total 2
14/19/CD/M5	INGROUND FIBREGLASS SWIMMING POOL	11 AVA COURT, TOCUMWAL NSW 2714 (Lot27//DP270154)	Poolside Cobram	MR NK BLAKELOCK & MS CL CLARK	Approved 17-10-2018	\$ 37235.00	Active 6	Total 6
15/19/CD/M5	INGROUND FIBREGLASS SWIMMING POOL	23 ANZAC AVENUE, TOCUMWAL NSW 2714 (LotD//DP358840)	Poolside Cobram	MR KJ AND MRS GE HARRIS	Approved 17-10-2018	\$ 55000.00	Active 6	Total 6
49/19/DA/D1	BV DWELLING & ATTACHED GARAGE RESIDENTIAL STORAGE SHED	107-109 SNELL ROAD, BAROOGA NSW 3644 (Lot2//DP1131416)	D & M Bowden Construction	MR BJ & MRS MR KEARNEY	Approved 22-10-2018	\$ 369950.00	Active 9	Total 9
51/19/DA/D5	RESIDENTIAL STORAGE SHED	57 FALKINER STREET, TOCUMWAL NSW 2714 (Lot11//DP527157)	Mr CJ Stebbing & Mrs AJ Seamer	MR CJ STEBBING & MRS AJ SEAMER	Approved 29-10-2018	\$ 9500.00	Active 14	Total 14
52/19/DA/D0	RESIDENTIAL STORAGE SHED	95 SNELL ROAD, BAROOGA NSW 3644 (Lot4//DP1131416)	Mr J Cocks	MR J M COCKS & MS J S SMITH	Approved 31-10-2018	\$ 26000.00	Active 16	Total 16
53/19/DA/DM	BACKPACKERS ACCOMMODATION	708 RACECOURSE ROAD, TOCUMWAL NSW 2714 (Lot2//DP228451)	Mr E Hatty	EJ & FM HATTY PTY LTD	Approved 31-10-2018	\$ 45000.00	Active 15	Total 15
16/19/CD/M5	INGROUND FIBREGLASS SWIMMING POOL	STOCK ROUTE ROAD, BAROOGA NSW 3644 (Lot1//DP608619)	Mr B & Mrs S Spiller	MR B SPILLER & MRS S SPILLER	Approved 18-10-2018	\$ 35000.00	Active 2	Total 2
17/19/CD/M6	ADDITIONS TO DWELLING	1255 BERRIGAN ROAD, LALALTY NSW 3644 (Lot2//DP530880)	M S Constructions Pty Ltd	MR RD & MRS PM MODDERKOLK	Approved 18-10-2018	\$ 15000.00	Active 2	Total 2
19/19/CD/M5	INGROUND FIBREGLASS SWIMMING POOL	496 CASEYS ROAD, BERRIGAN NSW 2712 (Lot104//DP570028)	Poolside Cobram	MR RKG BAUER & MRS BM BAUER	Approved 23-10-2018	\$ 66595.00	Active 3	Total 3

NOTING

**Items for Noting****APPLICATIONS PENDING DETERMINATION AS AT 02/11/2018**

Application No.	Date Lodged	Description	Property Location
135/18/DA/D1	15-05-2018	DWELLING	BUSHLANDS ROAD, TOCUMWAL NSW (Lot19//DP286078)
136/18/DA/D1	18-05-2018	DWELLING	BUSHLANDS ROAD, TOCUMWAL NSW 2714 (Lot5//DP286078)
50/19/DA/DM	09-10-2018	TYRE SERVICE	104-106 FINLEY STREET, FINLEY NSW 2713 (Lot9//DP251191)
54/19/DA/DM	11-10-2018	PORTABLE FIRE PUMP	101 NGAWA ROAD, BAROOGA NSW 3644 (Lot76//DP257589)
55/19/DA/DM	11-10-2018	HANGAR	39 WIRRAWAY COURT, TOCUMWAL NSW 2714 (Lot46//DP1233177)
56/19/DA/D2	16-10-2018	PERGOLA	2-6 DENILQUIN STREET, TOCUMWAL NSW 2714 (Lot10//DP331629)
57/19/DA/D5	17-10-2018	VERANDAH	36 SHORT STREET, TOCUMWAL NSW 2714 (Lot1//DP1245062)
58/19/DA/D5	18-10-2018	CARPORT	44 HANNAH STREET, TOCUMWAL NSW 2714 (Lot12//DP790166)
59/19/DA/D7	18-10-2018	INGROUND FIBREGLASS SWIMMING POOL	1057 MULWALA-BAROOGA ROAD, BOOMANOOMANA NSW 3644 (Lot17//DP653769)
60/19/DA/DM	18-10-2018	EARTHWORK EXCAVATIONS/ RETAINING WALLS	41 COLLIE STREET, BAROOGA NSW 3644 (Lot25//DP574086)
61/19/DA/D9-M	22-10-2018	MODIFICATION TO 88/18/DA/D9 3 LOT SUBDIVISION	64 SNELL ROAD, BAROOGA NSW 3644 (Lot26//DP1049419)
62/19/DA/DO	23-10-2018	RURAL SHED	1238 TUPPAL ROAD, TOCUMWAL NSW 2714 (Lot119//DP752304)
63/19/DA/DM	25-10-2018	CARAVAN PARK ASSOCIATED WITH AVIATION AND INSTALLATION OF TRANSPORTABLE DWELLING	BURMA ROAD, TOCUMWAL NSW 2714 (Lot2//DP808187)
64/19/DA/D5	30-10-2018	PERGOLA	TAKARI STREET, BAROOGA NSW 3644 (Lot21//DP1099696)
20/19/CD/M5	01-11-2018	INGROUND FIBREGLASS SWIMMING POOL	38 HANNAH STREET, TOCUMWAL NSW 2714 (Lot15//DP790166)
21/19/CD/M4	01-11-2018	RESIDENTIAL STORAGE SHED	13-15 HUNTER DRIVE, TOCUMWAL NSW 2714 (Lot26//DP1100718)

**TOTAL APPLICATIONS DETERMINED / ISSUED (including modifications)**

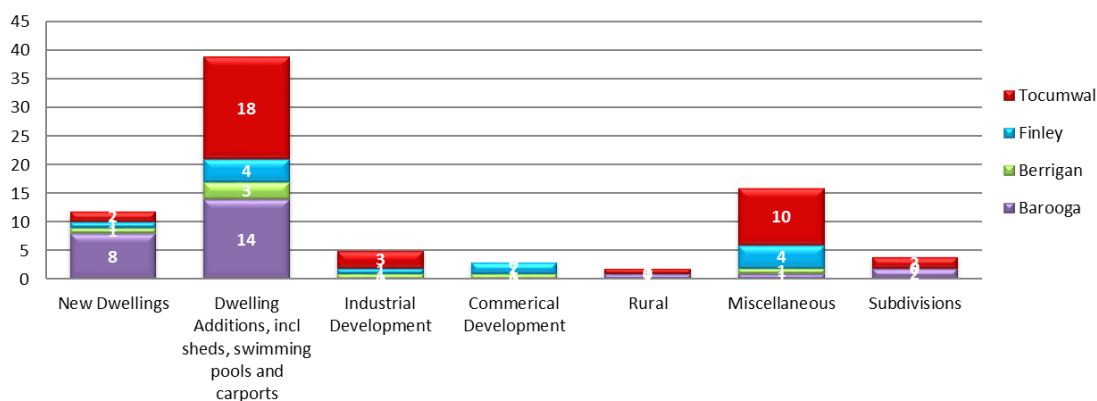
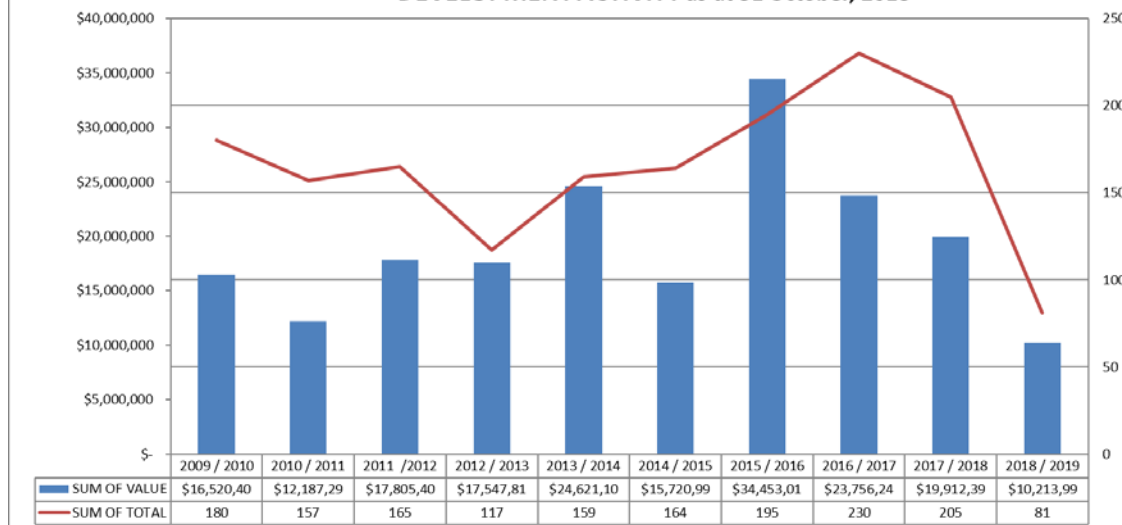
	This Month (Oct)	Year to Date	This Month's Value (Oct)	Year to Date Value
<i>Development Applications (DA)</i>	22	63	\$4,228,473	\$9,036,891
<i>Construction Certificates (CC)</i>	16	42	\$1,787,179	\$5,343,102
<i>Complying Development Certificates (CDC)</i>	10	18	\$745,480	\$1,177,105
<i>Local Activity (s.68)</i>	6	33	0	0

**NOTING**

## Items for Noting

**OTHER CERTIFICATES ISSUED FOR OCTOBER**

	s10.7(2) Planning Certificate		s10.7(5) Certificate		735A Certificate Outstanding Notices or Orders under LG Act 1993		s9.34 Certificate Outstanding Notices or Orders under EP&A Act 1979		s6.24 Building Certificate		Swimming Pool Certificate	
	Oct	Year Total	Oct	Year Total	Oct	Year Total	Oct	Year Total	Oct	Year Total	Oct	Year Total
BAROOGA	9	31	0	0	0	0	0	0	0	0	0	4
BERRIGAN	6	27	0	0	0	2	0	0	0	1	0	1
FINLEY	7	40	0	5	0	3	3	5	0	0	2	3
TOCUMWAL	7	38	0	1	0	3	0	0	0	4	0	2
TOTAL	29	136	0	6	0	8	3	5	0	5	2	10

**DEVELOPMENT ACTIVITY 2018/2019 as at 31 October, 2018****DEVELOPMENT ACTIVITY as at 31 October, 2018**

NOTING

Committee meeting reports

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COMMITTEE

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

**RECOMMENDATION** – that recommendation numbered 1 inclusive of the Technical Services Committee Meeting held on 7<sup>th</sup> November, 2018 be adopted.

**5. LIQUID TRADE WASTE**

**AUTHOR:** Director Technical Services  
**STRATEGIC OUTCOME:** Sustainable natural and built landscapes  
**STRATEGIC OBJECTIVE:** 1.3 Connect and protect our communities

**FILE NO:** 29.094.2

**RECOMMENDATION NO. 1** - that the Council develop a Liquid Trade Waste policy and engagement strategy.



Committee meeting reports

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## 7.2 MINUTES OF THE CORPORATE SERVICES COMMITTEE MEETING

**RECOMMENDATION** – that recommendations numbered 1 to 3 inclusive of the Corporate Services Committee Meeting held on 7<sup>th</sup> November, 2018 be adopted.

### 5. DRAFT ANNUAL REPORT 2017 - 2018

**AUTHOR:** Strategic & Social Planning Coordinator  
**STRATEGIC OUTCOME:** Good government  
**STRATEGIC OBJECTIVE:** 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting

**FILE NO:** 04.145.1

**RECOMMENDATION NO. 1** - that the Council adopt the Draft Annual Report 2017- 2018 attached as **Appendix “A”**

### 6. COMMUNITY INFRASTRUCTURE PROJECTS – RISKS, EXPOSURES AND OUTSTANDING ISSUES

**AUTHOR:** Director Corporate Services  
**STRATEGIC OUTCOME:** Good government  
**STRATEGIC OBJECTIVE:** 2.1 Berrigan Shire 2027 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting

**RECOMMENDATION NO. 2** - that the Council note the report on community infrastructure projects.

### 7. FINLEY SALEYARDS - OPERATIONS AND SAFETY

**AUTHOR:** Director Corporate Services & Enterprise Risk Manager  
**STRATEGIC OUTCOME:** Diverse and resilient business  
**STRATEGIC OBJECTIVE:** 4.1 Strengthen and diversify the local economy and invest in local job creation and innovation

**FILE NO:** 01.145.1

**RECOMMENDATION NO. 3** - that the Council invest in scope works to improve the priority areas at Finley Saleyards.

Items requiring Council Resolution

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9. MAYOR'S REPORT

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

Items requiring Council Resolution

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10. DELEGATES REPORT

RESOLUTION

Items requiring Council Resolution

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11. GENERAL BUSINESS

RESOLUTION