

# AGENDA

TUESDAY 21 FEBRUARY 2017

Federation Council

Council Chambers, Corowa

Commencing 10.00 am

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## 5. GENERAL MANAGER REPORT

### 5.1 FEDERATION COUNCIL MERGER IMPLEMENTATION PLAN

#### Summary

The Council is progressing well with most of the tasks identified in Phase 1 of the Implementation Plan (the basic audit and combination of policies, procedures and activities) completed. Phase 2 tasks are also well underway.

#### Background

The Council adopted its Merger Implementation Plan at the August Council meeting with some 364 tasks identified to bring the new Council together. Many of these tasks related to undertaking an audit of existing conditions, services, processes and procedures and selecting the best to go forward with.

#### Progress

As at 1 February 2017, two new items had been added and one deleted, but more importantly 273 tasks (75%) have been completed with another 60 tasks (16%) underway. The balance is 11 (3%) tasks of an ongoing nature and 21 (6%) not commenced. The not commenced tasks cover activities such as preparing for the Council Elections later in 2017.

Major tasks completed in the past two months have included:

- Finalisation of the Councils end of the year reporting and audit.
- Combination of a range of Policies and Procedures, Forms and Registers from those used by the former Councils into single processes for Federation Council.
- Adoption of Council's Organisation Structure and appointment of Directors and Managers.

Many of the tasks that are underway are big issue tasks that include:

- Development of the new Brand/Image for Federation Council – due to be completed by the end of February.
- Development of a new Council website – completed, awaiting adoption of the Logo.
- Development of a new Finance System - commenced in November and will continue until March 2017 where both previous systems will be combined with the ability to operate the system from various sites. The payroll system has been successfully tested in January.
- Communications systems and software platforms for a range of activities – microwave towers to connect Urana and Corowa offices will be installed by March and switching hardware has been ordered. Completion of the connectivity will allow seamless operation between the two sites and support the retention of staff and functions at both centres where this can be proven to be the most efficient outcome.
- A project of identifying the cost savings from the merger process and how those savings might be applied in the future for improved or additional service delivery.
- Development of the Council's internal Organisation Structure – high level completed and all other positions now being confirmed or advertised where required. This has been complicated with a number of employees leaving the organisation over the past six months especially in the engineering section. Engineers and technical staff have been employed on a temporary basis pending formal appointments.
- Development of a single system for salary and working conditions to be applied across the new Council – will be completed by June and is not delaying implementation of the Organisation Structure.

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- Research has also commenced on how the Council organisation needs to engage with the community via community committees on specific issues, focus groups, area based groups and other forms of communication. This will set up a basis of how the elected Council can best engage with the community in the future. This project will not be completed until the new Council is elected.
- Analysis of the services that the Council provides to the community to understand the standards that the community requires, the resources required and therefore the costs that the Council will need to incur will commence in the next month – services completed include Customers Service. Additional resources will be employed via the Implementation Fund to progress this project. Tourism is underway and part complete, communications is underway.

## **Financial Implications**

Finance to develop, action and monitor the plan is funded from Council's operational plan as well as the \$5 M dollars provided by the State Government. An amount of \$883,208 has been spent from the 12 May 2016 until 31 December 2016.

Major expenditure envisaged in coming months will be the communications system that is currently under construction between the Urana and Corowa Offices in order that seamless services can be operated from each office; the new Finance system and the analysis of the services that Council is currently providing and needs to provide in the future.

**RECOMMENDED** that the report be noted.

## **5.2 FEDERATION COUNCIL STRONGER COMMUNITY GRANTS PROGRAM**

### **Summary**

Grants totalling \$595,000 were provided to 18 projects via the first round of funding with two projects completed and the remainder underway. Grant workshops were held in November to assist community groups with future applications for this fund and other sources.

The second round of the grant process opened on 10 January 2017 and closes on 8 March 2017.

### **Background**

At the close of applications for the first round on 30 August 2016 Council had received 75 applications requesting \$3.9 M from community groups across the Council towards projects costing \$7.6 M. This was far more than envisaged for the first round but does show a desire across the Council for communities to improve their areas and facilities.

With the training completed in November many of the unfunded groups will submit improved applications for the second round. Several other applications that fit the criteria for funding have been referred to the process for allocating the \$9 M Major Projects with a list of these projects to be made public in the near future for community input.

### **Financial Implications**

Available funding is \$1 M from the Community Grants Program for Incorporated Organisations and a further amount, to be determined by Council, for Section 355 Committees of Management from the Major Projects Fund.

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Council adopted funding 18 projects from across the Council area (\$165,000 for s355 Committees and \$439,000 for Incorporated organisations) totalling allocations of \$595,000 towards total project costs of \$941,347. This leaves a balance of \$561,000 to allocate from the fund in a second round with additional amount also possibly funded from the major Projects Fund to Section 355 Committee projects as determined by Council.

**RECOMMENDED** that the Stronger Communities Grant Program update report be noted and Council continue to promote and encourage applicants to apply under the second round of the program.

### 5.3 FEDERATION COUNCIL IMPLEMENTATION FUND

#### **Summary**

As part of the Merger process and provision of a \$5 M Implementation Grant, the Council is required to provide a six monthly reports to the Office of Local Government on expenditure under the fund as well as three monthly reports to be tabled at Council meetings.

#### **Background**

By September 2016, Council was required to notify the OLG of its plan for allocating the New Council Implementation Fund. This was completed on time and included information on Council's governance arrangements and the projects or activities to be funded, including key milestones, expected benefits and a budget. Councils are to advise the OLG of any changes to this plan.

Councils are to table progress reports at least quarterly to an Ordinary Council Meeting on the expenditure of the New Council Implementation Fund, until the funds are spent. This is the first of such reports to Council.

Councils must provide six monthly reports each year by 31 July and 31 January, to the OLG on delivery progress and expenditure. The January 2017 Report has been submitted.

A final report is to be submitted once the funds have been spent, including a description of the benefits achieved.

Any interest received from the investment of the funds is to be added to the balance of the fund.

The Department of Premier and Cabinet, the Office of Local Government and Council's Management Team has provided guidance on the projects and tasks to be completed. Further projects and tasks will be identified as the merger process continues with budget revisions accommodating any changes.

#### **Financial Implications**

The summary is that as at 31 December 2016 a total of \$662,023 has been paid with a further \$221,185 committed via orders to suppliers. This leaves a balance of \$4,116,792 which has been budgeted to be spent with \$1,343,492 (2016/17), \$2,194,450 (2017/18) and \$578,850 (2018/19).

**RECOMMENDED** that the Federation Council Implementation Fund quarterly progress report be noted.

## 5.4 FEDERATION COUNCIL MERGER SAVINGS

### Summary

This report advises that, to date, annual savings of \$503,000 have been identified under the merger of the former Urana and Corowa Councils into Federation Council. (See schedule 1)

### Background

The Department of Premier and Cabinet and the Office of Local Government have a requirement on the Council to identify and report on savings identified under the merger process.

As part of the identification of potential mergers the State Government contracted KPMG to identify and report on potential savings that could be made in various merger proposals. In the case of Urana and Corowa accumulated savings of \$2.5 M were identified over ten years in net present value terms as at 2015.

It is relatively easy to identify some savings especially where duplication of costs can be eliminated eg Insurance Premiums, subscriptions to some organisations; Councillors and Management costs in attending conferences and council related activities and some employment costs where duplicated positions are removed.

However, it is more difficult to identify costs in other areas such as service delivery but it is assumed that Council will use savings to improve service delivery and maintenance programs, partially roads.

Currently there are increased costs in management and administration areas due to undertaking the merger process. However, most of these costs are being offset by the Implementation Grant from the State Government.

### Financial Implications

Full year savings will total up to \$503,375 for the period to 30 June 2017.

It is not suggested that all of these savings will be available in the bottom line as Council will make decisions to increase service levels where the community seeks improvements. This could be in standard operations like road maintenance, reducing backlogs in major maintenance and a greater spend on capital works required by the community.

**RECOMMENDED** that the report outlining anticipated savings following the merger process be noted and Council continue to monitor the effectiveness achieved.

## 5.5 PROPOSAL TO LEASE COMMUNITY LAND

### Summary

An investment group have approached Council to lease the area of land within the Ball Park Precinct Corowa known as the old Tractor Pull area which is located alongside the Corowa Lawn Tennis Club towards the Murray River (Part of 2 Riesling Street Corowa).

The proposal is to establish a Fun Park at this location which would include water slides.

As this is community land, the Local Government Act stipulates a number of requirements that need to be met to allow this land to be considered for a lease by a business.

### Background

*Please find attached to the agenda a request from 'Corowa Fun Park' to lease community land within the Ball Park Precinct (Part of 2 Riesling Street Corowa).*

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Council officers have discussed this proposal with the group and advised that a number of requirements would need to be met before Council can consider leasing this land.

A brief summary of the required process as per the NSW Local Government Act is below and an important part of this process includes community consultation as the land is classified as 'community land' (as opposed to land classified as 'operational').

- Assessment of land suitability
- Preparation, lodgement and approval of a development application which will require Crown Lands owners consent
- Public display of lease proposal/community consultation
- Land valuation and public tender for lease over 5 years
- Preparation of management plan including public display of this proposal
- Change of use application under Crown Reserve process and Crown approval of lease.

The land is currently maintained by Council as public open space and is a dog off leash area which does attract a number of people walking through to the River.

If Council is to consider the lease of this land, the recommendations from the Corowa Riverfront Master Plan should be considered which includes a walking track from Bangerang Park through to the River on this land. It may be possible that this could be incorporated to this proposal or an alternative path provided.

Other considerations may include the impact (positive or negative) this facility could have on the planned new Corowa Swimming Pool which also proposes a Children's Water Play area. This is an important aspect of the proposed new Swimming Pool as the construction of this feature is extremely cost effective in comparison to the build cost of the Pool itself, and it will be very effective in drawing patrons to the Pool.

As assessment of this proposal has not yet been possible as no development application, business plan or management plan has been submitted to Council. The investment group are seeking in principle support from Council towards the concept and lease of land prior to proceeding further.

Consultation with the community with regards to this proposal is required before Council can determine its support to enable the lease of this land.

### **Financial Implications**

As part of this process, a valuation of the land is required which should be undertaken by a registered Valuer. This would be at the cost of the group and will help to determine the value of the lease.

A commercial value needs to be set for the lease of this land as the group are a business and there is potential for the lease to have an impact on the level of use of the new Corowa Swimming Pool.

### **RECOMMENDED:**

1. THAT Council call for community input towards the proposed lease of this land which will help to inform any decision to provide in principle support towards leasing of the land; and
2. THAT Council re-enforce the need for the group to submit a development application and management plan so that the proposal can be properly assessed and further consultation completed.

## 5.6 LIVE STREAMING OF COUNCIL MEETINGS

### **Summary**

Webcasting and audio recording of Council meetings is recognised as promoting and improving the democratic process at the local Council level.

There would be great benefit in raising the profile and interest in Council meetings through making these more accessible to the community as a whole. It is likely that streaming of Council meetings would also improve the conduct of Council meetings.

There are however a number of issues to be considered.

### **Background**

There are a number of Councils that record their meetings through video or audio recording only.

A range of options exist with regards to technology that would be needed to complete this.

The most cost effective option would be for Council to record the meeting with its own equipment and stream this recording on its YouTube channel. This should be possible through the acquisition of single camera only. An upgrade to the internet connection at the Corowa office may also be needed.

Some Councils offer a much higher level of service through recording via multiple cameras and the recording is produced in a format which requires editing as it allows a viewer to jump through the agenda to the particular topic that is of interest. This option is much more practical for the viewer especially if meetings are long, which has been the case for both former Councils.

If Council is to adapt a practise of live streaming of meetings, it would be important to prepare a policy prior to the commencement of this practise. A trial period should also be undertaken to initially ensure the success of recording prior to any launch of this process.

Council would need to determine the availability of archiving for the recording's. Some Councils offer only 3 months but some provide up to 2 years of recorded meeting's available from their website.

If Council adopts a practice of recording and live streaming its meetings, it should be conscious of the following legal obligations, implications and exposures:

- Compliance with the Privacy and Data Protection Act 2014 (PDP Act) and the Information Privacy Principles (IPPs), to the extent that Council will be collecting the 'personal information' of people attending the relevant Council meetings. Councils may be liable for breach of the privacy principles if Councillors or Council Officers are found to have used or disclosed personal, health or sensitive information about individuals during a Council meeting, and that information is made public.
- Greater exposure to actions in defamation, given that what is said at Council meetings will, by virtue of being recorded, be more broadly disseminated. This means that people who are defamed are more likely to be made aware of the defamatory statements.
- Recordings of Council meetings will represent evidence of what transpired at the meetings, which can then be used in proceedings against Council or its Councillors.



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- Retention of the recordings in accordance with the State Records Act.
- Copyright: If someone at a Council meeting reads material subject to copyright, without the consent of the copyright owner, there may be copyright implications.

These are important considerations which could be managed - especially if there is a strong level of adherence to the Code of Meeting Practice.

However to manage these risks, some Government Departments recommend that meetings be recorded and checked prior to dissemination. Adopting this process would increase the cost and uncertainty associated with the process and may undermine the level of transparency which can be achieved from this initiative.

Members of the public gallery should also be made aware, by a notice at the entrance to the Chamber that the meeting is to be videoed and that if they address the council, their name and voice will appear on that recording.

Council would need to consider if closed meetings are to be recorded from the perspective of record collection, however this component of the meeting would obviously not be broadcast.

The council has experienced some controversy about the alleged accuracy of draft minutes and this initiative would remove the possibility of claims of inaccurate minutes. It would also allow community to participate more fully in the democratic process and is therefore recommended to be introduced as soon as practicable.

### **Financial implications**

Live streaming via Council's YouTube channel could be undertaken for as little as a \$5,000 initial set up but an additional internet connection may be needed with an annual cost of \$1,200.

This would be possible for the current format of meetings which have only been up to an hour long. If meetings in the future are as long as they have been in the past (up to a day) the likely annual cost of this initiative could exceed \$20,000 per annum.

**RECOMMENDED** that Council commence live streaming of Council Meeting as soon as possible.

### **5.7 EMPLOYMENT GROWTH IN HOWLONG**

Council staff have been working hard to support local employment initiatives within the Council area.

As part of this work an exciting opportunity to develop in excess of sixty jobs in Howlong has been developed in conjunction with Cool Off and several other partners.

Representatives from Cool Off will be at the Council meeting to outline the proposal for Council's consideration.

The developments in Howlong currently being considered will see over \$20 M expended over the next two years and the creation of over 60 jobs and other spin offs. The Cool Off expansion and the proposal from Cleanaway are similar to the extent that they are both innovative, based on best practice and they both reduce waste to landfill in a sustainable manner.

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The expansion at Cool Off will see improvements in practice through the installation of a biofilter which will reduce the current occasions when significant odour emanates from the Cool Off facility

**RECOMMENDED** that Council support the lodgement of a funding application to develop additional industrial land in Howlong and the expansion of jobs in the town.

### 5.8 MEETING DAY

10.00 am      Cool Off – presentation to be made to Council.

**C GILLARD**  
**GENERAL MANAGER**

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## Schedule 1

### FEDERATION COUNCIL PROJECTED SAVINGS

ITEM	FINANCIAL YEAR 2016/17	COMMENT
Insurance Premiums	\$97,000	Less duplication
Senior Management Employment Package	\$214,375	Less duplication
Information Technology Licence & Maintenance Contracts		Less duplication
Finance Staffing	\$75,000	Less duplication
Financial Audit and Reporting		Less duplication
Land Use Planning	\$10,000	Less duplication
Youth Support	\$6,000	Less duplication
Ranger Services	\$6,000	Less duplication
Plant & Equipment		Less duplication
Local Government NSW Subscription	\$54,000	Withdrew membership
Administration Costs	\$7,000	Less duplication
Councillors Expenses	\$15,000	Less Councillors
Staff Expenses	\$4,000	Less Conferences, etc
Records System	\$15,000	Less duplication
	\$503,375	

## 6. DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

### 6.1 FEDERATION COUNCIL BRAND

#### **Summary**

The Federation Council branding project has been an extensive process to develop a community vision and visual identify for the new Federation Council area.

A proposed new Federation Council brand will be presented at the Council meeting.

#### **Background**

The first phase of the project has involved a range of market research and consultation activities to inform a brand strategy and community vision.

From this process, a number of key brand principles and themes were determined to guide the development of a new logo and supporting assets.

This included that it was important to ensure the brand is:

- Informed by research and consultation;
- Not dominated by any one landscape or location;
- Not captive to 19<sup>th</sup> century Federation (because of potential for a 19<sup>th</sup> century themed brand to imply that whole Council area may not have evolved over the past 120 years), but still recognising this link to history;
- Representative of 'unity' as a theme;
- Conveying promise, grounded in the natural features of the area;
- Distinctive; and
- Appropriate for usage across a wide range of applications – for example, from embroidery on uniforms of staff to printing on business cards/ brochures, signage etc.

The new brand is proposed to be effective from Wednesday 1 March, however will be rolled out progressively over the coming months.

It is important to create a strong level of awareness of the new brand within the community and the organisation to support a smooth transition process and to foster a sense of pride and ownership.

As such, a flyer will be delivered to all residents from the 6 March to showcase the new logo and community vision. The flyer will also be used to promote the new council website and explain the rollout process of signage and corporate material.

A staff display of the brand has also been arranged immediately following the Council meeting.

A summary is provided below regarding various timings in relation to the rollout.

#### *Logo*

An advertisement will feature in the Corowa Free Press and Yarrawonga Chronicle on Wednesday 22 February to launch the new logo to the community. This will be complimented with a media release and planned social media activity.

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## *Corporate material*

Work is progressing to design a large number of corporate templates and material. The following will be available for use on 1 March:

- Letterhead and follower
- Envelopes
- Business cards
- Federation Council Snippets page
- Federation Council Matters page (Howlong Grapevine & Urana Newsletter)

The remaining material will be developed based on priority and is expected to be completed over a two month period.

A style guide has been prepared to ensure correct application of the new Federation Council brand. This will be an important resource to support the production of corporate documents, printed stationary, logo use and development of other brand materials.

## *Council uniforms*

A uniform policy has been developed and will be presented to the Consultative Committee for consideration at its next meeting.

## *Signage*

A signage audit is currently being completed to capture information about all existing signage across the council area. This work will assist in determining what signage will be updated to reflect the new brand and if there are any opportunities to consolidate signage.

A tender will be required for the printing and installation of signage and is expected to be issued in March.

## *Website*

Development of the new Federation Council website is nearing completion. This has been a major project that has been supported by a number of staff across the organisation. The brand is currently being applied to the site and the extensive process of developing content is progressing.

The website will become a valuable asset for council and the community and will be fundamental in ensuring residents and visitors are informed about council activities and news. *Please see separate report for further information.*

The site will be live from 1 March.

## **Financial implications**

The development of a new brand and vision has been funded under the amalgamation budget. The most significant expense is likely to be updating an extensive amount of signage throughout the Council area (entry signage, building signage, noxious weeds, vehicle, public facility signage, public order signage etc). Costs are not yet known for this and will be reported to Council as this will involve a full tender.

**RECOMMENDED** that the new Federation Council logo and community vision be adopted.

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## 6.2 NEW WEBSITE

### Summary

The new Federation Council website is planned to launch on 1 March 2017.

### Background

A major component of the amalgamation implementation has been the development of a new Federation Council website.

Following an extensive quotation process, Council engaged Seamless to deliver their OpenCities platform. This platform has been used by many local councils and is designed to facilitate improved communication and engagement with residents and visitors.

This has been a significant project requiring the support of a number of council staff. Website champions were nominated from each service area to provide guidance regarding the site navigation structure and content.

We are pleased to advise that the new council website will be live from Wednesday 1 March.

The new site features:

- A user friendly navigation structure, strategically designed to meet the needs of the user and ensure frequently requested information is featured in prominent locations within the site.
- Search engine optimisation, helping to connect users with the information they need.
- A clean, modern design that is responsive and can be viewed on various devices such as mobiles and tablets.
- High quality images, some of which have been taken by staff with excellent photography skills.
- Mapping integration to enable residents and visitors to quickly view information about halls, parks, events, bin collection dates and capital works projects in their local area.
- A local community directory for businesses and community groups, that enables representatives to update contact details and information about their entity on Council's website.
- The ability to create smart forms to support a range of online transactions.
- A design that is compliant with accessibility requirements.
- Detailed site and user analytics to help optimise site layout and structure for best customer experience.
- Ability to upload documents directly from Council's record management system.

Moving forward, it will be important that the appropriate resources are allocated to effectively maintain the council website. A website governance and management plan will be developed to ensure:

- the content remains fresh and relevant;
- future enhancement opportunities are considered; and
- user analytics are reviewed and the necessary changes implemented to ensure the site continues to meet the needs of users.

### Financial Implications

The annual cost of the website is expected to be under \$15,000 but this does not include staff time.

**FOR** information.

## 6.3 DISABILITY ACCESS AND INCLUSION PLAN

### Summary

Under the [Disability Inclusion Act 2014](#), all NSW Councils are required to develop their Disability Access and Inclusion Plans by June 2017 as part of their commitment to improving access for those with a disability.

### Background

A [Disability Access and Inclusion Plan](#) will demonstrate Councils commitment to people with a disability towards improving access to services, facilities and jobs and is also designed to change perceptions about people with a disability.

The plan will be invaluable in helping to ensure that communities are inclusive and accessible for those with a disability who live, work in or visit the Federation Council area. It will consider a range of issues and barriers such as access to information, services, buildings and facilities.

Federation Council is currently conducting an important survey that will inform the development of this plan - <http://www.corowa.nsw.gov.au/news/201712410806110.asp>

Council will also be working closely with local and regional service providers in the development of the plan and is encouraging the wider community to take part in the survey.

The consultation phase will allow us to identify what some of the issues and barriers are so that effective solutions can be identified. It is also a chance to think about what opportunities we have to make our communities a place where everyone belongs.

The survey is available on Council's website until Friday 24 February.

### Financial Implications

This project is being managed by Council staff. No specific budget allocation was allowed for towards the preparation of the plan in this year's financial plan. It is expected that the plan will identify a number of issues which may have long term budget implications for Council, and that this document will be used to help inform the preparation of Council's new Community Strategic Plan, Delivery Program and Resourcing Strategy.

**FOR information.**

## 6.4 UNITY

### Summary

Unit Y is a Council owned facility that was established as a youth centre about eight years ago.

In recent years, there has been limited use of the facility due to resourcing levels and an inability to manage the building as a 'drop in centre' for young people.

A recent survey of young people indicated that whilst a designated youth space was important, there was also a strong desire for Council to facilitate activities and events for young people in the Council area.

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The annual running costs of Unit Y have been approximately \$35,000 which is a significant cost in the context of the overall budget available for the delivery of youth services. As such, it is important to consider the best placement of these resources.

Council will be incorporating inclusive spaces for young people into the design of community infrastructure projects such as the redevelopment of the Lowe Square playground, redevelopment of Bangerang Park and RSL Park and Skatepark projects in Corowa, Howlong and Urana.

This will ensure that young people have access to spaces that are welcoming and accessible to all, whilst at the same time ensuring budget is available to deliver planned events and activities.

### **Background**

The Corowa Tree of Life Community Garden Committee has approached Council and requested that consideration be given to granting use of Unit Y (44 Queen Street, Corowa) for the purpose of housing a future Men's Shed. *Please see attached letter and overview of Men's Shed.*

The committee are a very active and inclusive group that in addition to establishing a successful community garden, have delivered a number of projects that have benefited groups such as the Girl Guides, local church groups, art galleries etc.

Over 50 people are members of the garden and bring a range of skills and experience including woodwork, metal work, welding, plumbing, IT, gardening and art.

Projects undertaken by the group vary in scale and are primarily completed outdoors at the Community Garden in Queen Street. This can be logistically challenging, however also presents a number of risks including use (and storage/relocation) of power tools and weather. An indoor and permanent facility would address these concerns and ensure the group can safely operate at all times.

Members of the Corowa Tree of Life Community Garden plan to establish an incorporated Men's Shed that will be affiliated with the NSW Men's Shed Association and be bound by this constitution.

Over 300 Men's Sheds exist in NSW and are fundamental to supporting men within their communities. Among a great number of benefits, they offer opportunities for men of all ages to come together and learn new skills, share existing skills with others, foster friendships and develop a sense of belonging.

Council staff have met with future members of the Men's Shed to discuss this request and also explore a possible partnership that would ensure continued delivery of some youth activities and programs from this facility.

The following arrangements were proposed:

- Federation Council lease the Unit Y building to the Men's Shed at no cost.
- The Men's Shed would be responsible for all maintenance and operational costs (including all utilities and waste).
- The Men's Shed would partner with Council to deliver a mentoring program for young people.
- The Men's Shed will facilitate activities that would provide the opportunity for young people to learn and have fun in a safe and respectful environment.



## Federation Council Ordinary Council Meeting - 21 February 2017

- In addition to activities for young people, the Men's Shed would be inclusive to the wider community and provide opportunities for other community groups and individuals to participate in activities.

To ensure the facility is suitable for use as a Men's Shed, some alterations to the building would be required. The committee are exploring opportunities for grant funding to support these works, as well as any ongoing fundraising for maintenance and operational costs.

Proposed works would be subject to Council approval, however include:

- construction of an internal wall
- installation of an internal roller door
- interior painting
- exterior painting and general tidy up.

*Please see attached draft plans.*

There is also a small Council owned storage facility next to Unit Y which has been used by the Corowa Quilters and Festival of Dance Committee to store equipment for some time. This proposal should not affect the use of this facility by these groups.

### **Financial Implications**

There will be a small cost to Council in the preparation of a lease and some furniture may need to be relocated.

### **RECOMMENDED:**

1. THAT Council provide in principle support towards leasing 44 Queen Street to the Corowa Tree of Life Community Garden and future Men's Shed Group. The lease would be free of charge but all utility and waste expenses should be paid for by the group; and
2. THAT this proposal should be placed on public display so that any member of the community has the opportunity to object to the proposal and that if any objections are received, these will be considered by Council.

## **6.5 CHILD PROTECTION POLICY**

### **Summary**

A draft Child Protection Policy was adopted at the November 2016 Council meeting.

This was placed on public display for 28 days with no submissions being received.

### **Background**

*Please find attached to the agenda the Federation Council Child Protection Policy to be adopted.*

The following changes have been made to the Policy since being placed on public display:

## Federation Council Ordinary Council Meeting - 21 February 2017

- The references to the 'Art Gallery' and 'Mulwala Swimming Pool' on page two have been removed as these were not relevant.
- *Information for Employers - from clause 10 onwards* - Updated policy at clause 7 to include statement that Federation Council will not employ any person for child related work that has been barred, interim barred or where no verification can be found.

A review date of 4 February 2019 has been set for this Policy. This does not prevent an earlier review should this be needed. We will also be reviewing our Child Protection Procedures following the adoption of this Policy.

### Financial Implications

Nil.

**RECOMMENDED** that Council adopt the Federation Council Child Protection Policy.

## 6.6 FEDERATION COUNCIL SENIORS WEEK

### Summary

NSW Seniors Festival is designed to celebrate the role senior's play and the contributions they make to the community, aligning to the policy objective of inclusive communities.

Federation Council has developed an exciting program of events and is extending an invitation to residents aged over 60 years to join the 'Baby Boomers Bus About' as part of the 2017 NSW Seniors Festival (March 3 – 12).

### Background

Based around this year's theme '*Let's Do More Together*', the *Baby Boomers Bus About* is a series of organised tours encouraging people to get out and about. The aim of the initiative is to provide opportunities for seniors to get out and about, learn new skills, participate in physical activity or simply have fun and socialise.

Events are free and residents can attend as many events as they like. Guests can pre book their seat on a bus.

Four events are scheduled and return buses will run from Corowa, Howlong, Mulwala, Oaklands and Urana.

A summary of the events planned is provided below.

#### *Monday 6 March*

'Monday at the Movies' hosted at the Yarrawonga Mulwala Golf Club Resort and screening La La Land. Guests will enjoy coffee and cake prior to the movie screening.

#### *Thursday 9 March*

'Garden of Earthly Delights' at the Corowa Tree of Life Community Gardens where guests will enjoy a delicious lunch from the gardens and a tour.

# Federation Council Ordinary Council Meeting - 21 February 2017

## *Friday 10 March*

'Golden Oldies 9 Hole Ambrose' at the Howlong Golf Resort where participants can enjoy nine holes of golf followed by a light lunch. Carts and golf clubs are available on request.

## *Sunday 12 March*

'Sunday Seniors Social Luncheon' at the Oaklands RSL Bowling Club, including a delicious two course lunch.

There has been an excellent level of interest in the program to date. Those interested in taking part in the Baby Boomers Bus About can contact the Corowa Visitor Information Centre to book their spot.

### **Financial implications**

The program of events has been generously supported by the Yarrawonga Mulwala Golf Club, Howlong Golf Resort, Corowa Tree of Life Community Garden and Oaklands RSL & Bowling Club. The total cost of the program will be approximately \$9,000.

Council had expected a \$5,000 grant from the NSW government towards this initiative but have just received notification our application was not successful. This is very disappointing given then quality of the application and that Council has always received some level of contribution towards Seniors Week from the NSW government (Department of Family and Community Services).

**FOR** information.

## **6.7 MURRAY REGIONAL TOURISM BOARD**

### **Summary**

Federation Council is an active financial member of Murray Regional Tourism (MRT) which is our Regional (cross border) Tourism Network. This region has gained significant benefit from this organisation.

The NSW Government recently announced the establishment of a NSW only Tourism Destination Network for the Riverina Murray, along with the ceasing of long term operational funding for the existing Murray Regional Tourism (MRT) entity.

This is of great concern, given the success of this organisation and critical importance of a strong cross border network.

### **Background**

The industry has and continues to argue that its natural community of interest lies across the region, not in one State. Tourism companies and the broader visitor economy, live, work, invest and employ people across both States.

The MRT stakeholders (13 Local Government Associations and Victorian Government) are in agreement the current proposal is not in the best interests of the visitor economy in the region, and have agreed to work with MRT to pursue a better outcome from the NSW Government.

Some of the risks of not continuing with a peak cross border entity include:

- Loss of cross border strategic focus;

## Federation Council Ordinary Council Meeting - 21 February 2017

- The Murray region requires a holistic destination management and marketing plan, effective coordination of Murray stakeholders across borders, and delivery of whole of region strategic developments;
- Only this approach will grow the visitor economy, generate employment and provide much needed infrastructure across the region;
- Weakened brand strength and consistency. The region requires one strong and compelling brand consistently promoted and managed. Multiple brands or inconsistent use of the Murray brand will weaken it and confuse both the industry and the visitor market;
- Market confusion. Visitors are not concerned with borders. There is the potential to confuse the market, increase barriers to visitation and disrupt the pathway to purchase;
- Duplication of effort. This new model is likely to see already limited resources wasted by both State agencies, local government and industry through duplication of effort and lack of central coordination.

It is important that the following is achieved:

- One tourism board for the Murray region;
- A cross border peak body for this important region;
- NSW Governments commitment to long term operational funding to support activity and growth.

MRT has delivered a compelling brand for the region, developed and implemented a successful destination management and marketing plan, and generated strong returns on investment for stakeholders, including Federation Council.

### **Financial implications**

It is important that Council lobby the NSW Government to change the decision of Destination NSW to only provide funding to MRT until June 2017. This could have a significant financial impact on the tourism industry and success of this region as a tourism destination.

**RECOMMENDED** that Council write to the Hon. Adam Marshall, NSW Minister for Tourism and Major Events, and Local Member for Albury Greg Aplin seeking that:

- The NSW Government recognise MRT as a peak tourism network for the Murray Region; and
- Provision of long term operational funding for a minimum three years from July 2017.

**KJ KAY**  
**DIRECTOR CORPORATE AND COMMUNITY SERVICES**

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## 7. DIRECTOR FINANCE AND ORGANISATION DEVELOPMENT REPORT

### 7.1 STATEMENT OF BANK BALANCES AND RECONCILIATION AS AT 31 JANUARY 2017

Balance as per Bank Statement:

General Account	0000 0022	201,499.10
General Account	1007 7409	332,187.27
Business Online Saver Account	1014 2522	1,228,986.98
Business Online Saver Account	1016 1811	185,000.00
Investments		42,030,946.82

Sub Total 43,978,620.17

Plus Deposits not yet lodged:

Corowa	31 Jan 17	2,014.77
Urana	31 Jan 17	1,914.04

Sub Total 43,982,548.98

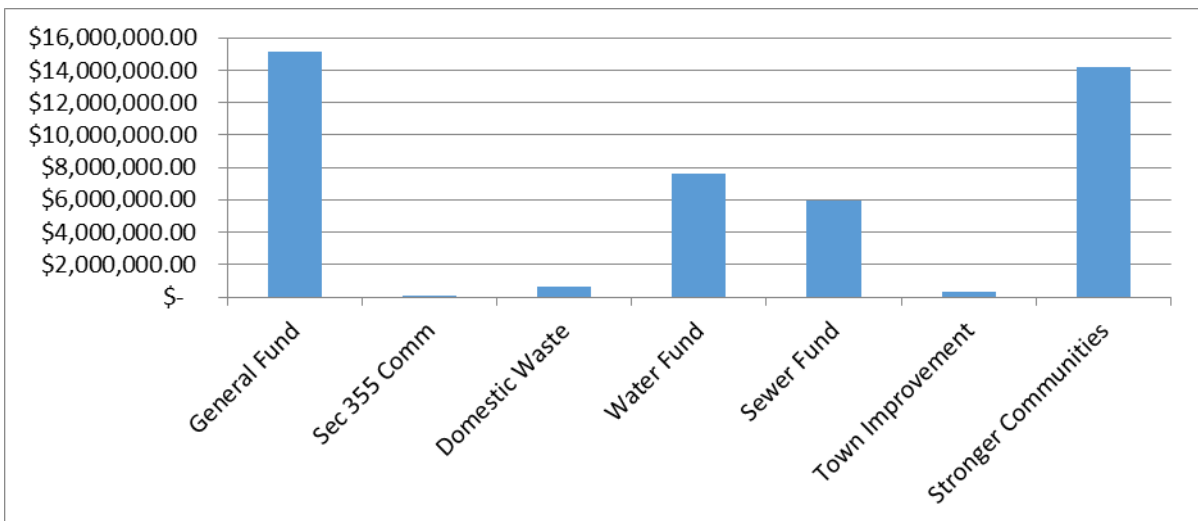
Less Unpresented Cheques: 12,449.44

Less Unpresented EFT: 81,271.08

Balance as per Ledger 43,888,828.46

Less External Restricted Funds 28,777,725.45

**Balance of General Fund Ledger 15,111,103.01**



#### CERTIFICATE OF RECONCILIATION

*I CERTIFY THAT THE COUNCIL'S GENERAL LEDGER BANK ACCOUNTS HAVE BEEN RECONCILED WITH THE APPROPRIATE BANK STATEMENTS AS AT 31 JANUARY 2017.*

*S NORMAN  
MANAGER FINANCE*

**RECOMMENDED** that the report on Statement of Bank Balances and Reconciliation as at 31 January 2017 be noted.

# Federation Council Ordinary Council Meeting - 21 February 2017

## 7.2 SCHEDULE OF INVESTMENTS AS AT 31 JANUARY 2017

The following list of investment securities is held as at 31 January 2017. Investment of funds on behalf of Council has been undertaken in accordance with the Local Government Act and Regulations.

### INVESTMENTS

Investment Type	Institution	Amount Lodged	Date Lodged	Rate	Days	Maturity Date
Term Deposit	ANZ	\$1,031,777.47	03/10/2016	2.67	123	03/02/2017
Term Deposit	NAB	\$2,577,623.28	02/10/2016	2.65	128	07/02/2017
Term Deposit	CBA	\$720,000.00	25/10/2016	2.53	112	14/02/2017
Term Deposit	Bankwest	\$150,000.00	13/12/2016	2.55	63	14/02/2017
Term Deposit	NAB	\$1,353,825.19	11/11/2016	2.65	102	21/02/2017
Term Deposit	Westpac	\$600,000.00	22/08/2016	3.00	183	21/02/2017
Term Deposit	ANZ	\$1,033,931.24	07/11/2016	2.69	113	28/02/2017
Term Deposit	NAB	\$1,103,179.74	03/12/2016	2.65	90	03/03/2017
Term Deposit	NAB	\$300,000.00	06/12/2016	2.65	91	07/03/2017
Term Deposit	NAB	\$500,000.00	15/11/2016	2.65	119	14/03/2017
Term Deposit	CBA	\$509,271.23	18/10/2016	2.62	147	14/03/2017
Term Deposit	Bendigo	\$2,000,000.00	17/06/2016	2.85	273	17/03/2017
Term Deposit	CBA	\$1,011,749.79	21/11/2016	2.62	120	21/03/2017
Term Deposit	CBA	\$502,404.66	18/10/2016	2.62	154	21/03/2017
Term Deposit	CBA	\$500,000.00	25/11/2016	2.56	123	28/03/2017
Term Deposit	Westpac	\$500,000.00	25/08/2016	3.00	215	28/03/2017
Term Deposit	CBA	\$1,044,838.35	31/08/2016	2.56	209	28/03/2017
Term Deposit	CBA	\$500,000.00	30/11/2016	2.57	125	04/04/2017
Term Deposit	Bank of Sydney	\$330,000.00	28/11/2016	2.65	127	04/04/2017
Term Deposit	Bank of Sydney	\$390,000.00	03/01/2017	2.75	91	04/04/2017
Term Deposit	CBA	\$500,000.00	30/11/2016	2.57	132	11/04/2017
Term Deposit	Bank of Sydney	\$310,000.00	06/12/2016	2.65	133	18/04/2017
Term Deposit	CBA	\$500,000.00	30/11/2016	2.57	139	18/04/2017
Term Deposit	Westpac	\$500,000.00	25/08/2016	3.00	243	25/04/2017
Term Deposit	NAB	\$1,213,404.88	29/11/2016	2.65	154	02/05/2017
Term Deposit	CBA	\$500,000.00	30/11/2016	2.60	160	09/05/2017
Term Deposit	NAB	\$1,315,423.04	09/12/2016	2.65	158	16/05/2017
Term Deposit	NAB	\$2,538,229.46	20/12/2016	2.65	161	30/05/2017
Term Deposit	NAB	\$1,313,995.66	20/06/2016	2.65	161	30/05/2017
Term Deposit	Bank of Sydney	\$400,000.00	31/01/2017	2.85	126	06/06/2017

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Term Deposit	CBA	\$1,029,025.38	05/12/2016	2.62	183	06/06/2017
Term Deposit	CBA	\$400,000.00	13/12/2016	2.62	182	13/06/2017
Term Deposit	Bendigo	\$2,000,000.00	20/06/2016	2.85	365	20/06/2017
Term Deposit	NAB	\$3,047,630.14	27/12/2016	2.65	182	27/06/2017
Term Deposit	NAB	\$2,090,741.51	02/01/2017	2.65	183	04/07/2017
Term Deposit	NAB	\$2,559,886.11	03/01/2017	2.65	189	11/07/2017
Term Deposit	BOQ – FIIG	\$390,000.00	17/01/2017	2.75	182	18/07/2017
Term Deposit	BOQ – FIIG	\$390,000.00	17/01/2017	2.75	182	18/07/2017
Term Deposit	ANZ	\$2,134,052.68	17/01/2017	2.45	189	25/07/2017
Term Deposit	CBA	\$1,015,784.92	20/01/2017	2.56	193	01/08/2017
Term Deposit	Westpac	\$506,369.86	24/01/2017	2.50	196	08/08/2017
Term Deposit	Bendigo	\$230,000.00	10/01/2017	2.40	210	08/08/2017
Term Deposit	Westpac	\$506,534.25	31/01/2017	2.50	196	15/08/2017

**\$42,030,946.82**

### CERTIFICATE OF RECONCILIATION

*I CERTIFY THAT THE INVESTMENTS HAVE BEEN MADE IN ACCORDANCE WITH SECTION 625 OF THE LOCAL GOVERNMENT ACT 1993, THE REGULATIONS AND COUNCIL'S POLICIES.*

*S NORMAN  
MANAGER FINANCE*

**RECOMMENDED** that Council note the report on the schedule of investments as at 31 January 2017.

### 7.3 QUARTERLY BUDGET REVIEW 31 DECEMBER 2016 (SECOND QUARTER)

#### Summary

This report allows for tabling of the report on the Quarterly Budget Review Statement as at 31 December 2016.

The NSW Office of Premier and Cabinet 31 December 2016 the Director Amanda Lawrence advised the following for newly merged Councils:

*“The QBRS for the first quarter is to reflect the budget vs actual expenditure for the first quarter being 1 July to 30 September 2016. New councils are not required to include the period 13 May to 30 June 2016 in their first QBRS. Disclosures relating to this period will be included in their first audited financial reports, produced in late 2017 (for the period 13 May 2016 to 30 June 2017).”*

Within the attachments is a Quarterly Budget Review Statement (attachment 7.3.1) that reflects the inclusion of Carry Forwards as a result of the preparation of the Audited 2015/16 Financial Statements (12 May 2016). This meant no change to the projected results for Council's 2016/17 Budgets as at 30 September 2016.

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However, further to the 30 September 2016 (November 2016 Council Report) there have been a number of additional grants that Council has been successful in gaining and these have been reflected as changes in this Quarterly Budget Review Statement (QBRs) as at 31 December 2016 (refer page 9 and 11).

## Background

A Quarterly Budget Review Statement (QBRs) is required by the Local Government (General) Regulation 2005 at the end of each quarter.

## Report

Please find included with the agenda a summary of Council's financial position as at 31 December 2016. This is prepared in accordance with the format required by the Office of Local Government.

A summary of budget changes are as follows (may also be found in the attachment 7.3.1 to this report refer page 9 and 11):

- **Energise Enterprise fund - Rd3 local projects (\$50,000)**  
*The Energise Enterprise funding is part of \$32.5 million from the Murray Darling Basin Regional Economic Diversification Program, providing grants to local councils and not-for-profit organisations for the delivery of economic development and diversification projects.*
  1. \$25,000 (to be matched by Federation Council funds)  
Grant Project - In partnership with Charles Sturt University, Murray region economic analysis will see research to identify industries which can stimulate economic activity and increase jobs growth. This will then lead to a strategy and operational plan for encouraging regional development.
  2. \$25,000 (to be matched by Federation Council funds)  
Grant Project - Community-driven Social and Economic Change in Small Rural Communities – a project to inspire community-driven social and economic regeneration, with six months local and inclusive consultation leading to a framework and plan created for each community.
- **Roads Grant Funding (additional \$3,314,000 over originally budgeted)**  
Capital Expenditure for roads which included \$1,410,000 for Fixing Country Roads, \$800,000 for Heavy Vehicle Safety & Productivity Program (HVSPP), \$500,000 for Flood Repairs and \$604,500 for Blackspot Program.

## RECOMMENDED:

1. THAT Council note the report on the Second Quarterly Budget Review Statement (QBRs) as at 31 December 2016; and
2. THAT Council adopt the Quarterly Budget Review Statement to 31 December 2016 as tabled that projects a Total Cash & Investments as at 30 June 2017 of \$32,749,000.



## 7.4 SEWER MAINS RELINING CONTRACT

### **Summary**

This report advises Council of the selection of Abergeldie Watertech Pty Ltd to undertake trenchless sewer mains relining works under pre-approved Local Government Procurement contract LGP908-3 at a calculated base cost of \$156,790.24. Under Council's Procurement Policy, the pre-approved contract process allows Council to select contractors without the need to go to separate tender, even if over \$150,000.

### **Background**

Federation Council's Purchasing Policy allows Council 'to utilise supply arrangements coordinated by LGP without the need to obtain quotations or go to tender'.

Council sought prices from pre-approved Local Government Procurement Contractors to undertake relining of a number of Council's sewer mains.

Three pre-approved contractors provided a quotation all being over \$150,000 the normal existing tender threshold and delegation to Council staff.

Council staff reviewed the quotes received and selected the lowest calculated cost Contractor for acceptance.

### **Financial Implications**

The amount of \$156,790.24 is provided for as part of Council's budget for this purpose.

### **RECOMMENDED:**

1. THAT Council note the report on a new Sewer Mains Relining Contract; and
2. THAT Council confirm the selection by way of pre-approved Local Government Procurement contract LGP908-3 of Abergeldie Watertech Pty Ltd (LGP908-3) to undertake sewer mains relining at a calculated base cost of \$156,790.24.

**KC PARKER**  
**DIRECTOR FINANCE AND ORGANISATION DEVELOPMENT**

# Federation Council Ordinary Council Meeting - 21 February 2017

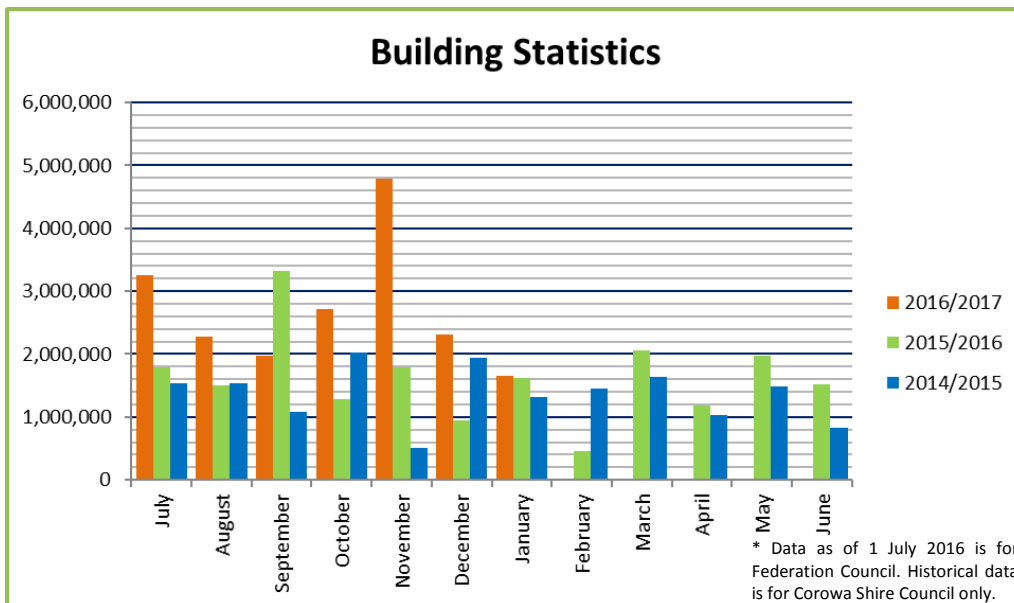
## 8. DIRECTOR INFRASTRUCTURE AND ENVIRONMENT REPORT

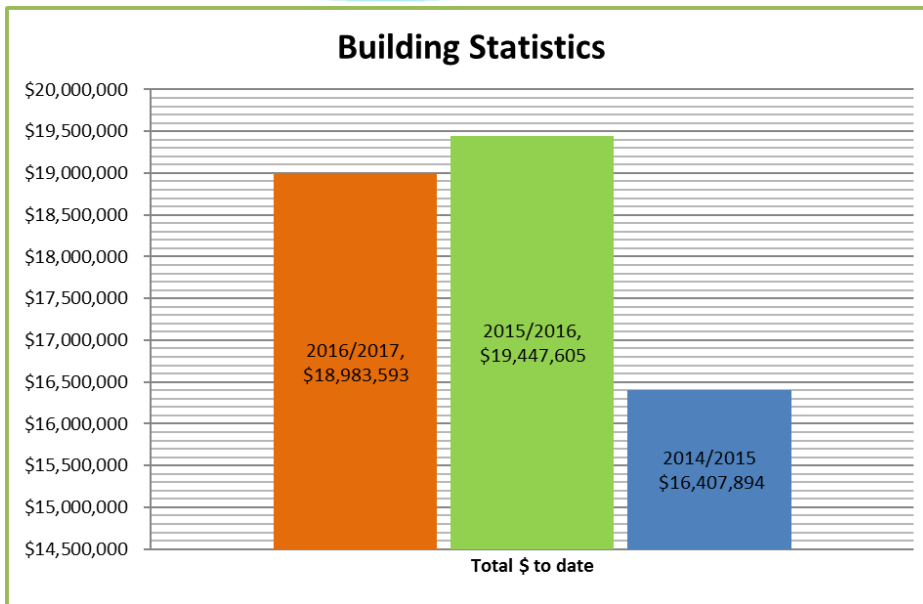
### 8.1 BUILDING APPROVALS

The following construction/complying development certificates are listed for Council's information.

2016/205	17-19 Cross Street Howlong	Dwelling
2016/219	1 Fraser Court Corowa	Garage
2016/231	312 Spring Drive Corowa	Deck
2016/232	13 Talbot Crescent Corowa	Balcony Extension
2016/234	93 Kennedy Street Howlong	Pergola
2016/237	426 Honour Avenue Corowa	Shed – Home Industry
2016/239	107 Hume Street Corowa	Pergola and Verandah
2017/3	7 Grevillea Terrace Mulwala	Dwelling and Garage
CDC2016/37	4 Pell Street Howlong	Swimming Pool
CDC2017/1	29 Gilson Place Howlong	Dwelling with Garage
CDC2017/2	96-98 Martin Street Howlong	Swimming Pool
CDC2017/3	107 Townsend Street Howlong	Dwelling
CDC2017/4	189 Sturt Street Howlong	Swimming Pool
CDC2017/5	10 Ghost Gum Court Mulwala	Dwelling
CDC2017/6	84 Hovell Street Howlong	Swimming Pool
08-17	33-35 Thornber Street Oaklands	Transportable Dwelling

**TOTAL \$1,647,054**





\* Data as of 1 July 2016 is for Federation Council. Historical data is for Corowa Shire Council only.

**FOR information.**

## 8.2 DEVELOPMENT APPLICATIONS

Since the last Council meeting the following development applications have been determined under delegated authority by the granting of consent subject to conditions.

### DEVELOPMENT APPLICATION REGISTERED NO. 2016/162

Application for 12 Eco-Shelters on primary production land being Lot 102; DP 753746; 535 Balldale-Coreen Road, Coreen.

### DEVELOPMENT APPLICATION REGISTERED NO. 2016/208

Application for a 3 Lot Subdivision on low density residential land being Lot 21; DP 1014591; 105 Katrina Circuit, Corowa.

### DEVELOPMENT APPLICATION REGISTERED NO. 2016/220

Application for a Verandah on local centre land being Lot 1; DP 1019411; 122 Sanger Street, Corowa.

### DEVELOPMENT APPLICATION REGISTERED NO. 2016/223

Application for a Subdivision, Dwelling, Carport and Hut on residential land being Lot 2; DP 834339; 109 Hammer Street, Howlong.

**FOR information.**

## 8.3 WAIVING FEES FOR APPROVAL TO OPERATE A CARAVAN PARK 2017

### **Summary**

This report is to request that Council waive the fees for the approval to operate a caravan park in the Federation Council area for 2017 only.

## Background

An approval from Council under section 68 of the Local Government Act 1993 (LG Act) is required to operate a caravan park or camping ground. The approval requires renewal or extension if the caravan park or camping ground is to continue operating. Federation Council undertakes inspections and issues approval to operate a caravan park, which is valid for 12 months.

In 2016 there were significant events which impacted caravan parks within the area, with several of them having to close during what are usually peak holiday times. As an act of good will and to enable Council to undertake an education program to help ensure regulatory compliance with the Local Government Act 1993 (LG Act) into the future, it is considered by staff that the fees usually imposed for this inspection and approval should be waived for 2017.

Although not all caravan parks were impacted by the flood event, in order to maintain consistency, it is recommended that the waiver be extended to cover all caravan parks within the Federation Council Local Government Area.

## Financial implications

\$5,000 in fees usually collected will not be collected if this recommendation is approved. On the positive side, a major review has occurred in the past few months of all fees and charges in the regulation/planning section, for recommendations into the draft 2017/18 Fees and Charges policy. This includes including fees not currently captured that could be, and also recommending fee reductions in other areas to encourage simpler development approval processes. Overall the net result is not anticipated to impact adversely on Councils revenue stream.

**RECOMMENDED** that Council approve the waiving of the fees for the approval to operate a caravan park in Federation Council area for 2017 only.

## 8.4 DEVELOPMENT APPLICATION 2006/66/04 (MODIFICATION) – RIVERLAND GARDENS – 224 LOT SUBDIVISION - 196 SAVERNAKE ROAD, LOT 63 DP1202116

### Summary

This report allows Council to consider and determine upon a Development Application (modification) lodged with Council for a section 96(2) modification application under the Environmental Planning and Assessment (EP&A) Act 1979, to modify Development Consent 2006/066/03, for a 224 lot subdivision and reserve, known as Riverland Gardens Estate, at Lot 63 in DP1202116, 196 Savernake Road Mulwala. See below map (Schedule 1) at the end of this report.

### Background

The original consent approved a 197 lot subdivision at Lot 63 in DP1202116, 196 Savernake Road Mulwala and was issued on 11 May 2006. Since then the consent has been modified twice, under section 96 approvals. There has been approximately 62 lots developed, of an approved 221, with this latest application seeking to add a further 3 lots, making the new total 224

**Development Consent 2006/66/2** (section 96 modification) was then issued on 25 July 2014. This approval increased the total lots to 221 from 197. This increased lot yield was due to a change (reduction) in the allowable minimum lot size (MLS), (5,000m<sup>2</sup> was reduced to 4,000m<sup>2</sup>) as a result of Corowa Shire Council enacting a new Local Environmental Plan and the land being rezoned in this process to allow a smaller MLS.

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**Development Consent 2006/66/3** (section 96 modification of stage 1B) was then issued on 9 December 2014.

**Development Consent 2006/66/4** is the application now before Council, and was lodged on 29 November 2016. This proposes to amend and replace 2006/66/3. This proposes a general increase in lot sizes to the balance of the undeveloped estate, to better match those developed in stages 1a and b. It also proposes a minor realignment of roads, and removal of the road link through to land adjoining to the east.

In summary the application that is the subject of this report seeks modify approval 2006/66/3 to:

1. Amend Condition 1 to endorse a new plan (see Schedule 2) that shows:
  - a) A slight increase in the number of residential lots from 221 to 224;
  - b) A general increase in lot size for the balance of the estate to better match those existing in developed Stages 1A and 1B;
  - c) Minor realignment of roads; and
  - d) Removal of the road link through to land adjoining to the east.
2. Amend Condition 15 to reference Federation and not Corowa Shire Council.

## **Section 79C evaluation (EP&A Act 1979)**

When determining a development application, a consent authority is to take into consideration such of the following matters as are relevance to the proposed development:

- **Environmental Planning Instrument**

The applicable planning instrument is the Corowa Local Environmental (LEP) 2012. The objectives of the zone are;

- To provide for the housing needs of the community.
- To enable other land uses that provide facilities or services to meet the day-to-day needs of residents.

**Comment:** The proposal is considered consistent with the LEP objectives. The site is located within a R2 Low Density Residential zone where dwelling houses and residential accommodation are permitted uses with Council consent. The proposal also meets the minimum subdivision lot sizes for the R1 zone i.e. 1 Ha

- **Draft Environmental Planning Instrument**

There is no draft planning instrument or proposed draft planning instrument applicable to this land.

- **Development Control Plan (DCP)**

The allotment is subject to the Corowa Development Control Plan 2013.

**Comment:** The objective of the DCP (subdivision) is to provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

The design of the subdivision is to comply with the minimum standards of Councils Design Manual for the Subdivision of Land. The subdivision as submitted meets the minimum standards of area and the proposed width of the allotments and can achieve the objectives of

the DCP. A number of conditions have been applied to the development consent to ensure compliance with the Council Infrastructure Design Manual.

- **Planning Agreements**

There has been no planning agreement entered into under section 93F of the EP&A Act.

- **Regulations**

There is no conflict with the requirements of the regulations.

- **Coastal Zone Management Plan**

Not applicable.

- **Likely Impact of Development**

**Comment:** An assessment of the environmental impacts on both the natural and built environments and social and economic impacts on the locality was undertaken in the original approval, and it is considered that the development will not result in an adverse environmental impact. In any modification, the assessment must only relate to those changes being proposed.

- **Suitability of the site**

**Comment:** The site is already approved for this development, and is a natural extension of the residential offering for Mulwala, by offering larger lot home sites on the outer fringe, still within easy access to Mulwala and Yarrawonga.

- **Engineering Considerations**

**Comments:** Advice was sought from councils Engineering Department, which identified issues such as road widths, swale drain gradients, drainage issues, and road condition/design (quality of existing pavements), and other traffic and safety matters. An on-site meeting occurred between Council staff and the Developers consultants recently, and a response is being sought from the Developer in this regard. None of the matters are issues that affect this consent, and are to be dealt with in construction plans that will be assessed and must be approved prior to any on ground works occurring. Conditions are recommended to address this aspect.

- **Public interest**

**Comments:** The development will result in the creation of 224 allotments on which dwellings are to be located. The site approved for this development and the proposed modification will have a negligible impact on existing infrastructure. The development of the subdivision and subsequent dwelling construction will provide employment opportunities during construction stages. It is considered that the development is in the public interest.

- **Submissions**

**Comment:** No written submissions were received as result of the advertising and neighbour notification period. One verbal enquiry was made, and the caller was satisfied once the information was provided.

### **Developer Contributions**

**Comment:** Council is allowed to impose Developer contributions on such developments. The developer was required to contribute \$1,150 per lot for 197 lots as specified in condition 34 of the original consent and subsequent modifications. Council is then entitled to apply the going rate to

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any additional lots at the time they were/are approved. This is important as Councils developer contribution charges (mainly water and sewer) have increased significantly since 2006.

Any newly created lots over and above the 197, being 27 of the 224 lots are to be charged at a higher rate. Currently \$6664.00, but the recommended condition will be worded to allow the "current rate" at the time immediately prior to issuing of the subdivision certificate to be applied. This will avoid the issue of Council being exposed by specifically stating the \$ amount in the development consent conditions, considering these fees increase from time to time.

Five of these have already been specified in the current 2006/66/3 consent. This leaves 22 lots having to pay the higher rate. Legal advice has been obtained that supports this approach, and Council is not considered to have the ability to the going rate of developer contributions to all remaining lots yet to be released (around 160) as the original consent fixed the contributions for the original 197 lots, and all approvals since have been done under the section 96 modification basis.

The developer has paid all required contributions for the lots already created and released. Plans of subdivisions are not signed/released, to allow sales to occur, until development consent conditions are met and contributions paid.

The developer has committed to pay Council a lump sum at \$1,150 per lot for the balance of the 197 lots for which contributions have not yet been paid. That would be for 135 lots. This payment would be made before the release of the next stage in the subdivision. Payment for the 22 unpaid additional lots should be made prior to release of the Subdivision Certificate for that stage and should be the last 22 lots in the estate.

The developer is also seeking a reduction in the maintenance bond payable to Council, and is offering \$10,000. This is not recommended.

### **Conditions to be applied**

As the section 96 application before Council is minor in nature, and does not substantially change the impacts of the overall development, Council does not have any ability to impose new conditions based on conducting an overall assessment of the entire original approval. The recommended conditions below therefore contain most of the original conditions of the original and modified consents issued, with several re-worded, to reflect this application, such as the condition relating to developer contributions, and the process to apply for a subdivision and construction certificates.

### **Conclusion**

The section 96 application limits Councils ability to impose new conditions on the overall original approval, as the assessment and any new conditions are required to only relate to the impact created by the modification. Legal advice has been sought to ascertain if Council has any ability to increase developer contributions on the remaining approximately 162 allotments, considering the current amount payable per lot is considerably higher than the original fee imposed of \$1,150. The legal advice has stated that Council do not have any ability to enforce a requirement that all future lots attract a higher rate, and that this only applies to any increased lots yielded above the original 197 lots approved in 2006.

**RECOMMENDED** that consent be granted to application 2006/066/04 to modify consent no 2006/066/03, subject to the following conditions:

### In accordance with Section 81(1) (a) of the EP&A Act:

1. The development shall be implemented in accordance with the details set out on the plan numbered 1072 DP03, Revision C prepared by Development Outcomes dated 12/08/16 and any supporting information received with applications (DA 2006/66, DA 2006/66/2 and DA 2006/66/3) except as amended by the conditions specified hereunder.
2. Extend the water mains and provide a separate water connection to each of the proposed lots.
3. Extend the sewer system in accordance with the Aquatec Fluid Systems Preliminary Design Report for Provision of Pressure Sewer Services to Viscount Gardens Estate, Mulwala dated May 2006.
4. Culverts are to be installed in the table drain and gravelled and sealed access provided to serve each of the proposed Lots in this stage. The culverts must not restrict or cause ponding in the table drains. The culvert sizes are to be approved by Council as being suitable for the operation of the table drains prior to release of the subdivision plans.
5. Culverts of adequate capacity will also be required at all intersections in accordance with the Drainage Computations Design dated October 2006.
6. Provision is to be made for an overland flow path from the Infiltration Basin to an external drain to cater for the 1% storm frequency or above.
7. Minimum Finished Floor Levels for Habitable rooms are to be a minimum of 500mm above the 1 in 100-year flood event. These levels are to be clearly shown on the construction plans and subdivision plans.
8. Water Depth indicators are to be placed in the Sedimentation Basin and the Infiltration Basin at locations determined by Council.
9. The depth and types of materials used in the construction of the roadways are to be designed by a registered NATA testing Authority and to an accepted Roads and Maritime (RMS) standard. Noting to the authority that water may lay in table drains for some time thereby causing water infiltration under the road pavement. The results of the testing and design will be supplied to and accepted by council prior to issuing of the Construction Certificate.
10. Existing and previously documented drainage channels and dams that cross the development site are to be compacted in accordance with AS3798-2007 and certified by a registered testing authority. The lots affected as indicated on the plans are 22, 30, 34, and 35, 45-50, 56-58 Results are to be supplied to council for approval.
11. It will be necessary for the electricity supply to be extended to adequately serve the proposed lots. Separate connection is to be provided to each proposed lot, in a manner that is acceptable to the electricity provider.
12. Prior to the commencement of any engineering works, for any new stage, a construction certificate application in the prescribed manner (including appropriate plans) shall be submitted to Council for approval for each relevant stage. Works are not to commence until issue of certificate.



13. Prior to the release of the Subdivision Certificate for each stage, documentation from Essential Energy is to be submitted to Council certifying the availability and provision of an electricity supply suitable for residential usage.
14. Prior to the release of the Subdivision Certificate for the next stage, all required developer contributions, including maintenance bonds, for that stage, are to be paid in full to Council, including the balance of the original 197 lots not yet developed across the entire estate.
15. Upon completion of works to be vested in Council, Works as Executed drawings and plans in digital format shall be submitted to Corowa Shire Council prior to issue of the occupation Certificate or release of the Subdivision Certificate. The plans shall clearly identify any amendments (in red) to the original design.
16. All works are to be carried out in accordance with Councils Infrastructure Design Manual.
17. The swept path of the largest vehicles entering and exiting the subject site and manoeuvrability through the site is to be in accordance with AS 2890.2-2002 and to Council's satisfaction.
18. Car parking associated with the subject development including aisle widths, parking bay dimensions is to be in accordance with AS 2890.1-2004 and AS 2890.2-2002.
19. Internal roads are to be strategically and appropriately sign posted and line marked to assist in directing vehicles around and through the facility.
20. All the vehicles are to be able to enter and exit the subject site in a forward direction.
21. All road lighting schemes shall comply fully with the requirements of Australian Standard 1158 SAA Public Lighting Code. For the RTA's road lighting standard, the applicable category is, Category A2 lighting as defined in Clause 1.2 of AS1158.1-1986.
22. All intersections, traffic medians, roundabouts and other areas requiring specific traffic control measures are to be constructed in accordance with Councils infrastructure design manual.
23. Street lighting throughout the development including all intersections is to be provided in accordance with the Minor Street Lighting Code and Essential Energy Standards. Construction of internal lighting may proceed with each stage. All external lighting except for the Savernake Road access must be included with Stage 1 construction.
24. No access will be permitted, during either construction or following approval of the constructed works, from the development site to either Regional Road No 550 or Mulwala-Savernake Road, except from the two road intersections, which are indicated on the plans. These intersection(s) are to be constructed to an acceptable standard as approved by Council prior to commencement of any works that require regular access to the site.
25. A Flora and Fauna Management Plan shall be developed and submitted to Council for approval incorporating the requirements of Conditions (a) to (l) below:

- a) The discouragement of firewood collection. Dead trees and fallen timber and leaf litter are vital habitat for a diverse range of fauna including bats. Firewood collectors often target dead trees (often with hollows) and fallen timber.
- b) The promotion of ecologically sound bush fire control practices that do not compromise the protection of lives and property but allow for retention and enhancement of the threatened species habitat.
- c) If possible, the inclusion of the surrounding area in a regional, annual, fox baiting program. Under the TSC Act, foxes are a key threatening process for many wildlife, including farm animal stock.
- d) An imposed cat curfew policy for residents of the new development or the requirement for the prohibition of cats to protect the Little Pied Bat, Yellow-bellied Sheath-tailed Bat and Greater Long-eared Bat to be reflected in a Section 88B instrument on title. Cats are listed under key threatening processes under the TSC Act to many native wildlife, including bats.
- e) The promotion of revegetation with indigenous plant species to provide habitat features for native fauna ensuring that over-storey, under-storey and ground-layer species are all included to address the decline of native vegetation communities. All layers are vital.
- f) Compensatory/aesthetic planting of trees and shrubs which are indigenous to the Mulwala sand soil area should be implemented by planting the road reserves within the proposed estate with clumps of dense, shrubby species to enhance wildlife habitat, and by planting trees to enhance the links within the Savernake Road and Tocumwal Road reserves along the western and southern boundaries of the development area. Plantings could be supplemented by the encouragement of local resident involvement. Consideration should be made of bush fire hazards when designing revegetation planting patterns, for example, breaks in the vegetation to retard the spread of fire. Some native retardant species could be included.
- g) The placement of purpose-built nest boxes into trees without hollows in the road reserve and/or trees within the subject site.
- h) Ensuring that the construction of any storm water-retarding basin in the development does not impact on remnant trees, nor cause any disturbance to tree root zones. Protection barriers should be installed at the driplines of trees in the vicinity of any works and any soil excavations or dumps should not be placed against trees.
- i) Retaining remnant trees where possible by avoiding the placement of roads, kerb and channel, services, fencing and building envelopes away from the root zones and driplines of the trees contained within the subject site and the surrounding road reserves.
- j) Protecting remnant trees by fencing off where appropriate which will allow regeneration to occur and will prevent ringbarking by stock e.g. horses. It is important to retain and protect dead hollow bearing trees also as these often provide good habitat for bats.
- k) The introduction of a resident awareness program/brochure relating to, particularly, the habitat requirements of bats and disappearing woodland birds, and the effects of the use of chemicals (including garden sprays and baits e.g. for snails) upon these populations.

- l) The encouragement of residents to develop a sense of “stewardship” for the native vegetation and threatened species within the study site. (This involves informing developers and property buyers about many of the recommendations listed above e.g. planting with indigenous plant species and discouraging the collection of firewood)
26. The design of the storm water retention basin shall conform to the recommendations contained in the report of B.M Consulting Civil Engineers Pty Ltd.
27. A Management/Operational Plan shall be submitted to Council for approval indicating how the storm water retention basin reserve area is to be maintained to ensure it continues to function as a free draining basin.
28. The development of the former sheep yard area shall not occur until a contaminated land remediation plan is submitted and approved by Council and the remediation work is completed.
29. Documentation is to be submitted to Council from the infrastructure service suppliers for electricity, telecommunications and gas that the development can be adequately serviced by the existing infrastructure.
30. HOURS OF WORK: All construction works are restricted to the following times:  
Monday to Friday: 7 am to 6 pm. Saturday, Sunday and Public Holidays: 8 am to 6 pm. Noise from the site on Saturdays, Sundays and Public Holidays shall not exceed 5dB (A) above the background noise level when measured at the property boundary.
31. ON-SITE TOILET FACILITIES are to be provided prior to the commencement of any works.
32. EROSION CONTROL: To minimise soil erosion during construction and to keep soil and building wastes out of the gutter/drainage system, the builder shall ensure that the following steps are implemented.
  - a) A sediment trapping fence using a geotextile fabric specifically designed for such a purpose and installed to manufacturer’s specification is to be placed below the construction area (e.g. “silt stop”).
  - b) Vegetation is to be cleared from the construction site only, other areas to remain undisturbed.
  - c) All erosion control measures will require maintenance after rainfall. They should be retained until the site has fully vegetated.
  - d) Top soil from the construction site or builder’s sand is to be stockpiled in a location where it will not be eroded from the site and is not to be stockpiled on the road or nature strip.
  - e) If soil or other materials are spilt accidentally onto the road gutter, they shall be removed prior to the completion of the days work.
  - f) Activities on the building site must not allow sediment or wastes to enter the gutter or any water course. Brick cutting wastes and exposed aggregate driveway washings in particular must not pollute gutters.

33. DEVELOPER CONTRIBUTION: The undermentioned amounts are to be paid as headwork charges as provided by the Council's Developer Contribution Plans.

Water	\$675.00
Sewerage	\$390.00
Open Space and Recreation	<u>\$85.00</u>
Total	\$1,150.00 per allotment

This is to be applied to all remaining allotments not yet developed from the original 197 lots approved in consent 2006/66. These fees are to be paid prior to release of the next stage Subdivision Certificate (stage 2 as labelled in the plan submitted with modification application 2006/66/4).

34. DEVELOPER CONTRIBUTION: Developer contributions including maintenance bonds, are required and payable on any lots over and above the original 197, and shall be paid at the current rate in Councils adopted fees and charges documents, at the time immediately prior to release of the Subdivision Certificate for those particular allotments.

Reasons for Conditions:

The above conditions are imposed for the following reasons: -

- a) To ensure compliance with the terms of the Environmental Planning and Assessment Act.
- b) To ensure that an appropriate level of provision of amenities and services occurs within the Shire and to occupants of lots.
- c) To minimise environmental impact, degradation of natural resources, and to enhance amenity.
- d) To provide for a quality environment, safe and efficient movement of people and to ensure public safety.
- e) To ensure services re connected in accordance with current standards and past statements.

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## Schedule 2

Map of Riverland Gardens Estate – the two yellow shaded areas are developed, next stage is bottom right, dark green.



LEGEND	
[Yellow Box]	STAGE 1A EXISTING
[Orange Box]	STAGE 1B EXISTING
[Green Box]	STAGE 2 IN LOTS
[Red Box]	STAGE 3 IN LOTS
[Blue Box]	STAGE 4 IN LOTS
[Purple Box]	STAGE 5 IN LOTS
[Light Green Box]	STAGE 6 IN LOTS
[Dark Green Box]	STAGE 7 IN LOTS
[Medium Green Box]	STAGE 8 IN LOTS
[Total Box]	TOTAL IN LOTS

<p><b>WARNING</b>  <b>BEWARE OF UNDERGROUND SERVICES</b>  <b>CALL BEFORE YOU DIG</b>                  The location of underground services, when shown, are approximate only.                  All activities must be conducted prior to excavation to determine the exact location of all underground services.</p>		Design: RJP Drawn: RJP Checked: SN Date: 12/04/16	PAT VICECONTE RIVERLAND GARDENS STAGE 2 DEVELOPMENT PLAN OPTION 3	
C. ISSUES FOR PLANNING PERMIT RJP 22/09/16 B. ISSUES FOR CLIENT APPROVAL RJP 19/09/16 A. ISSUES FOR INFORMATION ONLY SN 12/09/16	EXCLUSIVE RIGHTS BY 12: 15 to 30, Victoria, No. 300, 400 to 100 611 682 printed by the Parish Ph 049 522 564, email: info@development.com.au, www.development.com.au, pdf 6/9 23/6/2016 2:02 PM	DATUM: AHD PROJECT No: W12 DP3 Status: PRELIMINARY Revision: C		

## **8.5 DEVELOPMENT APPLICATION 2016/214 – NEW DWELLING AND SHED – 45 – 55 ORFORD STREET SOUTH COROWA**

### **Summary**

This report allows Council to consider a development application for a new dwelling and shed at 45–55 Orford Street Corowa. The application is presented to Council and not dealt with under delegated authority as it deals with a complex matter of a part road closure/lease, and also an earlier development consent issued on this same site.

### **Background**

The former Corowa Shire Council, and Federation Council in August 2016, have received reports in relation to this matter. The owner of the land subject to this development application undertook vegetation and land-forming works on the property late in 2015 without the required development approvals. A penalty notice was issued and a retrospective development application was lodged (DA 2016/10) and it was advertised in accordance with policy.

The Council issued a retrospective development approval to legitimise the works carried out. This approval included several conditions which have raised the objections of the property owner, who has lodged a submission on that basis, as compliance with those, restricts the current development proposal before Council.

Legal advice was sought due to Council now being required to deal with this new development application, considering several conditions on approval 2016/10 attempted to relate to any future development on this holding. The legal advice advised that there are reasonable grounds for objections to these conditions on the consent. The conditions in dispute relate to:

- 1) requiring consolidation of lots 10 and 2 before any development of a dwelling occurs
- 2) requiring access for lots 10, 2, 5, 6 and 1, to be off Augusta Street, and not Orford Street

### **Road issues**

The Council's attention is also brought to an application for a road closure of Orford Street, South Corowa, and previous Council reports on this matter, including Federation Council in August 2016, and several report under the former Corowa Shire Council. This matter is addressed further into this report.

### **Section 79C evaluation (EP&A) Act 1979**

**Development Proposed:** New dwelling and shed  
**Zoning:** R2 – Low Density Residential

When determining a development application, a consent authority is to take into consideration such of the following matters as are relevance to the proposed development:

### **Environmental Planning Instrument**

The applicable planning instrument is the Corowa Local Environmental (LEP) 2012. The Corowa Floodplain Development Guidelines are also relevant, as the land is part flood prone.

The objectives of the zone are;

- To provide for the housing needs of the community.
- To enable other land uses that provide facilities or services to meet the day-to-day needs of residents.

**Comment:** The proposal is considered consistent with the LEP objectives. The site is located within a R2 Low Density Residential zone where dwelling houses and residential accommodation are permitted uses with Council consent. The proposal also meets the Floodplain guidelines and suitable conditions are placed to address this aspect.

### **Corowa Floodplain Development Guidelines**

The guidelines provide that a development that produces sewerages wastes shall not be developed on flood liable land unless it is connected to Council's sewerage system and arrangements suitable to Council have been made for the disposal of wastes in a manner that is not likely to cause pollution. The development meets the guidelines. The finished floor level of the dwelling, and access road, is to be above the 1 in 100 year flood level in this area. Certification is required to ensure the construction of the dwelling and earthworks pad, is of a satisfactory standard.

### **Draft Environmental Planning Instrument**

There is no draft planning instrument or proposed draft planning instrument applicable to this land.

### **Development Control Plan (DCP)**

The allotment is subject to the Corowa Development Control Plan (DCP) 2013.

**Comment:** The proposal meets the requirements of the DCP, with conditions recommended to address this.

### **Planning Agreements**

There has been no planning agreement entered into under section 93F of the EP&A Act.

### **Regulations**

There is no conflict with the requirements of the regulations.

### **Coastal Zone Management Plan**

Not applicable

### **Likely Impact of Development**

**Comment:** An assessment of the environmental impacts on both the natural and built environments and social and economic impacts on the locality was undertaken. It is considered that the development will not result in an adverse environmental impact. Council needs to consider the issue of road access, addressed further into this report.

### **Suitability of the site**

**Comment:** The site is considered suitable for such development with the provision of necessary conditions.

### **Public interest**

**Comment:** The development will result in the creation of an additional dwelling. There are no matters considered to be of the public interest relevant.

### **Developer Contributions**

**Comment:** Council is allowed to impose Developer contributions on such developments. A condition is recommended to require payment of contributions as per Councils policy.

### **Public Consultation**

The application was advertised in accordance with the Council's Policy and one submission was received. The landowner has objected to conditions imposed on the former approval (DA 2016/10)

These objections may be addressed in the determination of this development application, as suggested in legal advice obtained.

### **Environmental Impact**

It is proposed to erect a dwelling and shed on the property, which is affected by flooding. However, there is sufficient area above the 1 in 100-year flood level to site the dwelling and shed, and the proposed access to be built along the unmade Orford Street is above the 1 in 100-year flood level. The buildings will be finished with colour bond roofs and outer walls. They are located to comply with zoning setbacks. Sewer is not available to the site but a suitable effluent treatment system will be installed.

### **Road Closure**

#### **Engineering Considerations – Orford Street issues**

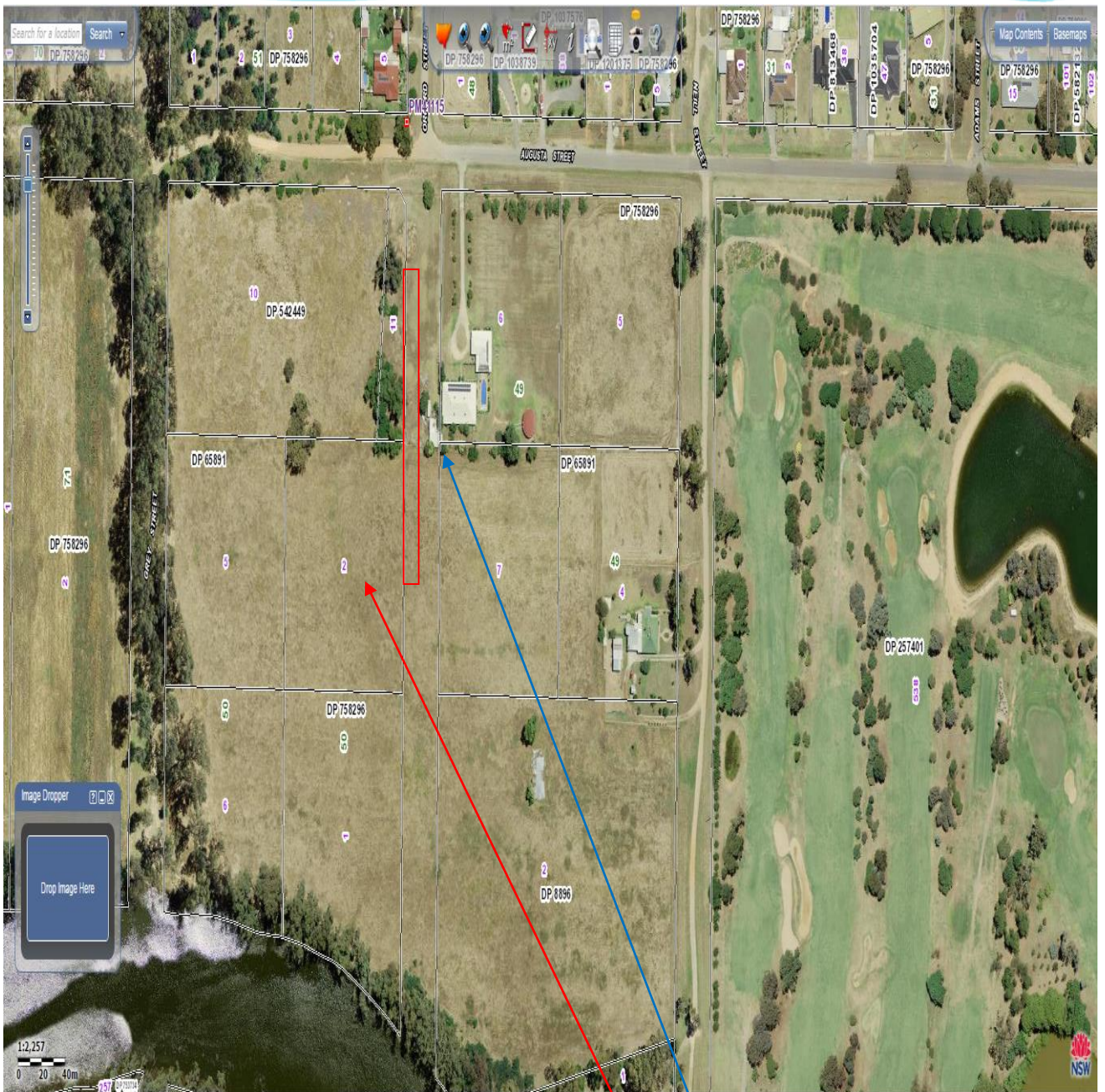
**Comment:** The applicant intends to construct a section of Orford Street, to Council standards, to allow access to the lot that the house and shed will be located on. This will also allow access to lot 7, owned by another party.

Conditions are recommended to ensure compliance with Councils Infrastructure Design manual.

Council has previously resolved to support requests to close sections of Orford Street Corowa. In September 2014, the former Corowa Shire Council resolved to support a request from adjacent property owners to close a section of Orford Street, as shown in the diagram. The red section is proposed to remain open as public road, to be constructed by the applicant, to Councils Engineering standards, with the remainder of Orford Street, to the south, to the river, to be closed, and sold to neighbouring property owners.



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Red arrow indicates approximate site of propose dwelling and shed  
Red rectangle indicates are of road to be made. Blue arrow indicates shed encroachment from neighbour property.  
Landowner negotiations between Council, Crown lands, and the two parties, the applicant, along with the neighbouring landowner, regarding Orford Street, have resulted in an acceptable solution being reached to this long-standing issue.

Orford Street is proposed to remain open and public road for a width of 8 – 10 metres, consistent with the resolution from the August 2016 resolution, and a suitable length to allow services such as electricity and road access, to be gained to the lot where the house and shed that is the subject of this application is proposed. It also allows future access for the third party, owners of land behind the front block. It also allows a shed that has been built on the Council road reserve of Orford Street, to be wholly contained within the remaining not needed road reserve, and the Crown has advised that they would manage the closure and sale of the residue road reserve to this owner. The

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remaining full width of Orford Street, to the river, is then recommended to be closed and the Crown will manage sale to either side property owners.

The applicant will be required to construct the section of Orford Street to Council standards.

### Conclusion

In its retrospective approval (DA 2016/10), to legalise the earthworks undertaken on this land, Council also imposed conditions relating to any future development on the allotments that form this holding, including requiring consolidation of all lots, and insisting that any future access to the property be from Augusta Street. The legal advice suggested that these conditions did not relate to the original approval, and so may if challenged, be deemed unreasonable as outlined in legal advice received. These conditions are not considered able to be withheld, based on staff assessment and legal advice.

**RECOMMENDED** that consent be granted to application 2016/214 subject to the following conditions:

#### **In accordance with Section 81(1) (a) of the EP&A Act:**

1. The development shall be implemented in accordance with the details and plans as submitted and approved, except as amended by the conditions specified hereunder.
2. Extend the water mains and provide an acceptable sewerage system to the development.
3. The depth and types of materials used in the construction of the roadways are to be designed by a registered NATA testing Authority and to an accepted Roads and Maritime (RMS) standard. Noting to the authority that water may lay in table drains for some time thereby causing water infiltration under the road pavement. The results of the testing and design will be supplied to and accepted by council prior to issuing of the Construction Certificate.
4. It will be necessary for the electricity supply to be extended to adequately serve the proposed lot.
5. Prior to the commencement of any engineering works, a construction certificate application in the prescribed manner (including appropriate plans) shall be submitted to Council for approval for each relevant stage. Works are not to commence until issue of certificate.
6. Prior to the release of the Construction Certificate, all required developer contributions, including maintenance bonds, for that stage, are to be paid in full to Council.
7. Upon completion of works to be vested in Council, Works as Executed drawings and plans in digital format shall be submitted to Corowa Shire Council prior to issue of the occupation Certificate.
8. All works are to be carried out in accordance with Councils Infrastructure Design Manual.
9. All the vehicles are to be able to enter and exit the subject site in a forward direction.

10. Documentation is to be submitted to Council from the infrastructure service suppliers for electricity, telecommunications and gas that the development can be adequately serviced by the existing infrastructure.
11. HOURS OF WORK: All construction works are restricted to the following times:  
Monday to Friday: 7 am to 6 pm. Saturday, Sunday and Public Holidays: 8 am to 6 pm. Noise from the site on Saturdays, Sundays and Public Holidays shall not exceed 5dB (A) above the background noise level when measured at the property boundary.
12. ON-SITE TOILET FACILITIES are to be provided prior to the commencement of any works.
13. EROSION CONTROL: To minimise soil erosion during construction and to keep soil and building wastes out of the gutter/drainage system, the builder shall ensure that the following steps are implemented.
  - a) A sediment trapping fence using a geotextile fabric specifically designed for such a purpose and installed to manufacturer's specification is to be placed below the construction area (e.g. "silt stop").
  - b) Vegetation is to be cleared from the construction site only, other areas to remain undisturbed.
  - c) All erosion control measures will require maintenance after rainfall. They should be retained until the site has fully vegetated.
  - d) Top soil from the construction site or builder's sand is to be stockpiled in a location where it will not be eroded from the site and is not to be stockpiled on the road or nature strip.
  - e) If soil or other materials are spilt accidentally onto the road gutter, they shall be removed prior to the completion of the days work.
  - f) Activities on the building site must not allow sediment or wastes to enter the gutter or any water course. Brick cutting wastes and exposed aggregate driveway washings in particular must not pollute gutters.
14. DEVELOPER CONTRIBUTION: Developer contributions including maintenance bonds, are required and payable and shall be paid at the current rate in Councils adopted fees and charges documents, at the time immediately prior to release of the Construction Certificate.
15. INSPECTIONS: When the building has reached the following stages, 48 hours notice is to be given to Council to enable an inspection to be carried out: For inspections phone: 02 6033 8960.
  - a) COMMENCEMENT: At the commencement of building work. (Note: This inspection can be carried out at the same time as the next required inspection) and
  - b) PRE SLAB: After excavation for and prior to the placement of any footings; and
  - c) SLAB, FOOTINGS ETC: Prior to pouring any in-site reinforced concrete building element, pad footings, etc and

- d) FRAME: Prior to covering of the framework for any floor, wall, roof or other building element; and
- e) WATERPROOFING: Prior to covering waterproofing in any wet areas; and
- f) STORMWATER: Prior to covering any stormwater drainage connections; and
- g) PLUMBING/SEWER: Prior to covering any hot and cold-water service pipes, sanitary drainage and sanitary plumbing systems while under pressure test.
- h) FINAL: After building work has been completed and prior to occupation or use of the building.

NOTE: If any of the mandatory critical stage inspections are not done, Council will not be able to issue an Occupation Certificate.

Reason: To ensure compliance with the Environmental Planning and Assessment Regulation 2000, (Clause 162A, 163) associated legislation and Council requirements.

Notice of Commencement: Notice of commencement of building work and appointment of the Principal Certifying Authority shall be lodged with Council, in writing, at least two days prior to commencement of construction. (See enclosed form).

16. SITE SIGN: A sign must be erected in a prominent position on any site on which building work, subdivision or demolition work is being carried out:
- a) Showing the name, address and telephone number of the principal certifying authority for the work, and
  - b) Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - c) Stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

17. TERMITES: A termite barrier system is required to be installed to deter concealed entry of termites into the building. The termite barrier system is required in accordance with Part 3.1.3 of the Building Code of Australia. A durable notice must be fixed to the building in a prominent position indicating: (1) the method of termite management, (2) date of installation of system, (3) life expectancy of barrier (if chemical barrier is used) and (4) scope and frequency of future inspections for termite activity.

NOTE: Termite barrier systems can be provided by various means including chemical or physical barriers or a combination of both. Australian Standard 3660.1 provides detailed information.

18. STREET NUMBER: Prior to occupation of the dwelling the street number allocated to the premises shall be displayed so that it is clearly visible from the road adjacent to the front of the allotment.

19. USE OF GARAGE/SHED: That the garage/store shed shall only be used for activities or storage of goods and materials, associated with the normal residential use of the premises and at no time shall it be used for commercial, industrial or trade purposes. The garage/store shed is not approved to be used for human habitation.
20. BASIX: Under Clause 97A(3) of the Environmental Planning and Assessment Regulation 2000, it is a condition of this development consent that all the commitments listed in each relevant BASIX Certificate for the development are fulfilled.  
In this condition:
  - a) relevant BASIX Certificate means:
    - i. BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under Section 96 of the Act, a BASIX Certificate that is applicable to the development when this development consent is modified); or
    - ii. if a replacement BASIX Certificate accompanies any subsequent application for a Construction Certificate, the replacement BASIX Certificate; and
  - b) BASIX Certificate has the meaning given to that term in the Environmental Planning and Assessment Regulation 2000.
21. HOME BUILDING ACT 1989: Prior to the commencement of any works, the owner shall provide a copy of:
  - 1) An Owner Builder Permit relevant to the proposed works; OR
  - 2) A copy of Home Owners Warranty Insurance coverage.
22. ADVICE - WET AREA FLASHING: The wet area flashings are required to comply with AS3740-2004. It is recommended that wet area flashings be installed in accordance with "Guide to Internal Wet Area Waterproofing" issued by the Master Builders Association Waterproofing Council (NSW). This guide sets out the industry best practice for waterproofing and compliance with the guide will ensure the highest standards are achieved.
23. VEHICULAR ACCESS: Provide vehicular access to the property to an all-weather standard and in compliance with the Councils design requirements.
24. FLOOR HEIGHT: The floor height of habitable rooms of the building shall not be less than 500 mm above the 1% flood level of 134.9 AHD. Prior to commencement of work on the house frame, submit for approval documentation that the required floor height has been achieved.
25. SMOKE ALARMS: Provide smoke alarms in accordance with Part 3.7 of the Building Code of Australia. The alarms are to be located on or near the ceiling between each area containing bedroom and the remainder of the dwelling. The alarms must be connected to the mains power and have a battery backup.
26. KITCHEN EXHAUST FANS AND DUCTS: Exhaust fans and ducts provided in a kitchen must be installed in accordance with the provisions of AS 1668 "SSA Mechanical Ventilation and Air Conditioning Code". A flue must be provided to discharge exhaust gases to the outside atmosphere.
27. SANITARY COMPARTMENTS: The door to a fully enclosed sanitary compartment must open outwards or slide or be readily removable from the outside of the compartment, unless there is a clear space of 1.2 metres between the doorway and the closest pan. (BCA Pt 3.8.3)

28. **SANITARY PLUMBING AND DRAINAGE:** All sanitary plumbing and drainage work shall only be carried out by a licensed plumber and drainer and no work is to be covered over or concealed from view until it has been inspected and approved by the Approval Authority.
29. **ONSITE EFFLUENT DISPOSAL SYSTEM:** Prior to commencement of construction submit to the Council for approval complete details of the proposed onsite effluent disposal system.
30. **EAVES GUTTERS:** High fronted eaves gutters are to be designed with an acceptable overflow measure to ensure overflowing gutters do not result in water entering the building. See Section 5 (Figure 5.3) of AS 3500.5.2000. Reason: To comply with requirements of BCA Part 3.5.2.4(d) and AS 3500 and to minimise risk to building in event of blocked gutters due to hail, debris or overloading during a storm event.

Reasons for Conditions:

The above conditions are imposed for the following reasons: -

- a) To ensure compliance with the terms of the Environmental Planning and Assessment Act.
- b) To ensure that an appropriate level of provision of amenities and services occurs within the Shire and to occupants of lots.
- c) To minimise environmental impact, degradation of natural resources, and to enhance amenity.
- d) To provide for a quality environment, safe and efficient movement of people and to ensure public safety.
- e) To ensure services re connected in accordance with current standards and past statements.

### **8.6 SWIMMING POOL INSPECTION PROGRAM**

#### **Summary**

This report provides for Council's consideration a Swimming Pool Inspection Program Policy. The aim is to ensure that Federation Council has an up to date policy which reflects the current requirements for the compliance of swimming pools.

#### **Background**

The Swimming Pools Act 1992, Section 22B requires the development and adoption by Federation Council of a program for the inspection of swimming and spa pools in its area to ensure compliance with the requirements of Part 2 – access to swimming pools – of the Swimming Pools Act 1992.

#### **Financial Implications**

The Policy does not propose any significant changes to the previous policies adopted by the former Corowa Shire and Urana Shire Council's.

**RECOMMENDED** that Council adopt the draft Swimming Pool Inspection Program and that this be placed on public display for 21 days to allow for any community feedback to be considered prior to the adoption of the final policy.

## 8.7 EXPANSION OF FUNCTIONALITY WITHIN THE PLANNING PORTAL TO INCLUDE ONLINE LODGEMENT

### Summary

NSW Department of Planning and Environment is expanding the function of the Planning Portal to include the functionality of online lodgement.

NSW Department of Planning will be undertaking a progressive rollout across all Local Government Areas from end March 2017. By end June 2017 applicants will be able to submit and lodge development and complying development applications to Federation Council online through NSW Planning Portal. Exact launch date for Federation Council is yet to be determined.

To facilitate online lodgement of development and complying development certificate applications via the NSW Planning Portal, amendments are required to the Environmental Planning and Assessment Regulation 2000. Regulation changes will also be required to allow for the publication of development control plans and contribution plans on the Portal. The proposed legislative changes are open for public comment until 10 March 2017.

The main legislative changes proposed are:

- development control plans and contribution plans only have legal effect when published on the Planning Portal;
- removal of the need for an applicant or landowner's signature on application forms;
- a common approach to calculating the cost to build and application fees; and
- a Secretary's Requirement for online submission and lodgement, which introduces standard application forms and minimum requirements for documentation to accompany development applications and complying development certificate applications.

Further information about the expansion of functionality within the Planning Portal is available on the Planning Portal.

<https://www.planningportal.nsw.gov.au/understanding-planning/eplanning-program>.

Further information about the proposed legislative changes is available on Department Planning and Environment website - [www.planning.nsw.gov.au/Policy-and-Legislation/Legislative-Updates](http://www.planning.nsw.gov.au/Policy-and-Legislation/Legislative-Updates).

**FOR** information.

## 8.8 ROAD MAINTENANCE

The following activities were undertaken within the month of January 2017. The highlights of the month include the start of construction activities on the Federation Way.

Summary is provided below for information.

### (a) Road Maintenance Grading, gravel patching and re-sheeting

Road safety grading, gravel patching or re-sheeting activities were undertaken on the following roads:

## Federation Council Ordinary Council Meeting - 21 February 2017

- Macartneys Road
- Mossdale Road
- Hunters Road
- Piggins Road
- Felton Road
- Morning Side
- Narrows Plain
- Oak Lodge Road
- Merton Road
- Freyers Road
- Federation Way
- Laneways in Mulwala
- Kywong-Howlong Road
- Hume Lane
- River Lane
- Lions Park
- Victoria Lane
- Strachans Road
- Leahy Road
- Wellers Gap Road
- Howlong common
- Lowe Square
- Martin Street
- Belmore Street
- Lord Street
- Kavanagh Street
- Dunbar Road
- Little Bull Plain Road
- Lees Road
- Byrnes Lane
- Gunpowder Road
- Hills Road
- Roma Grange Road
- Mygunyah Lane
- Summerglen Road
- Newfield Road
- Davis Lane
- Blindaglen Road

(b) Sealed Road Patching Work

- MR385 Federation Way
- MR323 Corowa Road
- MR131 Federation Way
- SR2 Clear Hills Road
- SR 1086 Ferndale Road
- SR1 Bynedale Road
- MR59 Cocketgedong Road

(c) Flood repair

Council has submitted a claim for repairs of over \$4,000,000. An additional claim of \$50,000 has also been lodged for the repairs to the Morundah Levee.

(d) Works requests

Council staff completed 22 work requests.

(e) Incidents

The following incidents have been reported within the last reporting month:

- Storm damage from wind storms and resulting in trees over roads.
- Tree removal Boree Creek Area from the storms.

**FOR** information.

### 8.9 CONSTRUCTION ACTIVITIES

Works started or completed since last report:

- Back Berrigan Road (2 projects) – issued and received 9 responses to a request for quote for the design works;
- Daysdale – Walbundrie Road floodway - issued and received 7 responses to a request for quote for the design works;
- Bridge structural inspections – proposal submitted;



## Federation Council Ordinary Council Meeting - 21 February 2017



- Holbeach Street drainage works in Howlong;
- Evelyn Street water main in Corowa;
- Shared pathway in Hawkins Street Howlong;
- Drainage with 8 storm water pits in Lowe Square;
- Complete Redlands Road reconstruction;
- Completion of cleaning and clearing of 560 lineal meters of spoon drain on Spring Drive;
- Fixing Country Roads MR385 Federation Way - 1km Complete;
- Black Spot MR385 Federation Way 80% complete;
- Council's resealing program is due to start by the end of February 2017 and scheduled to finish by the end of March 2017.
- Council's \$1.3 M heavy patching program starts in two weeks and is expected to finish by the end of April 2017.

**FOR** information.

**A BUTLER**  
**DIRECTOR INFRASTRUCTURE AND ENVIRONMENT**

## 9. NOTICE OF MOTION / QUESTION WITH NOTICE

NO ITEMS

## 10. REPORTS FROM COMMITTEES

NO ITEMS

## 11. PRÉCIS OF CORRESPONDENCE REQUIRING COUNCIL ACTION/FOR INFORMATION

### 11.1 RDA MURRAY – LETTER SEEKING FUNDING SUPPORT

Letter requesting financial support for an economic development study of the Murray region. A copy of this letter is included with the agenda.

#### **Background**

Prior to merger, Urana and Corowa Councils were working with Murray Regional Development Australia (RDA), to progress a proposal for Charles Sturt University Bathurst to undertake a study of the Murray Region, to develop a strategy and operational plan for encouraging regional development. Council applied for funding under the Murray Darling Basin Diversification Fund, and submitted an application under the 'Energise the Enterprise' grant program. Council was successful in obtaining \$25,000 from this grant application, and are now seeking other Councils to contribute to match this amount. Some consultation has occurred, and the Murray RDA has now written to all Councils, including Federation, to request some funding support. The total project cost is expected to be around \$55,000, with each Council to contribute around \$4,000. It is expected that six Councils in the Murray Region will form the primary area of focus, and they have been asked to contribute to this. It is recommended that Federation Council provide \$8,000, from existing Economic Development budget, considering per merger, both Councils were actively involved in seeking this funding.

The exercise is considered another positive initiative by Federation Council, and shows its ability to partner with Universities and the Murray RDA, to deliver on its commitment to placing more emphasis on assisting in economic development in the region. This was a strong message coming from the community in various consultation phases since Federation Council has been established. All funding Councils will be acknowledged in publications and promotion materials. The project will ideally help the local governments involved in the project identify effective options for enhancing economic growth among the industry clusters most likely to increase business development and employment in the future. These options would be region wide, as well as relevant to the specific LGAs involved. These options could then be subjected to cost-benefit analysis and funding through Jobs NSW with the goal of implementation.

**RECOMMENDED** that Council contribute \$8,000 towards the Murray Regional Economic Analysis study, and enter into a contract with Charles Sturt University Bathurst to undertake this work.

# Federation Council Ordinary Council Meeting - 21 February 2017



## **11.2 LETTER OF THANKS - LIONS CLUB OF COROWA**

Thank you letter to Council and staff for their help in the construction of the Lions Community BBQ Area and driveway. A copy of this letter is included with the agenda

## **11.3 URANA SWIMMING POOL COMMITTEE - AGM 19 OCTOBER 2016**

Forwarding a copy of the minutes of their AGM held on 19 October 2016. A copy of the minutes is included with the agenda.

## **11.4 URANA DISTRICT INTERAGENCY NETWORK - MEETING 7 NOVEMBER 2016**

Forwarding a copy of the minutes of their meeting held on 7 November 2016. A copy of the minutes is included with the agenda.

## **12. CONFIDENTIAL ITEMS**

**NO ITEMS**

## **13. CLOSURE OF MEETING**

# FEDERATION COUNCIL

<b>Title:</b>	CHILD PROTECTION POLICY
<b>Council Adopted:</b>	Enter the date the policy was adopted by Council.
<b>Council Resolution No:</b>	Enter the Council Resolution when adopted.
<b>Responsible Department:</b>	Corporate and Community
<b>Date to be Reviewed:</b>	4 February 2019

## 1 Purpose

The overall objective of this policy is to provide a safe, caring and nurturing environment for children and young people using Council's services and to comply with all obligations under the NSW Child Protection Legal Framework.

Expressly the community has a right to expect that when using any of the services and facilities of Federation Council, that Council will:

- a) provide a safe, caring and nurturing environment for their children,
- b) their children and young people will not be placed at risk of harm, and will be protected from all forms of abuse, including sexual, physical, psychological abuse and neglect and
- c) ensure all workers engaged with Council in a child related role
  - i. have undergone appropriate probity checks, have a valid Working with Children Check clearance number and are not Prohibited Persons as described in the *Child Protection (Prohibited Employment) Act 1998*,
  - ii. are aware of their responsibilities and obligations in relation to the various child protection legislation and Councils policy and associated protocol and
  - iii. understand they have a mandatory duty to report any suspected risk of harm to a child or young person,
- d) ensure Council promptly implements procedures which are confidential and transparent when investigating and responding to allegations of "reportable conduct" as defined under Section 25A of the *Ombudsman's Act 1974*. (Refer to NSW Ombudsman Fact Sheet – Defining Reportable Conduct).

## 2 Policy Statement

All suspected cases of child abuse and neglect, which come to the notice of Federation Council, either observed by employees in the course of their duties or reported to staff, will be reported in accordance with the relevant legislative requirements.

## 3 Scope

This policy applies to all Council employees, including casuals, councilors, administrators, management committees, volunteers, consultants, facility hirers, contractors and work experience students

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# FEDERATION COUNCIL

undertaking vocational related training in all Council buildings and facilities used by children and young persons.

## 4 Child related work

Federation Council has identified key positions that have direct contact with children to which this policy is particularly relevant including but not limited to:

- All Pre-school educators and Assistants
- Library staff
- Swimming pool operators and staff – Corowa, Howlong, Oaklands, Urana
- Community Development Officer , Youth and Events Officer

## 5 Designated Public Agency

[Section 25A 1\(c\) Ombudsman Act 1974](#) defines “... any other **public authority** prescribed by the regulations for the purposes of this definition” as being a **designated government agency**.

Federation Council is a local government authority and considered a **public authority** (Section 5 1(g1) *Ombudsman Act 1974*) which requires us to have systems for preventing reportable conduct and handling [reportable allegations and convictions](#). ((S 25A(1) of the Ombudsmans Act 1974) arising through the course of an employee’s work.

## 6 Responsibility

### 6.1 Head of Agency

Federation Councils General Manager as the Head of Agency, is responsible for ensuring effective systems are implemented to make certain that he/she is advised of any reportable allegations or convictions against their employees.

Once the General Manager has been advised of a reportable allegation or conviction against an employee, they must notify the NSW Ombudsman within 30 days of being made aware of the allegation or conviction. The notification must include:

- details of the allegation or conviction
- advice as to whether or not they propose to take disciplinary or other action in relation to the employee, and the reasons for taking or not taking any action
- any written submissions made to them by the employee about what action should be taken against them.

### 6.2 Group/executive managers, managers, coordinators and team leaders.

Responsibilities of Directors, team leaders and coordinators are to:

- model appropriate workplace behaviours and monitor the work environment to ensure acceptable standards of conduct are observed at all times
- endeavour to ensure workers are aware of and understand Council’s Child Protection Policy and Procedures
- treat all complaints seriously, equitably and confidentially, taking immediate action to investigate and resolve allegations
- notify the General Manager of any reportable allegation

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- determine existing and emerging child-related roles within the organisation supported by Human Resources
- Notify Human Resources **prior** to the engagement of any non-Council employee involved in child-related work so the appropriate verification check can be undertaken.

## 6.3 Human Resources are accountable for:

- Informing and consulting with staff regarding Working With Children requirements
- Supporting Managers to determine child-related roles within the organisation and for the ongoing management of the process
- Verifying the workers Working With Children Check number
- Keeping a record of the workers clearances including Working With Children Check number, its expiry date and the date of the employer's verification
- Notifying the General Manager of allegations.

## 6.4 Workers are accountable for:

- Acting in accordance with the Child Protection (Working With Children) Act 2012
- Applying for a Working With Children Check clearance number and providing it to Human Resources if the role is deemed child-related
- Applying for a Working With Children Check clearance number, when they are not employed by Council, and providing the clearance number to the person who engaged them in child-related work
- Complying with Council's policies and procedures
- Notifying Human Resources of any reportable allegation or conviction of which they become aware.

## 7 Barred Status of Workers Employed by Council

Federation Council policy is not to employ any person for child related work (paid or unpaid if the outcome of their online verification is:

- Barred
- Interim barred
- Not found

Should the check or continuous monitoring of a verification result in a barred status the worker, if currently working in a child-related role, will be removed from that role immediately. Should the worker be an employee of Council then the matter will be referred to the General Manager for determination; which depending on the circumstances may also result in termination of employment.

## 8 Definitions

**Child** - a person who is under 16 years of age ([Section 3 of the Children and Young Persons \(Care and Protection\) Act 1998](#))

**Child Related Employment** - Employment that primarily involves direct contact with children in a child related sector, or work in a stipulated, child – related role ([Part 2, Section 6 of the Child Protection \(Working with Children\) Act 2012](#)).

**Prohibited Person** - Someone who has been convicted of a serious sex offence as defined under [Section 5 of the Child Protection \(Prohibited Employment\) Act 1998](#).

# FEDERATION COUNCIL

**Reportable conduct** – Refer [Section 25A of the Ombudsman’s Act 1974](#). (explained further NSW Ombudsman Fact Sheet – Defining Reportable Conduct)

**Vexatious Complaints** - Allegations of child abuse against staff members (by colleagues or members of the public) that are unfounded.

**Working with Children Check** – Includes national police check and review of finding of misconduct involving children resulting in either a clearance or a bar.

**Young Person** -Someone who is aged 16 years or above but who is under the age of eighteen.

## 9 References

<b>Relevant Legislation</b>	<ul style="list-style-type: none"> <li>• <i>Child Protection (Working with Children) Act 2012</i></li> <li>• <i>Child Protection (Working with Children) Regulation 2013</i></li> <li>• <i>Child Protection (Working with Children) Amendment (Miscellaneous) Regulation 2013</i></li> <li>• <i>The Ombudsman Act 1974 (NSW) No. 68</i></li> <li>• <i>Children and Young Persons (Care and Protection) Act 1998</i></li> <li>• <i>Crimes Act 1900 (NSW) No. 40</i></li> <li>• Local Government State Award 1997</li> </ul>
<b>Relevant Council documents and systems</b>	<p>Child Protection Procedures</p> <p>Code of Conduct for Councillors, Staff and Delegates</p> <p>Equal Employment Opportunity Policy</p> <p>Bullying and Harassment Policy</p> <p>Grievance Policy</p> <p>Recruitment and Selection Policy</p> <p>Privacy Management Plan</p> <p>Induction Procedures</p> <p>Council’s Employee Assistance Program</p> <p>Council’s Complaints Handling – Policy and Procedures</p> <p>Social Community &amp; Cultural Plan 2014-2015</p>
<b>Other resources</b>	<p>The <a href="#">Child Wellbeing &amp; Child Protection - NSW Interagency Guidelines</a> (the Guidelines) provide practical guidance on interagency cooperation in child protection.</p> <p><a href="#">Office of the Children’s Guardian</a> Access to the online portal for Working with Children’s checks</p>

## 10 Policy History

The former Corowa and Urana Shires were amalgamated on 12 May 2016. Federation Council is now legally responsible for all activities, assets and liabilities of the former Councils.

# FEDERATION COUNCIL

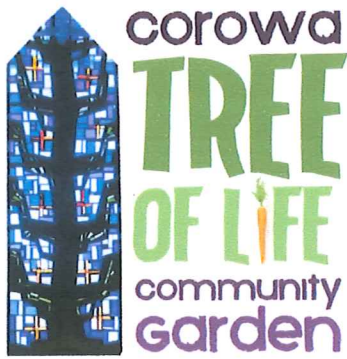
Version	Date	Changes/Amendment
Draft	03/11/2016	Draft of document for Federation Council

**NOTE: This is a controlled document. If you are reading a printed copy please check that you have the latest version by checking it on Councils Electronic Document system. Printed or downloaded versions of this document are uncontrolled.**

DRAFT

*The former Corowa and Urana Shires were amalgamated on 12 May 2016. Federation Council is now legally responsible for all activities, assets and liabilities of the former Councils.*





All correspondence to:  
The Secretary  
Tree of Life Community Garden  
PO Box 267  
COROWA NSW 2646

[www.facebook.com/Treoflifecommunitygardencorow](http://www.facebook.com/Treoflifecommunitygardencorow)

ABN-76234760209  
Incorporation number- INC-1301315  
BSB 082-559 Account 39-416-3469

6-02-2017

Ms. Amber Harvey  
Federation Council  
P.O. Box 177  
Corowa

### Proposed Corowa Men's Shed

#### **Aims and objectives.**

1. To provide a suitable place for men to meet and talk about their lives and problems.
2. To provide an environment where they can build projects for both the community and themselves.
3. To provide a place where these men can mentor the youth, (girls & boys) from Corowa and surrounds.
  - a. With life skills.
  - b. And provide a father figure aspect for youth to look up to and respect, by initiating working groups and workshops to look at the expansion of skills such as: small engines, welding, wood working, painting, plumbing etc.

#### **Developmental aspects.**

The Committee envisage the need to divide the back room into two separate work spaces. (*see drawing*) One for woodworking machines and the other for welding and other similar construction jobs. There should also be two doors fitted to the current openings to seal the area from noise and dust intrusion.

The front room (*looking over the car park*) will be kept for a general assembly area and workspace and should also be able to be converted into a meeting or training area when needed. Benches could be built around some of the outer walled sections while leaving the middle space available for movable benches or tables.

Generally, the outside of the building will be repainted and tidied up to improve the general aesthetics of the building in its current environment. The external lighting will be repaired and the lower glass sections of the front windows (*now painted*) will be covered to prevent accidental breakage from both inside and outside.

There may be some need to install more power points in various places where they might be needed. This will only be apparent when machinery is installed.

The committee sees the running of the Shed being funded initially by grant money and in the long term by fund raising, community donations and the members paying a small subsidy, either weekly or monthly to be part of the facility.

We see this facility being of great asset to Corowa and its community both from a service to the community point of view and also a mental health aspect.

Although this project is being promoted by the Corowa Community Garden and its members it should be noted that it will in time be fully self-governing and self-supporting, having its own management team.

Regards

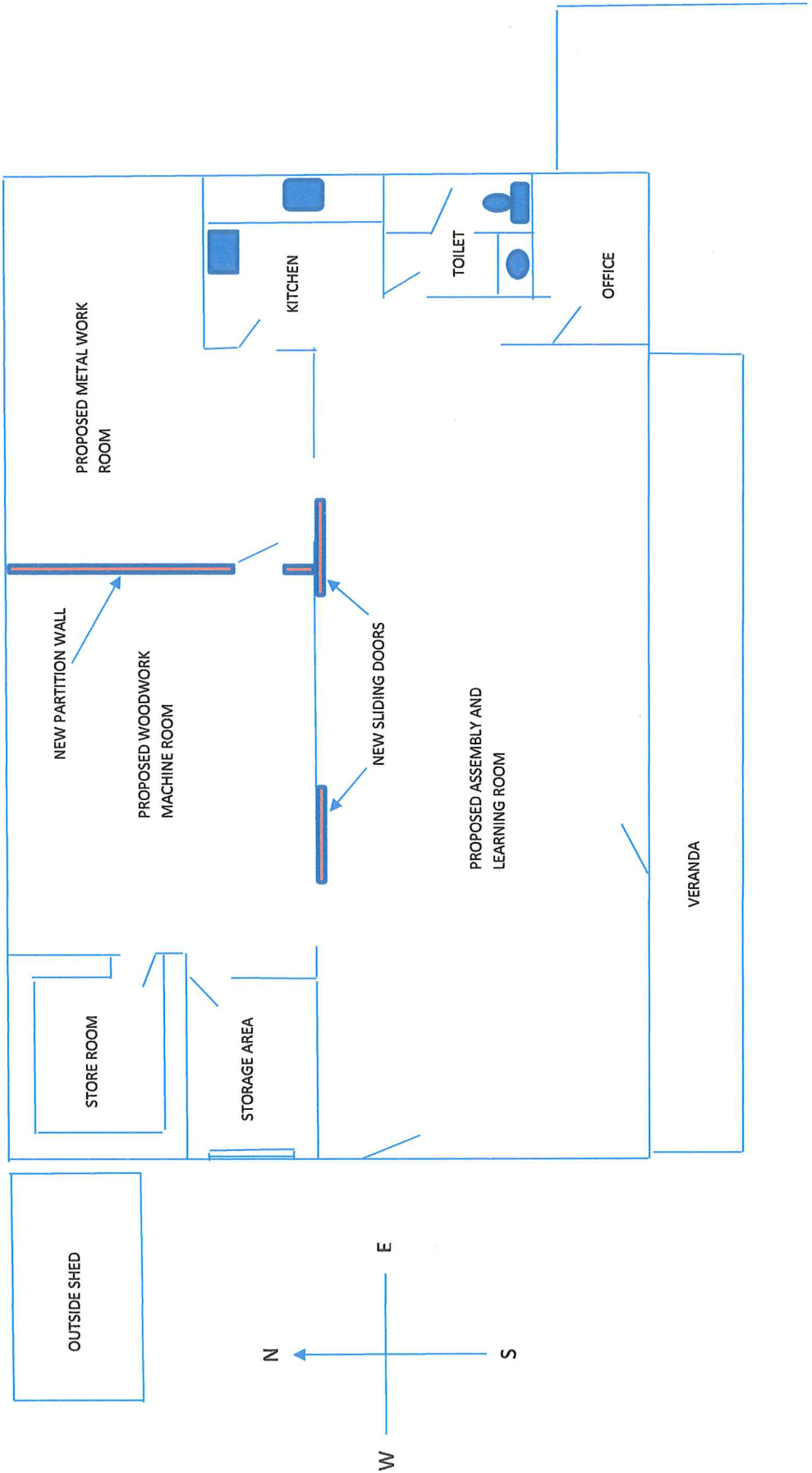
A handwritten signature in black ink, appearing to read 'Lynn Fredericks'. The signature is fluid and cursive, with a large loop at the end.

Regards  
Lynn Fredericks

Secretary of the Corowa Tree of Life - Community Garden

Attachment 6.4.2

Plan drawing of the existing Unit Y building. - NOT TO SCALE-  
The drawing shows the proposed additions in bold with red highlight. (Partition wall & sliding sound proofing doors)





Attachment 7.3.1

# FEDERATION COUNCIL

## QUARTERLY BUDGET REVIEW


For the period ended 31 December 2016

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**Report by Responsible Accounting Officer**

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

It is my opinion that the Quarterly Budget Review Statement for Federation Council for the quarter ended 31/12/16 indicates that Council's projected financial position at 30/6/17 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

**Signed:** 

**date:** 8/11/2016

Shane Norman  
Responsible Accounting Officer

**Income & Expenses Budget Review Statement**

Budget review for the quarter ended 31 December 2016

**Income & Expenses - Council Consolidated**

(\$000's)	Original Budget 2016/17	Approved Changes			Revised Budget 2016/17	Variations for this Dec Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBRS	Sep QBRS					
<b>Income</b>									
Rates and Annual Charges	13,594	-	-	-	13,594	-		13,594	10,618
User Charges and Fees	6,730	-	-	-	6,730	-		6,730	3,250
Interest and Investment Revenues	792	-	-	-	792	-		792	419
Other Revenues	3,077	-	-	-	3,077	-		3,077	1,156
Grants & Contributions - Operating	16,267	-	-	-	16,267	550	1	16,817	10,832
Grants & Contributions - Capital	14,375	-	-	-	14,375	2,815	2	17,190	10,589
Net gain from disposal of assets	32	-	-	-	32	-		32	-
<b>Total Income from Continuing Operations</b>	<b>54,867</b>	-	-	-	<b>54,867</b>	<b>3,365</b>		<b>58,232</b>	<b>36,864</b>
<b>Expenses</b>									
Employee Costs	10,433	-	-	-	10,433	-		10,433	5,062
Borrowing Costs	312	-	-	-	312	-		312	146
Materials & Contracts	13,672	-	-	-	13,672	50	3	13,722	7,601
Depreciation	8,486	-	-	-	8,486	-		8,486	4,242
Other Expenses	2,146	-	-	-	2,146	-		2,146	1,180
Interest & Investment Losses	-	-	-	-	-	-		-	-
Net Loss from disposal of assets	-	-	-	-	-	-		-	-
<b>Total Expenses from Continuing Operations</b>	<b>35,049</b>	-	-	-	<b>35,049</b>	<b>50</b>		<b>35,099</b>	<b>18,231</b>
<b>Net Operating Result from Continuing Operation</b>	<b>19,818</b>	-	-	-	<b>19,818</b>	<b>3,315</b>		<b>23,133</b>	<b>18,633</b>
Discontinued Operations - Surplus/(Deficit)					-			-	
<b>Net Operating Result from All Operations</b>	<b>19,818</b>	-	-	-	<b>19,818</b>	<b>3,315</b>		<b>23,133</b>	<b>18,633</b>
<b>Net Operating Result before Capital Items</b>	<b>5,443</b>	-	-	-	<b>5,443</b>	<b>500</b>		<b>5,943</b>	<b>8,044</b>

## Income &amp; Expenses Budget Review Statement

Budget review for the quarter ended 31 December 2016

## Income &amp; Expenses - General Fund

(\$000's)	Original Budget 2016/17	Approved Changes			Revised Budget 2016/17	Variations for this Dec Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBRS	Sep QBRS					
<b>Income</b>									
Rates and Annual Charges	7,594	-	-	7,594	-		7,594	7,523	
User Charges and Fees	2,366	-	-	2,366	-		2,366	1,289	
Interest and Investment Revenues	370	-	-	370	-		370	218	
Other Revenues	3,047	-	-	3,047	-		3,047	1,141	
Grants & Contributions - Operating	11,059	-	-	11,059	550	1	11,609	5,740	
Grants & Contributions - Capital	4,275	-	-	4,275	2,815	2	7,090	577	
Net gain from disposal of assets	32	-	-	32	-		32		
<b>Total Income from Continuing Operations</b>	<b>28,743</b>	-	-	<b>28,743</b>	<b>3,365</b>		<b>32,108</b>	<b>16,488</b>	
<b>Expenses</b>									
Employee Costs	8,393	-	-	8,393	-		8,393	4,063	
Borrowing Costs	115	-	-	115	-		115	47	
Materials & Contracts	5,769	-	-	5,769	50	3	5,819	4,392	
Depreciation	6,561	-	-	6,561	-		6,561	3,256	
Other Expenses	2,119	-	-	2,119	-		2,119	1,174	
Interest & Investment Losses	-	-	-	-	-		-	-	
Net Loss from disposal of assets	-	-	-	-	-		-	-	
<b>Total Expenses from Continuing Operations</b>	<b>22,957</b>	-	-	<b>22,957</b>	<b>50</b>		<b>23,007</b>	<b>12,932</b>	
<b>Net Operating Result from Continuing Operation</b>	<b>5,786</b>	-	-	<b>5,786</b>	<b>3,315</b>		<b>9,101</b>	<b>3,556</b>	
Discontinued Operations - Surplus/(Deficit)									
<b>Net Operating Result from All Operations</b>	<b>5,786</b>	-	-	<b>5,786</b>	<b>3,315</b>		<b>9,101</b>	<b>3,556</b>	
<b>Net Operating Result before Capital Items</b>	<b>1,511</b>	-	-	<b>1,511</b>	<b>500</b>		<b>2,011</b>	<b>2,979</b>	



**Income & Expenses Budget Review Statement**

Budget review for the quarter ended 31 December 2016

**Income & Expenses - Water Fund**

(\$000's)	Original Budget 2016/17	Approved Changes			Revised Budget 2016/17	Variations for this Dec Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBRS	Sep QBRS					
<b>Income</b>									
Rates and Annual Charges	734	-	-	-	734	-		734	241
User Charges and Fees	3,759	-	-	-	3,759	-		3,759	1,543
Interest and Investment Revenues	203	-	-	-	203	-		203	118
Other Revenues	15	-	-	-	15	-		15	9
Grants & Contributions - Operating	63	-	-	-	63	-		63	27
Grants & Contributions - Capital	50	-	-	-	50	-		50	3
Net gain from disposal of assets	-	-	-	-	-	-		-	-
<b>Total Income from Continuing Operations</b>	<b>4,824</b>	-	-	-	<b>4,824</b>	-		<b>4,824</b>	<b>1,941</b>
<b>Expenses</b>									
Employee Costs	1,120	-	-	-	1,120	-		1,120	494
Borrowing Costs	-	-	-	-	-	-		-	-
Materials & Contracts	2,014	-	-	-	2,014	-		2,014	942
Depreciation	988	-	-	-	988	-		988	545
Other Expenses	-	-	-	-	-	-		-	-
Interest & Investment Losses	-	-	-	-	-	-		-	-
Net Loss from disposal of assets	-	-	-	-	-	-		-	-
<b>Total Expenses from Continuing Operations</b>	<b>4,122</b>	-	-	-	<b>4,122</b>	-		<b>4,122</b>	<b>1,981</b>
<b>Net Operating Result from Continuing Operation</b>	<b>702</b>	-	-	-	<b>702</b>	-		<b>702</b>	<b>(40)</b>
Discontinued Operations - Surplus/(Deficit)					-			-	
<b>Net Operating Result from All Operations</b>	<b>702</b>	-	-	-	<b>702</b>	-		<b>702</b>	<b>(40)</b>
<b>Net Operating Result before Capital Items</b>	<b>652</b>	-	-	-	<b>652</b>	-		<b>652</b>	<b>(43)</b>

**Income & Expenses Budget Review Statement**

Budget review for the quarter ended 31 December 2016

**Income & Expenses - Sewer Fund**

(\$000's)	Original Budget 2016/17	Approved Changes			Revised Budget 2016/17	Variations for this Dec Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBRS	Sep QBRS					
<b>Income</b>									
Rates and Annual Charges	3,735	-	-	-	3,735	-		3,735	1,354
User Charges and Fees	605	-	-	-	605	-		605	418
Interest and Investment Revenues	217	-	-	-	217	-		217	82
Other Revenues	15	-	-	-	15	-		15	6
Grants & Contributions - Operating	65	-	-	-	65	-		65	2
Grants & Contributions - Capital	50	-	-	-	50	-		50	9
Net gain from disposal of assets	-	-	-	-	-	-		-	-
<b>Total Income from Continuing Operations</b>	<b>4,687</b>	-	-	-	<b>4,687</b>	-		<b>4,687</b>	<b>1,871</b>
<b>Expenses</b>									
Employee Costs	843	-	-	-	843	-		843	451
Borrowing Costs	197	-	-	-	197	-		197	99
Materials & Contracts	1,567	-	-	-	1,567	-		1,567	985
Depreciation	936	-	-	-	936	-		936	441
Other Expenses	6	-	-	-	6	-		6	6
Interest & Investment Losses	-	-	-	-	-	-		-	-
Net Loss from disposal of assets	-	-	-	-	-	-		-	-
<b>Total Expenses from Continuing Operations</b>	<b>3,549</b>	-	-	-	<b>3,549</b>	-		<b>3,549</b>	<b>1,982</b>
<b>Net Operating Result from Continuing Operation</b>	<b>1,138</b>	-	-	-	<b>1,138</b>	-		<b>1,138</b>	<b>(111)</b>
Discontinued Operations - Surplus/(Deficit)					-			-	
<b>Net Operating Result from All Operations</b>	<b>1,138</b>	-	-	-	<b>1,138</b>	-		<b>1,138</b>	<b>(111)</b>
<b>Net Operating Result before Capital Items</b>	<b>1,088</b>	-	-	-	<b>1,088</b>	-		<b>1,088</b>	<b>(120)</b>

**Income & Expenses Budget Review Statement**

Budget review for the quarter ended 31 December 2016

**Income & Expenses - Domestic Waste**

(\$000's)	Original Budget 2016/17	Approved Changes			Revised Budget 2016/17	Variations for this Dec Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBRS	Sep QBRS					
<b>Income</b>									
Rates and Annual Charges	1,531	-	-	-	1,531	-	1,531	1,500	
User Charges and Fees	-	-	-	-	-	-	-	-	
Interest and Investment Revenues	2	-	-	-	2	-	2	1	
Other Revenues	-	-	-	-	-	-	-	-	
Grants & Contributions - Operating	80	-	-	-	80	-	80	63	
Grants & Contributions - Capital	-	-	-	-	-	-	-	-	
Net gain from disposal of assets	-	-	-	-	-	-	-	-	
<b>Total Income from Continuing Operations</b>	<b>1,613</b>	-	-	-	<b>1,613</b>	-	<b>1,613</b>	<b>1,564</b>	
<b>Expenses</b>									
Employee Costs	77	-	-	-	77	-	77	54	
Borrowing Costs	-	-	-	-	-	-	-	-	
Materials & Contracts	1,822	-	-	-	1,822	-	1,822	711	
Depreciation	1	-	-	-	1	-	1	-	
Other Expenses	21	-	-	-	21	-	21	-	
Interest & Investment Losses	-	-	-	-	-	-	-	-	
Net Loss from disposal of assets	-	-	-	-	-	-	-	-	
<b>Total Expenses from Continuing Operations</b>	<b>1,921</b>	-	-	-	<b>1,921</b>	-	<b>1,921</b>	<b>765</b>	
<b>Net Operating Result from Continuing Operation</b>	<b>(308)</b>	-	-	-	<b>(308)</b>	-	<b>(308)</b>	<b>799</b>	
Discontinued Operations - Surplus/(Deficit)					-		-		
<b>Net Operating Result from All Operations</b>	<b>(308)</b>	-	-	-	<b>(308)</b>	-	<b>(308)</b>	<b>799</b>	
<b>Net Operating Result before Capital Items</b>	<b>(308)</b>	-	-	-	<b>(308)</b>	-	<b>(308)</b>	<b>799</b>	

**Income & Expenses Budget Review Statement**

Budget review for the quarter ended 31 December 2016

**Income & Expenses - Implementation & Stronger Communities**

(\$000's)	Original Budget 2016/17	Approved Changes			Revised Budget 2016/17	Variations for this Dec Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBRS	Sep QBRS					
<b>Income</b>									
Rates and Annual Charges	-	-	-	-	-	-	-	-	-
User Charges and Fees	-	-	-	-	-	-	-	-	-
Interest and Investment Revenues	-	-	-	-	-	-	-	-	-
Other Revenues	-	-	-	-	-	-	-	-	-
Grants & Contributions - Operating	5,000	-	-	-	5,000	-	-	5,000	5,000
Grants & Contributions - Capital	10,000	-	-	-	10,000	-	-	10,000	10,000
Net gain from disposal of assets	-	-	-	-	-	-	-	-	-
<b>Total Income from Continuing Operations</b>	<b>15,000</b>	-	-	-	<b>15,000</b>	-	-	<b>15,000</b>	<b>15,000</b>
<b>Expenses</b>									
Employee Costs	-	-	-	-	-	-	-	-	-
Borrowing Costs	-	-	-	-	-	-	-	-	-
Materials & Contracts	2,500	-	-	-	2,500	-	-	2,500	571
Depreciation	-	-	-	-	-	-	-	-	-
Other Expenses	-	-	-	-	-	-	-	-	-
Interest & Investment Losses	-	-	-	-	-	-	-	-	-
Net Loss from disposal of assets	-	-	-	-	-	-	-	-	-
<b>Total Expenses from Continuing Operations</b>	<b>2,500</b>	-	-	-	<b>2,500</b>	-	-	<b>2,500</b>	<b>571</b>
<b>Net Operating Result from Continuing Operation</b>	<b>12,500</b>	-	-	-	<b>12,500</b>	-	-	<b>12,500</b>	<b>14,429</b>
Discontinued Operations - Surplus/(Deficit)					-			-	
<b>Net Operating Result from All Operations</b>	<b>12,500</b>	-	-	-	<b>12,500</b>	-	-	<b>12,500</b>	<b>14,429</b>
<b>Net Operating Result before Capital Items</b>	<b>2,500</b>	-	-	-	<b>2,500</b>	-	-	<b>2,500</b>	<b>4,429</b>

## Income &amp; Expenses Budget Review Statement

Budget review for the quarter ended 31 December 2016

## Income &amp; Expenses - Council Consolidated

(\$000's)	Original Budget 2016/17	Approved Changes			Revised Budget 2016/17	Variations for this Dec Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBRs	Sep QBRs					
<b>Income</b>									
General Purpose	12,999	-	-	12,999	-		12,999	10,099	
Administration	2,815	-	-	2,815	-		2,815	1,299	
Public Order & Safety	379	-	-	379	-		379	293	
Health	17	-	-	17	-		17	10	
Environment	2,278	-	-	2,278	-		2,278	2,210	
Community Services & Education	258	-	-	258	-		258	180	
Housing & Community Amenities	437	-	-	437	-		437	238	
Water Supplies	4,824	-	-	4,824	-		4,824	1,941	
Sewer Supplies	4,687	-	-	4,687	-		4,687	1,871	
Recreation & Culture	1,138	-	-	1,138	-		1,138	49	
Manufacturing & Construction	381	-	-	381	-		381	157	
Transport & Communication	6,904	-	-	6,904	3,315	1 & 2	10,219	2,815	
Economic Affairs	2,750	-	-	2,750	50	1	2,800	702	
Implementation & Stronger Communities	15,000	-	-	15,000	-		15,000	15,000	
<b>Total Income from Continuing Operations</b>	<b>54,867</b>	-	-	<b>54,867</b>	<b>3,365</b>		<b>58,232</b>	<b>36,864</b>	
<b>Expenses</b>									
Governance	626	-	-	626	-		626	295	
Administration	4,232	-	-	4,232	-		4,232	2,342	
Public Order & Safety	834	-	-	834	-		834	558	
Health	239	-	-	239	-		239	111	
Environment	3,071	-	-	3,071	-		3,071	1,433	
Community Services & Education	551	-	-	551	-		551	188	
Housing & Community Amenities	1,220	-	-	1,220	-		1,220	468	
Water Supplies	4,122	-	-	4,122	-		4,122	1,993	
Sewer Supplies	3,550	-	-	3,550	-		3,550	1,982	
Recreation & Culture	2,926	-	-	2,926	-		2,926	1,380	
Manufacturing & Construction	1,764	-	-	1,764	-		1,764	941	
Transport & Communication	8,290	-	-	8,290	-		8,290	4,176	
Economic Affairs	1,124	-	-	1,124	50	3	1,174	806	
Implementation & Stronger Communities	2,500	-	-	2,500	-		2,500	571	
<b>Total Expenses from Continuing Operations</b>	<b>35,049</b>	-	-	<b>35,049</b>	<b>50</b>		<b>35,099</b>	<b>17,244</b>	
<b>Net Operating Result from Continuing Operation</b>	<b>19,818</b>	-	-	<b>19,818</b>	<b>3,315</b>		<b>23,133</b>	<b>19,620</b>	
Discontinued Operations - Surplus/(Deficit)				-			-		
<b>Net Operating Result from All Operations</b>	<b>19,818</b>	-	-	<b>19,818</b>	<b>3,315</b>		<b>23,133</b>	<b>19,620</b>	
<b>Net Operating Result before Capital Items</b>	<b>5,443</b>			<b>5,443</b>			<b>5,443</b>	<b>9,474</b>	

**Income & Expenses Budget Review Statement**  
**Recommended changes to revised budget**

Budget Variations being recommended include the following material items:

**Notes Details**

1	Council has received a \$50,000 Grant for the Energise Enterprise program and \$500,000 from the State Government for Flood Works.
2	Council has received grants for roads which included \$1,410,000 for Fixing Country Roads, \$800,000 for HVSP and \$604,500 for Blackspot.
3	Expenditure for the Energise Enterprise program.

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**Capital Budget Review Statement**

Budget review for the quarter ended 31 December 2016

**Capital Budget - Council Consolidated**

(\$000's)	Original Budget 2016/17	Approved Changes			Revised Budget 2016/17	Variations for this Dec Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBRs	Sep QBRs					
<b>Capital Expenditure</b>									
New Assets									
- Plant & Equipment	5	-	-	-	5	-		5	-
- Land & Buildings	160	-	-	-	160	-		160	96
- Other	2,700	-	-	-	2,700	-		2,700	52
Renewal Assets (Replacement)									
- Plant & Equipment	1,154	-	-	-	1,154	-		1,154	746
- Land & Buildings	5,555	312	-	-	5,867	-		5,867	332
- Roads, Bridges, Footpaths	7,674	560	-	-	8,234	3,315	1	11,549	2,346
- Drainage	1,503	25	-	-	1,528	-		1,528	168
- Water Infrastructure	2,672	238	-	-	2,910	-		2,910	518
- Sewer Infrastructure	1,660	86	-	-	1,746	-		1,746	246
- Stronger Communities	2,000	-	-	-	2,000	-		2,000	219
Loan Repayments (Principal)	89	-	-	-	89	-		89	43
<b>Total Capital Expenditure</b>	<b>25,172</b>	<b>1,221</b>	<b>-</b>	<b>-</b>	<b>26,393</b>	<b>3,315</b>		<b>29,708</b>	<b>4,766</b>
<b>Capital Funding</b>									
Rates & Other Untied Funding	8,758	-	-	-	8,758	500	2	9,258	956
Capital Grants & Contributions	6,375	-	-	-	6,375	2,815	3	9,190	2,589
Reserves:									
- External Restrictions/Reserves	-	324	-	-	324	-		324	324
- Internal Restrictions/Reserves	2,205	897	-	-	3,102	-		3,102	897
New Loans	3,500	-	-	-	3,500	-		3,500	-
Receipts from Sale of Assets									
- Plant & Equipment	32	-	-	-	32	-		32	-
- Land & Buildings	-	-	-	-	-	-		-	-
<b>Total Capital Funding</b>	<b>20,870</b>	<b>1,221</b>	<b>-</b>	<b>-</b>	<b>22,091</b>	<b>3,315</b>		<b>25,406</b>	<b>4,766</b>
<b>Net Capital Funding - Surplus/(Deficit)</b>	<b>(4,302)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(4,302)</b>	<b>-</b>		<b>(4,302)</b>	<b>-</b>

**Capital Budget Review Statement**  
**Recommended changes to revised budget**

Budget Variations being recommended include the following material items:

**Notes Details**

1	Capital Expenditure for roads which included \$1,410,000 for Fixing Country Roads, \$800,000 for HVSP, \$500,00 for Flood Repairs and \$604,500 for Blackspot.
2	Grant funding from State Government for Flood Repairs
3	Grants received for roads which included \$1,410,000 for Fixing Country Roads, \$800,000 for HVSP and \$604,500 for Blackspot.



**Cash & Investments Budget Review Statement**

Budget review for the quarter ended 31 December 2016

**Cash & Investments - Council Consolidated**

(\$000's)	Original Budget 2016/17	Approved Changes			Revised Budget 2016/17	Variations for this Dec Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBRS	Sep QBRS					
<b>Externally Restricted <sup>(1)</sup></b>									
Developer Contributions - General	435	-	-	435	-		435	435	
Developer Contributions - Water	220	-	-	220	-		220	220	
Developer Contributions - Sewer	177	-	-	177	-		177	177	
Water Supplies	6,298	(238)	-	6,060	-		6,060	7,058	
Sewerage Services	6,928	(86)	-	6,842	-		6,842	4,424	
Domestic Waste	70	-	-	70	-		70	628	
Implementation & Stronger Communities Fund	10,500	-	-	10,500	-		10,500	14,337	
<b>Total Externally Restricted</b>	<b>24,628</b>	<b>(324)</b>	<b>-</b>	<b>24,304</b>	<b>-</b>		<b>24,304</b>	<b>27,279</b>	
(1) Funds that must be spent for a specific purpose									
<b>Internally Restricted <sup>(2)</sup></b>									
Plant & Vehicle Replacement	951	-	-	951	-		951	951	
Employees Leave Entitlement	976	-	-	976	-		976	976	
Carry Over Works	1,202	(897)	-	305	-		305	643	
Building / Office Equipment	601	-	-	601	-		601	601	
Gravel Pits Restoration	435	-	-	435	-		435	435	
Cemetery Improvement	31	-	-	31	-		31	31	
Economic Development	94	-	-	94	-		94	94	
Insurance	200	-	-	200	-		200	200	
Waste Management	575	-	-	575	-		575	575	
<b>Total Internally Restricted</b>	<b>5,065</b>	<b>(897)</b>	<b>-</b>	<b>4,168</b>	<b>-</b>		<b>4,168</b>	<b>4,506</b>	
(2) Funds that Council has earmarked for a specific purpose									
<b>Unrestricted</b> (ie. available after the above Restrictic	4,277	-	-	4,277	-		4,277	12,549	
<b>Total Cash &amp; Investments</b>	<b>33,970</b>	<b>(1,221)</b>	<b>-</b>	<b>32,749</b>	<b>-</b>		<b>32,749</b>	<b>44,334</b>	

**Cash & Investments Budget Review Statement**

**Investments**

Investments have been invested in accordance with Council's Investment Policy.

**Cash**

The Cash at Bank figure included in the Cash & Investment Statement totals \$44,334

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.  
The date of completion of this bank reconciliation is 31/12/16

**Reconciliation Status**

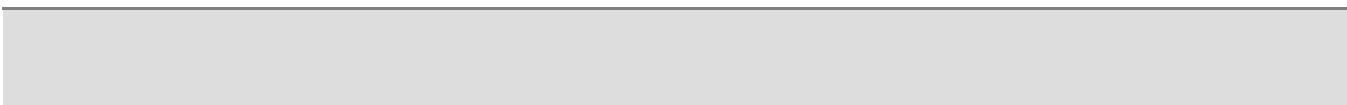
The YTD Cash & Investment figure reconciles to the actual balances held as follows:		<b>\$ 000's</b>
Cash at Bank (as per bank statements)		1,599
Investments on Hand		42,723
less: Unpresented Cheques	(Timing Difference)	-
add: Undeposited Funds	(Timing Difference)	12
<b>Reconciled Cash at Bank &amp; Investments</b>		<b>44,334</b>
<b>Balance as per Review Statement:</b>		<b>44,334</b>
Difference:		-

**Recommended changes to revised budget**

Budget Variations being recommended include the following material items:

**Notes    Details**

Nil



**Contracts Budget Review Statement**

Budget review for the quarter ended 31 December 2016

**Part A - Contracts Listing** - contracts entered into during the quarter

<b>Contractor</b>	<b>Contract detail &amp; purpose</b>	<b>Contract Value</b>	<b>Start Date</b>	<b>Duration of Contract</b>	<b>Budgeted (Y/N)</b>	<b>Notes</b>
Walsh Wodonga	Maintenance Grading	53,350	08/11/16	2mths	Y	
Pigdons	3 Vehicles for Water & Sewerage	88,681	02/12/16	1mth	Y	
Insight Engineering Aust	Equipment for Telemetry System	72,095	01/10/16	1mth	Y	

Notes:

1. Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000 - whatever is the lesser.
2. Contracts listed are those entered into during the quarter being reported and exclude contractors on Council's Preferred Supplier list.
3. Contracts for employment are not required to be included.

# **Swimming Pool Inspection Program**

# FEDERATION COUNCIL



<b>Title:</b>	SWIMMING POOL INSPECTION PROGRAM
<b>Council Adopted:</b>	Yet to be adopted
<b>Council Resolution No:</b>	Yet to be adopted
<b>Responsible Department:</b>	Planning and Environment
<b>Date to be Reviewed:</b>	5 years after adoption or after legislative change

## Policy History

Version	Date	Changes/Amendments
Draft	13 February 2017	Development of document for Federation Council

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## INTRODUCTION

### Purpose

The Swimming Pools Act 1992, Section 22B requires the development and adoption by Federation Council of a program for the inspection of swimming and spa pools in its area to ensure compliance with the requirements of Part 2 – access to swimming pools – of the Swimming Pools Act 1992.

### Relevant Legislation and Council Policies

The legislation, regulation, standards and Council Policies that apply to this Swimming Pool Safety Inspection Program include:

- ~ Swimming Pools Act 1992
- ~ Swimming Pools Regulation 2008
- ~ Swimming Pools Amendment Act 2012
- ~ Swimming Pools Amendment (Consequential Amendments) Regulation 2013
- ~ Building Code of Australia
- ~ Australian Standards AS1926.1
- ~ Australian Standards AS1926.2
- ~ Federation Council Revenue Policy

### Background

A comprehensive review of swimming pool legislation has been undertaken by the NSW Division of Local Government. The change in legislation has been brought about because of the rate of preventable drowning's and near drowning's in privately owned swimming pools and the high rate of non-compliance of swimming pool barriers in NSW.

Under the legislation local government has a regulatory responsibility for swimming and spa pool safety. Federation Council is required to develop and implement a locally appropriate swimming pool inspection program in consultation with the community, for privately owned swimming pools.

### The Importance of Pool Safety

Swimming and spa pools offer a social amenity that is of great benefit to those who have use and access to it. With this however goes an obligation outlined in legislation to maintain the pool in a safe manner.

The regulatory regime of pools and spas on private property has been the subject of ongoing legislative review and reform since 2008 due to the tragic increase of infant and toddler injury and death in swimming and spa pools.

Children aged 4 years and under are the most vulnerable. They are completely dependent on their parents or carers for their safety. The personal and social cost associated with the death of a vulnerable child is enormous and cannot be adequately described. The death of a young child in circumstances that could have been prevented is a tragedy for all.

## Swimming Pool Registration

### To what properties does this program apply?

The program applies to swimming pools, both indoor and outdoor, and spas that are situated or installed, on a premises on which a residential building, a moveable dwelling or tourist and visitor accommodation is located, but does not apply to swimming pools and spas that are situated, or proposed to be constructed or installed, on any premises occupied by the crown or by a public authority.

### Is registration of a swimming pool compulsory?

The owner of the premises on which a swimming pool or spa is located must register their pool(s) on an online register provided by the Department of Local Government. The owner is also required to self-assess, and state in the register that, to the best of their knowledge, their swimming pool barrier complies with the applicable standard when registering their pool.

## The Inspection Program

### Introduction

Federation Council are required to have in place and to implement a program of swimming pool inspections. The purpose of inspections is to issue a certificate indicating that the pool barriers in place comply with pool safety requirements

### In what circumstances will Council inspect swimming pools and spa pools as part of the barrier inspection program?

Circumstance Requiring Inspection	Time Frame For Inspection
<b>Mandatory Inspections – Perceived high risk scenarios</b>	
Where the swimming pool or spa barrier is subject of a complaint	3 working days
Where a request has been received to inspect the pool barrier by the owner for pool registration	3 working days
Where a request has been received to inspect the pool barrier by the owner or an agent of the owner prior to the sale or lease of the premises.	5 working days
Where an inspection by a Council officer reveals an inadequately fenced pool or spa or unauthorised pool or spa at the subject premises or at a neighbouring premises	3 working days
Where the premises is subject of a Building Certificate inspection, regardless if it relates to the swimming pool or spa.	5 working days



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Pools associated to multi-unit developments	3 yearly intervals
Child care centre/family day care or premises accessed regularly by children other than domestic purposes.	3 yearly intervals
Pools associated to tourist and visitor accommodation	1 yearly intervals to coincide with the Public Health Act requirements associated to water quality guidelines for public swimming pools.
Where Council has been informed that a swimming pool has been removed from the state register	5 working days
<b>Non-Mandatory Inspections – Perceived low risk scenarios</b>	
Where a swimming pool exists on premise subject to a Development Application	As staff resources are available
Where a swimming pool exists on a premises subject to a complying Development Certificate Application lodged with Council	As staff resources are available
Random inspections of any other registered pool that is not considered high risk.	As staff resources are available

## In what circumstances will Council not inspect a swimming pool barrier?

Random inspections will not be undertaken on a swimming pool or spa in respect of which there is a valid certificate of compliance or a relevant occupation certificate. A relevant occupation certificate is an occupation certificate issued under the Environmental Planning and Assessment Act 1979 that is less than 3 years old and that authorises the use of the swimming pool.

## What type of swimming pools and spa pool structures are subject of the barrier inspection program?

Swimming pools including inflatable pools which are capable of being filled to a depth of water greater than 300mm and Spa pools

## Inspection fees

The Swimming Pool Act provides that Federation Council may charge a fee for inspection conducted by an authorised officer, being a fee that is not greater than the maximum fee prescribed by the swimming pools regulation. In such cases Federation Council may not charge a separate fee for issuing a certificate of compliance.

In addition, the Swimming Pools Act provides that Council may charge a fee for one reinspection.

Council will charge a fee of \$150 for an initial inspection (which includes the issue of a certificate of compliance of compliance for complying pool fences) and \$100 for one follow up inspection. Council will not charge additional fees for the conduct of subsequent inspections.

This approach is seen as being the fairest way to inspect pools across the city without passing compliance costs on to residents who don't have a pool.

## **What is a Pool Certificate of Compliance?**

A Certificate of Compliance is issued once a pool and/or spa has been inspected against the relevant pool safety requirements. A pool certificate of compliance is valid for a period of three years. A pool may be inspected more frequently if a complaint has been received with respect to pool safety or there is good reason to suspect the pool no longer complies with the pool safety requirements.

## **What happens if a Pool Certificate of Compliance cannot be issued?**

A Pool Certificate of Compliance cannot be issued if the pool does not meet the various requirements under the applicable standards. In such a case either Council or an accredited certifier must issue a notice specifying the works required. If the works are not undertaken or the pool cannot pass a subsequent inspection, then a Penalty Infringement Notice may be issued. Continuing refusal to comply could result in legal action.

## **What is the “applicable standard” that applies?**

In certain, very limited circumstances an older pool may be exempted from the current pool safety standards. The rules around exemptions are many and can be quite complex. An exemption may apply to a swimming pool provided the owner can demonstrate that the pool has always complied with the swimming pool standard at the time the pool was installed.

The exemption is lost if the pool has not continuously been maintained to the standard at the time of installation or if significant building works have taken place elsewhere on the site. In such cases the pool must be upgraded to the current standard.

## **What are the relevant standards for swimming pool and spa barriers?**

All swimming pools are at all times to be surrounded by a child resistant barrier that separates the swimming pool from any residential building situated on the premises and from any place (whether public or private) adjoining the premises, and that is designed, constructed, installed and maintained in accordance with the standards prescribed by the Swimming Pools Regulations.

Generally this means that a child resistant barrier is required to comply with the Swimming Pools Act 1992 and the relevant Australian Standard 1926.

Access to spa pools is to be restricted in accordance with the Swimming Pools Act 1992 which includes being fitted with a lockable lid.

## **What is the methodology of investigating complaints?**

An authorised officer will firstly check whether a life threatening circumstance exists, and if so determine an immediate course of action. In the event the incidence is not considered immediately life threatening, the matter will be prioritised accordingly by the authorised officer.

## **What is the methodology of undertaking random inspections?**

Council will compare its records with the public register held by the Division of Local Government to identify swimming pools and spas which have not been registered. Council will then contact the owners of unregistered pools in writing to arrange a suitable time for an inspection. If no contact is made Council

will then utilise its entry powers under the Swimming Pools Act and Local Government Act to inspect these swimming and spa pools and the surrounding child resistant barrier.

In addition to the above and where resources permit, Council will undertake random inspections of child resistant barriers surrounding swimming pools. Pool owners who have been selected will be notified in writing prior to the inspection.

## **What are the standard investigation and inspection procedures?**

In determining the extent of the upgrade and the period of compliance, the following factors will be taken into consideration:

- ~ Whether there is an immediate threat to life safety
- ~ Accessibility from public land
- ~ The year the pool was constructed
- ~ Conditions of approval relating to the pool and barrier
- ~ The condition of the existing pool barrier
- ~ The location of the swimming pool and the barrier
- ~ Any special characteristics or uses of the pool e.g. a physiotherapy pool
- ~ The type and use of building on the site where the pool is constructed
- ~ Previously issued compliance certificates, occupation certificates and building certificates
- ~ The relevant legislation and Australian Standards

The rules of evidence collection apply and are critical in the event that an immediate threat to life safety is present and/or if enforcement action is required to rectify a breach.

The Swimming Pools Act 1992 has very specific provisions in terms of pool safety compliance. Specifically for taking action after investigations, the Notices, Directions, Penalty Infringement Notices and Offences provisions under the Act are applicable.

In addition, the following procedures will generally apply:

- i) Owners of swimming and spa pools will be contacted by Council to arrange a time for an inspection of the premises and pay appropriate inspection fees.
- ii) Swimming pools and barriers will be inspected by Council's officer in the presence of owners or their representatives (if preferred).
- iii) Photos and/or videos may be taken of the pool fence for record purposes.
- iv) Where it is identified there are outstanding pool safety matters, Council will issue a Notice of Intention, followed by a Direction under Section 23 of the Swimming Pools Act. Where there is an immediate safety threat a Direction will be served without a preceding Notice of Intention.
- v) The Direction will outline what works are required and give a prescribed period of time for the works to be completed. Council may review the time period for completion where it is considered reasonable to do so. All requests for extension in time are to be in writing and must provide reasons for such a request, including a schedule for completion of the works if appropriate.
- vi) An owner who is the recipient of a Direction has a right of appeal to the Land and Environment Court.

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- vii) Failure to carry out the works within the prescribed period may result in the issue of Penalty Infringement Notices and/or the instigation of legal proceedings to enforce Councils Direction.
- viii) Inspection fees will be charged in accordance with Council's Schedule of Fees and Charges and the requirements of the Swimming Pools Act and Regulations thereunder.

Council will view pool safety offences as serious and issue Notices and Directions as standard procedure. Penalty notices will be issued at the discretion of the authorised officer.

## Ongoing education and awareness

Pool owner education and awareness is essential in contributing to the success of the inspection program.

An ongoing and complementary community education and awareness program will be delivered through community publications, media releases, website information, owner self-assessment pool fence checklists and public interaction with the pool safety inspection officers.

## Definitions

<b>Barrier:</b>	means a fence or a wall, and includes: <ul style="list-style-type: none"><li>a) Any gate or door set in the fence or wall, and</li><li>b) Any other structure or thing declared by the regulations to be a barrier for the purposes of the Swimming Pools Act.</li></ul>
<b>Certificate of compliance:</b>	means a certificate issued under Section 22D of the Swimming Pools Act.
<b>Direction:</b>	The local authority may, by order in writing served on the owner of any premises in or on which a swimming pool is situated, direct the owner to take, within such reasonable time as is specified in the direction, such measures as are so specified to ensure that the swimming pool or premises comply with the requirements of Part 2 of the Swimming Pools Act.
<b>Emergency Direction:</b>	A direction given where there is serious risk to safety. An emergency direction can require immediate action without service of a notice of intention beforehand.
<b>Notice of Intention:</b>	Before giving a direction, the local authority who gives the direction must give notice to the person to whom the direction is proposed to be given of the intention to give the direction.
<b>Relevant Occupation Certificate:</b>	In respect of a swimming pool means an occupation certificate issued under the Environmental Planning and Assessment Act 1979 that is less than 3 years old and that authorises the use of the swimming pool.

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## **Residential building:**

means a building (such as a dwelling-house, residential flat building or boarding-house) that is solely or principally used for residential purposes, and includes any structure (such as a garage or shed) that is ancillary to any such building, but does not include:

- a) A building that merely forms part of a complex of buildings (such as a school or recreational centre) that is principally used for non-residential purposes, or
- b) A moveable dwelling, or
- c) Tourist and visitor accommodation, or
- d) A shed that is ancillary to a swimming pool and the primary purpose of which is to store equipment that is used in connection with the swimming pool (but not a shed of a kind prescribed by the regulations), or
- e) A building or structure of a kind prescribed by the regulations.

## **Spa pool:**

includes any excavation, structure or vessel in the nature of a spa pool, flotation tank, tub or the like.

## **Swimming pool means an excavation, structure or vessel:**

- a) That is capable of being filled with water to a depth greater than 300 millimetres, and
- b) That is solely or principally used, or that is designed, manufactured or adapted to be solely or principally used, for the purpose of swimming, wading, paddling or any other human aquatic activity, and includes a spa pool, but does not include a spa bath, anything that is situated within a bathroom or anything declared by the regulations not to be a swimming pool for the purposes of the Swimming Pool.

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