



ORDINARY COUNCIL MEETING

Wednesday 20 November, 2024

at 9:00am

Council Chambers, 56 Chanter Street, Berrigan



Agenda

Our Vision

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

COMMUNITY STRATEGIC PLAN

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

CO. Our Community

EC. Our Economy

EN. Our Environment

IN. Our Infrastructure

CL. Our Civic Leadership

The Community Strategic Plan can be found here: [Community Strategic Plan 2040](#)

RISK MANAGEMENT POLICY & FRAMEWORK

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

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

The Risk Management Policy & Framework can be found here:

[Risk Management Policy and Framework](#)



Ordinary Council Meeting
Wednesday 20 November, 2024

BUSINESS PAPER

The Ordinary Council Meeting of the Shire of Berrigan will be held in the Council Chambers, 56 Chanter Street, Berrigan, on Wednesday 20 November, 2024 when the following business will be considered:-

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



KARINA EWER
CHIEF EXECUTIVE OFFICER



1 OPENING OF MEETING

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

Confidential matters of Council will not be audio recorded.

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

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

2 ACKNOWLEDGEMENT OF COUNTRY

"We acknowledge the original inhabitants whose country we are gathered on, and we pay respect to the elders, past, present, and future and extend respect to all first nations people."

STATEMENT OF ETHICAL OBLIGATIONS

In accordance with section 233A of the *Local Government Act 1993*, the Mayor and Councillors are bound by the Oath or Affirmation of Office made at the start of Council term, to undertake their civic duties in the best interests of the people at Berrigan Shire Council. They must faithfully and impartially carry out the functions, powers authorities and discretions vested in them under the Local Government Act 1993 or any other Act, to the best of their ability and judgement.

DISCLOSURES OF INTEREST

Pursuant to the provisions of the Local Government Act 1993, the Berrigan Shire Council Code of Meeting Practice and the Berrigan Shire Code of Conduct; Councillors are required to disclose and manage both pecuniary and non-pecuniary interests of any matter on the agenda for this meeting. In both cases, the nature of the interest must be disclosed.



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

3.1 Apologies/Leave of Absence

Nil

3.2 Applications for Leave of Absence

3.3 Attendance Via Audio-Visual Link

Nil

4 CONFIRMATION OF PREVIOUS MINUTES

Recommendation: That the minutes of the Ordinary Council Meeting held in the Council Chambers Wednesday 16 October, 2024 be confirmed.

Recommendation: That the minutes of the Extraordinary Council Meeting held in the Council Chambers Monday 21 October, 2024 be confirmed.

5 DISCLOSURES OF INTERESTS



6 MAYORAL MINUTE(S)

6.1 Mayoral Minute - Albury Wodonga Health Advocacy

Author: Mayor, Julia Cornwell McKean
Appendices: Nil

Recommendation

That Council supports the ongoing advocacy of Albury City for the implementation of all recommendations and outputs of Albury Wodonga Health's *2021 Clinical Services Plan*

Background

As was the case with the Finley Hospital redevelopment, a Clinical Services Plan has been prepared for Albury Wodonga Health reflecting the needs of the service's catchment into the future.

Again, as is the case with the Finley Hospital redevelopment, the plans for Albury Wodonga Health put forward fail to deliver on the recommendations of the Clinical Services Plan.

The Albury Wodonga Clinical Services Plan can be found at the link below:

[AWH Service Plan DRAFT](#)

It is clear this is another case of health inequity in the regions and is inconsistent with the quintuple aims for health care improvements which introduced a fifth aim of 'health equity' following the COVID-19 pandemic.

At our recent RAMJO meeting, all Councils were asked to support Albury City's continued advocacy for fair and equitable access to health care in regional NSW. This Mayoral Minute provides the requested support.



7 REPORTS OF COMMITTEES

7.1 Local Traffic Committee - Minutes

Author:	Operations Manager - Transport, Darron Freund
Strategic Outcome:	IN. Our Infrastructure
Strategic Objective:	IN-B. We can move through our shire, and to other places with ease
Delivery Program:	IN.1. Improve the road network to ensure safety, and connectivity.
Council's Role:	Strategic Partner: The Council partners with other agencies, stakeholders, community groups etc in the delivery of a Council provided service or activity that aligns with Councils Strategic outcomes or Delivery Program.
Appendices:	<ol style="list-style-type: none">1. Local Traffic Committee Meeting Minutes - 14.11.2024.pdf (under separate cover)2. LTC Appendices - 14.11.2024.pdf (under separate cover)

Recommendation

That Council adopt the following recommendations from the Local Traffic Committee meeting held on Thursday 14 November 2024.

- LTC1.** Council approve the application made by Mild 2 Wild Rod and Custom Club to hold the Mild 2 Wild Murray River Rod Run 2025 and temporary road closure between 6.00pm – 10.30pm of Deniliquin Road, Crowley Street and Anzac Avenue Tocumwal, subject to receiving a current certificate of currency for public liability.
- LTC2.** Council note that Transport for NSW has undertaken a comprehensive review of the speed zones on both Murray Street and Racecourse Road, Tocumwal including attending and conducting a site inspection with Council officers. The advice of Council officers and feedback from Police was given careful consideration in conducting the review, which is now progressing through the approval processes as per the NSW Speed Zoning Standard. Further advice will be provided at the conclusion of that process.

Background

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

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



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

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

Report

A copy of the business papers from the meeting held on Thursday 14 November 2024 are attached as Appendix 1.



8 REPORTS TO COUNCIL

8.1 Councillor requests - October 2024

Author:	Customer Communications Coordinator, Kayleigh Nolen
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	Nil

This report is for information only.

Report

This report is to provide the council with an update on councillor requests as per the councillor access to information and staff interaction policy.

This is the first report provided under this policy to coincide with the new term of council. Going forward this report will be provided monthly.



Works Request Number	Logged Date	Closed Date	Fault/request Type	Service Details	Progress Comments	Resolution Comments	Requested by
8925	04/11/2024	-	Tree inspection	He pointed out a gum on the other side of the road looking a bit unhealthy it is right beside a power box for what looks like a sewage pump station Could we get them to have a look at it.	Inspection required, tree report to be conducted.	-	Cr Stringer
8864	21/10/2024		Signage	sign for carpark in toilets Finley IGA Edwards Car Park	-	-	Cr Healy
8863	21/10/2024	29/10/2024	Signage	TAFE sign outside of the Tuppal needs replacing.	-	Works completed	Cr Ngatoko
8862	21/10/2024	05/11/2024	General Enquiry	Complaint that his Business has had their two old bins taken away and 2 new bins returned with an increase in fees ensure the meeting arranged occurs.	-	I have replied by email to Cr. John Stringer advising on increased costs. Also advised on business customers can opt out the bin service should they find expensive. Offered to discuss further.	Cr Stringer
8861	21/10/2024	29/10/204	Enquiry	It appears a certificate has not been issued yet for something requested some time ago, follow up as to what needs to happen if anything	-	Rang the customer and explained the BIC process. Emailed Cr. closed off	Cr Stringer
8860	21/10/2024	05/11/2024	General Enquiry	Are pill packs recyclable? what to do people do with blister packs as the boxes have been removed recently.	-	Replied to Cr John Stringer on pill packs recyclable. We have investigated this to assist on recycling the pill (blister packs). Unfortunately, this has a small volume and not feasible to assist one pharmacy shop. However, this is part of the pharmacy shop compliance requirement to recycle the pill packs. Council is unable to assist on this as we have other bigger and high-volume recycling items. Offered to discuss further in person.	Cr Stringer



8859	21/10/2024	-	Slashing Required	Also, now while there is no crop in the paddock behind the second dam, could the bush/shrub tree growth that was sprayed some time ago could that be checked to ensure it is not encroaching into the farmer land again.	Will catch up with her at workshop this week, then close off	-	Cr Paine
8857	21/10/2024	-	Slashing Required	Just wondering how often 'or" If we have a scheduled plan to mow the area of the town retention dams on the Riverina Highway?	Will catch up with her at workshop this week, then close off	-	Cr Paine
8801	08/10/2024	29/10/2024	Request	Vehicles have grown since the carpark was installed and, as a result, often stick out on to the road. During the busy early morning period protruding vehicles and the island crossing are creating difficulties for cars and pedestrians travelling down/across Lawson Drive. This is especially so where a vehicle parks at an angle at the island crossing end of the carpark when the carpark is full.	-	Council to consider the pony rail barriers around Barooga as a possible project for maintenance in the 25-26 financial year budget development and operational plan process.	Cr Brooker & Mayor Julia
8755	25/09/2024	-	Damages	The sandbags have moved at Tocumwal jetty, and they are catching boats	Monitoring and waiting for water levels to drop	-	Cr Stringer
8737	18/09/2024	-	Kerbside Collection	Petition for the removal of waste collection in Honniball drive Tocumwal.	Awaiting Legal advice. Councillor Stringer has been notified.	-	Cr Stringer



8.2 Complaint Management Policy

Author:	Customer Communications Coordinator, Kayleigh Nolen
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.1. Improve Council processes to make doing business with Council easier.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	1. Draft Complaint Management Policy

Recommendation

That Council adopt the Complaint Management Policy attached to this report.

Purpose

This report asks Council to consider the adoption of a Complaint Management policy.

Summary

The Complaint Management Policy establishes a structured framework for effectively addressing complaints. It focuses on providing fair and timely resolutions, which will enhance service delivery and foster positive relationships with residents. By adopting this policy, the Council ensures that complaints are treated seriously and managed transparently, ultimately strengthening community trust and engagement.

Background

The proposed policy sets out how complaints are managed to ensure concerns are treated seriously and complaints are addressed in a fair and timely manner. It highlights a fair and timely resolution process, enabling the Council to respond effectively to the needs of residents. By implementing this policy, officers aim to improve service delivery and build stronger relationships with the community.

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

The proposed policy supports the Delivery Program Objective CL.1: Improve Council processes to *make doing business with the Council easier*. This aligns with our commitment to enhancing community engagement and service quality Everything we do.



Issues and Implications

Policy

The proposed policy aligns with our strategic objectives and enhances our service delivery.

Financial

Implementation costs will be minimal and will be absorbed within the existing budget.

Legal / Statutory

The policy complies with the Local Government Act. It's important to note that the Ombudsman may intervene if complaints are not adequately addressed.

Community Engagement / Communication

The Council will engage the community through:

- Clear communication regarding the complaint process when rolling out this policy.
- Website and social media

Human Resources / Industrial Relations

N/A

Risks

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

1. Reputational

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

This policy aims to mitigate reputational risks by enabling timely and effective complaint resolution.

2. Governance

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



E	Low	Low	Medium	Medium	High
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Non-compliance with Council’s statutory obligations could see action taken against Council.

3. Financial

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

Implementing a complaint management policy may involve financial risks such as moderate implementation costs, potential operational disruptions, some liability from mishandled complaints, and adjustments in resource allocation.

Options

1. Council can adopt the policy as attached – **Recommended.**
2. Council can make revisions to the policy or request staff revise and bring back to a future meeting.
3. Council can choose not to adopt a policy.

Conclusions

The adoption of the Complaint Management Policy will provide a structured approach to addressing community concerns and enhance the overall service quality provided by the Council. By ensuring that complaints are handled fairly and transparently, the Council will build trust and improve its relationship with residents.



Policy

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COMPLAINT MANAGEMENT

Strategic Outcome:	CL. Our Civic Leadership	
Policy type	Strategic	
Date of Adoption:	3 August 2024	Minute Number:
Date for Review:	3 August 2028	
Responsible Officer:	Director Corporate Services	
Document Control:	Initial adoption	
Delivery Program Link:	CL1 Improve council processes to make doing business with Council easier	

1. POLICY STATEMENT

The Complaints Management Policy sets out how complaints are managed to ensure concerns are treated seriously and complaints are addressed in a fair and timely manner.

This policy covers complaints about Council's processes, procedures, policies or quality of services as distinct from Council's services, or from matters such as reporting corruption or misconduct of elected officials. Council has adopted the Code of Conduct, which includes procedures for reporting and investigation of breaches of the code of conduct by Councillors and Council staff.

The Policy acknowledges the rights of members of the public to provide feedback about Council services, processes, procedures or policies. The expression of a complaint by a member of the public provides an opportunity for Council to:

- improve its level of accountability to the community,
- obtain valuable feedback on its performance as an organisation,
- demonstrate its commitment to customer service by professionally addressing the specific needs of the complainant,
- identify deficiencies in its current service delivery programmes, and
- identify areas for improvement.



Policy

2. PURPOSE

This policy defines and details the nature of complaints and how they are managed by Council. The Complaints Management Policy details:

- the process for lodging complaints,
- types of complaints,
- the three-tier complaint handling system, which includes internal and external reviews and
- managing unreasonable complainant conduct.

3. SCOPE

This policy applies to complaints regarding all Council services, actions, plans, policies and procedures.

4. OBJECTIVE

This policy is designed to assist with the delivery of Delivery Program Objective CL.1:

Improve council processes to make doing business with Council easier.

5. DEFINITIONS

Public Officer - As defined in section 342 and 343 of the Local Government act.

Complaint - An expression of dissatisfaction with matters that fall within the scope of this policy.

A complaint may relate to a specific incident or issue involving Council, or to matters of a more philosophical or general nature, regarding Council's processes and/or procedures.

A complaint does not include:

- a request for Council services,
- a request for information or explanation of policies or procedures or decisions of Council,
- reports of damaged infrastructure,
- reports of hazards,
- reports concerning neighbors or neighboring property (e.g., noise or unauthorized works), or
- the lodging of an appeal in accordance with Council procedure or policy.

When reading and implementing this policy, Council staff should be mindful of the following documents:



Policy

- NSW Ombudsman (2012) Managing Unreasonable Complainant Conduct Manual (Unreasonable Complainant Conduct Manual)
https://www.ombo.nsw.gov.au/_data/assets/pdf_file/0008/125756/Managing-unreasonable-conduct-by-a-complainant-manual.pdf

6. POLICY IMPLEMENTATION

6.3 Lodging Complaints

Complaints must be lodged with Council in writing (including by email or via Council's online request system) to the Public Officer.

Complaints must include the name, address and contact number of the complainant and a brief description of the problem.

If a Councillor receives a complaint, the Councillor should refer the matter directly to the Chief Executive Officer as per Council's Code of Conduct.

6.4 Confidentiality

The delegated officer will ensure confidentiality is maintained regarding complaints received. Every endeavor will be made to treat all complaints confidentially, however, due to statutory and other requirements, confidentiality cannot always be guaranteed.

Staff receiving and recording complaints alleging corrupt conduct, pecuniary interest, maladministration or improper use of position, must ensure all allegations contained therein are referred directly to the Chief Executive Officer, and not discussed thereafter.

Council will ensure reporting of complaints about Council activities will not result in the complainant experiencing any form of victimisation, or retribution as a result of the complaint.



Policy

6.5 Types of complaints

The table below describes the various types of complaints Council may receive.

Complaints against staff	Complaints made against a member of staff are to be directed to the Chief Executive Officer (CEO) and dealt with in accordance with the Code of Conduct and the Local Government (State) Award.
Corrupt Conduct	Under Section 11 of the <i>Independent Commission Against Corruption Act 1999</i> (ICAC Act) d, the CEO must report these complaints to the Independent Commission Against Corruption (ICAC) in circumstances where there is reasonable suspicion corruption in any form has occurred within Council.
Complaints concerning council policies, procedures & charges	Complaints made in relation to Council policies, procedures and/or charges will be referred CEO or the Public Officer.
Public Interest Disclosures	Public Interest Disclosures (PIDs) are covered by Council’s Public Interest Disclosures Policy and will be handled in accordance with that policy.
Competitive Neutrality Complaints	An actual or potential competitor of a Council business may make a complaint if it believes it is being adversely affected through a failure to adopt competitive neutrality principles – that is, Council is operating with an unfair competitive advantage. Competitive Neutrality complaints must be in writing and will be referred to Council’s Public Officer who will acknowledge and investigate the complaint and will provide a response within twenty-one (21) days.
Privacy Complaints	Complaints relating to privacy and breaches of the <i>Privacy and Personal Information Protection Act 1998</i> are to be referred to the Public Officer. Complaints regarding privacy are dealt with in accordance with Council’s Privacy Management Plan.
Anonymous Complaints	While anonymous complaints will be recorded, Council will generally only act on them where the matter concerns safety or is of a serious nature and there is sufficient information in the complaint to enable an investigation to be undertaken. A decision on whether to investigate will be made at the discretion of the Public Officer.
Pecuniary Interest Complaints	If the matter complained about concerns an alleged breach of the pecuniary interest provisions of the <i>Local Government Act 1998</i> ; the OLG Pecuniary Interest Guidelines 2006 make it clear such matters must be reported by the Chief Executive Officer after reviewing all information and determining there is evidence consistent with a breach of the Act.



Policy

<p>Political Donation Complaints</p>	<p>Additionally, if the CEO reasonably suspects a councillor has not complied with the provisions of the Code of Conduct relating to the disclosure of political donations or the manner of dealing with any perceived conflict of interest in relation to political donations, the CEO is to refer the matter to the Director-General of the Office of Local Government.</p>
<p>Complaints Relating to Councillor, Mayor or Chief Executive Officer</p>	<p>All complaints alleging misconduct in relation to a Councillor (including the Mayor) must be reported in writing to the CEO. A complaint alleging misconduct by the CEO must be reported in writing to the Mayor. The provisions contained in the Code of Conduct will be applied to any subsequent investigation and findings.</p>

6.6 Tier Structure

6.6.1 Tier 1: Frontline complaint handling

Staff will, within the scope of their delegated authority, endeavor to resolve issues at the first point of contact. The subject of the complaint, the name of the complainant and their contact details, their actions and the resolution of issues must be recorded in Council’s electronic document management system.

Complainants will be encouraged to use all existing Council procedures to resolve their issue. If the matter cannot be resolved at the first point of contact the matter, once recorded, must be sent to the Public Officer who will determine the most appropriate staff member to deal with the matter. The Public Officer must ensure the timelines within the table below are complied with and/or periodic updates are provided to the complainant.

6.6.2 Tier 2: Internal review

Should the complainant be dissatisfied with the handling or determination of a complaint, the Public Officer may refer the complaint to the CEO for internal review. The Public Officer should advise the complainant they may request an internal review in writing. If requested, the Public Officer will refer the matter to the CEO who will review the matter and call upon the help of a specialist officer (if technical issues are raised) and respond to the complainant accordingly. The CEO will advise the complainant in writing of the expected turnaround times (after consultation with the officer conducting the review process) and keep the complainant updated if an extension or more information is required.

6.6.3 Tier 3: External review



Policy

Should the complainant be dissatisfied with the way in which their complaint was handled, or the findings, they will be provided with the relevant information by the Public Officer or CEO regarding rights of appeal and may seek a review by the:

- NSW Ombudsman on 1800 451 524 or at <https://www.ombo.nsw.gov.au/> – for complaints about the conduct of staff, enforcement matters and the administrative conduct of Council itself.
- Independent Commission Against Corruption (ICAC) on 1800 463 909 or at <https://www.icac.nsw.gov.au/> - for complaints that a Council official has acted corruptly.
- Office of Local Government (OLG) on 4428 4100 or at <https://www.olg.nsw.gov.au/> - for complaints about the overall functioning of Council, pecuniary interest issues, tendering or Councillor misconduct.

6.7 Acknowledgement and Communication with Complaint

Within the timeframes prescribed below, on the receipt of a complaint, the Public Officer will provide an acknowledgment letter. The acknowledgement will detail receipt of the complaint, the process involved in investigating the allegation/s and an indication of time required for resolution. Such acknowledgement will be in writing, as appropriate, and details of the contact will be recorded against the complaint in Council's electronic document management system.

The Public Officer will provide written advice to the complainant as to the outcome of investigations. Where appropriate, an offer of redress will be made and the complainant will be advised of any measures taken to minimise recurrence of the issue(s) underlying the complaint.

Within 7 days	All complaints will be recorded in Council's electronic document management system. All complainants will be provided with written acknowledgement of the complaint.
Within 10 days	The Public Officer will provide acknowledgement and aim to give a timeframe for resolution of the matter where it is complex or requires investigation.
Within 21 days	Competitive Neutrality complaints will be acknowledged and within twenty-one (21) days. If further time is required, the Public Officer will advise the complainant and provide periodic updates.
Within 28 days	The Public Officer will aim to address the full complaint or keep the complainant informed of progress. For complex issues, updates will be provided at periodic intervals determined by the nature of the issue and as notified by the Public Officer in their acknowledgement letter.



Policy

Within 60 days	Internal reviews should be completed within 60 days of the lodgment for a request for an internal review. For complex reviews, an estimate of the time required and periodic updates should be provided by the CEO.
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6.8 Managing difficult complaints

6.8.1 Malicious, Frivolous and Vexatious Complaints

All complaints received by Council will be treated with the utmost seriousness. However, if, following investigation, a complaint is found to be malicious, frivolous, or vexatious, Council will consider the nature of the complaint and seek legal advice with respect to the implications of any suspected vexatious or malicious complaints.

A decision to take no further action against a complaint who is found to have made a vexatious or malicious complaint, will be made by the CEO and the complainant will be informed in writing of the decision.

6.8.2 Persistent Complainants

Sometimes, Council will encounter complainants who are persistent and write regularly to the point Council's resources are unreasonably diverted. Where the complaints are about the same or similar issue(s) and the Council has either addressed or dismissed the issue(s) as being without substance, then an administrative control may be put in place to limit responses to a particular complainant in the future.

The CEO will consider all the facts and issues of the individual case prior to determining a response (being mindful of Practice Note 9 and the Managing Unreasonable Complainant Conduct Manual).

If a decision is made to limit responses, the CEO will write to the complainant explaining the Council's intention not to acknowledge or respond to further correspondence on the matter(s) unless new information is provided that warrants action.

The complainant will be advised future written material will be filed.

With respect to telephone calls, the complainant may be advised their calls will only be taken during restricted times and then only by a specific person; or that no future phone calls will be accepted, or interviews granted about the same matter.

6.8.3 Rude or Aggressive / Threatening Complainants

In cases where a complainant's behaviour is aggressive or threatening, i.e., the complainant:



Policy

is consistently abusive or makes threats to staff or third parties using Council services or on Council premises, or

- causes damage to Council property or threatens physical harm to staff or third parties,

details of the aggressive or threatening behaviour are to be provided to the CEO.

The CEO will consider all the facts and will determine the best course of action (being mindful of Practice Note 9 and the Managing Unreasonable Complainant Conduct Manual). If deemed necessary the CEO, may notify the complainant they are not permitted to enter Council buildings for a period of time, that no phone calls will be accepted and / or that they may only correspond with council in writing.

The CEO will notify the complainant in writing of the nature and duration of restrictions placed upon them.

A register of people whose access has been restricted will be kept by the Public Officer and staff should have access to the register and be familiar with its contents.

Threats of harm to an employee or any other Council Official should be taken seriously and referred to the Police immediately. A pragmatic approach to the staff member's safety and security should also be considered (depending on the nature of the threat) such as having the staff member arrive at or leave work whilst other staff are on duty, having the staff member escorted to their vehicle and vetting work calls if required.

Unreasonable Behavior (rude and intemperate language) should not be tolerated by staff or any other Council Official. The CEO should be informed and determine the best course of action (again being mindful of Practice Note 9 and the Managing Unreasonable Complainant Conduct Manual)

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *Independent Commission against Corruption (ICAC) Act 1998*
- *NSW Local Government Act 1993*
- *Privacy and Personal Information Act 1998*
- *Public Interest Disclosures Act 1994*
- NSW Ombudsman (2012) Managing Unreasonable Complainant Conduct Manual

7.2 Council policies and guidelines

- Governance Policy
 - Code of Conduct
 - Privacy Management Plan
-



Policy

- Public Interest Disclosure Policy
- Records Management Policy
- Legislative Compliance Policy
- Fraud Control Policy
- Customer Requests Policy

8. RECORDS MANAGEMENT

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

9. REVIEW AND EVALUATION

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

10. DOCUMENT AVAILABILITY

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

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

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

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

Berrigan Shire Council
56 Chanter Street
BERRIGAN NSW 2712

Ph: 03 5888 5100
Email: mail@berriganshire.nsw.gov.au



Policy

11. VERSION CONTROL

Version Number	Date	Summary	Responsible Officer
1.0		New Policy document	Director Corporate Services

APPENDICES



8.3 Asset Management Policy

Author:	Deputy Chief Executive Officer, Matthew Hansen
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	1. Draft Asset Management Policy

Recommendation

That Council

1. revoke its Asset Management Policy adopted 15 April 2020 and
2. adopt the Asset Management Policy attached as an appendix to this report.

Purpose

The report proposes the council adopt a revised Asset Management Policy.

Summary

The Asset Management Policy is a component of the Asset Management Strategy, which itself is a component of the council's Resourcing Strategy. The Resourcing Strategy is a core component of the council's Integrated Planning and Reporting (IP&R) Framework.

The policy provides direction to council officials when considering asset management, replacement, maintenance, and service levels.

The review and adoption of the Asset Management Policy is the first step in the process of reviewing council's overall Asset Management Strategy and its suite of Asset Management Plans. As such, council thought it appropriate to place a draft policy on public exhibition prior to final adoption.

No public comments were received while the policy was on public exhibition and as such the council can adopt this policy without amendment.



Background

The management of the community's assets is a priority of the community and is included in the Community Strategic Plan.

Berrigan Shire Council has invested significant funds in community assets over many years in order to service the needs and enhance the quality of life of the communities within the Local Government Area (LGA).

The importance of these assets to our community and their significance in relation to council's budgets means asset management must be included as a critical part of council's planning and service delivery. Council faces many challenges in maintaining a financially sustainable position and pressures as roads, footpaths, buildings, and drains get older and require additional maintenance and ultimately renewal.

Council needs to balance the need to fund the renewal and maintenance of assets with maintaining a healthy financial position. This sometimes involves difficult choices and requires community input and feedback.

The objective of this policy is to ensure adequate provision is made to ensure the community's assets meet a level of service set by council in consultation with the community, to the best of the council's ability.

The policy assists the council to determine its service levels for each asset class. These service levels are to be based on condition, utilisation, and functionality ratings and informed by the cost of delivery.

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

The NSW Local Government Integrated Planning and Reporting Framework requires council to adopt a Resourcing Strategy. Included in the Resourcing Strategy is an Asset Management Strategy.

The [NSW Local Government Integrated Planning and Reporting Handbook](#) states

*Each council must prepare and adopt an **Asset Management Policy**, an Asset Management Strategy and Asset Management Plans to support the Community Strategic Plan and Delivery Program.*

[...]

*The Asset Management Strategy must include the council-adopted **Asset Management Policy**.*

Issues and Implications

Policy

The Asset Management Policy should be read to be consistent with the council's governance and procurement frameworks.

Financial

Asset Management is the single biggest cost to council. It is important council has a robust Asset Management Policy to inform its strategy and asset management plans.

There is no direct cost associated with the adoption of this policy.



Legal / Statutory

The requirements for Integrated Planning and Report are set out in the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*.

The Office of Local Government has issued [guidelines for Integrated Planning and Reporting](#) under [s406 of the Local Government Act](#). The proposed Asset Management Policy is consistent with these guidelines.

Community Engagement / Communication

While there does not appear to be an explicit requirement to place this policy on public exhibition, it is part of the Integrated Planning and Reporting Framework.

As such, the council sought submissions from the public on the draft policy before adoption. Council did not receive any submissions during the exhibition period

Human Resources / Industrial Relations

Council should consider the staffing resources required to develop and implement the Asset Management Strategy and asset management plans.

Risks

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

1. Financial

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

Mismanagement of Council’s infrastructure assets is the largest risk to council’s sustainability. It is important Council has a solid asset management framework. This policy is the underlying document informing this framework.



2. Reputational

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

Poor asset management will lead to reputational damage. In the worst case, this could include the dismissal of the councillors and the appointment of an administrator.

Options

1. Council can adopt this policy as written – **recommended**.
2. Council can adopt an amended version of this policy.
3. Council can direct the CEO to report back to council with an amended policy.
4. Council can retain the existing policy.

Conclusions

Asset Management is perhaps council's most significant core function. A policy providing the bedrock for an asset management framework is essential.



Policy

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ASSET MANAGEMENT

Strategic Outcome:	Our Infrastructure.	
Policy type	Statutory	
Date of Adoption:	16 October 2024	Minute Number:
Date for Review:	21 October 2026	
Responsible Officer:	Director Infrastructure	
Document Control:	Replaces Asset Management Policy adopted 15 April 2020	
Delivery Program Link:	IN5.1 Council's assets are actively managed across their lifespan	

1. POLICY STATEMENT

The management of the community’s assets is a priority of the community and is included in the Community Strategic Plan.

Berrigan Shire Council (Council) has invested significant funds in community assets over many years in order to service the needs and enhance the quality of life of the communities within the Local Government Area (LGA).

The importance of these assets to our community and their significance in relation to Council’s budgets means that asset management must be a critical part of Council’s planning and service delivery. Council faces many challenges in maintaining a financially sustainable position and pressures as roads, footpaths, buildings, and drains get older and require additional maintenance and ultimately renewal.

Council needs to balance the need to fund the renewal and maintenance of assets with maintaining a healthy financial position. This sometimes involves difficult choices and requires community input and feedback.

This Policy acknowledges that within the limited resources of Council, not all infrastructure assets managed by Council on behalf of the community can be maintained at a level which meets community expectations at all times, but through good asset management practices Council can prioritise its resources to obtain the best value for its expenditure on asset management.



Policy

Council acknowledges it has a duty and responsibility to maintain the community's assets to ensure that optimum usage is achieved, and the community's expectations are met. To help achieve this, Council makes the following commitments to the community:

- Council will engage the community on the standard of services, as defined in the Asset Management Plans, they need and can afford,
- Council will define the level of service required, after consultation with the community and considering the cost of service.
- Council will maintain a register of our assets and we will understand their condition,
- Council will consider the whole of life and long-term costs of acquiring, maintaining and disposing of assets and will renew assets over their lifecycle to minimise long term costs,
- Council will prepare an Asset Management Plan which will influence the Long-Term Financial Plan and Workforce Plan, and integrate with the Delivery Program and Operational Plan, and
- Council will continuously improve our asset management practices.

2. PURPOSE

The objective of this policy is to ensure adequate provision is made to ensure the community's assets meet a level of service set by Council in consultation with the community, to the best of the Council's ability. This includes:

- ensuring Council's services and infrastructure are managed in a sustainable manner, by taking a whole of lifecycle approach to the management of the operations, maintenance, renewal, upgrade and construction of new assets.
- safeguarding Council's physical assets by implementing appropriate asset management strategies and allocating appropriate financial resources for those assets by integrating Asset Management Plans, the Long-Term Financial Plan Workforce Plan and the Combined Delivery Program and Operational Plan.
- creating an environment where all Council employees take an integral part in the overall management of Council assets by creating and sustaining asset management awareness throughout the organisation by training and development.
- meeting legislative requirements for asset management.
- ensuring resources and operational capabilities are identified and responsibility for asset management is allocated.



Policy

- Demonstrate transparent and responsible asset management processes which align with the principles embodied in this policy.
- Consider adaptation and reuse of existing assets as the first step, prior to any new construction.

3. SCOPE

The Asset Management Policy applies to (but is not limited to) the assets across the local government area, including at Council facilities listed below:

Roads and bridges	Carparks	Kerb and gutter
Stormwater infrastructure	Sewer infrastructure	Water infrastructure
Footpaths and shared paths	Buildings	Sporting infrastructure
Park accessories	Playgrounds	Streetlighting
Aerodromes	Saleyards	Cemeteries

4. OBJECTIVE

This policy is developed to assist the Council with the Delivery Program Objective IN5.1:

Council's assets are actively managed across their lifespan

5. DEFINITIONS

- Asset register:** A record of asset information, typically held in a spreadsheet, database or software system, including asset attribute data such as quantity, type and construction cost.
- Condition assessment:** The inspection, assessment, measurement and interpretation of the resultant data, to indicate the condition of a specific component so as to determine the need for some preventative or remedial action.
- Critical assets:** Those assets that are likely to result in more significant financial, environment and social cost in terms of impact on organisational objectives.
- Function:** The ability of the physical infrastructure to meet program delivery needs.
- Level of service:** The defined quality of a particular activity or service area against which service performance may be measured. Service levels usually relate to quality, quantity, reliability, responsiveness, environmental acceptability and cost.



Policy

- Planned maintenance:** Maintenance which is periodic (necessary to ensure the reliability of an asset), predictive (condition monitoring activities used to predict failure) or preventative (initiated without routine or continuous checking and is not condition based).
- Renewal:** Works to replace existing assets or facilities with assets or facilities of equivalent capacity or performance capability.
- Unplanned maintenance:** Corrective work required in the short term to restore an asset its working condition so it can continue to deliver the required service or maintain its level of security and integrity.
- Utilisation:** Represents the ability of the physical infrastructure to meet service delivery needs.
- Whole of life cost:** A total cost of an asset throughout its life including planning, design, construction, acquisition, operation, maintenance, rehabilitation and disposal costs

6. POLICY IMPLEMENTATION

6.1 Principles

Asset Management Principles embodied in this Policy are:

- Asset management is a critical part of Council's planning and service delivery.
- A consistent Asset Management Strategy must exist for implementing systematic asset management, based on industry accepted practice throughout all directorates of Council,
- All relevant legislative requirements together with political, social and economic environments are to be taken into account in asset management
- Asset management principles will be integrated within existing planning and operational processes.
- Asset Management Plans will be developed for major service/asset categories. The plans will be informed by community consultation and Council's financial capacity to implement the Plans.
- An inspection regime will be used as part of asset management to ensure agreed service levels are maintained and to identify asset renewal priorities.



Policy

- Asset renewals required to meet agreed service levels and identified in adopted Asset Management Plans will be captured in the Long-Term Financial Plan and will form the basis of annual budget estimates. Every endeavour will be made to adequately fund these renewal requirements within the constraints of Council's financial capacity.
- Service levels defined in adopted Asset Management Plans will form the basis of annual budget estimates with the service and risk consequences of variations in defined services levels and budget resources documented in budget documentation.
- Asset renewal plans will be prioritised and implemented progressively based on agreed service levels and the effectiveness of the current assets to provide that level of service.
- Systematic and cyclic reviews will be applied to all asset classes and are to ensure the assets are managed, valued and depreciated in accordance with appropriate industry practice and applicable Australian Standards.
- Whole of life cycle costs will be reported and considered in all decisions relating to new assets and upgrading of existing services and assets.
- Service levels will be detailed in the Asset Management Plans and determined in consultation with the community.
- Asset and financial management information will be provided to councillors.
- Risk associated with the ownership and operation of assets should be understood, with plans in place to address and respond to the elimination or mitigation of those risks.

6.2 Service levels

To achieve the objectives listed in this policy Council must increase its understanding of its owned asset base and the expectations of the community in relation to the maintenance of these assets.

To achieve these objectives the following is necessary:

- Community service levels are to be based on condition, utilisation, and functionality ratings and informed by the cost of delivery.
- Service levels are to be explained in the Asset Management Plans. The community must be engaged about the service levels in these plans. The outcomes of community engagement must be considered in the development of these service levels.

6.3 Planning and budgeting



Policy

Council will adopt whole of life cost analysis for the management of infrastructure assets. Each asset will be condition assessed and included in the asset management system. Projections of the life cycle of each asset will be extrapolated from data including current condition, intervention levels and forecast maintenance requirements.

Council will regularly review its asset stock and identify opportunities for asset rationalisation and condition improvement, or asset renewal as required.

6.4 Renewal and maintenance

Annual planned maintenance and renewal plans will be developed using asset condition data and incorporate corresponding financial data.

All asset condition data will be captured in accordance with the inspection regimes as documented in the applicable Asset Management Plan.

All services shall be regularly benchmarked to ensure Council is adopting industry accepted practice.

6.5 Risk assessment and management

Council will maintain a program of regular inspection of assets under its control to ensure it is aware of the condition of all assets and to identify potential hazards in the asset base to be minimised.

Council will maintain a Workplace Health and Safety (WHS) System for its employees and contractors working on Council assets.

Council will consider risk associated with each asset category in its Asset Management Plans.

6.6 Accounting

Council will maintain detailed asset registers for those asset categories as listed in this policy in accordance with the current applicable accounting standards.

Assets will be valued in accordance with accounting standards.

Useful lives will be assigned to each asset, with the written down value and depreciation determined annually.

Depreciation charges will be calculated for all assets on an applicable basis in accordance with relevant accounting standards

6.7 Asset Management Strategy and Plans



Policy

Council will develop Asset Management Plans for each asset category listed in this Policy, either individually or combined in larger categories. They need to include service levels, and long-term projections of maintenance, renewal and upgrade costs for each asset category.

These Asset Management Plans will be subjected to annual review and update.

The Asset Management Plans and the Delivery Program and Operational Plan must integrate.

The Asset Management Plans and the Asset Management Strategy must identify critical infrastructure assets.

Council will develop an Asset Management Strategy to provide direction in the management of assets included in the Asset Management Plans.

The Asset Management Strategy will be subject to review every four years in line with the Integrated Planning and Reporting documents.

6.8 Responsibilities

6.8.1 Councillors

- To act as custodians of community assets.
- To adopt and endorse the Asset Management Policy, Strategy and Plans.
- To use the information contained in Asset Management Plans to support decision making.

6.8.2 Executive Leadership Team

- To foster and support the principles of asset management.
- To use the information contained in Asset Management Plans to prioritise the maintenance and renewal of assets and support decision making
- To ensure organisational resources are appropriately utilised to address the organisation's Asset Management Plans and priorities.

6.8.3 Director Infrastructure

- To maintain the Asset Management Policy and procedures to implement the Policy.
- To monitor and champion the implementation of the asset management framework within the organisation.
- Facilitate the alignment of the asset management framework with everyday practice.
- Provide linkage between the community, key stakeholders and the Council's asset managers on management of Council assets.
- To encourage continuous improvement, innovation and cost-effective methods to improve asset management practices.



Policy

- To facilitate the development of Asset Management Plans, Asset Management Strategy and strategic asset management outcomes with a reporting mechanism to Council executive and the elected Councillors.

6.8.4 Asset owners

- To ensure the necessary data associated with each asset throughout its whole of life as contained in the Asset Management Plans is captured in the asset register.
- To develop 20-year renewal and maintenance plans for assets included in this Asset Management Policy.
- To develop and implement regimes to assess condition, utilisation and function of assets included in this Policy.
- To review and recommend improvements to the Asset Management Policy, Strategy, Plans and processes, including the asset management improvement plans.
- To promote and raise asset management awareness.
- To assess and manage the risk of asset failure.

6.8.5 Responsible Accounting Officer

- To ensure each asset contained in the asset register contains the current adopted unit rates.
- To ensure costs in regard to capitalisation and disposal of assets are entered into Council's asset register.
- To ensure the appropriate depreciation rate is allocated to each asset category and class. • To interpret Accounting Standards to ensure Council's asset information is compliant.
- To provide final approval of all asset revaluation financial data and provide associated supporting documentation to Council's external auditors.
- To provide the Executive Management Team and the Elected Councillors with requested scenarios on funding infrastructure maintenance and renewal.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *Local Government Act 1993*
- Local Government (General) Regulation 2021
- Australian Accounting Standards (AASB116, AASB108, AASB136)
- AS/NZS ISO 31000:2018 Risk Management – Principles and Guidelines
- International Infrastructure Manual

7.2 Council policies and guidelines

- Governance Policy
-



Policy

- Code of Conduct
- Asset Management Strategy
- Asset Management Plans
- Community Strategic Plan
- Long Term Financial Plan
- Delivery Program and Operational Plan
- Workforce Plan

8. RECORDS MANAGEMENT

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

9. REVIEW AND EVALUATION

This policy (procedure) will be evaluated and reviewed at least once every two (2) years as per Council's Governance Policy (currently under development) or as required.

10. DOCUMENT AVAILABILITY

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

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

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

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

Berrigan Shire Council
56 Chanter Street
BERRIGAN NSW 2712

Ph: 03 5888 5100
Email: mail@berriganshire.nsw.gov.au



Policy

11. VERSION CONTROL

Version Number	Date	Summary	Responsible Officer
1.0	15 April 2020	New Policy document	Director Technical Services
2.0		Major revision (detail)	Director Infrastructure

8.4 Investment Policy

Author:	Finance Manager, Genevieve Taylor
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.1. Improve Council processes to make doing business with Council easier.
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	<ol style="list-style-type: none">1. Policy No. 14 - Investment Policy.docx (under separate cover)2. Investment Guidelines - October 2024.docx (under separate cover)

Recommendation

That the Council:

1. revoke its Investment Policy adopted on 15 November 2023;
2. adopt the Investment Policy excluding the Local Economic Benefit clause; and
3. note the Investment Guidelines attached.

Purpose

The Council is required to review its Investment Policy annually.

Summary

Council staff have reviewed the Investment Policy in line with the Council's revised Financial Strategy 2022 and Risk Appetite Statement 2022.

No major changes have been made to the policy.

Background

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

Council's Investment Policy is required to be reviewed annually. It was last reviewed in November 2023.

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

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

Also included with this report, is the draft Investment Guidelines associated with this policy. The Guidelines do not require Council adoption – the Council adopt the policy at the strategic level while the staff implement the policy through the guidelines at operational level.

The Guidelines are provided to the Council for information and context.

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

Council's 2022 Risk Appetite Statement states:

*Council prefers safer options and is **Resistant** to taking, retaining or accepting risk. Council maintains a desire to only take on small amounts of adverse exposure, when necessary. Council is, however, cognisant of the fact that in certain circumstances it will be prudent to **Accept** risk exposures so long as there is a reasonable degree of protection.*

Action 3.1 from Council's 2022 Financial Strategy states

Look to improve investment returns while managing investment risk through a diverse and secure investment portfolio

Issues and Implications

Financial

The advantage of long-term investing is the relationship between volatility and time. Investments held for longer periods tend to exhibit lower volatility (less fluctuation) than those held for shorter periods. The longer you invest, the more likely you will be able to weather low market periods. As seen recently, Council did not invest over a longer periods of time and therefore our annual interest reduced substantially as Council had no long-term investments producing high interest yields.

Budget managers must ensure the Finance Manager is kept up to date on future cashflows to ensure Council does not invest funds it will need in the short-medium term.

Legal / Statutory

The Finance Manager is required to certify that all Investments have been placed in accordance with:

- i. this policy,
- ii. [section 625 of the Local Government Act 1993 \(as amended\)](#),
- iii. [the Minister's Amended Investment Order gazetted 11 January 2011](#),
- iv. clause 212 of the *Local Government (General) Regulations 2021* and
- v. Third Party Investment requirements of the Office of Local Government Circular 06-70

Policy

The proposed policy retains a Local Economic Benefit clause as this has been the position of Council to this point.

In the opinion of Council staff, this clause generates no benefit for the Council nor the community. No financial institution has committed to Berrigan Shire and inclusion in the policy has had no influence on those institutions retaining services in the community.

Should the Council wish, this clause could be removed entirely. Council staff recommend its removal.

Risks

1. Financial

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

While the risks are high, the safeguards in the Policy mitigate this risk considerably, especially diversification and counterparty risk control measures.

Loss of investment capital would substantially hamper Council’s ability to renew its infrastructure assets over time.

2. Reputational

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

A significant loss of investment capital will certainly have a negative impact on the Council’s reputation. It may lead to greater oversight from NSW Treasury and the Council.

3. Legal

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

Compliance with this policy will effectively eliminate legal risk to the Council.

Options

1. That the Council adopt the Investment Policy as attached as Appendix 1
1. That the Council adopt the Investment Policy, with amendments – potentially the removal of the local benefit clause.
2. That the Council does not adopt the proposed Investment Policy and refer back to Council staff for further revision.



8.5 Revocation - Asset Accounting Policy

Author:	Director Corporate Services, Tahlia Fry
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	Nil

Recommendation

That Council revoke the Asset Accounting Policy adopted 19 November 2024.

Report

Council adopted an Asset Accounting Policy in 2020. A copy of the policy can be found at <https://www.berriganshire.nsw.gov.au/files/assets/public/v/1/01-council/gov.-amp-transparency/policies/asset-accounting-policy.pdf>

On review, this policy is largely redundant as it largely restates legislation, Office of Local Government guidelines and accounting standards.

The remainder of the policy touches on areas that should be a matter of professional judgement for the responsible accounting officer and asset managers – i.e. useful lives of assets etc.

The policy can be revoked.



8.6 Library Service - redundant policies

Author:	Manager Economic Development & Tourism, Merran Socha
Strategic Outcome:	IN. Our Infrastructure CO. Our Community
Strategic Objective:	IN-C. Our community facilities are planned to meet community needs and enhance social connections CO-B. We have a vibrant, inclusive, and creative community life
Delivery Program:	IN.5. Community facilities are planned and maintained to meet the needs of our growing population and promote maximum use CO.4. Respect, promote and celebrate our heritage, identity, diversity, and culture
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	Nil

Recommendation

That Council revoke the following policies:

1. Library Service – Collection Development
2. Library Service – Overdue, Lost and Damaged Library Materials
3. Library Service – Patron Code of Conduct

Report

On 31 July 2024, the Berrigan Shire Library Service came under the auspices of Riverina Regional Librarians (RRL) and, as such, the Council policies listed below are redundant.

- Library Service – Collection Development – it is no longer the responsibility of the Berrigan Library Service to develop the collection.
- Library Service – Overdue, Lost and Damaged Library Materials - it is no longer the responsibility of the Berrigan Library Service to maintain a policy on overdue, lost or damaged library material.

Library Service – Patron Code of Conduct - the Berrigan Library Service to maintain a Patron Code of Conduct. RRL are now the 'managers' of the libraries and having existing policies to address these matters.



8.7 Code of Meeting Practice

Author:	Deputy Chief Executive Officer, Matthew Hansen
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner CL-B. Our community is informed and engaged in decision-making
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers. CL.4. Strengthen community engagement and participation in decision-making.
Council's Role:	Regulator: The Council has legislated roles in a range of areas which it is required to fund from its own funds (apart from fees for cost recovery), government grants etc)
Appendices:	1. Code of Meeting Practice - Draft for November meeting (under separate cover)

Recommendation

That the council:

1. adopt as a draft the Berrigan Shire Council Code of Meeting Practice as attached to this report,
2. place on public exhibition, this draft Code of Meeting Practice, with feedback to be presented along with a finalised draft document at the January ordinary council meeting for adoption.

Report

Under section 360 of the *Local Government Act 1993* (the Act), councils must adopt a code of meeting practice (the code) that incorporates the mandatory provisions of the *Model Code of Meeting Practice for Local Councils in NSW* (model code) prescribed by Part 10 of the *Local Government (General) Regulation 2021* within 12 months of the election.

The council considered a draft code at its ordinary meeting held on 16 October 2024. The council resolved to direct the Chief Executive Officer to amend the code to include provisions around modes of address and time limits for meetings.

The amended code is attached as an appendix to this report.

The model code provides a uniform set of meeting rules for councils across the State to help ensure more accessible, orderly, effective and efficient meetings. The code applies to all meetings of councils and committees of councils of which all members are councillors (committees of council).



Council committees whose members include persons other than councillors may adopt their own rules for meetings unless council determines otherwise.

Council's adopted code must not contain provisions that are inconsistent with the mandatory provisions of the model code.

Council's adopted code may also incorporate the non-mandatory provisions of the model code and other supplementary provisions.

Councils are not required to adopt the non-mandatory provisions of the model code and can adapt them to meet their own needs.

A draft copy of a proposed code of meeting practice is attached to this report for consideration.

Council must have adopted its own code within 12 months of the election. However, I feel it will be difficult going forward if council have not considered and adopted this document earlier as the previous Code otherwise remains in place.

The requirements of the code apply to **all** meetings of the council and committees of council, where all members are councillors. In the case of Berrigan Shire Council, the Code will apply to ordinary and extraordinary meetings of the council only.

The code is not required to be applied to the audit, risk and improvement committee nor the meetings of volunteer committees established under [section 355](#) of the *Local Government Act 1993*.

Options

The proposed Berrigan Shire Council Code of Meeting Practice selects the following options as set out in the model code as issued by the Office of Local Government.

Clauses amended from the draft presented to the October meeting are shown in **bold**.

1. not include clause 3.1 and adopt clause 3.2,
2. include at clause 3.10, that notices of motion are required to be with the Chief Executive Officer a minimum of 7 days prior to an Ordinary Council meeting,
3. include clause 3.12,
4. include clause 3.13,
5. not include clauses 3.33 to 3.38 (Pre-meeting briefings)
6. not include section 4 (public forums), noting the community will still be permitted to address the council prior to a meeting.
7. include clauses 5.14 and 5.15,
8. include clauses 5.16 to 5.30 with the exception of clause 5.24 which shall read as follows:
"A decision whether to approve a request by a councillor to attend a meeting of the council or committee of council by audio-visual link must be made by the chair of the meeting."
9. **Include section 7 with the mayor addressed as Mayor [first name] and council officers addressed as [first name].**
10. include clause 8.1 and not adopt clause 8.2,



11. include clause 9.10,
 12. include clause 10.9,
 13. not include clause 11.11,
 14. include section 13,
 15. require applications by the community to address council under the conditions of clause 14.11 to be received no later than 2 days prior to council's next ordinary council meeting,
 16. for the purposes of clause 14.13, allow no more than 2 speakers to be permitted to make representations to council on any one matter.
 17. for the purposes of clause 14.16, allow no more than 2 speakers to address Council,
 18. for the purposes of clause 14.17, allow each speaker 3 minutes to make representations to Council,
 19. include clause 14.20,
 20. include clause 15.14 and not include clause 15.15 (only one of these clauses can be included)
 21. include clause 15.16,
 22. include clause 15.21 and 15.22,
 23. include clause 16.2,
 24. not include clause 17.10,
 25. include clauses 17.12 to 17.20,
 26. **include section 18, with a time limit of 1pm for meetings starting 9:00am and 7:30pm for meetings starting at 4:30pm.**
 27. not include clause 20.24,
-

8.8 Information Guide 2024-25

Author:	Compliance Information Management Officer, Chanalee Nicosia
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Information Channel: Information about a service or activity of other bodies is channelled through, for example, brochures in Council office and other public spaces or links to third party websites
Appendices:	1. Information Guide 2024-25 (under separate cover)

Recommendation

That council, pursuant to Section 21 of the *Government Information (Public Access) Act 2009*, adopt the Berrigan Shire Council Information Guide attached as Appendix 1

Purpose

To comply with the council's obligation under Section 20 of the [Government Information \(Public Access\) Act 2009](#) (GIPA Act), the council must have an "Agency Information Guide" (AIG) that describes the structure and functions of the agency. Section 21 of the Act requires the AIG be adopted at periods of no less than 12 months (i.e., at least annually).

The AIG was last adopted by the council in November 2024. The next review will be in November 2026.

Summary

Council is required under legislation to adopt an Agency Information Guide

The guide allows the public to identify and access government information held by an agency. It connects the public and agencies by providing clear and accessible information on accessing government information.

Background

One of the obligations the council is required to meet is to "adopt" an AIG. The AIG must be published on the council's website.

[Section 20 of the GIPA Act](#) states an agency must have its “agency information guide” that describes the structure and functions of the agency and [Section 21 of the Act](#) requires that the AIG be adopted at periods of no less than 12 months (i.e., at least annually).

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

Implementation of the policy will help council to achieve the Delivery Program objective:

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

Issues and Implications

Policy

This guide interacts with council’s previously adopted Access to Information Policy.

Legal / Statutory

The Agency Information Guide is required by the GIPA Act.

Community Engagement / Communication

Council has access to information page on its website which will include a link to this guide.

Human Resources / Industrial Relations (If applicable)

The Compliance and Information Management Officer will administer the guidelines under the direction of the Deputy CEO.

Risks

1. Governance

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

A failure to adopt an AIG is a failure to comply with legislative requirements.

Options

1. Council adopts the Agency Information guidelines as attached - **Recommended**.
2. Council adopts the Agency Information guidelines as attached with amendments.
3. Council does not adopt the Agency Information guideline and refer back to council staff for review.





8.9 Endorsement of Community Strategic Plan

Author:	Deputy Chief Executive Officer, Matthew Hansen
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-B. Our community is informed and engaged in decision-making
Delivery Program:	CL.4. Strengthen community engagement and participation in decision-making.
Council's Role:	<p>Advocate: The Council may advocate to another government or other organisation for certain things to happen, this could range from a single event (such as writing to a Minister) through to an ongoing campaign</p> <p>Information Channel: Information about a service or activity of other bodies is channelled through, for example, brochures in Council office and other public spaces or links to third party websites</p> <p>Facilitator: A step further from advocacy where the Council may try to bring parties together to work out a solution to an issue affecting the Council area</p> <p>Strategic Partner: The Council partners with other agencies, stakeholders, community groups etc in the delivery of a Council provided service or activity that aligns with Councils Strategic outcomes or Delivery Program.</p> <p>Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs</p> <p>Regulator: The Council has legislated roles in a range of areas which it is required to fund from its own funds (apart from fees for cost recovery), government grants etc)</p> <p>Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council</p>
Appendices:	<ol style="list-style-type: none">1. Berrigan Shire 2040 - Community Strategic Plan (under separate cover)2. Berrigan Shire Create your Future Engagement Report (under separate cover)

Recommendation

That council, noting the relevant engagement report, endorse *Berrigan Shire 2040* attached to this report as Berrigan Shire Council's Community Strategic Plan.



Purpose

This report seeks direction of council regarding the re-endorsement or new development of the council's community strategic plan.

Summary

Under legislation, council is required to review or re-endorse its community strategic plan (CSP) by 30 June 2025. The CSP is the community's plan and council's role is to facilitate its development and then endorse it.

The existing CSP was endorsed by council in May 2024 and is still relevant. A review of the CSP would be costly and time-consuming (see Financial considerations below).

The executive recommends re-endorsement of Berrigan Shire 2040.

Background

The community strategic plan (CSP) is the core document of the NSW Local Government integrated planning and reporting (IP&R) framework.

The CSP is the highest level of strategic planning undertaken by council and must have a ten-year plus timeframe. All other plans must support achievement of the CSP objectives.

Council's existing CSP – *Berrigan Shire 2040* – was endorsed by the council in May 2024, following extensive community consultation. A copy of Berrigan Shire 2024 is attached to this report.

The council must review its community strategic plan by 30 June in the year following an ordinary election of council. The council may endorse the existing plan, or develop and endorse a new CSP, as appropriate, to ensure that Berrigan Shire has a CSP covering at least the next 10 years.

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

The Berrigan Shire CSP includes five themes and strategic objectives.



Each Plan theme outlines strategic objectives based on community feedback, envisages where the community wants to be, how they will get there, council's role, essential partners and collaborators and measures to track progress.

Issues and Implications

Policy

The CSP was developed in consultation with the community as informed by the council's community engagement strategy.

Financial

Council used a third-party consultant to assist with the development of the plan. The consultant was paid \$43,900 for this work. Graphic design for the consultation and final plan cost \$20,000. This was the first major review of the CSP since its introduction in 2011.

A complete review of this plan is likely to cost somewhat less but is still expected to cost at least \$20,000, not including staff time.

Legal / Statutory

The Office of Local Government has issued the NSW Local Government Integrated Planning and Reporting Guidelines. The guidelines were issued under [section 23A of the Local Government Act 1993](#), making them in effect mandatory for council.

Clauses 1.10 to 1.12 are the relevant portions of the guidelines

1.10 Following an ordinary election of councillors, the council must review the Community Strategic Plan before 30 June the following year. The council may endorse the existing



plan, endorse amendments to the existing plan, or develop and endorse a new Community Strategic Plan as appropriate to ensure that the area has a Community Strategic Plan covering at least the next 10 years.

1.11 A report on the progress of implementation and the effectiveness of the Community Strategic Plan (the State of our City (formerly referred to as End of Term Report)) must be presented to and endorsed at the second meeting of a newly elected council.

1.12 The review must include the following:

- a report on the progress of implementation and the effectiveness of the Community Strategic Plan as presented and endorsed at the second meeting of a newly elected council.*
- a review of the information that informed the previously endorsed Community Strategic Plan*
- a review of the council's Community Engagement Strategy.*

Community Engagement / Communication

Over 740 Berrigan Shire residents participated in the Berrigan Shire 2040 'Create Your Future' engagement from 15 November 2023 to 15 January 2024. The community contributed their aspirations and priorities through an online survey, pop ups, drawing sheets, and telephone interviews.

The engagement was essentially focused on four questions.

- Where are we now?
- Where do we want to be?
- How will we get there? and
- When will we know we have arrived?

The engagement report is attached as an appendix to this report.

The following is a summary of the high-level findings obtained from participant feedback.

- There was a high participation rate for those aged under 18 years, and between 25 and 49 years old. Those aged 18 to 24 years and over 50 years were underrepresented.
- Women represented over 60 percent of participants, with male participation underrepresented.
- People with a disability, and from non-English speaking backgrounds were also underrepresented in the engagement.
- When asked what makes your community a great place to live, the key strengths were the lifestyle, the culture and community, beautiful natural environment, recreation and leisure, and economic factors and tourism.
- The challenges that emerged over the past four years include COVID-19 and its impact on how we live, work and participate, availability and affordability of housing, growing class divides, natural disasters, and climate change.



- The main challenges facing the community were cost of living pressures, suitable infrastructure to enable daily life, supporting young people to stay in the shire, housing availability and affordability, access to services, and jobs and employment.
- The key priorities for the next ten years were economic growth, sports and recreation, infrastructure, more activities and events, parks and green open spaces, services, and housing for all.
- Respondents would like council to prioritise health services, business and industry attraction event delivery, improved communications (IT, internet and mobile), housing availability and affordability, aged and disability services, and tourism and visitors.

Human Resources / Industrial Relations (If applicable)

Council used a consultant to develop the plan however council staff ran the consultation phase to keep .

The consultation process was quite time intensive and required a commitment from councillors, the executive and the communications and customer experience team.

If council was to commit to a complete review of the plan, the executive may need to backfill some of the roles of staff involved in the consultation.

Risks

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

1. Financial

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

A complete review of the community strategic plan will be an expensive exercise. This can be avoided by council re-endorsing the existing plan from March 2024.

2. Reputational

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



Going back out to the community about the community strategic plan less than 12 months after adopting a new plan may lead to “consultation fatigue”.

There is also the risk the community may consider council is rejecting the results of the last consultation process, leading to resentment.

Options

1. Council can *endorse Berrigan Shire 2040* – the existing community strategic plan. **Recommended**
2. Council can conduct a “desktop review” of *Berrigan Shire 2040*. This would largely use the results of the previous engagement as a base for additional consultation to ensure this still reflected the views of the community. **This is not recommended.** It has been less than 12 months since the last engagement with the community and it is unlikely there has been a distinct change of community sentiment in that time.
3. Council can undertake a complete review of its community strategic plan. **This is not recommended.** This is an expensive and time-consuming process and council should only proceed if it is certain *Berrigan Shire 2040* no longer represents the aspirations of our community.

Conclusions

Berrigan Shire 2040 is still a fresh plan and is the outcome of the most extensive community consultation ever undertaken by council.

Unless council is convinced the plan is unworkable or no longer in line with community aspirations, it would be a waste of council resources to conduct a review.



8.10 Annual and State of the Shire Report - 2023-24

Author:	Deputy Chief Executive Officer, Matthew Hansen
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-B. Our community is informed and engaged in decision-making CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.3. Enhance communication channels between the council and residents. CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	Nil

Recommendation

That Council adopt the attached integrated Annual Report and State of the Shire Report for publication, noting the 30 November 2024 deadline.

Report

Each year the council produces an Annual Report to review its performance and achievements for the past financial year. This document provides insight into the council's operations and financial position and indicates how the council has achieved the activities it set itself during the year. The 2023-24 Annual Report is provided with this report.

The appended report reflects the requirement of the Office of Local Government's integrated planning and reporting framework.

The format and presentation of this report recognises this is not a report to the Office of Local Government or the New South Wales government; it is a report to the community.

As such, this draft report can be read as one complete document which includes all elements of the NSW Office of Local Government checklist.

The attached Annual Report includes comments from the Mayor and CEO, our vision, an introduction that provides the reader with a brief overview of the shire and council services, rates information and a modern slavery statement. Our Service Delivery outlines the roles and responsibilities of each directorate.

Information on the council's planning framework and operational plan's performance follows with report highlights capturing the diversity of council's operations and engagement with the local community. Also included is the performance report, summary tables reporting organisational



performance against the objectives set out in the council's annual Operational Plan. Key performance indicators of the council's Delivery Program progress are also included in the performance reporting section of the Annual Report.

Each year NSW councils must also report on several statutory requirements. Council activities that must be reported, for example, include the council's progress in implementing its Disability Access and Inclusion Plan, councillor expenses, public information requests, the remuneration of senior staff, Audit, Risk and Improvement Committee activities, contracts over \$150,000, contributions and donations etc.

The State of Assets report provides a snapshot of council expenditure and maintenance of its transport, water, and sewer network. This section also includes information about the financial performance of the council's water and sewer businesses.

The last section of the draft Annual Report includes a copy of the council's audited financial statements. This section meets the requirement that a council's Annual Report 'must contain a copy of the council's audited financial reports prepared per the Local Government Code of Accounting Practice and Financial Reporting (*Local Government Act 1993* s 428(4)(a)).

Council is also required to endorse a "State of the Shire" (SOTS) report at its second ordinary meeting of the new term.

Integrating the SOTS into the Annual Report provides a cohesive view of council's performance across short- and long-term goals, aligned with IP&R framework requirements. This combined report meets statutory obligations under the *Local Government Act 1993* and enhances public understanding of how annual activities contribute to long-term objectives.

By merging these reports, council offers a streamlined and accessible document, reflecting resource allocation, project success, and challenges encountered. This integration strengthens council's transparency and reinforces alignment across all planning and performance measures under the IP&R framework, supporting more straightforward reporting under the latest IP&R guidelines.



8.11 Operational Plan review - Q1 2024-25

Author:	Deputy Chief Executive Officer, Matthew Hansen
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council’s ongoing viability and maximise value for money for ratepayers.
Council’s Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	1. Operational Plan Review - Q1 2024-25 (under separate cover)

Recommendation








That Council receive and note the Q1 report on actions identified in the 2024/25 Operational Plan.

Report

Circulated with this Agenda as Appendix 1 is the council’s Quarter 1 Review of the council’s 2024/25 Operational Plan.

This report provides a traffic light review with comments by responsible officers of the status of each Operational Plan actions.

The traffic light format provides a visual update on the status of each action identified in the Operational Plan. Note some statuses share a colour code.

						
Completed	On Target	Not on Target	Overdue or Not Completed	Deferred or Not Progressing	Not due to start	Not Updated

Additional information in the Delivery Program Progress Report and Operational Plan Review and includes:

1. A year to date (YTD) assessment by the responsible council officer of progress toward completion and or the achievement of the set target.
2. Comments from the responsible council officer highlighting service achievements and or the challenges relevant to the council operation and action being reported and its status.



3. The following tables (Table 1 and Table 2) provide a summary by strategic outcome of council’s progress and performance as of 30 September 2024.

Table 1 Operational Plan Actions Not on Target, Deferred or No Status

OP Code	Action
CO.2.1	Develop and implement plans and strategies to manage disasters and build resilience.
EN.1.1	Develop Tree Risk Management Framework
EN.2.1	Implement the Finley Lake Masterplan

Table 2: Summary by strategic outcome and the year-to-date status of Council’s 2023/24 Annual Operational Plan.

	Completed	On target	Not on target	Deferred / Not due to start	Total
CO: Our Community	0	14	1	0	15
EC: Our Economy	1	17	0	1	19
EN: Our Environment	0	12	0	3	15
IN: Our Infrastructure	0	14	0	1	15
CL: Our Civic Leadership	0	17	0	1	18
Total Actions	1	74	1	6	82



8.12 Electoral funding obligations

Author:	Deputy Chief Executive Officer, Matthew Hansen
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council’s ongoing viability and maximise value for money for ratepayers.
Council’s Role:	No Role: The Council chooses not to have a role in relation to a particular service or activity
Appendices:	Nil

This report is for information only.

Report

Councillors elected at the local government elections on 14 September 2024 must submit political donation and electoral expenditure disclosures to the NSW Electoral Commission (NSWEC) periodically for their term in office. The first disclosures for this council term must be submitted by 11 February 2024.

Note: This is an individual responsibility for each Councillor. Council does not have a role in these disclosures. Council staff are unable to assist you to make the disclosure.

Disclosures of political donations and electoral expenditure

Elected members must submit political donation and electoral expenditure disclosures to the NSWED for the remainder of their term.

There are three types of disclosures to submit each year as an elected member regarding political donations and electoral expenditure:

- two half-yearly disclosures of political donations made and received and
- an annual disclosure of electoral expenditure incurred.

In relation to the 2024/25 financial year, an elected member must also submit disclosures in their capacity as a candidate. These being two half yearly disclosures of political donations made and received and an annual disclosure of electoral expenditure incurred.

The relevant periods each disclosure covers and the lodgment periods for disclosures for 2024/2025 are:

Disclosure type	Disclosure period	Disclosure lodgement period	Disclosure due
First half-yearly political donations disclosure	1 July 2024 to 31 December 2024	1 January 2025 to 11 February 2025	11 February 2024



Disclosure type	Disclosure period	Disclosure lodgement period	Disclosure due
Annual electoral expenditure disclosure	1 July 2024 to 30 June 2025	1 July 2025 to 22 September 2025	22 September 2025

It should be noted the above disclosures are to be lodged not only as a candidate and elected member, but also on behalf of the group if that is the case.

If no political donations are made or received, or electoral expenditure is incurred, 'Nil' disclosure forms must still be submitted.

Disclosures may be made through the following website:

<https://fdonline.elections.nsw.gov.au/NSWECFDOnline/s/login/?ec=302&startURL=%2FNSWECFDOnline%2Fs%2F>

The website is the NSWEC's secure, accessible and convenient online portal for electoral participants. Those who do not yet have access can request access at:

<https://fdonline.elections.nsw.gov.au/NSWECFDOnline/s/guestportalrequest>

Detailed information about disclosures is available on the NSWEC website as per the below:

<https://elections.nsw.gov.au/Funding-and-disclosure/Disclosures>

Elected Member Contact Details

Elected members who have not provided the NSWEC with up-to-date contact details are requested to do so as soon as possible by emailing fdc@elections.nsw.gov.au.

A current email address and mobile number for each elected member is required so the NSWEC may send notifications about when and how to disclose political donations and electoral expenditure. Elected members who do not comply with disclosure could be penalised, including a fine or prosecution



8.13 Section 355 Committees of Management

Author: Recreation Officer, Christie Watkins

Strategic Outcome: CO. Our Community

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

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

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

Appendices: Nil

Recommendation

That Council:

- a) revoke existing members of the Section 355 Committee of Management and
- b) pursuant to section 355 of the *Local Government Act 1993*, appoint the persons defined in this report to the relevant section 355 Committee.

Finley Showgrounds Committee of Management

President:	Sandy Massina
Secretary:	Matt Muller
Treasurer:	Kristen King
Committee:	Carol Kennedy, Davis Webb, Lloyd Good, Carly Blackney, Trent Royston, Catherine Healy, Rose Tilley, Troy Marshall, Kirsty Marshall

Barooga Advancement Group Committee of Management

President:	Julia Cornwell-McKean
Vice President:	Renee Brooker
Treasurer/Secretary	Lynn Haswell
Committee	John Bruce, Karen Bruce, Tony Tranter, Ken Maclean, Abbey Brooker



Tocumwal Recreation Reserve Committee of Management

President:	Rowan Perkins
Secretary:	David Baldwin
Treasurer:	Greg Watmore
Committee	Alan Thomson, Allan Jones, Jim Cullen, Barb Cullen, Ross Cardillo, Eric Finch, Phil Russi, Mel Habberfield, Fiona Burton, Jeremy Cardillo, Mick East, Mal Hart

Report

Advice of the Committee referenced above has been received and can be endorsed by Council.



8.14 Delegations to Committees

Author:	Deputy Chief Executive Officer, Matthew Hansen
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-B. Our community is informed and engaged in decision-making CL-C. A community where collaborative efforts enhance development and service delivery
Delivery Program:	CL.4. Strengthen community engagement and participation in decision-making. CL.5. Build partnerships with state agencies, businesses, and non-profits
Council's Role:	Regulator: The Council has legislated roles in a range of areas which it is required to fund from its own funds (apart from fees for cost recovery), government grants etc)
Appendices:	1. Proposed delegations - s355 committees - November 2024

Recommendation

That council:

1. revoke all existing delegations made to its volunteer committees of council established under s355 of the *Local Government Act 1993* and
2. make delegations to its volunteer committees of management as attached to this report.

Purpose

This report proposes new delegations from council to its volunteer committees of management established under s355 of the *Local Government Act 1993*.

Summary

Council delegates a range of functions to its volunteer committees of management to deliver functions of council. These delegations are due for review.

This report proposes revised delegations based on a standard template. The template has been reviewed by council's solicitors and provides improved clarity to council staff and council committees on the powers delegated to each committee.

Background

Under Section 355 of the *Local Government Act 1993* council can delegate some of its functions to a committee of council. Council uses this delegation and appoints community people to manage its facilities or functions through a committee of management. This includes services such as public halls, recreation reserves and swimming pools as well as some other open spaces.



Council has 24 volunteer “section 355” committees, each with its own specific delegation. These delegations have not been comprehensively reviewed in some time. Most of these delegations were created at various points in time, without a broader framework in place to ensure consistency and clarity.

An incoming council is required to review all delegations within the first 12 months of its term. This provides an opportunity for a comprehensive review of the delegations made to its committees.

The proposed delegations all follow a set template – designed to ensure consistency in approach across committees. The template was developed with advice from council’s solicitors and also reflects the work underway by the community and development team in regularising the operations of council’s committees.

Template

The proposed template takes the following form:

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the Local Government Act 1993 as amended, of

- [DELEGATED FUNCTION].

This delegation:

- *Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.*
- *Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.*
- *Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council’s Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council’s name for the Committee also in accordance with that guide.*

OR

- *Does not permit the delegate committee to receive or expend funds on behalf of Council, or in any other respect.*

The yellow section sets out the function delegated to the committee. For example for the Finley Swimming Pool Committee of Management, the delegation is care, control and management of the Finley War Memorial Swimming Pool Reserve (R78377).

The green section requires the committees to follow any direction from council as well as follow any requirements set out in its terms of reference, the committee guide to operations and other council policies that apply to their operation.

The turquoise section specifically excludes the committees from functions such as issuing fines and penalties and entering into occupancy arrangements with third-parties without council approval.

The pink section specifically delegates the power to receive and expend funds on council’s behalf. This power is not delegated to some committees.



Committees

The proposed delegations are shown in the table below.

Committee	Delegated function	Power to hold funds	Active
Australia Day	Berrigan Shire Australia Day awards Berrigan Shire Australia Day celebration	No	Yes
Barooga Advancement Group	Promotion and beautification of Barooga	Yes	Yes
Barooga Community Botanical Gardens	Barooga Botanical Gardens Reserve (R150048), excluding the Rural Fire Service shed.	Yes	Yes
Barooga Recreation Reserve	Barooga Recreation Reserve (R89359), excluding the Barooga council depot.	Yes	Yes
Berrigan Conservation Group and Tidy Towns	Participation in the Keep Australia Beautiful Tidy Towns program for the community of Berrigan Berrigan Community Garden (part Barooga Street road reserve) Berrigan Tank Reserve (R1003004) Old Recreation Reserve, Berrigan (R88920) Old Police Paddock, Berrigan (R150048)	Yes	Yes
Berrigan Sportsground	Berrigan Sportsground (Lot 6 DP606728; Lots 1-5 DP244930; Lots 9-12, Section 3, DP3329; Lots 9-12, Section 2, DP3329)	Yes	Yes
Berrigan War Memorial Hall	Berrigan War Memorial Hall (Lot 57 DP665763, Lot 1 DP917479, Lot 2 DP539811)	Yes	Yes
Berrigan War Memorial Swimming Pool	Berrigan War Memorial Swimming Pool (Lot 31 DP 1189220)	Yes	Yes
Boomanoomana Landcare	Development and implementation of landcare activities in the Boomanoomana area	Yes	No
Finley Railway Park	Railway Park, Finley (Lot 18 DP1097289)	No	Yes
Finley Recreation Reserve	Finley Recreation Reserve (R81505)	Yes	Yes
Finley School of Arts	The Finley School of Arts Reserve (R97513), with the exception of the Finley War Memorial Hall	Yes	Yes



Committee	Delegated function	Power to hold funds	Active
Finley Showgrounds and Sporting Complex	Finley Showgrounds (R550003)	Yes	Yes
Finley Tidy Towns	Participation in the Keep Australia Beautiful Tidy Towns program for the community of Finley	No	No
Finley War Memorial Hall	Finley War Memorial Hall	Yes	Yes
Finley War Memorial School of Arts	Finley War Memorial Swimming Pool Reserve (R78377)	Yes	Yes
Finley Log Cabin Museum and Mary Lawson Wayside Rest	Finley and District Museum Mary Lawson Memorial Wayside Rest (R88498)	Yes	Yes
Native Dog Landcare	Landcare activities for the area north of the Mulwala Canal with an approximate western boundary being the Berrigan Road and Old Cobram Road and the northern and eastern boundaries being the Yarrawonga Road (inclusive of some properties on the north-eastern side)	Yes	No
Retreat Public Hall	Retreat Public Hall Reserve (R88752)	Yes	Yes
Tocumwal Foreshore	Tocumwal Foreshore Reserve (R88752), excluding: <ul style="list-style-type: none"> the Tocumwal Recreation Reserve precinct the Tocumwal Foreshore Building (Lot 422 DP 1253894) 	Yes	Yes
Tocumwal Rail Preservation	Tocumwal Railway Station precinct, as leased from VicTrack.	Yes	Yes
Tocumwal Recreation Reserve	Tocumwal Recreation Reserve precinct, excluding Lot 1691 DP 1182520. (Tocumwal Football Club room)	Yes	Yes
Tocumwal Swimming Pool	Tocumwal Swimming Pool (Lot 7 DP 528621, Lot 1 and 2 DP 900667, Pt Lot B in DP 375363 and Pt Lot 3 in DP 758981 Section 33, Village of Tocumwal)	Yes	Yes
Tocumwal War Memorial Hall	Tocumwal War Memorial Hall Reserve (R150015), excluding the retail premises licenced out.	Yes	Yes



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

Council's most recent [volunteer strategy](#) expired in 2016. The strategy is based on volunteer (s355) committees delivering council services such as halls, recreation reserves and swimming pools. While this strategy needs review, the delegations must be reviewed immediately and not after this review.

Council is currently reviewing its [Volunteer Committee Guide to Operations](#). This review is happening in parallel with the development of terms of reference for each committee. Both documents are specifically referred to in the proposed delegations.

Issues and Implications

This report and these delegations are based on "business as usual" management of the committees.

There is further strategic work underway now to determine how volunteer committees fit into council's service and risk framework – as part of the broader update of council's volunteer strategy mentioned above. This is informed in part by the 2022 internal audit into the operation of its committees as well as a broader, strategic, look at the roles played by volunteers in service provision.

Once this work is complete, council may wish to revisit these delegations.

Policy

There is no specific policy related to committee delegations.

These delegations are informed by multiple policies however, including:

- Procurement
- Work Health and Safety
- Capital Works at Community Facilities
- Community Assistance
- Leasing and Licencing of Council Property
- Legislative Compliance policy
- Fraud Control policy

Financial

There is no direct financial impact related to these delegations.

The delegations do allow most of the committees to expend council funds and this needs to be managed appropriately.

Legal / Statutory

Council has the general authority to delegate under s377 of the Act.

Section 355 of the Act allows council to delegate functions to committees of council.

Section 380 requires the council to review all its delegations during the first 12 months of each term of office.



Community Engagement / Communication

There has not been any consultation with the committees regarding the proposed delegations at this stage however, they largely reflect existing delegations.

The committees will be formally advised of their new delegation along with direction and advice on the meaning of the delegation. It will also be included in the terms of reference document for each committee.

Human Resources / Industrial Relations (If applicable)

There is no direct impact on human resources arising from this review.

However, the use of committees to deliver council services does impact on council’s staffing requirements.

Risks

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

1. Financial

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

Delegating committees the authority to manage and expend funds is an inherent risk. The delegation includes a reference to council’s policies and procedures acting to mitigate this risk.

2. Governance

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

Committees and volunteers acting outside delegation may place those volunteers (and council) in a vulnerable position, legally.



3. Reputational

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

A committee acting outside delegation may lead to matters that attract public attention. Further, a governance failure in this area could bring council into disrepute.

Tightening governance arrangements around committees may also create some unrest with volunteer committee members who may feel this is reducing their autonomy.

Options

1. Council can adopt the delegations proposed in this report as shown. **(recommended)**
 2. Council can adopt amended versions of the delegations proposed in this report.
 3. Council can confirm the existing delegations to each committee (i.e. make no change to the existing delegations).
 4. Council can revoke delegations and deliver the functions shown directly. This is not recommended at this stage.
-



Delegations – Berrigan Shire Council volunteer committees of management – 13 November 2024.

1. Australia Day Committee of Management

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- the Berrigan Shire Australia Day awards
- the Berrigan Shire Australia Day celebration

This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.
- Does not permit the delegate committee to receive or expend funds on behalf of Council, or in any other respect.

2. Barooga Advancement Group Committee of Management

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- Promotion and beautification of Barooga

This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.
- Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council's Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council's name for the Committee also in accordance with that guide.

3. Barooga Community Botanical Gardens Committee of Management

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- Barooga Botanical Gardens Reserve (R150048), excluding the Rural Fire Service shed.

This delegation:



- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.
- Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council's Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council's name for the Committee also in accordance with that guide.

4. Barooga Recreation Reserve Committee of Management

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- Barooga Recreation Reserve (R89359), excluding the Barooga council depot.

This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.
- Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council's Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council's name for the Committee also in accordance with that guide.

5. Berrigan Conservation Group and Tidy Towns Committee of Management

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- Participation in the Keep Australia Beautiful Tidy Towns program for the community of Berrigan
- Berrigan Community Garden (part Barooga Street Road Reserve)
- Berrigan Tank Reserve (R1003004)
- Old Recreation Reserve, Berrigan (R88920)
- Old Police Paddock, Berrigan (R150048)

This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.



- Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council's Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council's name for the Committee also in accordance with that guide.

6. Berrigan Sportsground Committee of Management

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- Berrigan Sportsground (Lot 6 DP606728; Lots 1-5 DP244930; Lots 9-12, Section 3, DP3329; Lots 9-12, Section 2, DP3329)

This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.
- Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council's Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council's name for the Committee also in accordance with that guide.

7. Berrigan War Memorial Hall Committee of Management

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- Berrigan War Memorial Hall (Lot 57 DP665763, Lot 1 DP917479, Lot 2 DP539811)

This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.
- Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council's Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council's name for the Committee also in accordance with that guide.

8. Berrigan War Memorial Swimming Pool Committee of Management

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- Berrigan War Memorial Swimming Pool (Lot 31 DP 1189220)



This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.
- Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council's Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council's name for the Committee also in accordance with that guide.

9. Boomanoomana Landcare Committee of Management

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- Development and implementation of landcare activities in the Boomanoomana area

This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.
- Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council's Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council's name for the Committee also in accordance with that guide.

10. Finley Railway Park

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- Railway Park, Finley (Lot 18 DP1097289)

This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.
- Does not permit the delegate committee to receive or expend funds on behalf of Council, or in any other respect.

11. Finley Recreation Reserve Committee of Management



Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- Finley Recreation Reserve (R81505)

This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.
- Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council's Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council's name for the Committee also in accordance with that guide.

12. Finley School of Arts Committee of Management

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- The Finley School of Arts Reserve (R97513), with the exception of the Finley War Memorial Hall

This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.
- Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council's Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council's name for the Committee also in accordance with that guide.

13. Finley Showgrounds and Sporting Complex Committee of Management

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- Finley Showgrounds (R550003)

This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.



- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.
- Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council's Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council's name for the Committee also in accordance with that guide.

14. Finley Tidy Towns Committee of Management

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- Participation in the Keep Australia Beautiful Tidy Towns program for the community of Finley

This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.
- Does not permit the delegate committee to receive or expend funds on behalf of Council, or in any other respect.

15. Finley War Memorial Hall Committee of Management

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- The Finley War Memorial Hall (part R97513)

This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.
- Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council's Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council's name for the Committee also in accordance with that guide.

16. Finley War Memorial Swimming Pool Committee of Management

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- Finley War Memorial Swimming Pool Reserve (R78377)

This delegation:



- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.
- Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council's Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council's name for the Committee also in accordance with that guide.

17. Finley Log Cabin Museum and Mary Lawson Wayside Rest Committee of Management

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- Finley and District Museum
- Mary Lawson Memorial Wayside Rest (R88498)

This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.
- Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council's Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council's name for the Committee also in accordance with that guide.

18. Native Dog Landcare Committee of Management

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- landcare activities for the area north of the Mulwala Canal with an approximate western boundary being the Berrigan Road and Old Cobram Road and the northern and eastern boundaries being the Yarrawonga Road (inclusive of some properties on the north-eastern side)

This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.



- Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council's Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council's name for the Committee also in accordance with that guide.

19. Retreat Public Hall Committee of Management

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- Retreat Public Hall Reserve (R88752)

This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.
- Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council's Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council's name for the Committee also in accordance with that guide.

20. Tocumwal Foreshore Committee of Management

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- Tocumwal Foreshore Reserve (R88752), excluding
 - the Tocumwal Recreation Reserve precinct
 - the Tocumwal Foreshore Building (Lot 422 DP 1253894)

This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.
- Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council's Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council's name for the Committee also in accordance with that guide.

21. Tocumwal Rail Preservation

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of



- Tocumwal Railway Station precinct, as leased from VicTrack.

This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.
- Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council's Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council's name for the Committee also in accordance with that guide.

22. Tocumwal Recreation Reserve

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- Tocumwal Recreation Reserve precinct, excluding Lot 1691 DP 1182520. (Tocumwal Football Club room)

This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.
- Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council's Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council's name for the Committee also in accordance with that guide.

23. Tocumwal Swimming Pool

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- Tocumwal Swimming Pool (Lot 7 DP 528621, Lot 1 and 2 DP 900667, Pt Lot B in DP 375363 and Pt Lot 3 in DP 758981 Section 33, Village of Tocumwal)

This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.



- Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council's Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council's name for the Committee also in accordance with that guide.

24. Tocumwal War Memorial Hall

Care, control and management to a committee, comprising citizens as appointed from time to time under Section 355 of the *Local Government Act 1993* as amended, of

- Tocumwal War Memorial Hall Reserve (R150015), excluding the retail premises licenced out.

This delegation:

- Is subject to the exercise of such authority conforming with the direction of the Council, the terms of reference for the committee, and Council policies, procedures and guidelines.
- Excludes enforcement, other regulatory and revenue related functions, and sub-letting or licensing to third parties.
- Delegates the function of receiving and expending funds on behalf of Council only in accordance with the Council's Guide to Operations of Section 355 Committees as endorsed by Council, and only in connection with an account opened in Council's name for the Committee also in accordance with that guide.



8.15 Volunteer Committees - Annual Returns

Author:	Recreation Officer, Christie Watkins
Strategic Outcome:	CO. Our Community
Strategic Objective:	CO-B. We have a vibrant, inclusive, and creative community life
Delivery Program:	CO.7. Our community groups are supported.
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	Nil

Recommendation

That Council note the annual returns submitted by the following Volunteer Committees of Management

- a) Barooga Advancement Group Committee of Management
- b) Barooga Recreational Reserve Committee of Management
- c) Berrigan Conservation Group and Tidy Town Committee of Management
- d) Berrigan War Memorial Hall Committee of Management
- e) Berrigan War Memorial Swimming Pool Committee of Management
- f) Finley Log Cabin and Historical Museum Committee of Management
- g) Finley recreation Reserve Committee of Management
- h) Finley School of Arts Committee of Management
- i) Finley Showgrounds and Sporting Complex Committee of Management
- j) Tocumwal Foreshore Committee of Management
- k) Tocumwal Rail Preservation Committee of Management
- l) Tocumwal Recreation Reserve Committee of Management
- m) Tocumwal Swimming Pool Committee of Management
- n) Tocumwal War Memorial Hall Committee of Management
- o) Berrigan Sportsground Committee of Management
- p) Finley War Memorial Hall Committee of Management
- q) Finley War Memorial Swimming Pool Committee of Management
- r) Retreat Hall Committee of Management
- s) Barooga Botanical Gardens Committee of Management



Report

The Council has a range of volunteer committees of management established under s355 of the Local Government Act 1993 who provide local government services on behalf of Council.

These volunteer committees are required to submit an annual return to the Council at the end of every financial year.

The return contains information on the membership of their committee, their income, expenditure their assets and other information required for various reports required by Council's auditors and /other levels of government.

Committees were given until 2 August 2023 to submit their annual returns. However, there were some Committees who required extra time.

The table below summarises the financial position of those committees who submitted their return by the due date.

Committee	Income \$	Expenditure \$	Cash and Investments \$
Barooga Advancement Group	\$14,585.81	\$13,548.71	\$21,844.29
Barooga Botanical Gardens	\$4,512.05	\$1,306.02	\$17,404.67
Barooga Recreation Reserve	\$38,204.72	\$35,752.05	\$9,658.40
Berrigan Conservation and Tidy Towns	\$5,617.36	\$4,287.02	\$2,136.89
Berrigan Sportsground	\$35,430.76	\$34,902.41	\$2,017.72
Berrigan War Memorial Hall	\$25,682.14	\$27,995.06	\$2,774.14
Berrigan War Memorial Swimming Pool	\$52,941.87	\$49,606.84	\$25,721.50
Finley And District Historical Museum	\$1,277.50	\$5,083.93	\$27,329.59
Finley Recreation Reserve	\$74,905.77	\$74,697.00	\$6,474.54
Finley School of Arts	\$11,444.95	\$7,758.15	\$20,416.46
Finley Showgrounds	\$45,892.64	\$20,604.91	\$36,420.28
Finley War Memorial Swimming Pool	\$70,592.00	\$69,228.00	\$5,417.83
Finlet War Memorial Hall	\$13,820.41	\$5,367.53	\$34,905.26
Tocumwal Foreshore	\$84,547.47	\$71,754.71	\$111,745.44
Tocumwal Railway Museum	\$2,917.45	\$2,083.21	\$2,810.74
Tocumwal Recreation Reserve	\$29,345.00	\$33,664.25	\$28,749.87
Tocumwal Swimming Pool	\$66,356.12	\$44,054.03	\$72,648.22
Tocumwal War Memorial Hall	\$32,679.58	\$25,664.17	\$28,820.95

At the time of writing this report, Finley Railway Park, Retreat Public Hall, and Tocumwal Railway Museum had not submitted their returns.

A reminder email has been sent to these committees.

Copies of the submitted returns are available for perusal at the Council administration office.



8.16 Actions from previous meetings

Author:	Deputy Chief Executive Officer, Matthew Hansen
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	<ol style="list-style-type: none">1. Outstanding actions as at 13 November 20242. Completed Council actions from 10 October 2024 - 13 November 2024

Recommendation

That Council receive and note this report.

Report

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

- Outstanding actions as of 13 November 2024
 - Completed Council Actions from 10 October to 13 November 2024
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Action Sheets Report

Meeting	Officer/Director	Section	Subject
Council 14/12/2022	Hansen, Matthew Ewer, Karina	Reports to Council	Council Action List Report
Action: Council Resolution 107/2022			
Cr Hatty and Cr Paine that the Council:			
4. Direct the Chief Executive Officer to formalise a Crown Land lease for the occupancy of the shopfront at Tocumwal War Memorial Hall on a commercial basis.			
09 Jan 2023 5:18pm Hansen, Matthew			
Crown Land Management Plan needs to be prepared and land surveyed before a lease can be drawn up. Current licence needs to be extended.			
06 Feb 2023 9:52am Hansen, Matthew			
Still waiting on the development of a Crown Land Management Plan			
21 Mar 2023 5:31pm Hansen, Matthew			
Quote for Crown Land Plan of Management received. Working on a 30 June completion			
06 Apr 2023 12:34pm Hansen, Matthew			
CT Management Group commissioned to deliver PoM. Work to start 14 April 2023. , Annual licence agreement with laundromat to be extended 12 months.			
11 May 2023 2:01pm Hansen, Matthew			
Consultation on PoM to start week of 22 May			
04 Aug 2023 12:50pm Hansen, Matthew			
Draft Plan of Management prepared. Waiting on signoff by staff and public exhibition before adoption by Council.			
15 Sep 2023 12:27pm Hansen, Matthew			
Still waiting on sign off			
15 Sep 2023 12:28pm Hansen, Matthew - Target Date Revision			
Target date changed by Hansen, Matthew from 28 December 2022 to 31 January 2024 - Delays in signing off draft			
28 Nov 2023 1:02pm Hansen, Matthew			
Waiting on native title clearance			
09 Jan 2024 8:05am Hansen, Matthew			
Working with consultant to obtain native title clearance			
12 Feb 2024 1:47pm Hansen, Matthew			
Engaged a solicitor to undertake native title clearance. Once this is cleared, the Plan of Management can go on exhibition. Once the Plan has been endorsed by Council and the Crown, Council can enter into a lease. This could be months away yet,			
14 Mar 2024 3:47pm Hansen, Matthew			
Draft Plan of Management reviewed by Council at March SPW. Plan to be sent to Crown Lands for review in March			
13 Jun 2024 3:16pm Hansen, Matthew			
Waiting on Native Title clearance			
10 Jul 2024 9:13am Hansen, Matthew			
Native Title clearance obtained. Report presented to this meeting			



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04 Nov 2024 11:45am Hansen, Matthew
Draft plans sent to Crown Lands for review. Waiting on reponse.

Meeting	Officer/Director	Section	Subject
Council 16/08/2023	Ewer, Karina Ewer, Karina	Reports to Council	Council Action List Report
<p>Action: CEO to ensure all action items are updated monthly and completed actions are removed.</p> <p>15 Sep 2023 12:21pm Hansen, Matthew Missed in the handover from DCEO to CEO on her return. Will liaise with DSPD now that he has been appointed</p> <p>15 Sep 2023 12:24pm Hansen, Matthew - Reallocation Action reassigned to Fletcher, Andrew by Hansen, Matthew - New DSPD</p> <p>15 Sep 2023 12:25pm Hansen, Matthew - Target Date Revision Target date changed by Hansen, Matthew from 30 August 2023 to 30 September 2023 - Handed to new DSPD to action</p> <p>01 Dec 2023 9:33am Hansen, Matthew DSPD to follow up</p> <p>09 Jan 2024 8:44am Fletcher, Andrew Have reviewed contract and informed Councillors. Agreed resolution that we proceed with Strategic Framework and District Plans (amendment to LEP) and officers prepare a new Rural Land Use Strategy.</p> <p>09 Jan 2024 8:46am Fletcher, Andrew - Completion Completed by Fletcher, Andrew (action officer) on 09 January 2024 at 8:46:31 AM - Resolution in December. Contract reviewed. Officers to prepare a new strategy</p>			

Meeting	Officer/Director	Section	Subject
Council 15/11/2023	Hansen, Matthew Ewer, Karina	Reports to Council	Mural - Foundry Park
<p>Resolved OCM 320/23</p> <p>Moved: Cr John Taylor</p> <p>Seconded: Cr Sarah McNaught</p> <p>That the Council:</p> <ol style="list-style-type: none"> 1. approve the installation of a vinyl mural at Foundry Park based on a photograph of the old blacksmith shop on that site taken in 1894. 2. contribute up to \$10,000 towards the project from its own funds. 3. manage the project directly, including commissioning the artwork and arranging for installation. 			



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CARRIED
<p>28 Nov 2023 1:19pm Hansen, Matthew No progress to date. Unlikely to progress until January</p> <p>09 Jan 2024 8:07am Hansen, Matthew No progress in December.</p> <p>12 Feb 2024 2:01pm Hansen, Matthew Draft artist's brief prepared for issue in late February or early March. Design work on a self-supporting frame has started.</p> <p>14 Mar 2024 3:50pm Hansen, Matthew This has been delayed as a result of other priorities. My aim is to have this out in April</p> <p>12 Jun 2024 10:02am Hansen, Matthew Seeking advice from SWA before calling for Expressions of Interest</p> <p>11 Jul 2024 2:32pm Hansen, Matthew Delayed as a result of staff availability</p> <p>10 Oct 2024 8:44am Hansen, Matthew Artist's brief complete and will be issued by 24 October.</p> <p>11 Nov 2024 9:30am Hansen, Matthew Considering reverse brief to selected artist now.</p>

Meeting	Officer/Director	Section	Subject
Council 6/12/2023	Fletcher, Andrew Fletcher, Andrew	Reports to Council	Rural Land Use Strategy
Resolved	OCM 351/23		
Moved:	Cr Renee Paine		
Seconded:	Cr Sarah McNaught		
Action			
Council direct staff to undertake an internal Rural Land Use Strategy.			
			CARRIED
<p>12 Jan 2024 9:26am Hansen, Matthew - Reallocation Action reassigned to Fletcher, Andrew by Hansen, Matthew - DSPD task</p> <p>13 Feb 2024 12:35pm Fletcher, Andrew</p>			



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Agreed by Council that we will prepare a Rural Land Use Startegy in-house. Update will be provided to SPW in April 2024.

06 May 2024 9:52am Fletcher, Andrew
Prepaing a Rural Land Use Startegy in-house. Draft Gannt chart for the project has been prepared and will need to create a working committee/group for input throughout the process.

03 Oct 2024 11:15am Fletcher, Andrew
Strategy being done inhouse. Have advertised for a working group and have developed an implementation/staging plan.

03 Oct 2024 11:27am Fletcher, Andrew - Target Date Revision
Target date changed by Fletcher, Andrew from 20 December 2023 to 30 June 2025 - Target date was set when the action was allocated - strategy has a defined implementation process.

Meeting	Officer/Director	Section	Subject
Council 21/02/2024	Fletcher, Andrew Fletcher, Andrew	Reports to Council	Construction of key worker housing - Lewis Crescent, Finley
<p>Resolved OCM 030/24</p> <p>Moved: Cr John Taylor Seconded: Cr Edward (Ted) Hatty</p> <p>That the Council</p> <ol style="list-style-type: none"> 1. Call for tenders for the design and construction of two units to be constructed on 47 Lewis Crescent, Finley 2. The construction of the units to be funded by: <ol style="list-style-type: none"> (a) \$300,000 from Council's Capital Works reserve (b) a \$500,000 loan borrowed over a ten-year period with interest-only payments until redemption. <p style="text-align: right;">CARRIED</p>			
<p>11 Mar 2024 1:16pm Hansen, Matthew Work on design and construct specification underway. Specification for loan tender under development.MLHD have given verbal notice they will participate., Aim to have out to tender in April</p> <p>06 May 2024 9:57am Hansen, Matthew Tender won't be released until July 2024 to match with funding.</p> <p>12 Jun 2024 9:59am Hansen, Matthew - Reallocation Action reassigned to Fletcher, Andrew by Hansen, Matthew - At tender stage now</p> <p>10 Jul 2024 8:52am Fletcher, Andrew A brief for a tender in being prepared. Requested specs and design details. Tender is likley to be for a deisgn and construct.</p> <p>11 Nov 2024 9:30am Hansen, Matthew - Email Please update for the November meeting</p>			



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13 Nov 2024 11:26am Fletcher, Andrew
Preparing a report for discussion. Considering total costs, tender process and any other option. Draft tender is still being prepared irrespective of report.

Meeting	Officer/Director	Section	Subject
Council 21/02/2024	Hansen, Matthew Ewer, Karina	Reports to Council	Chanter Street Update
Resolved OCM 032/24			
Moved: Cr Renee Paine			
Seconded: Cr John Taylor			
That Council			
<ol style="list-style-type: none"> 1. endorse the decision to adopt Option 2 to increase the project scope as outlined in Appendix 3, 2. direct the Deputy CEO to finalise negotiation with Essential Energy and sign any agreement required to accept the offered co-funding of \$252,000 for the works to be undertaken, 3. request the project manager to develop a formal project plan and engagement strategy to keep the community informed of progress on the Chanter St Underground Project. These documents are to be included on Council's website for easy reference by the community. 4. report back to Council the outcomes of the next round of engagement with the community, including their feedback on the project plans and costs of reconnection. 			
CARRIED			
14 Mar 2024 3:52pm Hansen, Matthew Project committee established and draft plan developed,			
06 May 2024 9:35am Hansen, Matthew Work progressing. May potentially run into timing problems towards the end of this year. Project Plan to be presented to the May Council meeting			
12 Jun 2024 11:00am Hansen, Matthew Complications with design work has meant installation is delayed until February 2025.			
10 Jul 2024 9:11am Hansen, Matthew Civil design has been approved by TfNSW. Power design lodged with Essential Energy and waiting approval. Newsletter circulated to Chanter St traders and property owners.			
10 Oct 2024 8:42am Hansen, Matthew Design work continuing. Consultation with affected landowners and businesses continuing			



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Meeting	Officer/Director	Section	Subject
Council 15/05/2024	George, Gary George, Gary	Reports to Council	Closure - Wores Hill Road
<p>Resolved OCM 112/24</p> <p>Moved: Cr Edward (Ted) Hatty</p> <p>Seconded: Cr John Taylor</p> <p>That Council:</p> <ol style="list-style-type: none"> note the Chief Executive Officer’s decision to close the section of road identified in this report, upon creation of title, delegate authority to the Chief Executive Officer to directly negotiate a sale of the former road reserve to the adjoining owner, subject to obtaining an independent valuation on an “added value” basis and delegate authority to the Mayor and Chief Executive Officer to authorise its Seal to be affixed to the contract for sale of this land in the presence of two signatories authorised to affix the Seal pursuant to clause 400 of the <i>Local Government (General) Regulation 2021</i>. <p style="text-align: right;">CARRIED</p> <p>27 May 2024 9:33am Hansen, Matthew Applicant informed of Council decision and directed to lodge application to LRS for title</p> <p>10 Jul 2024 9:08am Hansen, Matthew Waiting on applicant to lodge with LPI</p> <p>10 Jul 2024 9:10am Hansen, Matthew - Reallocation Action reassigned to George, Gary by Hansen, Matthew - I have been helping Ramesh with this one. Happy to continue to help. Happy to discuss further</p> <p>10 Oct 2024 8:41am Hansen, Matthew Applicant has lodged with LPI. Waiting on title to be created.</p> <p>11 Nov 2024 9:29am Hansen, Matthew Title has been created and road closure gazetted. Valuation required</p>			

Meeting	Officer/Director	Section	Subject
Council 15/05/2024	Watkins, Christie Fry, Tahlia	Reports to Council	Finley Log Cabin Museum and Mary Lawson Wayside Rest
<p>1. Resolved OCM 113/24</p> <p>Moved: Cr John Taylor</p>			



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Seconded: Cr Roger Reynoldson

That Council

- Support the request from Finley Log Cabin Museum and Mary Lawson Wayside Rest Committee of Management to transition to an incorporated association, and
- Work with the Committee of Management to develop and implement a plan for the transition.

CARRIED

12 Jun 2024 9:12am Fry, Tahlia
 Council will work with the committee to create a plan to dissolve the current committee.

10 Jul 2024 8:13am Fry, Tahlia
 An internal plan has been created to dissolve the current committee, Council will begin working with the committee.

03 Oct 2024 11:10am Fry, Tahlia - Reallocation
 Action reassigned to Watkins, Christie by Fry, Tahlia - Christie is the officer responsible

Meeting	Officer/Director	Section	Subject
Council 15/05/2024	George, Gary George, Gary	Reports to Council	Vermont Street Barooga Roundabout

2. Resolved OCM 120/24

Moved: Cr John Taylor

Seconded: Cr Sarah McNaught

That Council

- Consider both roundabout and traffic calming options and provide guidance as to a preferred approach;
- Receive a preliminary scope report from Council Staff at a later meeting detailing:
 - Detailed design;
 - Engineering estimate; and
 - Communications plan.

CARRIED



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12 Jun 2024 9:57am Hansen, Matthew
Working on revised scope of work to be funded by LRCI 4

10 Jul 2024 9:04am Hansen, Matthew
Scope of works refined to meet grant requirements. Still waiting on LRCI funding approval. Project and communications plan to be developed by Director Infrastructure

10 Jul 2024 9:08am Hansen, Matthew - Reallocation
Action reassigned to George, Gary by Hansen, Matthew - New Director Infrastructure in place.

03 Oct 2024 10:40am Hansen, Matthew - Email
Hi Gary,,,Can you please update this action in InfoCouncil?

10 Oct 2024 8:36am George, Gary
Traffic works audit has just come back and BSC design department are currently assessing this findings against scope

11 Nov 2024 9:29am Hansen, Matthew - Email
Gary - any update for the November meeting?

Meeting	Officer/Director	Section	Subject
Council 19/06/2024	Ewer, Karina Ewer, Karina	Reports to Council	Sustainability Report
<p>Resolved OCM 134/24</p> <p>Moved: Cr Sarah McNaught</p> <p>Seconded: Deputy Mayor Carly Marriott</p> <p>That Council:</p> <ul style="list-style-type: none"> • receive and note the project proposal and business case, and the project plan as presented to the Council, and • agree that the CEO should continue on this path, noting the required time to do so. <p style="text-align: right;">CARRIED</p>			
<p>11 Jul 2024 2:33pm Hansen, Matthew Work is continuing on the report.</p> <p>27 Sep 2024 1:23pm Ewer, Karina Discussions held at October Workshop about report and where it is up to.</p> <p>11 Nov 2024 9:28am Hansen, Matthew - Email Please update for the November meeting. I note a report is going to the meeting so it should be straight forward</p> <p>13 Nov 2024 12:38pm Ewer, Karina Report to this (November 2024) Council meeting requesting extension of time and time for the CEO to work directly on the report without interruption.</p>			



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Meeting	Officer/Director	Section	Subject
Council 17/07/2024	Hansen, Matthew Ewer, Karina	Reports to Council	Tocumwal Foreshore Recreation Reserve Crown Land Plan of Management
<p>3. Resolved OCM 167/24</p> <p>Moved: Cr John Taylor Seconded: Deputy Mayor Carly Marriott</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. receive and note the draft Tocumwal Foreshore Recreation Reserve Crown Land Plan of Management and 2. refer the draft Tocumwal Foreshore Recreation Reserve Crown Land Plan of Management to Crown Lands (Department of Planning, Housing and Infrastructure) for approval to proceed to public exhibition, 3. delegate authority to the Chief Executive Officer to revise the draft Tocumwal Foreshore Recreation Reserve Crown Land Plan of Management in accordance with any direction received from Crown Lands, prior to placing the plan on public exhibition for a minimum period of 28 days and inviting the public to make submissions over a period of 42 days and 4. bring the final version of the draft Tocumwal Foreshore Recreation Reserve Crown Land Plan of Management to a future Council meeting for consideration and adoption pursuant to section 40 of the LG Act in accordance with 3.23(6) of the <i>Crown Land Management Act 2016</i>. <p style="text-align: right;">CARRIED</p> <p>20 Sep 2024 10:51am Hansen, Matthew Draft sent to Crown Lands for review 22/08/2024</p> <p>04 Nov 2024 11:59am Hansen, Matthew Still waiting on Crown Lands review. Follow up email sent 04/11/2024</p>			

Meeting	Officer/Director	Section	Subject
Council 17/07/2024	Hansen, Matthew Ewer, Karina	Reports to Council	Tocumwal Memorial Hall Reserve Crown Land Plan of Management
<p>4. Resolved OCM 168/24</p> <p>Moved: Cr John Taylor</p>			



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Seconded: Deputy Mayor Carly Marriott

That Council:

1. receive and note the draft Tocumwal Memorial Hall Reserve Crown Land Plan of Management,
2. refer the draft Tocumwal Memorial Hall Reserve Crown Land Plan of Management to Crown Lands (Department of Planning, Housing and Infrastructure) for approval to proceed to public exhibition,
3. delegate authority to the Chief Executive Officer to revise the draft Tocumwal Memorial Hall Reserve Crown Land Plan of Management in accordance with any direction received from Crown Lands, prior to placing the plan on public exhibition for a minimum period of 28 days and inviting the public to make submissions over a period of 42 days and
4. bring the final version of the draft Tocumwal Memorial Hall Reserve Crown Land Plan of Management to a future Council meeting for consideration and adoption pursuant to section 40 of the LG Act in accordance with 3.23(6) of the *Crown Land Management Act 2016*.

CARRIED

20 Sep 2024 10:48am Hansen, Matthew

Draft Plan sent to Crown Lands for review on 16/082024

11 Nov 2024 9:27am Hansen, Matthew

Still waiting on Crown Lands review. Followed up on 4 November 2024

Meeting	Officer/Director	Section	Subject
Council 16/10/2024	Fruend, Darron George, Gary	Reports of Committees	Local Traffic Committee - minutes
5.	Recommendation		
6.	Resolved	OCM 210/24	
Moved:	Cr Katie Ngatoko		
Seconded:	Cr Renee Brooker		
That Council adopt the following recommendations from the Local Traffic Committee Meeting held on Thursday 15 August 2024.			



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- LTC1. Council approve the application made by BDDA to hold the Annual Christmas Night Market on Friday 6 December 2024 and temporary road closure of Chanter Street, Berrigan between the hours of 5:00pm – 11:00pm subject to: A Road Occupancy License to be obtained from Transport NSW for the event.
- LTC2. Council approve the application made by Cobram Barooga Cycle Club to hold their 2024/2025 Race permit event each Sunday from 10:00am for the next twelve months.
- LTC3. Council note the review of speed zone for Murray Street, Tocumwal. Reference No. R-4549 at Comprehensive review stage.

Staff to provide the minutes of the meeting to Council.

CARRIED

7. Resolved OCM 210/24

Moved: Cr Katie Ngatokoa

Seconded: Cr Renee Brooker

That Council adopt the following recommendations from the Local Traffic Committee Meeting held on Thursday 15 August 2024.

- LTC1. Council approve the application made by BDDA to hold the Annual Christmas Night Market on Friday 6 December 2024 and temporary road closure of Chanter Street, Berrigan between the hours of 5:00pm – 11:00pm subject to: A Road Occupancy License to be obtained from Transport NSW for the event.
- LTC2. Council approve the application made by Cobram Barooga Cycle Club to hold their 2024/2025 Race permit event each Sunday from 10:00am for the next twelve months.
- LTC3. Council note the review of speed zone for Murray Street, Tocumwal. Reference No. R-4549 at Comprehensive review stage.

Staff to provide the minutes of the meeting to Council.



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CARRIED

11 Nov 2024 9:26am Hansen, Matthew - Email
Please update this for the November meeting

Meeting	Officer/Director	Section	Subject
Council 16/10/2024	Hansen, Matthew Ewer, Karina	Reports to Council	Code of Meeting Practice
8. LAPSED			
Moved: Cr Katie Ngatoko			
Seconded: Cr Renee Brooker			
That the Council:			
<ol style="list-style-type: none"> 1. adopt as a draft the Berrigan Shire Council Code of Meeting Practice as attached to this report, 2. place on public exhibition, this Draft Code of Meeting Practice with feedback to be presented along with a finalised draft document at the December Ordinary Council meeting for adoption and 3. fix the schedule for ordinary meetings of Council for the remainder of 2024 and for 2025 as follows. 			
Date	Venue	Time	
16 October 2024	Berrigan Shire Council Chambers	9.00am	
20 November 2024	Berrigan Shire Council Chambers	9.00am	
4 December 2024	Berrigan Shire Council Chambers	1.00pm	
22 January 2025	Berrigan Shire Council Chambers	4:30	
19 February 2025	Berrigan Shire Council Chambers	9:00am	
19 March 2025	Berrigan Shire Council Chambers	4:30pm	
16 April 2025	Berrigan Shire Council Chambers	9:00am	
21 May 2025	Berrigan Shire Council Chambers	4:30pm	



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18 June 2025	Berrigan Shire Council Chambers	9.00am	LAPSED
16 July 2025	Berrigan Shire Council Chambers	9.00am	
20 August 2025	Berrigan Shire Council Chambers	9.00am	
17 September 2025	Berrigan Shire Council Chambers	4:30pm	
15 October 2025	Berrigan Shire Council Chambers	4:30pm	
19 November 2025	Berrigan Shire Council Chambers	4:30pm	
4 December 2025	Berrigan Shire Council Chambers	Morning	

Meeting	Officer/Director	Section	Subject
Council 16/10/2024	Hansen, Matthew Ewer, Karina	Reports to Council	Councillor Expenses and Facilities
<p>9. Resolved OCM 213/24</p> <p>Moved: Cr John Stringer</p> <p>Seconded: Cr Katie Ngatokoa</p> <p>That Council</p> <ol style="list-style-type: none"> 1. adopt as a draft the Councillor Expenses and Facilities Policy attached as an appendix to this report and 2. place the draft on public exhibition for a period of 28 days with any public submissions received to be considered at the ordinary Council meeting to be held on 4 December 2024. <p style="text-align: right;">CARRIED</p>			
<p>04 Nov 2024 12:22pm Hansen, Matthew</p> <p>Draft policy is on exhibition until 21 November 2024 https://www.berriganshire.nsw.gov.au/Council/Have-Your-Say/Draft-Policy-Councillor-Expense-and-Facilities-Guidelines</p>			



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Meeting	Officer/Director	Section	Subject
Council 16/10/2024	Hansen, Matthew Ewer, Karina	Reports to Council	Tocumwal Preschool Reserve
10.	Resolved	OCM 224/24	
Moved:	Cr John Stringer		
Seconded:	Cr Renee Paine		
That the Council, with regards to Crown Reserve 90909 (Tocumwal Preschool Reserve):			
<ol style="list-style-type: none"> 1. submit a written request to Crown Lands NSW to resign its role as land manager and 2. assist Tocumwal Preschool Kindergarten Association Inc. with a simultaneous written request for appointment as land manager. 			
CARRIED			
04 Nov 2024 12:21pm Hansen, Matthew			
Application to resign as Crown Land Manager sent 28 October 2024			

Meeting	Officer/Director	Section	Subject
Council 16/10/2024	Nonavinakere, Vageesh George, Gary	Reports to Council	Barooga raw water intake remediation works
11.	Resolved	OCM 229/24	
Moved:	Cr Katie Ngatoko		
Seconded:	Cr Matthew Hannan		
That Council, in relation to the Barooga raw water intake			
<ol style="list-style-type: none"> 1. award the quotation submitted by Soil Conservation Services for the remediation of the riverbank at the Barooga WTP raw water intake for the contract value of \$356,457 excl GST, subject to the CEO reviewing the scope and negotiation with the preferred supplier if any changes are required. 2. authorises its Seal to be affixed to all documents relating to this contract in the presence of two signatories authorised to affix the Seal pursuant to Regulation 400 of the <i>Local Government (General) Regulation 2021</i>; 3. appoint Michael Eddie as the contract Authorised Person; 			



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

CARRIED

05 Nov 2024 3:31pm Nonavinakere, Vageesh

SCS have been requested to clarify on a few issues pertaining to the proposed works. Due to high water level, SC is planning the works in March/April next year.

05 Nov 2024 3:37pm Nonavinakere, Vageesh - Target Date Revision

Target date changed by Nonavinakere, Vageesh from 30 October 2024 to 15 November 2024 - Work is yet to be awarded pending some clarification on issues.



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Meeting	Officer/Director	Section	Subject
Council 15/11/2023	Hansen, Matthew Ewer, Karina	Confidential Matters	Occupancy licences - surplus land
<p>Resolved OCM 344/23</p> <p>Moved: Cr Renee Paine Seconded: Cr John Taylor</p> <p>That Council direct staff to:</p> <ol style="list-style-type: none"> 1. Engage a property manager to manage these licences on Council's behalf, and through that manager, <ol style="list-style-type: none"> a. Seek advice on market rates for occupancy of surplus land, b. Call for expressions of interest for an agistment licence for surplus at Barooga Cemetery c. Negotiate with the existing licence holder for an extension of the cropping licence for Tocumwal Aerodrome 2. Investigate and report back to the Council on the lease arrangements between Council, Crown Lands NSW and the Berrigan Graziers' club regarding surplus land at Berrigan Sewerage Treatment Plant <p style="text-align: right;">CARRIED</p> <p>28 Nov 2023 12:50pm Hansen, Matthew Kell Moore commissioned to draft licence agreements</p> <p>09 Jan 2024 8:08am Hansen, Matthew Waiting on licence agreements from Kell Moore</p> <p>12 Feb 2024 1:41pm Hansen, Matthew Kell Moore have prepared licence templates. Having difficulty with a response from Council's preferred agent</p> <p>14 Mar 2024 3:51pm Hansen, Matthew Agent has started negotiations with current occupant for the intial surplus land parcel.</p> <p>12 Jun 2024 10:41am Hansen, Matthew Lease signed for Finley Senior Citizens Hall. Licence signed for Tocumwal Aerodrome surplus land. Negotiations ongoing for Tocumwal Aviation Museum. Expressions of Interest for Barooga Cemetery open now.</p> <p>09 Jul 2024 4:19pm Hansen, Matthew Lease signed for Finley Senior Citizens Hall. Licence signed for Tocumwal Aerodrome surplus land. Negotiations ongoing for Tocumwal Aviation Museum. Expressions of Interest for Barooga Cemetery close on 17 July</p> <p>10 Oct 2024 8:43am Hansen, Matthew</p>			



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Barooga Cemetery EOIs were reopened in September due to lack of submissions. Applications closed early October.

04 Nov 2024 11:47am Hansen, Matthew
Barooga cemetery agistment awarded

04 Nov 2024 11:48am Hansen, Matthew - Completion
Completed by Hansen, Matthew (action officer) on 04 November 2024 at 11:48:13 AM - Initial occupancy licences awarded.

Meeting	Officer/Director	Section	Subject
Council 21/02/2024	Fruend, Darron George, Gary	Action	Signage
Action			
Cr Carly Marriott requests that the signage on Bullanginya Bridge be replaced.			
04 Mar 2024 11:17am Rust, Natasha - Target Date Revision Target date changed by Rust, Natasha from 06 March 2024 to 30 April 2024 - Waiting on delivery of signs. Order has been placed.			
06 May 2024 10:08am Rust, Natasha - Target Date Revision Target date changed by Rust, Natasha from 30 April 2024 to 31 May 2024 - Delay in receiving sign from supplier			
13 Jun 2024 2:34pm Rust, Natasha Issues with Supplier - DF is currently liaising with supplier contact to confirm delivery timeline.			
13 Jun 2024 2:36pm Rust, Natasha - Target Date Revision Target date changed by Rust, Natasha from 31 May 2024 to 30 June 2024 - Issues with supplier			
10 Jul 2024 12:37pm Rust, Natasha Previous (Deneffe) supplier unable to fulfill order. Sign to be created by local supplier.			
10 Jul 2024 12:39pm Rust, Natasha - Target Date Revision Target date changed by Rust, Natasha from 30 June 2024 to 31 July 2024 - Supplier unable to fulfil order - new supplier (local) to manufacture signage,			
29 Jul 2024 2:00pm Rust, Natasha Sign now ordered 22.07.2024 through new supplier - advised delivery expected first week of August 2024.			
29 Jul 2024 2:01pm Rust, Natasha - Target Date Revision Target date changed by Rust, Natasha from 31 July 2024 to 09 August 2024 - New supplier advised lead time of 3 weeks. Sign ordered 22.07.2024			
03 Oct 2024 10:46am Hansen, Matthew - Email Hi Darron,,Can we please update?			
04 Oct 2024 8:24am Rust, Natasha - Target Date Revision Target date changed by Rust, Natasha from 09 August 2024 to 18 October 2024 - Still issues with obtaining signage supplies. Spoke with supplier 03.10.2024			
23 Oct 2024 11:38am Rust, Natasha Signs installed 23.10.2024			
23 Oct 2024 11:43am McDonald, Keelan - Completion Completed by McDonald, Keelan on behalf of Fruend, Darron (action officer) on 23 October 2024 at 11:43:05 AM - Not working for Darron			



Division: Committee: Council Officer:	Date From: Date To: Printed: 13 November 2024 1:05 PM
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Action Sheets Report

Meeting	Officer/Director	Section	Subject
Council 16/10/2024	Fruend, Darron George, Gary	Reports of Committees	Local Traffic Committee - minutes
Recommendation			
Resolved OCM 210/24			
Moved: Cr Katie Ngatoko			
Seconded: Cr Renee Brooker			
That Council adopt the following recommendations from the Local Traffic Committee Meeting held on Thursday 15 August 2024.			
LTC1. Council approve the application made by BDDA to hold the Annual Christmas Night Market on Friday 6 December 2024 and temporary road closure of Chanter Street, Berrigan between the hours of 5:00pm – 11:00pm subject to: A Road Occupancy License to be obtained from Transport NSW for the event.			
LTC2. Council approve the application made by Cobram Barooga Cycle Club to hold their 2024/2025 Race permit event each Sunday from 10:00am for the next twelve months.			
LTC3. Council note the review of speed zone for Murray Street, Tocumwal. Reference No. R-4549 at Comprehensive review stage.			
Staff to provide the minutes of the meeting to Council.			
CARRIED			
Resolved OCM 210/24			
Moved: Cr Katie Ngatoko			



Division: Committee: Council Officer:	Date From: Date To:
Action Sheets Report	Printed: 13 November 2024 1:05 PM

Seconded: Cr Renee Brooker

That Council adopt the following recommendations from the Local Traffic Committee Meeting held on Thursday 15 August 2024.

- LTC1. Council approve the application made by BDDA to hold the Annual Christmas Night Market on Friday 6 December 2024 and temporary road closure of Chanter Street, Berrigan between the hours of 5:00pm – 11:00pm subject to: A Road Occupancy License to be obtained from Transport NSW for the event.
- LTC2. Council approve the application made by Cobram Barooga Cycle Club to hold their 2024/2025 Race permit event each Sunday from 10:00am for the next twelve months.
- LTC3. Council note the review of speed zone for Murray Street, Tocumwal. Reference No. R-4549 at Comprehensive review stage.

Staff to provide the minutes of the meeting to Council.

CARRIED

11 Nov 2024 9:26am Hansen, Matthew - Email

Please update this for the November meeting

13 Nov 2024 12:59pm Hansen, Matthew - Completion

Completed by Hansen, Matthew on behalf of Freund, Darron (action officer) on 13 November 2024 at 12:59:48 PM - All items complete



Piet

8.17 Correspondence - October 2024 to November 2024

- Author:** Chief Executive Officer, Karina Ewer
- Strategic Outcome:** CL. Our Civic Leadership
- Strategic Objective:** CL-A. The community is serviced in an effective, financially sustainable and responsible manner
- Delivery Program:** CL.1. Improve Council processes to make doing business with Council easier.
- Council’s Role:** **Service Provider:** The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
- Appendices:**
1. All Incoming (under separate cover)
 2. All Outgoing (under separate cover)

This report is for information only.

Report

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

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

Incoming

DATE	FROM	TO	TOPIC	RESPONDED DATE
9 October 2024	Lindsay Walsh	Mayor Julia	Importance of Maintaining Funding for Student Support Officer	11 October 2024
22 October 2024	Jayde Walters	Mayor Julia	Importance of Maintaining Funding for Student Support Officer	28 October 2024
24 October 2024	Jill Ludford, Chief Executive MLHD	Mayor Julia	Congratulations on Mayoral appointment	N/A
29 October 2024	Owen Gill, Principal Finley Public School	Mayor Julia	Invitation to Finley Public	30 October 2024



DATE	FROM	TO	TOPIC	RESPONDED DATE
9 October 2024	Lindsay Walsh	Mayor Julia	Importance of Maintaining Funding for Student Support Officer	11 October 2024
			School Presentation Day	
1 November 2024	Mark Lamb, CEO MDA	Mayor Julia	Congratulation on appointment as Mayor and MDA benefits	N/A
11 November 2024	Alex Young, Director Circular Systems, NSW EPA	Karina Ewer	Cardboard Battery Recycling Boxes	See Outgoing 10 October 2024
13 November 2024	Wendy Griener, Chair Murray Regional Tourism	Mayor Julia	Congratulations on Appointment	N/A

OUTGOING

DATE	FROM	TO	REGARDS	TYPE
9 October 2024	Karina Ewer	Brendan Gullifer	Meeting with Premier's Department	Email (attachments will form part of upcoming Council reports)
10 October 2024	Karina Ewer	EPA	Removal of cardboard battery collection boxes	Letter via email
10 October 2024	Karina Ewer	LGNSW	Removal of cardboard battery collection boxes	Letter via email
11 October 2024	Mayor Julia	Nicole Laker – Tocumwal Public School	Student Support Officer	Letter via email
11 October 2024	Mayor Julia	Lindsay Walsh	Student Support Officer	Letter via email
16 October 2024	Mayor Julia	Mayor George Weston	Mayoral Alliance for the Pacific	Letter via email



DATE	FROM	TO	REGARDS	TYPE
		Cc Jackie Kruger and Welcoming Australia		
28 October 2024	Mayor Julia	Jayde Walters	Student Support Officer	Letter via email
30 October 2024	Karina Ewer	Owen Gill	Finley Public School Annual Presentation Day	Letter via email
31 October 2024	Mayor Julia	Rotary Club of Tocumwal	Say No to Domestic Violence	Letter via email



8.18 Development Determinations for Month of Oct 2024

Author:	Administration Support - Building & Planning, Kelly Milich
Strategic Outcome:	CO. Our Community
Strategic Objective:	CO-A. We're healthy and well with equitable access to services
Delivery Program:	CO.1. Deliver initiatives, facilities and services to advance health and wellbeing priorities
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	Nil

Recommendation

That Council receive and note this report.

Report

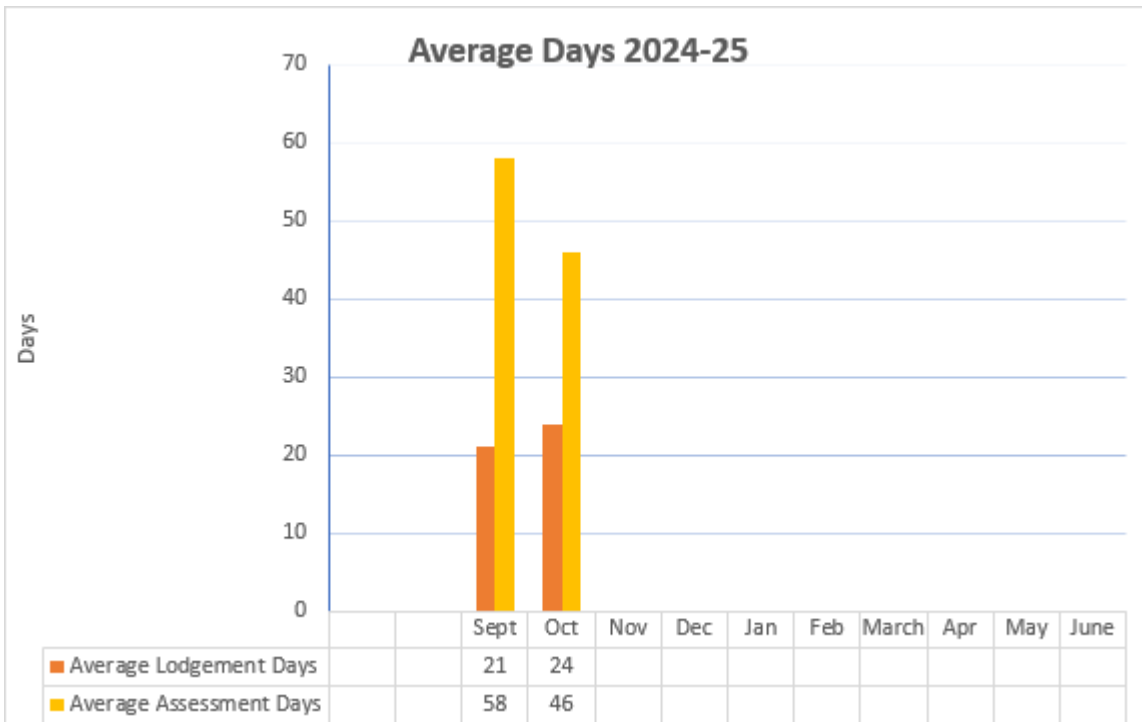
APPLICATIONS DETERMINED FOR OCTOBER 2024

Application	Proposal	Property	Status	Work Value
17/25/DA/D1	Dwelling	The Riverfront, Bushlands Road TOCUMWAL NSW 2714	Approved	\$928,400
23/25/DA/D1	2 x Dwelling, Shed, Pool	31 Kelly Street, TOCUMWAL NSW 2714	Approved	\$1,070,000
28/25/DA/D1-M	BV Dwelling & Attached Garage & Outbuilding	Barooga-Tocumwal Road, BAROOGA NSW 3644	Approved	\$950,000
34/25/DA/D1	Dwelling	53-59 Corcoran Street, BERRIGAN NSW 2712	Approved	\$115,000
27/25/DA/D3	Verandah	31 Wirraway Court, TOCUMWAL NSW 2714	Approved	\$9,000
19/25/DA/D5	Residential Shed	43-49 Snell Road, BAROOGA NSW 3644	Approved	\$110,000
25/25/DA/D5	Residential Storage Shed	16 Hughes Street, BAROOGA NSW 3644	Approved	\$34,237
30/25/DA/D5	Carport	15 Bridge Street, TOCUMWAL NSW 2714	Approved	\$5,000
33/25/DA/D5	Carport	9 Bellis Court, BAROOGA NSW 3644	Approved	\$48,000
35/25/DA/D5	Carport & Pergola	5 Finley Street, TOCUMWAL NSW 2714	Approved	\$19,500



Key Performance Indicator – Development Assessment:

Average Lodgement Days - Berrigan	24
Average Assessment Days - Berrigan	46



Officers are aware of the Ministerial Statement of Expectations Order 2024, which focuses on reducing the number of days from receipt to allocation (average lodgement days). Officers are introducing methods to reduce this time to meet the target of 9 days as a priority.

The graph does illustrate a marked improvement in the assessment timeframe between October and November. As a team, officers continue to meet regularly to discuss new ways of working, that will help them meet the statutory requirement and improve customer experience.

APPLICATIONS PENDING DETERMINATION AS AT 31/10/2024

Application No.	Date Lodged	Description	Property Location
41/25/CC/C1	03/10/2024	Residential Shed	16 Quirk Street, FINLEY NSW 2713
25/25/ACT/ZV	03/10/2024	Independent Living	50-56 Snell Road, BAROOGA NSW 3644
26/25/ACT/ZV	03/10/2024	Fernery – Site 62	77-81 Murray Street, TOCUMWAL NSW 2714
27/25/ACT/ZF	03/10/2024	Water Meter Connection & Installation of Pump	15 Wirraway Court, TOCUMWAL NSW 2714
42/25/CC/C1	03/10/2024	Aircraft Hanger	19 Flight Place, TOCUMWAL NSW 2714
43/25/CC/C1	04/10/2024	Residential Shed	1 Norman Lee Court, FINLEY NSW 2713



34/25/DA/D1	04/10/2024	Dwelling	53-59 Corcoran Street, BERRIGAN NSW 2712
28/25/ACT/ZF	09/10/2024	Water Supply, Sewer & Stormwater	49-55 Golf Course Road, BAROOGA NSW 3644
35/25/DA/D5	09/10/2024	Carport & Pergola	5 Finley Street, TOCUMWAL NSW 2714
36/25/DA/D9	09/10/2024	3 Lot Subdivision	Cobram Road, BERRIGAN NSW 2712
29/25/ACT/ZF	14/10/2024	Sewer Works	193 Quicks Road, TOCUMWAL NSW 2714
37/25/DA/DM	16/10/2024	Murray River Road Run Event	2 Deniliquin Road, TOCUMWAL NSW 2714
46/25/CC/C1	17/10/2024	Civil Works	20-34 Snell Road, BAROOGA NSW 3644
38/25/DA/DM	17/10/2024	Tourist and Visitor Accommodation	18-38 Burkinshaw Street, BAROOGA NSW 3644
39/25/DA/DM	18/10/2024	Rail Infrastructure Facility	147 Silo Road, TOCUMWAL NSW 2714
30/25/ACT/ZN	21/10/2024	Approval to Operate Caravan Park	19-25 Banker Street, BAROOGA NSW 3644
31/25/ACT/ZN	21/10/2024	Transportable Home – Unit 8	19-25 Banker Street, BAROOGA NSW 3644
32/25/ACT/ZJ	21/10/2024	Installation of Septic Tank	Barooga – Tocumwal Road, BAROOGA NSW 3644
33/25/ACT/ZF	28/10/2024	2 x Water Meter Connection	21 Lewis Crescent, FINLEY NSW 2713
34/25/ACT/ZG	28/10/2024	Plumbing works to proposed shed	14-16 Murray Street, TOCUMWAL NSW 2714
40/25/DA/D5	29/10/2024	Residential Storage Shed	16 Berrigan Road, FINLEY NSW 2713

OTHER CERTIFICATES ISSUED FOR SEPTEMBER 2024

	s10.7(2) Planning Certificate		s10.7(5) Certificate		735A Certificate		s9.34 Certificate		s6.24 Building Certificate		Swimming Pool Certificate	
	OCT	Year Total	OCT	Year Total	OCT	Year Total	OCT	Year Total	OCT	Year Total	OCT	Year Total
BAROOGA	7	25	2	2	0	0	0	0	0	0	1	2
BERRIGAN	4	23	0	0	0	1	0	0	0	0	0	0
FINLEY	8	23	0	1	0	1	0	1	0	0	0	0
TOCUMWAL	11	43	1	1	0	0	0	0	0	0	0	0
TOTAL	30	114	1	4	0	2	0	1	0	0	1	2



8.19 CCTV cameras in public areas

Author:	Deputy Chief Executive Officer, Matthew Hansen
Strategic Outcome:	CO. Our Community
Strategic Objective:	CO-A. We're healthy and well with equitable access to services
Delivery Program:	CO.2. Strengthen community safety and disaster resilience
Council's Role:	Facilitator: A step further from advocacy where the Council may try to bring parties together to work out a solution to an issue affecting the Council area
Appendices:	Nil

Recommendation

That Council:

1. delay the installation of CCTV systems in public places for a period of two years, and
2. review this decision in November 2026.

Purpose

This report puts forward an option for the installation and monitoring closed circuit television (CCTV) systems in selected public areas in Berrigan Shire.

Summary

Council is currently installing CCTV systems at its water treatment plants and its main depot at Berrigan.

Council has the opportunity and capacity to install cameras at four sites in Barooga and Finley at the same time if it wishes, at an annual cost of \$3,600 per site.

Council's CCTV Surveillance Policy calls for a Crime Prevention through Environmental Design audit and community consultation before installing CCTV in a public place. However, council may, if it chooses, resolve to install these systems immediately.

Background

There has been some pressure from elements in the community – and from the NSW Police Force – for council to install CCTV systems in public areas in Berrigan Shire.

Council has previously resisted calls to install CCTV citing a range of reasons – which all remain valid today:

- Crime rates in Berrigan Shire are extremely low compared to state averages – noting it is often the **perceived**, rather than actual, risk that impacts community wellbeing.



- Installation and monitoring of CCTV cameras for public safety should be the role of the NSW Police
- Systems to maintain personal privacy and protect sensitive data is onerous and expensive.

However, the most recent council resolved to install CCTV systems in a range of public areas in Berrigan Shire. In early 2023, council installed solar-powered poles capable of housing CCTV systems. In late 2023, council chose not to proceed with a proposal to install and monitor CCTV cameras as data from the cameras was proposed to be hosted outside Australia.

Council now has a proposal from a local provider to install, maintain and remotely store data from CCTV systems. The proposal does not include real time monitoring.

Management has used delegated authority to approve the roll out of CCTV systems at council's water treatment facilities and the main depot at Berrigan, based on a risk assessment. The annual cost to council to operate and maintain the cameras at these sites is \$36,000.

Council is asked to consider the installation of these cameras in selected public areas. These areas were also prioritised based on a risk assessment.

The proposed sites are:

- Barooga Foreshore Reserve (Adventure Park)
- Barooga Botanical Gardens
- Railway Park, Finley
- Foundry Park, Finley.

Between July 2023 and June 2024, the following offenses in public places were reported to the NSW Police Force. Not all these were in areas controlled by council or within sight of the proposed cameras.

Domestic violence -related assault	1
Other assault	8
Steal from motor vehicle	11
Malicious damage	8

While council does not always clearly separate the cost of repairing vandalism from general maintenance, staff estimate council has spent over \$40,000 this year on vandalism in public parks alone.

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

The proposal aligns with Berrigan Shire 2040 strategic objective CO.2 - Strengthen community safety and disaster resilience.

Crime/Public safety was not one of the nine major themes identified in the community engagement informing Berrigan Shire 2040. However, the community did ask for an enhanced police presence.

Council has an adopted Privacy Management Plan which would inform the capture and use of personal information captured by a CCTV system.

Council does not currently have a crime prevention strategy or plan.



Issues and Implications

Policy

Council adopted a [CCTV Surveillance Policy](#) in 2022

Clause 6.2.1 of the policy states:

Council staff will therefore, collaborate/partner (refer to our Engagement Framework) with police to ensure the installation of CCTV fits within a broader crime prevention strategy and will meet the stated objectives for its installation.

There has been no formal approach to council by the NSW Police Force requesting council install CCTV. There have been some informal approaches by individual police officers.

As mentioned above, council does not have a crime prevention plan or strategy.

Clause 6.3 states

Council staff will ensure that where CCTV in a public place is established, operated, and managed for crime prevention and community safety purposes, its implementation will be part of an integrated, multi-agency approach to crime control and community safety.

Hence, CCTV will only be considered as one part of a range of crime prevention measures, and not a stand-alone strategy, and prior to installation, a Crime Prevention through Environmental Design audit will be completed.

The audit will consider:

- *whether the problem is on-going or the result of a one-off event,*
- *whether the perception of crime is supported by evidence and data,*
- *how the establishment, operation and management of CCTV fits within a broader crime prevention strategy,*
- *evidence as to the effectiveness of CCTV in addressing the identified crime,*
- *the lawfulness of the collection of personal information via CCTV and*
- *the costs associated with establishing, operating, and managing the CCTV.*

No audit as described in the policy has been undertaken.

Where the cameras capture sites where council staff work, council will need to consider the interaction with its [Workforce Surveillance Policy](#).

Clause 6.4 states

Council staff will develop and implement an evaluation framework for each public place where CCTV is established to determine whether the CCTV is achieving its objectives.

The evaluation framework will provide guidance on appropriate mechanisms to enable Council staff to assess whether the CCTV scheme is:

- *achieving its objectives (including an assessment of its impact upon crime and community safety, for those schemes implemented for crime prevention or community safety purposes),*
- *being used in accordance with its established objectives, and not for any other purpose,*
- *impacting on any groups,*



- *providing an overall benefit (after consideration of the costs involved in operating the scheme) and*
- *achieving its planned outcomes and if not, whether it requires changes to the extent or location of the cameras, or technology utilised.*

Council has not developed an evaluation framework.

Financial

The one-off installation cost for the cameras is \$220 per camera plus an installation fee of \$600 per site.

The annual cost of maintenance, operation and data storage per camera is \$3,600.

This cost has not been allowed for in the 2024/25 operating budget and will need to be found from existing program.

Legal / Statutory

Councils have a limited exemption from the requirements of the *Privacy and Personal Information Protection Act 1998*.

- 1) A local council is exempt from section 11 of the Act with respect to the collection of personal information by using a CCTV camera that the council has installed for the purpose of filming a public place if the camera is positioned so no other land is filmed (unless it is not reasonably practicable to avoid filming the other land when filming the public place).
- 2) The local council is also exempt from section 18 of the Act with respect to the disclosure to the NSW Police Force of personal information by way of live transmission from such a CCTV camera.

Council is required to consider the requirements of the [NSW Government policy statement and guidelines for the establishment and implementation of closed-circuit television \(CCTV\) in public places \(2014\)](#)

Community Engagement / Communication

Council's CCTV Surveillance Policy includes the following clause regarding consultation with the community.

Per the Council's Community Engagement and Participation Framework Council staff when considering the establishment or significant expansion of CCTV council staff must ensure the relevant concerns of affected parties are documented and considered.

People or groups who may be affected by the proposal may include:

- *residents,*
- *users of the public place,*
- *local businesses,*
- *police or other regulatory authorities and*
- *council staff*



Information available through the consultation process will include the potential benefits of the scheme, possible costs involved, and privacy implications, including people’s rights and Council’s responsibilities.

There has been no consultation with the community on this specific proposal.

Human Resources / Industrial Relations (If applicable)

Council’s CCTV Surveillance Policy includes the following clause regarding consultation with staff.

While CCTV schemes installed in public locations and as part of Council infrastructure may incidentally capture Council staff performing work tasks, they are not intentionally designed as surveillance to monitor workforce productivity.

Consultation with Council staff will ensure compliance with the Workplace Surveillance Act 2005 and ensure staff are given due notice prior to the installation of a scheme.

Risks

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

1. Financial

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

The annual cost to council to maintain and operate cameras at these sites is \$14,400.

2. Technology

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

A cyber security breach relating to the CCTV system would be considered a reportable data breach under the new Mandatory Notification of Data Breach Scheme.

Council is not able to use the most common and affordable cameras as the manufacturers have alleged ties to the Chinese government.



3. Reputational

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

Installation of public surveillance equipment can draw mixed reactions – from highly positive to very negative. If council chooses to act outside its adopted policy, this risk is heightened.

4. Built Environment (including plant and equipment)

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

The type of camera and environmental conditions will affect the durability of the cameras. The life-span of security cameras is between 5 – 10 years, when Council will have to replace them.

Options

1. Not proceed with the installation of CCTV systems in public places at this time - **recommended**
2. In partnership with the NSW Police Force, undertakes a Crime Prevention through Environmental Design audit and community consultation on this proposal as per its adopted CCTV Surveillance Policy.
3. Proceed with the installation of CCTV cameras, noting this is contrary to its current policy.

If council chooses this option, a suitable resolution could be:

That council:

1. *Install CCTV systems to monitor the following sites:*
 - a. *Barooga Foreshore Reserve (Adventure Park)*
 - b. *Barooga Botanical Gardens*
 - c. *Railway Park, Finley*
 - d. *Foundry Park, Finley*
2. *Direct the CEO to bring forward its CCTV Surveillance Policy to council for review by June 2025.*





8.20 Power Purchasing Agreement - Large Sites

Author:	Deputy Chief Executive Officer, Matthew Hansen
Strategic Outcome:	CL. Our Civic Leadership EN. Our Environment
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner EN-B. We work together to reduce our shire's carbon footprint
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers. EN.3. Mitigate the impacts of climate change through renewable energy and water conservation measures and encourage sustainable living
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	1. NSW Net Zero Emissions Guidance for NSW Councils (under separate cover)

This report is for information only.

Report

Council has a new electricity supply agreement for 100% renewable power for three large sites and its streetlighting.

The agreement, part of a joint power purchasing arrangement with 13 regional councils, extends until 2030.

The procurement process has been in train for some time – at least 12 months.

At its January 2024 Ordinary Meeting, council moved the following:

8.5 Power Purchase Agreement

Resolved OCM 007/24

Moved: Cr Roger Reynoldson

Seconded: Deputy Mayor Carly Marriott

That Council:

1. agrees to accept the proposal from Hunter Joint Organisation to tender for the purchase of power for Council's large sites, and
2. authorises the CEO to accept a tender from the successful supplier under her existing delegation.

CARRIED



Council asked at the time, that if the offer was over the price already paid, they should be made aware prior to signing. They also requested we only consider renewable energy where it offered a lower price than currently paid.

These contracts move quickly once they are determined and as expected we had a day to sign the contracts once negotiations were complete to lock in the price offered.

The new supply agreement benefits council in several ways.

Emissions Reduction: By opting for 100% renewable energy to power its large sites and streetlighting, council will avoid an estimated 2,638 tonnes of carbon dioxide emissions (t/CO₂e). Securing renewable energy through this deal helps decarbonise council operations and aligns council with local, state and national net zero targets.

The [Climate Change \(Net Zero Future\) Act 2023](#) binds NSW government agencies – including local councils to meet the following targets.

- by 30 June 2030—to reduce net greenhouse gas emissions in New South Wales by at least 50% from the net greenhouse gas emissions in 2005, and
- by 30 June 2035—to reduce net greenhouse gas emissions in New South Wales by at least 70% from the net greenhouse gas emissions in 2005, and
- by 30 June 2050—to reduce net greenhouse gas emissions in New South Wales to zero.

Engagement with this procurement process and the ability for Council to access 100% renewable energy, assists council meet its obligations under the Federal Government's Net Zero by 2050 targets. Council's obligations are outlined in the Net Zero Emissions Guidance for NSW Councils attached at appendix 1.

Cost savings and budget certainty: By purchasing as a group, council have been able to lock in renewable electricity at a competitive price through to the end of 2030, saving an estimated \$126,156 over the duration of the agreement (compared with current electricity costs). The deal also shields council from volatility in the electricity market that can unexpectedly increase council's costs, giving long-term budget certainty.

The sites included in the agreement are:

- The administration office at Berrigan
- Tocumwal water treatment plant
- Finley water treatment plant
- Streetlighting in all towns.

There are a few large sites with contracts with closing dates that did not align with the initial agreement. It may be possible to roll these into the agreement later.



8.22 Finance - Accounts October

Author:	Finance Team Leader, Grant Martin
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	1. Berrigan_Monthly Report_October 2024.pdf (under separate cover)

Recommendation

That Council:

- a) receive the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 October 2024,
- b) confirm the accounts paid as per Warrant No. 10/24 totaling \$8,861,200.42 and note the report on investments attached.

Purpose

This report is designed to inform Council of its cash and investments as at 31 October 2024 and for council to authorise expenditure for the month ending 31 October 2024.

Grant Martin – Finance Team Leader is acting Finance Manager and has prepared this report.

Report:

- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 31 October 2024 is certified by the Finance Manager.
- b) The Finance Team Leader certifies that the Cash Book of the Council was reconciled with the Bank Statements as at 31 October 2024.
- c) The Finance Team Leader certifies the Accounts, including the Petty Cash Book made up to 31 October 2024, totaling \$8,861,200.42 and will be submitted for confirmation of payment as per Warrant No. 10/24.
- d) The Finance Team Leader certifies that all Investments have been placed in accordance with:
 - i. [Council's Investment Policy](#),
 - ii. [Section 625 of the Local Government Act 1993 \(as amended\)](#),



- iii. [the Minister’s Amended Investment Order gazetted 11 January 2011,](#)
 - iv. [clause 212 of the Local Government \(General\) Regulations 2021,](#) and
 - v. Third Party Investment requirements of the Office of Local Government Circular 06-70
- e) Council’s cash and investment portfolio decreased by \$2,096,121.05 since September. However, funds have increased by \$1,100,771.21 compared to the same period last year.

Statement of Bank Balances as at 31 OCTOBER 2024

Bank Account Reconciliation

Cash book balance as at 01 OCTOBER 2024	\$ 8,025,240.84
Receipts for OCTOBER 2024	\$ 6,765,079.37
Term Deposits Credited Back	\$ 2,000,000.00
	\$ 16,790,320.21
Less Payments Statement No 10/24	
Bank Transfers	\$ -
Electronic Funds Transfer (EFT) Payroll	\$ 808,369.63
Electronic Funds Transfer (EFT) Creditors	\$ 2,884,617.91
Term Deposits Invested	\$ 5,000,000.00
Loan repayments, bank charges, etc	\$ 168,212.88
Total Payments for OCTOBER 2024	\$ 8,861,200.42
Cash Book Balance as at 31 OCTOBER 2024	\$ 7,929,119.79
Bank Statements as at 31 OCTOBER 2024	\$ 7,927,990.79
Plus Outstanding Deposits	\$ 1,129.00
Less Outstanding Cheques/Payments	\$ -
Reconciliation Balance as at 31 OCTOBER 2024	\$ 7,929,119.79

INVESTMENT REGISTER

INSTITUTION	FUND	DEPOSIT NO.	TERM (days)	RATE	MATURITY DATE	INSTITUTION TOTAL	S&P RATING
Bank Of Queensland	WATER	153/23	731	4.60%	18/11/2024	\$ 2,000,000.00	BBB+
Bendigo Bank	WATER	142/18	181	5.00%	26/03/2025	\$ 2,000,000.00	BBB+
Defence Bank Limited	WATER	138/18	365	5.25%	11/01/2025	\$ 2,090,003.47	BBB
NAB	SEWER	159/24	83	4.90%	19/12/2024	\$ 2,000,000.00	AA-
NAB	GENERAL	160/24	153	5.07%	27/02/2025	\$ 2,000,000.00	AA-
NAB	GENERAL	161/24	214	5.07%	29/04/2025	\$ 2,000,000.00	AA-
NAB	WATER	162/24	242	5.04%	27/05/2025	\$ 2,000,000.00	AA-
NAB	WATER	163/24	334	4.95%	27/08/2025	\$ 2,000,000.00	AA-
NAB	GENERAL	156/24	368	5.25%	10/06/2025	\$ 2,000,000.00	AA-
NAB	SEWER	157/24	365	5.30%	30/07/2025	\$ 2,000,000.00	AA-
WESTPAC	GENERAL	163/24	94	4.91%	13/01/2025	\$ 1,000,000.00	AA-
WESTPAC	GENERAL	150/23	365	4.82%	30/09/2025	\$ 2,000,000.00	AA-
WESTPAC	SEWER	144/19	552	4.95%	1/10/2025	\$ 2,000,000.00	AA-
WETSPAC	GENERAL	164/24	397	4.99%	12/11/2025	\$ 2,000,000.00	AA-
WETSPAC	GENERAL	165/24	551	4.85%	15/04/2026	\$ 2,000,000.00	AA-
WETSPAC	SEWER	158/24	729	4.95%	30/07/2026	\$ 2,000,000.00	AA-
						\$ 31,090,003.47	

Total Funds Held at 31 OCTOBER 2024

\$39,019,123.26

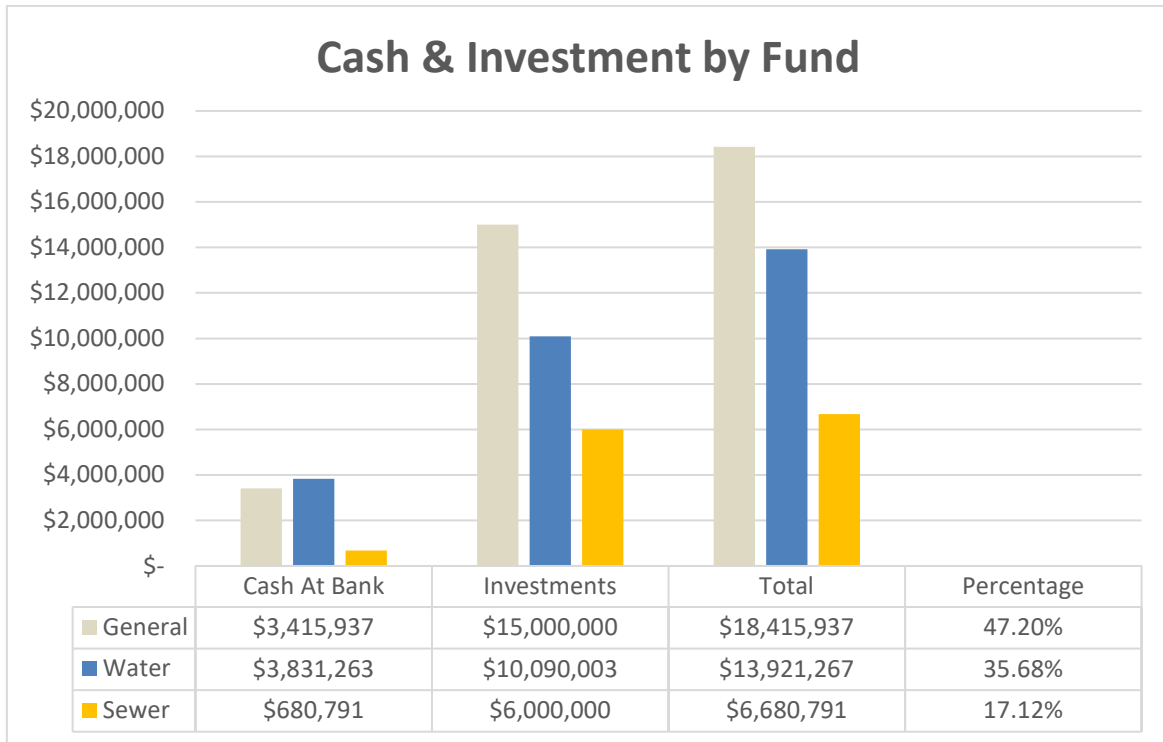
Grant Martin - Finance Team Leader

*The Council also receives an additional 0.25% commission

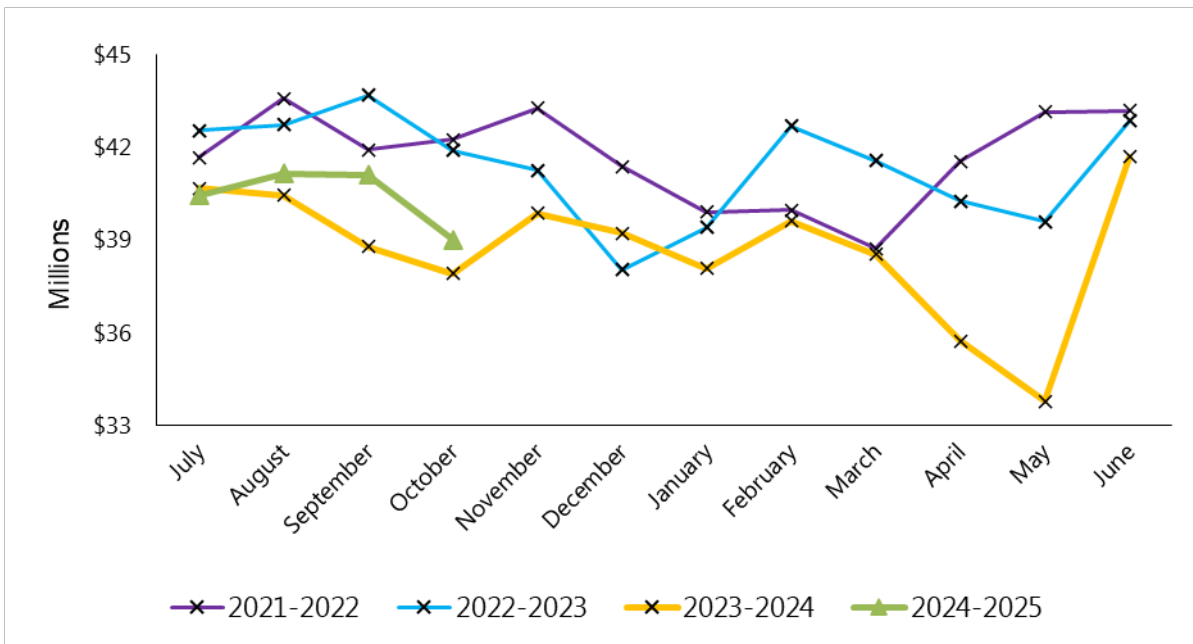
**The Council also receives an additional 0.20% commission



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

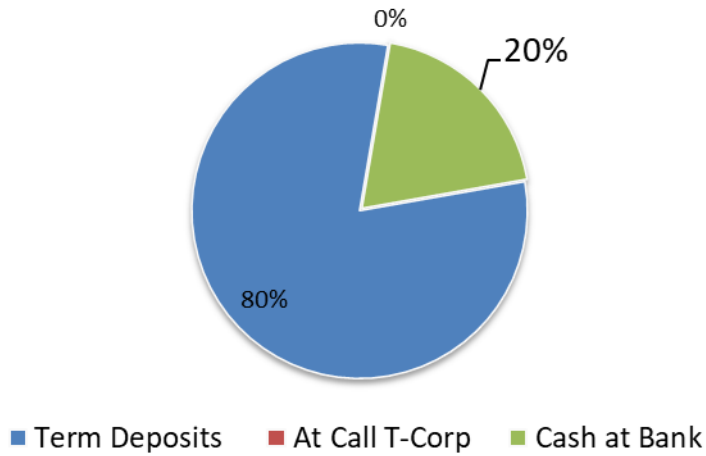


Total Cash and Investments

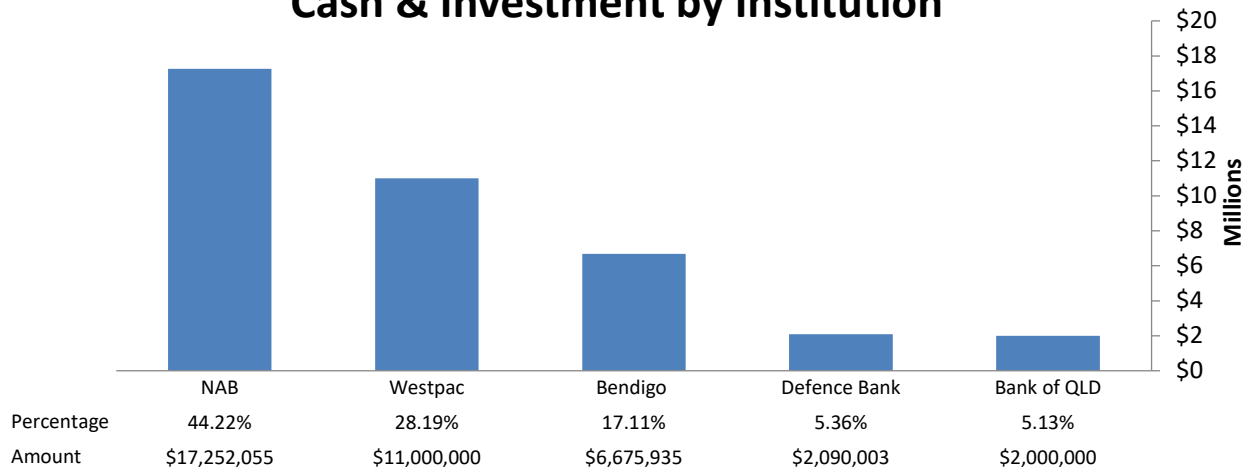




Cash & Investment by Type

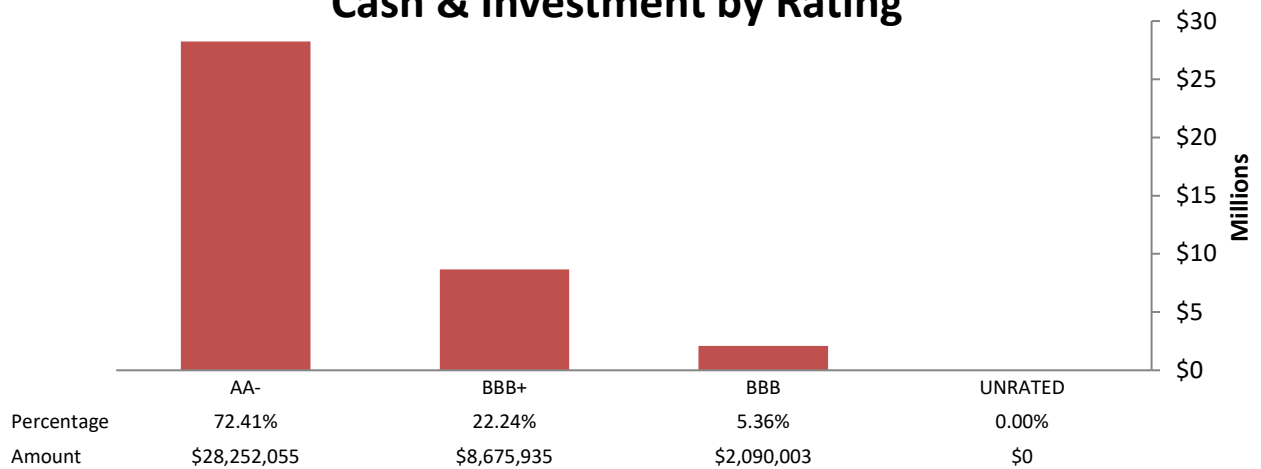


Cash & Investment by Institution





Cash & Investment by Rating



Term Deposits Credited Back

Prior Financial Institution	Term (Days)	Amount	Interest Rate	Maturity Date
NAB	368	\$5,000,000.00	5.30%	25/10/2024
AMP	730	\$2,000,000.00	**5.00%	3/10/2024

Term Deposits Invested / Reinvested

Current Financial Institution	Term (Days)	Amount	Interest Rate	Maturity Date
WESTPAC	94	\$1,000,000.00	4.91%	13/01/2025
WESTPAC	397	\$2,000,000.00	4.99%	12/11/2025
WESTPAC	551	\$2,000,000.00	4.85%	15/04/2026

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



Outstanding Borrowings:

The Council has outstanding borrowings of \$5,605,255 as of 31 October 2024. This includes both external borrowings (\$3,146,969) and internal borrowings from Council's Sewer Fund (\$2,458,286). Council has not yet drawn down on any new borrowings in the 24/25FY.

Please see below Council's current borrowings:

Institution	Fund Borrowing	Purpose	Loan Amount	Interest Rate	Opening Balance @ 1.07.2024	Principal	Interest	Closing Balance @ 31.10.2024
NAB	General	LIRS Drainage Loan	\$1,630,000	4.26%	\$115,312	\$115,312	\$1,396	\$0
ANZ	General	LCLI Lewis Cr/Fin Park Loan	\$1,000,000	2.32%	\$619,208	\$40,894	\$5,827	\$578,314
NAB	Water	LCLI Barooga WTP	\$4,000,000	1.48%	\$2,699,290	\$130,635	\$12,894	\$2,568,655
Sewer Fund	General	General Fund	\$1,000,000	1.48%	\$715,269	\$32,412	\$3,469	\$682,857
Sewer Fund	Water	Finley WTP	\$2,600,000	1.48%	\$1,859,700	\$84,271	\$9,020	\$1,775,429
		TOTALS	\$10,230,000		\$6,008,779	\$403,524	\$32,606	\$5,605,255



8.23 July - September Quarterly Budget Review

Author:	Finance Team Leader, Grant Martin
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	<ol style="list-style-type: none">1. September 2024 Quarterly Budget Summary.pdf (under separate cover)2. September 2024 QBRS.pdf (under separate cover)

Recommendation

1. Note the first quarterly review of the 2024/25 budget and vote the funds contained therein as shown in "Appendix 1"
2. Note the September Quarterly Budget Review Statement attached also as "Appendix 2"

Report

Circulated with the Agenda as "**Appendix 1**" is the Quarterly Financial Review for the period 1 July 2024 to 30 September 2024. This report considers all known factors and work variations until 30 September 2024 and later where possible, including moving some budget allocations to the 2025/26 financial year.

The revised budget surplus at 30 September 2024 is \$4,434.

The revised budget is attributable to several factors including but not limited to, the deferral of capital works into the 2023/24 budget from prior years, ongoing increased costs for operational and capital expenditure, increased expenditure in Council's move towards Cloud based software, flood damage repairs and ongoing consultant costs to alleviate staff shortages.

Significant variations for Council Services are listed in the below table. Variances which are unfavourable to the Council's result are shown with a (U) next to them and variances which are favourable are denoted with a (F).

*A detailed budget variation report is available upon request.



SERVICES	VARIANCE (\$)	VARIANCE (%)	FAVOURABLE / UNFAVOURABLE	COMMENTARY
INTEREST ON INVESTMENTS	161,000	30%	F	Increase in Rates offered on Term Deposits
GOVERNANCE EXPENSE	284,363	-13%	F	Position Vacancies and Insurance Reductions
GOVERNANCE REVENUE	-	0%	-	NIL CHANGE
CORPORATE SUPPORT EXPENSE	(352,904)	96%	U	Increase in Staff Costs and Insurance
CORPORATE SUPPORT REVENUE	832	1%	F	Increase in Certificate Applications
INFRASTRUCTURE EXPENSE	(13,871)	2%	U	Increase in Depreciation
INFRASTRUCTURE REVENUE	-	0%	-	NIL CHANGE
EMERGENCY SERVICES EXPENSE	(79,677)	22%	U	RFS Contribution to Federation Council
EMERGENCY SERVICES REVENUE	7,000	9%	F	Depreciation
INFORMATION TECHNOLOGY EXPENSE	332,075	-6%	F	Proposed Borrowings not drawn down at this time
INFORMATION TECHNOLOGY REVENUE	-	0%	-	NIL CHANGE
OTHER COMMUNITY SERVICES EXPENSE	(8,315)	12%	U	Increase in Depreciation
OTHER COMMUNITY SERVICES REVENUE	-	0%	-	NIL CHANGE
CEMETERY EXPENSE	(122,613)	70%	U	Additional Plaques, Plinths & Interment Wall. Cemetery Officer reallocated to Cemeteries Service
CEMETERY REVENUE	5,000	3%	F	Increase in number of plaques
PEOPLE AND CULTURE EXPENSE	(95,000)	25%	U	Additional Staff Member in Service
PEOPLE AND CULTURE REVENUE	-	0%	-	NIL CHANGE
HOUSING EXPENSE	(25,456)	111%	U	Purchase of Hayes Street Land
HOUSING REVENUE	-	0%	-	NIL CHANGE
BUILDING AND PLANNING EXPENSE	161,751	-9%	F	Position Vacancies and Local Strategic Planning Statements budget reduced
BUILDING AND PLANNING REVENUE	27,810	11%	F	Increase in number of applications and certificates
BIOSECURITY EXPENSE	(5,218)	1%	U	Increase in Compliance Inspections
BIOSECURITY REVENUE	32,000	30%	F	Increase in Noxious Weeds Private Works
DOMESTIC WASTE MANAGEMENT EXPENSE	(540,935)	27%	U	Increase in Contract for Waste Collection
DOMESTIC WASTE MANAGEMENT REVENUE	540,935	27%	F	Increase in Charges for Waste Collection
STORMWATER DRAINAGE EXPENSE	(89,818)	8%	U	Increase in Depreciation
STORMWATER DRAINAGE REVENUE	42,528	55%	F	Increase in Section 94 Developer Contributions
ENVIRONMENTAL PROTECTION EXPENSE	-	0%	-	NIL CHANGE
ENVIRONMENTAL PROTECTION REVENUE	-	0%	-	NIL CHANGE
WATER SUPPLIES EXPENSE	(534,094)	5%	U	Increase in Depreciation & Insurance
WATER SUPPLIES REVENUE	1,413,341	16%	F	Increase in Section 64 Developer Contributions
SEWERAGE SERVICES EXPENSE	(404,401)	9%	U	Increase in Depreciation & Insurance
SEWERAGE SERVICES REVENUE	404,401	9%	F	Increase in Funds drawn from Reserve
PUBLIC LIBRARIES EXPENSE	(94,554)	12%	U	Increase in Staff Costs
PUBLIC LIBRARIES REVENUE	5,832	6%	F	Increase in Local Special Projects Grant
COMMUNITY AMENITIES EXPENSE	(22,393)	1%	U	Increase in Insurance
COMMUNITY AMENITIES REVENUE	-	0%	-	NIL CHANGE
RECREATION EXPENSE	(448,568)	31%	U	Increase in Depreciation & Insurance
RECREATION REVENUE	50,952	10%	F	Increase in Contributions
SWIMMING POOL EXPENSE	(27,966)	6%	U	Increase in Depreciation & Insurance
SWIMMING POOL REVENUE	-	0%	-	NIL CHANGE
QUARRIES & PITS EXPENSE	(11,440)	60%	U	Increased Operating Costs
QUARRIES & PITS REVENUE	-	0%	-	NIL CHANGE
SHIRE ROADS EXPENSE	(2,708,775)	21%	U	RERRF Floodworks Program Works and Increase in Depreciation
SHIRE ROADS REVENUE	(233,956)	-4%	U	Reduction of R2R funding
AERODROMES EXPENSE	(41,825)	13%	U	Increase in Depreciation & Insurance
AERODROMES REVENUE	6,736	19%	F	Increase in User Charges
CAR PARKING EXPENSE	(14,574)	112%	U	Tocumwal Car Park Precinct Plan
CAR PARKING REVENUE	-	0%	-	NIL CHANGE
RMS EXPENSE	(830,000)	208%	U	Block Grant Program Works
RMS REVENUE	-	0%	-	NIL CHANGE
CARAVAN PARKS EXPENSE	(1,521)	8%	U	Increase in Insurance
CARAVAN PARKS REVENUE	-	0%	-	NIL CHANGE
TOURISM & AREA PROMOTION EXPENSE	(45,003)	10%	U	Increase in Depreciation & Subscriptions
TOURISM & AREA PROMOTION REVENUE	-	0%	-	NIL CHANGE
BUSINESS DEVELOPMENT EXPENSE	-	0%	-	NIL CHANGE
BUSINESS DEVELOPMENT REVENUE	-	0%	-	NIL CHANGE
BENDIGO BANK EXPENSE	10,000	-29%	F	Reduction in Operating Hours
BENDIGO BANK REVENUE	(10,000)	-9%	U	Reduction in Commission
SALEYARDS EXPENSE	(16,567)	6%	U	Increase in Depreciation & Insurance
SALEYARDS REVENUE	4,000	4%	F	Depreciation
REAL ESTATE DEVELOPMENT EXPENSE	(4,398)	1%	U	Legal fees for sale of 2 x lots
REAL ESTATE DEVELOPMENT REVENUE	450,000	87%	F	Sale of 2 x lots and increased Loan Drawdown
PRIVATE WORKS EXPENSE	-	0%	-	NIL CHANGE
PRIVATE WORKS REVENUE	11,144	14%	F	S355 Committees Cost Recovery
FINANCIAL ASSISTANCE GRANT	(954,257)	-15%	U	Adjustment based on assumption that Advanced Payment of 65% for 2024/2025



Quarterly Budget Review Statement

The September Quarterly Budget Review Statement is attached as “**Appendix 2**”.

After the original budget was adopted by Council the finance team completed a review of budget line-item allocations within the budget to clean up the ledger and allocate line items appropriately. This has led to several changes in “Other than by QBRS” within the Income & Expenses Budget Review Statement. This work will allow the finance team to report income and expenditure more accurately and improve reporting across council service areas. Some line items were moved from operational expenditure to capital expenditure or vice versa, however, the overall cash budget difference with Councils budget workbook is neutral for the “Other than by QBRS” changes.

The QBRS is designed to:

- facilitate progress reporting against the original and revised budgets at the end of the quarter,
- provide explanations for major variations and
- enable the Responsible Accounting Officer (RAO) to indicate if the Council will be in a satisfactory financial position at the end of the financial year.

This QBRS does not make any additional changes to the Council budget over and above the changes identified in the “line-item” report above. The QBRS simply shows the budget changes in another format to arrive at the same result.

The line-item budget report, while prepared on an accrual basis, delivers a “cash” report to the Council – i.e. what is the net cash position of the Council given the budget it has adopted? It gives the Council some comfort that it has sufficient cash to undertake the program of works adopted in the budget.

The line-item budget also provides the Council with a complete list of all Council job cost accounts thus ensuring transparency regarding changes to Council programs and /or cost overruns. It is possible however to lose track of the important changes in the large report.

The QBRS, on the other hand, is prepared strictly on an accrual basis and in a format that is consistent with the Annual Financial Statements. While some of the basic transparency of the line-item budget has been lost, it does allow for tracking of the Council’s operating result from quarter to quarter to the end of the financial year.

Statements

The QBRS consists of six statements:

1. **Responsible Accounting Officer’s statement** – This is a statement from the RAO advising the Council of his opinion regarding the Council’s financial position.

If the RAO advises the Council that its financial position is not satisfactory, the RAO must provide the reasons for his concern and advice regarding what is required to remedy the situation.



2. Income and Expenditure Budget Review Statement – This is the budget equivalent of the Income Statement in the Annual Financial Statements. This report shows an updated projected operating result for the year and the effect of the proposed budget changes to the operating result.

- The first column shows the Council’s original budget as reflected in the Management Plan adopted by the Council in June.
- The next five columns show budget changes previously approved by the Council. In this case, this reflects any Council works brought forward from 2023/24 and other internal adjustments.
- The Revised Budget column shows the Council’s budgeted result prior the changes adopted by the Council in the September quarter review.
- The highlighted Variations this Quarter column shows the effect of the changes adopted by the Council at the review; and
- The Projected Year End Result shows the Council’s current position.
- Finally, the actual YTD figures show what the Council’s actual result for the quarter. As the Council raises much of its rate revenue at the start of the financial year, this will be significantly more than the projected result for the year.

The September QBRS shows the Council is estimating an operating deficit before capital items for the 2024/25 year of \$4.5M. It is important to note that Council has not yet confirmed all of its funding for expenditure related to flood events. This figure also does not include revenue and expenditure for the Water, Sewer and Domestic Waste funds being funded from the reserves.

3. Capital Budget Review Statement – This statement presents the Council’s budgeted capital works program.

The first half of the table shows how much the Council is proposing to spend on capital projects while the second half demonstrates how the Council is preparing to pay for them. The statement also splits Council’s expenditure into sub-categories of New Assets, Renewal Assets and Loan Repayments.

As per the Income and Expenditure Budget Review Statement, the Capital Budget Review Statement works from left to right from the original budget through the previously adopted changes through to the proposed changes and followed by the revised budget.

4. Cash & Investments Budget Review Statement – This statement attempts to show the movements in the Council’s cash position and cash reserves as well as duplicating some of the investment and bank reconciliation detail provided in the monthly warrant report to the Council.

Again, the columns in this statement track the changes made as the year progress in the same manner as the previous two columns.



This report is in my opinion a very useful one for the Council as it allows the Council to track changes in its commitments and unrestricted cash.

5. **Key Performance Indicators Budget Review Statement** – This statement is designed to provide some simple financial indicators to give the Council a snapshot of how it is performing financially.

Unlike the earlier reports there is some freedom here for the Council to choose what indicators it would like to see included in the report. The finance team has chosen three that seem reasonably useful for the Council to track.

- Debt Service Ratio – an indicator of how much of the Council’s income is used to service its debt
- Rates & Annual Charges Coverage Ratio – an indicator of how reliant the Council is on its rates revenue
- Building and Infrastructure Renewal Ratio – an indicator of the Council’s effort in renewing its assets as they deteriorate.

The Debt Service Ratio is on par with previous years, reflecting the Council’s borrowings remaining steady.

The Rates and Annual Charges Coverage ratio is on par with previous financial years, reflecting the increased grant revenue received by the Council over the past three years.

The third indicator shows that the Council’s projected asset renewal ratio is 205%. This is well above the Fit for the Future benchmark of 100% for this ratio.

6. **Contracts and Other Expenses Budget Review Statement** – This statement is an attempt to provide the Council with some detail about the Council’s new contractual arrangements and expenditure on consultancies and legal expenses.
-



8.24 Corporate Workshop Outcomes

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner CL-B. Our community is informed and engaged in decision-making
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers. CL.3. Enhance communication channels between the council and residents.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	Nil

Recommendation

That Council receive and note this report and the actions to come from them.

Report

The purpose of this report is to provide an overview of the discussions at the Corporate Workshop held at the Berrigan Shire Council Chambers on 6 and 7 November 2024. The report also outlines any outcomes of those discussions to ensure the requirements of open and transparent government are achieved.

Day 1 – 6 November 2024

This is an outline of the first day sessions and outcomes. Prior to meeting commencement we started with checking in on how everyone was doing with their new roles as councillors.

ACTION: Tahlia to follow up with ICT Project Manager as to any reading or summarising tools that might be available to use safely on our systems.
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Strategic Thinking

Jane Harris delivered the first part of this professional development session focussing on the difference between strategic and operational thinking.

Councillors and staff agreed to be mindful of the ease at which we can all jump to fixing problems and ending up in operational matters. We know this is not easy because councillors will always be asked by the community about operational matters and in a council area as small as ours, still need to be involved in some of those discussions.



The discussion on values, considered the four values of council as Teamwork, Reliability, Honesty, and Service. As a team we worked out what “above the line” and “below the line” meant to us.

ACTION: Jane is to provide a summary of this discussion to CEO for future consideration.

Karina noted this is an intended activity at the first All Staff meeting in the New Year also. Once we have that information we will have a clear summary of everyone’s expectations.

ACTION: Finalisation of values to come in a business paper to council in the New Year.

ACTION: Community Strategic Plan, Plan on a Page to be hung in the Council Chambers

ACTION: Finalised Values Statements to be hung in the Council Chambers

Berrigan Shire Growth Considerations

Councillor considered the concerns staff have regarding the significant growth pressures being experienced in Tocumwal and Barooga. The issues were explored from a planning and development perspective and from the perspective of infrastructure delivery.

As a summary council has granted or are considering the following developments in Barooga:

- 383 dwellings at 74 Quicks Road (a public consultation meeting was held on 12 November 2024 and the officers report will come to the 4 December 2024 council meeting for council consideration and determination,
- 24 lots at Caddy Close (approved)
- 38 lots at Snell Road (approved)

Council noted the combined developments represent a near doubling of the population of Barooga.

Council has granted or are considering the following developments in Tocumwal:

- 200+ dwellings at Burma Road (pre-application stage)
- 60+ lots at Bruton Street (approved)
- 90+ lots Bruton Street (planning proposal stage)
- 125 lots Murray Street (subdivision certificate issued)
- 25 lots Bruce Birrell Drive (stage 2 certification to be signed subject to engineering report. Have agreement in place to defer Developer Contributions until after first 3 lots are sold)

ACTION: Staff to apply for grant funding to develop Developer Contributions Scheme that allows for adequately funding growth to ensure the sustainability of council and support development into the future.

Councillors then considered the infrastructure needed to support the expected growth across the Shire, noting some pressure would also be placed on Finley and Berrigan, though to a lesser extent.

ACTION: Council staff to undertake engage an appropriate consultant to develop an infrastructure strategy for water, sewer and stormwater to support expected growth and meet community expectations of sustainable growth across the shire.



Financial Position / Strategy

The Acting Director Corporate Services then delivered an assessment of council’s current financial position. The discussion included the necessity of transitioning to a new accounting platform, moving from cash budgeting to accruals and developing a water / sewer funding model to address the accumulated issues being experienced by the legacy pricing models currently being used.

- ACTION:** Include the delivery of the new accounting platform in the 2025-26 Operational Plan
- ACTION:** Commence the move from cash to accrual budgeting during 2025-26 and alert council if the transition cannot be made during that time.
- ACTION:** Review the pricing model for water, sewer and stormwater and provide a report to council for consideration during the 2025-26 financial year.
- ACTION:** Work to the below plan to ensure budget development and delivery is achieved in a timely manner for the 2025-26 financial year.

Milestone	Month
Establish Operational Plan project priorities	DEC-24
Detailed costing of 25/26 projects	JAN-25
Draft Council LTFP presented to Council Council Budget Goal Setting & key determinations	FEB-25
Budget confirmations by Management	MAR-25
Draft Fees & Charges <u>finalised</u>	MAR-25
<u>Councillor</u> adopt in-principle & Public Display	APR \ MAY-25
Adoption of 2025/26 Budget and 2026 to 2035 LTFP	JUN-25

Tocumwal Town Centre

Discussion was held regarding the first draft of the concept plan for the Tocumwal Town Centre redevelopment.

- ACTION:** Develop a community engagement plan that includes direct engagement with all stakeholders
- ACTION:** Develop a report for council consideration that includes the community engagement plan, risk assessments of the current site and outlines the intention of the project clearly (to grow and diversify Tocumwal’s commercial capacity).

Director Strategic Goals

The CEO and all Directors then provided an update on the strategic work they are undertaking for the 2025 calendar year. A summary of those discussions is below:

Karina Ewer (CEO):

- Advocacy Strategy Document
- Regional Connectivity Project



- Country Universities Centres
- Southern Riverina Drought Resilience Plan

Matt Hansen (DCEO):

- Establish a dedicated governance unit
- Embed the project management framework across council
- Rollout the procurement framework across council.

Andrew Fletcher (DSPD):

- Biosecurity – Local Orders, Inspections and Weeds Action Plan
- Building and Planning – Ministerial Order, Local Environment Plan, Developer Contributions and Heritage Zones
- Economic Development – Economic Development Strategy and Library Upgrades
- Recreation – Guidelines, Crown Land Plans of Management and Master Plans for all reserves

Tahlia Fry (DCS) – Simon Walsh (Acting DCS)

- Information Communications and Technology Upgrades
- Budget Improvement and Finance System Upgrade
- Workforce Development Plan
- Community Engagement Strategy
- Customer First Strategy

Gary George (DI)

- Roads Infrastructure, Open Space and Aerodrome Strategies
- Water, Waste and Sewer sustainability strategies
- Asset Management Plans
- Major Projects (including Chanter Street Undergrounding and Murray Street Finley planning and delivery)

Economic Development Strategy

Council were updated on the development of the Economic Development Strategy. A high level SWOT analysis was undertaken with councillors to assist in the development of the strategy. A community engagement plan is being developed and will include direct discussions with businesses as has been done in the past.

ACTION: Provide Council with a Draft Economic Development Strategy and what we hear report when complete

Discussion was also undertaken regarding the success, costs and future of the Business Awards

ACTION: provide an options paper to a future council meeting.



Day 2 – 7 November 2024

Day two focussed more on specific strategic issues and documents council will be required to consider during the next 12 months.

Community Strategic Plan

Discussion was held regarding the development of the current Community Strategic Plan and council's obligations under the Integrated Planning and Reporting (IP&R) Guidelines.

ACTION: Present a report to council regarding the options for the Community Strategic Plan to meet the IP&R Guidelines.

Operational Plan and Delivery Program

Explanations were provided about what the Delivery Program and Operational Plan are and where they fit into the IP&R Framework.

ACTION: Engage with council to develop a Delivery Program reflective of this council's goals and the outcomes expressed by the community in the Community Strategic Plan

Explanations about the role of the Operational Plan and its development and delivery were conducted including how the Operational Plan is reported on.

ACTION: Engage with council to develop the Operational Plan as the first year of the Delivery Program to ensure staff and community understanding of how council will deliver on its Delivery Program for the next four years.

Organisational Chart

An overview of the legislative involvement of council in the consideration of the organisational structure and arrangements was undertaken.

Discussion was provided concerning work currently undertaken to align council's services and to reconsider the ways in which services are delivered by council.

ACTION: Provide required information to council regarding appropriate budget allocations for the organisational structure at either the November or December Council meeting.

Risk Appetite Statement

Councillors were taken through the risk appetite statement of the previous council and considered where they felt council's strategic risks might lie.

ACTION: A report to be provided to council that highlights the discussions and provides for finalisation of the Risk Appetite Statement.

Councillor Project Ideas

The below is provided as a summary of the projects outlined by councillors. They are reported in order of presentation.

Councillor Hannan – Public Art Project

Cr Hannan the merits and considerations he would like council to pursue in the area of public art. Council has a Public Art Policy.

ACTION: Cr Hannan to work with council staff to develop this concept further.



Mayor Julia – Digital Museum

Mayor Julia provided an update on a project already commenced in partnership with Finley High School and the digitisation of historical records from the Finley Football Club. The group were shown the virtual museum in which the records could be stored.

ACTION: Mayor Julia to work with staff to develop a project scope and possible budget for council consideration at a future meeting.

Councillor Brooker

Cr Brooker worked through a list of projects she would like included for consideration in the upcoming development of the Delivery Program and Operational Plan. Projects included:

- a dedicated car park at the Barooga Adventure Playground.
- the removal of the old netball courts at Barooga Recreation Reserve and
- the installation of shade sails over the Barooga Adventure Playground.

ACTION: Cr Brooker to work with staff to accurately capture the project scopes for these projects so relevant reports can be provided to council for consideration during the budget building, delivery program and operational planning process.

Councillor Ngatoko

Cr Ngatoko discussed the important support Food Share is providing to the Finley community and the increasing number of families it is supporting.

ACTION: Cr Ngatoko to provide statistics (if they are available) to the CEO regarding those accessing the Finley Food Share site from other shires. This information would assist in future discussions with neighbouring LGAs about future support for the project.

Councillor Stringer

Cr Stringer discussed the importance of the community being more involved with the decisions they should be able to make. He asked that council (both staff and councillors) do not take our eyes off the small things and stressed the importance of council's role in supporting communities to do their own thing.

Cr Stringer further raised the issue of line of site at the Tocumwal post office crossing.

ACTION: Council staff to ensure the Community Engagement Strategy provides opportunities for genuine community engagement and supports councillors in making decisions of behalf of the community.

ACTION: Council staff to prepare a report to council regarding the pedestrian crossing at the Tocumwal Post Office.

Councillor Healy

Councillor Healy expressed some community concerns that Berrigan township is being "left behind". Discussion included the importance of community connectivity and active spaces in the township of Berrigan. Projects such as:

- extending the walking track along Racecourse Road,
- support for the community garden at Horsefall Street,



- ensuring walking connectivity throughout the township,
- installing a ½ basketball court with handball court at APEX Park and
- developing youth hubs and spaces in the shire.

ACTION: Cr Healy to work with staff to accurately capture the project scopes for these projects so relevant reports can be provided to council for consideration during the budget building, delivery program and operational planning process.



8.25 Risk Appetite and Strategic Risk Statements

Author:	Enterprise Risk Manager, Michelle Koopman
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	<ol style="list-style-type: none">1. Policy No. 17 - Risk Management Policy and Framework - 20.07.2022.pdf (under separate cover)2. Risk Appetite and Strategic Risk Statements.docx (under separate cover)

Recommendation

That Council revoke the Risk Appetite Statements adopted 20 April 2022, and adopt the Risk Appetite and Strategic Risk Statements included in the Appendices.

Purpose

This report presents the Risk Appetite Statements which outline the level of risk Council has determined for each risk category. These statements also include the strategic risks facing Council within each category including the inherent risk rating.

Summary

The Risk Appetite Statements (the statements) define the amount of risk Council is prepared to take in pursuit of the strategic objectives outlined in the Community Strategic Plan (CSP). The statements have been developed in consultation with the elected members and will be used as a guide and a point of reference in decision making. Each risk appetite statement sits within a risk category.

The Strategic Risk Statements identify the highest-level risks facing Council within each risk category. They have been assessed using Council's risk management framework (included in the Appendices for your reference), identifying the likelihood and consequence of each risk. These are the inherent risks to Council and do not include current control measures in place.

Background

Council has categorised risk into ten categories:

- Legal
- People and Culture



- Positive
- Financial
- Public Safety
- Work Health and Safety
- Natural Environment
- Built Environment (including plant and equipment)
- Community (Social & Cultural, Government, Reputation & Media)
- Technology

The risk appetite level for each category is determined by Council at the beginning of the Council term. The risk appetite level requires the elected members to consider how much risk they are prepared to take in pursuit of achieving the objectives in the CSP. There are four levels:

- Avoid
- Resistant
- Accept
- Receptive

Through discussion, the risk appetite levels for each category are outlined in the table below:

Category of Risk	Avoid	Resistant	Accept	Receptive
Legal				
People and Culture				
Positive				
Financial				
Public Safety				
Work Health and Safety				
Natural Environment				



Category of Risk	Avoid	Resistant	Accept	Receptive
Built Environment (including plant & equipment)				
Community (Social & Cultural, Government, Reputation & Media)				
Technology				

Each category has been allocated a risk level, except for Technology which has been allocated two levels. Whilst Council is receptive to explore new developments in technology, they will avoid any risk associated with cyber threat.

After determining the levels in each risk category, the strategic risks to Council within each category are identified. This information is then used to build the risk register that will be used to inform decision making, additional control measures, internal audit, and review.

Strategic Risk Statements

The Strategic Risk Statements have identified 1 x Very High risk, 14 x High risks, and 2 x Medium risks. Using the risk management framework, these risks are allocated a value which assists in prioritising work to be performed to reduce the risk to as low as reasonably practicable. These are listed below in prioritised order:

Category	Risk	Risk rating
Positive	Dependent upon the risk type, where there is benefit to Council in the form of significantly enhanced reputation, huge financial gain, and a substantial improvement in efficiencies, Council will be receptive.	24
People and Culture	Failure to address workplace issues, and an acceptance of inappropriate behaviours creates a poor culture resulting in loss of staff, an increase in workers compensation claims, an inability to attract and recruit suitable staff, and a reduction in service provision.	22
Financial	Council is no longer able to secure Federal or State grant funding resulting in extensive financial loss (>50% annual budget), resulting in loss of programs, job losses, and/or business operations.	22
Work Health and Safety	A member of Council's workforce (including volunteers and contractors) is killed, or one or more persons suffer life altering injuries, and Council is found to be responsible and liable.	22



Technology	As Council relies heavily on technology, disruption due to outage or cyber-attack has the potential to halt Council services for significant periods of time.	22
Technology	Council is at risk of technology obsolescence, increasing the risk of disrupting services, poor cyber security and increasing service inefficiencies.	22
Legal	Council is at risk of significant fines and/or class action as a result of failing to meet contractual and/or statutory duties.	19
Legal	Individual Council officers face significant fines and/or imprisonment as a result of failing to adhere to legislative requirements and/or laws.	19
Financial	As a result of poor decision making from an uninsured event, Council faces extensive financial loss (>25% annual budget), resulting in loss of programs, job losses, and/or business operations.	19
Natural Environment	Council's acts or omissions result in catastrophic environmental damage where there is significant flora and fauna losses and involving long-term remediation.	19
Community (Social & Cultural, Government, Reputation & Media)	Council suffers serious reputational damage due to corrupt or fraudulent activity by elected members or staff.	19
Built environment (including plant and equipment)	Due to strain on Council resources (finance and staff), Council is unable to maintain or replace assets as required resulting in unusable or unsafe assets which in turn affects business operations and the provision of services.	17
Community (Social & Cultural, Government, Reputation & Media)	Poor relationships between Council and the community, exacerbated by poor consultation and a lack of understanding around Council's role and responsibilities results in reputational damage, poor media exposure, misdirected complaints via social media, and unrealistic expectations of Council.	17
Public Safety	A member of the public is killed or suffers a life altering injury following in incident where Council can be found responsible and liable.	14
Built environment (including plant and equipment)	Council loses vital infrastructure due to a catastrophic Event affecting the ability to continue business operations or provide community services.	14



Built environment (including plant and equipment)	Berrigan Shire experiences a decline in population, tourism, and business growth due to varying factors such as climate change, progressive/attractive neighbouring Councils, declines in services, and in inability to attract funding.	9
Financial	Council faces financial liability after discovering unaccounted amounts payable because of outdated systems and manual errors.	8

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

The Risk Appetite and Strategic Risk Statements are directly linked to all objectives within the CSP.

Issues and Implications

Policy

The Risk Appetite and Strategic Risk Statements are a reference document which should be utilised with all Council decisions.

Financial

N/A

Legal / Statutory

N/A

Community Engagement / Communication

N/A

Human Resources / Industrial Relations (If applicable)

N/A

Risks

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

1. Governance

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



The purpose of the risk appetite statements and the identification of the strategic risks, is to raise awareness around risk with those making decisions. Failure to set out clear risk appetite levels and strategic risks means Council are not given all the information and the tools to support their decision making.

Options

1. Accept the Risk Appetite and Strategic Risk Statements and use as a reference document during decision making. This demonstrates to the community, a commitment to transparency and good governance, and assists in justifying the decisions made.
2. Review the Risk Appetite and Strategic Risk Statements and make recommendations for further changes.

Conclusions

These statements are the result of discussion and consultation with the Council. They reflect the appetite for risk of the current elected body. The strategic risks will be entered into Council's Pulse database along with control measures and will be made available for monitoring and review by ARIC, and Council's internal audit function.



8.26 Organisational Structure

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	<ol style="list-style-type: none">1. CEO Service Statements Initial Drafts (under separate cover)2. DCEO Service Statements Initial Drafts (under separate cover)3. DCS Service Statements Initial Drafts (under separate cover)4. DCD Service Statements Initial Drafts (under separate cover)5. DI Service Statements Initial Drafts (under separate cover)

Recommendation

That Council:

1. endorse the organisational structure as per the requirements of sections 332 and 333 of the *Local Government Act 1993* and
2. adopt a budget of \$9.4M to support the delivery of services as aligned to the organisational structure presented.

Purpose

The purpose of this report is to allow council to meet the requirements of sections 332 and 333 of the *Local Government Act 1993* (the LG Act). For reference purposes, those sections are provided below.

332 Determination of structure

- (1) *A council must, after consulting the general manager, determine the resources to be allocated towards the employment of staff.*
- (1A) *The general manager must, after consulting the council, determine the positions within the organisation structure of the council.*
- (1B) *The positions within the organisation structure of the council are to be determined so as to give effect to the priorities set out in the strategic plans (including the community strategic plan) and delivery program of the council.*



333 Re-determination and review of structure

The organisation structure may be re-determined under the Part from time to time. The council must review, and may re-determine, the organisation structure within 12 months after any ordinary election of the council.

Summary

Considerable work has been undertaken to realign the organisational structure to meet the requirements of the LG Act, including the development of service statements to support the revision of the human resources required to deliver the community strategic plan, delivery program and operational plan, along with other strategic plans.

Background

Council has had approximately 100 employees for the last 10 years at least. During that time service delivery requirements and expectations have increased considerably and we are finding many staff are reporting in our pulse surveys, a feeling of increasing busy ness. Some are feeling overwhelmed by the amount of work required to be delivered.

The development of service statements as shown how much work most are doing and has confirmed the reasons for the feeling of doing more and more. What we have found is most staff are delivering multiple services to keep up.

The structure presented is quite flat and it should be pointed out, although we have a number of managers, they are not working at management level 100% of the time. In fact all are delivering services for at least part, sometimes most, of their time.

A symptom of the busy ness we are experiencing is a significant increase in overtime. This new structure will seek to have larger conversations with specific teams to see if adjustments to their normal working hours or days might be better options than scheduled over time. To that end I am asking for the moving of \$535,000 from the overtime line item into the employee salary line item. This has nil effect on the budget overall, but will mean overtime becomes the exception rather than the rule.

This will not eliminate scheduled over time as things like public toilets will still need cleaning during weekends etc. We will however be working to ensure the delivery of those types of services are more efficient.

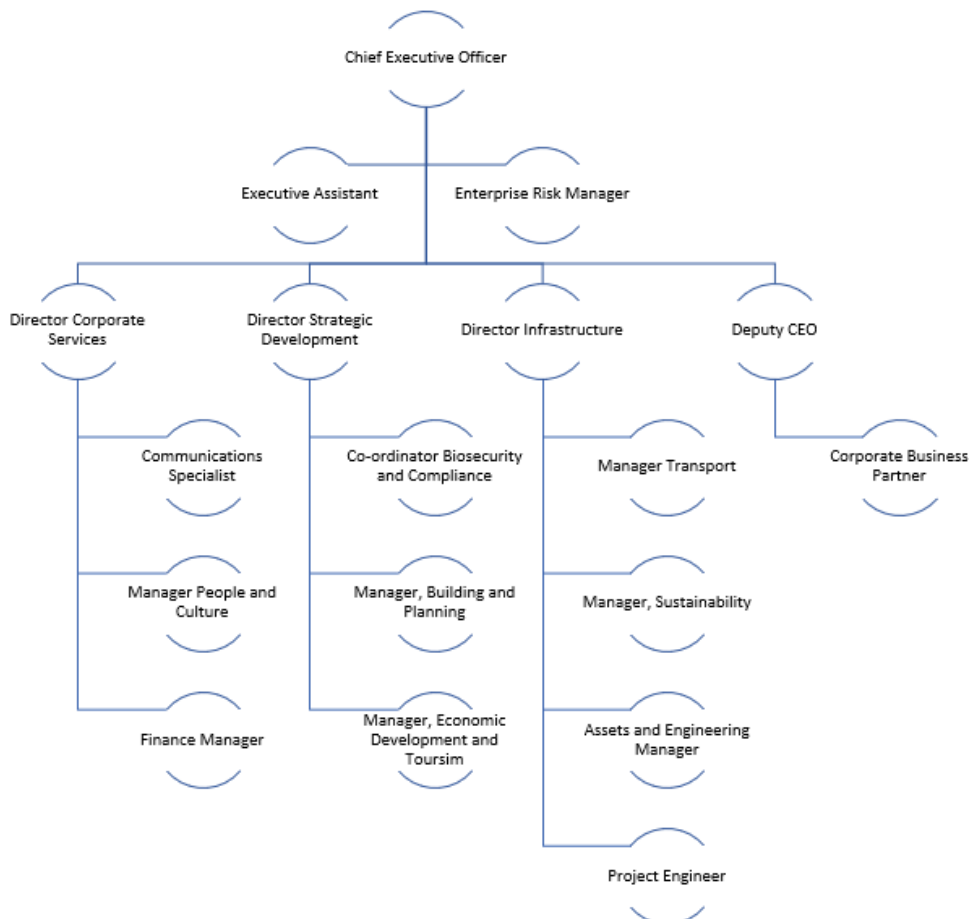
To understand the organisational structure in the first instance, the alignment to service deliverables are attached at Appendices 1 to 5. A summary of the services provided by each directorate are outlined below.



Chief Executive Officer	Deputy CEO	Director Corporate Services	Director Community Development	Director Infrastructure
<ul style="list-style-type: none"> • Advocacy and Regional Projects • Leadership and Executive Support • Emergency Management • Risk and WHS Management 	<ul style="list-style-type: none"> • Corporate Performance and Planning • Governance • Grant Management • Information Management • Procurement Management • Project Management 	<ul style="list-style-type: none"> • Cemeteries • Communications and Engagement • Customer Experience • Finance • ICT • People and Culture 	<ul style="list-style-type: none"> • Biosecurity and Compliance • Building and Planning • Economic Development and Tourism • Libraries • Property and Facilities Management • Recreation 	<ul style="list-style-type: none"> • Aerodrome • Assets and Engineering • Domestic Waste Management • Flood Mitigation and Drainage • Landfill Management • Open Space • Plant and Fleet • Sewer Supply • Transport Infrastructure • Water Supply

The bolded services are those which council currently do but are unfunded (i.e. there are no people assigned to deliver those roles as part of their position at council).

A snap shot of the proposed organisational structure is provided below. Further commentary regarding full time equivalent (FTE) roles and the number of employees reporting to manager currently is included for information to assist in understanding workloads, is provided below.





The structure above indicates a relatively flat organisational system where there are no more than three steps to the CEO. The system does look manager heavy however, the size of the organisation and the nature of the work undertaken, mean most managers spent more time of operational tasks than they do on managerial work, such as staff management, strategic planning etc. In the below, each of the Directors and the CEO are counted as one FTE, though as council is aware, we do still spend time in operational spaces as we are a small council.

Office of the CEO

In January I will have an Executive Assistant and the Enterprise Risk Manager reporting to me. Both roles are operational and do not perform any management function as such.

The management roles in this area are therefore 1 FTE.

Deputy CEO

We have realigned the Deputy CEO (DCEO) role to develop and deliver a functioning governance team. Governance has in the past been a role not assigned as anyone's responsibility and therefore we have had a number of issues in our compliance with things like tendering, procurement and administrative requirements.

Given the nature of the role at the moment, even this role requires operational work to be provided for some of the time. Operational work includes the writing of policies and procedures, reporting functions and working with ARIC etc. The DCEO does however work about 80% of their time at a managerial and strategic level. This position will have a total of approximately 4.5 FTE reporting to them.

The DCEO will have one manager reporting to them though it is assumed at this time only about 30% of their time will be managing. The rest will be supervising the procurement, project management and tendering works undertaken across the organisation.

Total FTE in this area at management level therefore will be 1.1.

Director Corporate Services

Communications has been reporting directly to the CEO for the last year. The position will move back to Corporate Services with the intention of the position being elevated to a more managerial role with responsibility for Customer Experience. Given the role is still very operational, in that it will work operationally to deliver council's communications strategy, community engagement and other internal communications. It is therefore likely the role will only operate at approximately 30% of the time in a managerial capacity. The position will have 3 people reporting directly to it, with a further 3 indirectly.

The human resource function does not currently have a manager. The position is a co-ordinator and the work they do reflects the operationality of the role. We will work in the coming year to develop this into a more managerial position so the person in the role will develop the skills to provide higher level advice and assistance to the executive team and council.

The IT function does not have a manager at this time either. A project manager has been engaged until we work out what that structure will look like in the future.

The finance team does have a Finance Manager at the moment, however given they are new to management, and the bulk of their work is currently responding to audit, preparing budget reports etc, they are not fully committed to managerial tasks. The role currently works approximately 20% of their time in the management space. The position manages 2 FTE directly and 4 indirectly.



Total FTE in this area at management level therefore is currently 1.5.

Director Community and Development (formerly Strategic Planning and Development)

This directorate is the one that has seen the most change in recent years. Not only was it created out of the previous Technical Services directorate, but it has taken on a considerable load of new work not previously provided, such as biosecurity and compliance, both areas where council has legislated obligations.

The Co-ordinator Biosecurity and Compliance is primarily an operational role as they undertake a significant amount of the delivery of requirements such as weed spraying, pest animal management and field inspections. This “manager” therefore spends only about 20% of their time managing others and considering the strategic direction of council. The position has 3 FTE reporting to it.

The Manager Building and Planning, by its nature is a very hands on role as they are required to assess applications and sign off on those assessed by the internal planner. In this way only approximately 40% of their time is dedicated to managerial tasks. This position manages 8 FTE.

The Manager Economic Development and Tourism is far more focused on managerial tasks than others as they oversee both the Visitor Information Centre (VIC) and Libraries. Therefore 60% of their time is working in the management space. They do however have to work at the VIC as an operator during every week etc. In this way, this manager spends approximately 60% of their time focussed on managerial tasks. This position manages 4 FTE.

Total FTE in this area at management level therefore is currently 2.2.

Director Infrastructure

This is by far the largest directorate with the most people reporting and delivering services to the community. The Director is new to the role and as a result heavily operational whilst they learn the business across the various service deliverables.

Operations Manager-Transport looks after all things transport and has 5 direct and 36 indirect reports. The nature of the work still requires inspections and on ground contract management duties etc to be undertaken. As a result, this role only performs managerial tasks about 30% of the time.

The Manager Sustainability looks after all things water, sewer and landfill. The position has 2 direct reports and 14 indirect reports. The nature of the position still requires on ground inspections and assessments to be undertaken, including water sampling and monitoring activities. The role is therefore essentially 50% managing and 50% operational.

The Assets and Engineering Manager is perhaps the position that most highlighted a considerable gap in our asset management programs. Currently this position is 80% of their time undertaking subdivision and development inspections, leaving them only 20% of their time to undertake the managerial work they were hired for. A new position in planning is being created to ensure we have a suitably qualified person to undertake these inspections. This will allow this manager to commence concentrating on our Asset Management Plans etc. The position has 3 FTE reporting to them.

The project engineer position is paid at a management rate due to the qualification required but does not have anyone reporting to them and is 100% committed to operational delivery of the more complex of council projects, such as the undergrounding of power on Chanter Street.

Total FTE in this area at management level therefore is currently 1.8.



The total management FTE in the structure offered therefore is 7.6. As a percentage of managers to staff (7.6%) then, the management structure is in fact much flatter than it appears (20%) on paper. We do intend to work in the coming years to increase the capacity of many of our managers to ensure they are able to spend more time managing and less time doing. For now however, this is not possible, especially as we transition to a new framework of service delivery based on project management principles.

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

Community Strategic Plan

Delivery Program

Operational Plan

All other council strategic plans such as Asset Management Plans, Aerodrome Strategic Plan, Pedestrian Access and Mobility Plans, etc etc.

Issues and Implications

Although the overall structure of council is not changing and this is therefore not a restructure, there is considerable change required as we move to a new operating model. These matters and how they will be achieved need to be discussed more fully with staff.

Council will also continue to see a number of positions advertised, readvertised and changed as we test the market to attract the skills we need to fill all the service delivery gaps identified.

Policy

N/A

Financial

Council's current employee salary budget is \$8.8M. This change, which is essentially moving money from the overtime cost centre, to our employee salary budget, requires an increase of \$535,000 to \$9.4M.

To ensure council is managing its staffing costs and is operating efficiently it should be trying to achieve between 25 to 35% staff labour cost as a percentage of total operating expenditure. These changes will see council with a percentage value of 30%. This means council is operating as efficiently as it possible can in its current environment.

Legal / Statutory

N/A

Community Engagement / Communication

N/A

Human Resources / Industrial Relations (If applicable)

Local Government (State) Award 2023



To finalise the organisational structure consultation with staff will be required to finalise the service statements, define the functions provided under each service deliverable and develop appropriate budgets to reflect the service delivery levels for each function.

Further consultation will be required surrounding matters such as any possible changes to working arrangements and schedules, reporting lines etc where those might change. It is envisaged the outdoor workforce will not have reporting line changes but may have some work arrangement changes to provide more access to work life balance and flexible working arrangements.

Risks

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

1. Financial

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

As employee salaries represent 30% of council's total expenditure, it is highly important council keep an eye on the expenditure in this area and ensure it remains within tolerance limits. The aim should be to delivery council's services as efficiently as possible, not focus on numbers of employees as such. Numbers do not tend to report the nature of employee engagement (full time, part time, casual etc).

Once council has set the employee salary budget it is up to the CEO and Directors to ensure we remain within the budget allocation. Any changes to the end result will come to council for consideration as we continue to work through the changes to our operating methodology.

2. People and Culture

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

Review of organisational structure always provides avenues for angst and misinformation amongst the employee cohort. It is important council note this is not a restructure of the business, rather a statutory obligation to consider the resources council needs to deliver the services required by the community at the agreed levels.

As noted previously, council has not ever defined its services so understanding the level of services provided has been impossible. As we work through these definitions, it will provide council the



opportunity to engage with the community and to actually agree on services delivery levels. This will mean the administrative arm of council will be able to adjust staffing levels to suit delivery outputs more accurately and to provide validated information regarding the cost of each service to ratepayers.

3. Reputation

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

Council employee levels are always a “hot button” concern for the community, with belief councils are overstaffed and underdelivering generally the message heard loudest. I should note this is not the message I generally hear from the community of Berrigan Shire. Most are happy with our business as usual outputs so I do not expect increased criticism from this report, however it is possible.

Options

1. Approve the organisational structure and increased budget as requested.
2. Approve the organisational structure as presented but retain currently budget allocations.
3. Request the CEO to bring back to council alternate matters for consideration.

Conclusions

The structure of council is the foundation on which our services to community are delivered. It is important therefore council allow us to retain the relatively dynamic structure we have been developing. A more dynamic structure allows the administrative arm of council to respond more rapidly to current and future demands and trends.



8.27 Rural, Regional and Remote Health Reform Submission

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	CO. Our Community
Strategic Objective:	CO-A. We're healthy and well with equitable access to services
Delivery Program:	CO.1. Deliver initiatives, facilities and services to advance health and wellbeing priorities
Council's Role:	Advocate: The Council may advocate to another government or other organisation for certain things to happen, this could range from a single event (such as writing to a Minister) through to an ongoing campaign
Appendices:	1. BSC Response Health Reform.pdf (under separate cover)

Recommendation

That Council endorse the submission made to the Select Committee on Remote, Rural and Regional Health as presented, noting approval is retrospective.

Report

Notification of the opportunity to make submission to the Select Committee on Remote, Rural and Regional Health was sent to me on 13 September 2024. This was during the election period.

Mayor Julia and I have been quite time poor during this period and I would normally have presented this report to the October council meeting to approve prior to submission. This was not possible on this occasion. I have therefore provided council with a copy of the submission made with Mayor Julia's approval on the due date on 1 November 2024.



8.28 Berrigan Shire Council Sustainability Report

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	<p>Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council</p> <p>Regulator: The Council has legislated roles in a range of areas which it is required to fund from its own funds (apart from fees for cost recovery), government grants etc)</p> <p>Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs</p> <p>Strategic Partner: The Council partners with other agencies, stakeholders, community groups etc in the delivery of a Council provided service or activity that aligns with Councils Strategic outcomes or Delivery Program.</p> <p>Part Funder: The Council either provides funding to another body to meet part of the cost of that body providing a function/service activity, or receives funding from another body (usually a government agency) to meet part of the cost of the Council delivering it.</p> <p>Advocate: The Council may advocate to another government or other organisation for certain things to happen, this could range from a single event (such as writing to a Minister) through to an ongoing campaign</p>
Appendices:	1. 19.06.2024 Report - 8.8 Sustainability Report (under separate cover)

Recommendation

That Council

1. approve the period of xx to xx inclusive for the CEO to work exclusively on the Sustainability Report and
2. council direction is sought as to the reporting lines during this time.



Purpose

At the June Ordinary meeting Council was presented with a report regarding the Sustainability Report project proposal and business case and moved the following in response:

8.8 Sustainability Report

Resolved OCM 134/24

Moved: Cr Sarah McNaught

Seconded: Deputy Mayor Carly Marriott

That Council:

- **receive and note the project proposal and business case, and the project plan as presented to the Council, and**
- **agree that the CEO should continue on this path, noting the required time to do so.**

CARRIED

The report and attachments provided to Council regarding the Sustainability Report are provided at Appendix 1 for council's information.

Of the 60 days (480 hours) identified as required to undertake this report, I have managed, since July 2024 to carve out a total of 15 days or 124 hours as at 11 November 2024.

It is clear other responsibilities are taking priority to keep up with my normal work duties and therefore this work is not being attended to as it should.

Summary

The work of the Sustainability Report is imperative as it will provide council with much needed context regarding:

- the framework in which council works and the cost implications of that framework,
- the total list of assets we hold and the cost of their management and
- the services we provide and how they affect council's budget overall.

This is not a report council has seen before and will provide valuable information regarding decisions to be made and discussions to be had with the community in the immediate future.

I do not want to delay the project further and feel it needs to be presented to council as soon as possible. Its timeliness is as important as its accuracy.

As a result of my inability to carve out uninterrupted time to research and write this document to deliver it to council in a timely manner, I ask I be permitted to work "off line" from 6 January 2025 up to and including 28 February 2025 to finalise the work required. I will continue to work on the document in its current ad hoc form for the rest of 2024 as I have a number of projects and meetings on my plate I cannot easily move around.

I have asked for this period as it is generally less hectic for council works whilst many people take leave etc during this time.

My concern then is the reporting lines during this time. Whilst I am happy to remain the decision maker, those matters do tend to take up a lot of time. I would like council to consider if someone acting in my position during this time is suitable and if so who. I would also like council to consider if



there are alternatives to my suggestions. I note I have directed all staff to have two weeks off over the Christmas period. It is possible for me to work during this time as I am due to have leave soon for instance.

Background

Council staff has identified, and council are aware, that although we remain in a sound financial position, this will not continue without considerable decisions and community engagement being undertaken during this term of council.

Having those discussions and making the required decisions is not possible without a reliable and timely underpinning report.

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

Community Strategic Plan

Long Term Financial Plan

Integrated Planning and Reporting Suite of documents

Issues and Implications

This document is corner stone of the council's sustainability into the future. Ensuring there is a document that will provide council underpinning knowledge of the workings of council and its asset and financial base, a critical for those discussions and decisions to be undertaken effectively.

Policy

N/A

Financial

The cost would depend on council's decision with regards to any acting arrangements, if those are appropriate. For instance if the DCEO were to act in my position the difference between my wage and that of the DCEO (approximately \$6,670)

If an alternative person were to act from outside the organisation, I would suggest that would be my usual wage plus considerable overheads. Often consultants charge at least \$300 per hour for this type of work.

Legal / Statutory

Local Government Act 1993 – requiring council to ensure its sustainability

Community Engagement / Communication

Community Engagement considerations will need to be made after this report is received.

Human Resources / Industrial Relations (If applicable)

Will depend on any alternative chosen



Risks

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

1. Financial

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

The risk rating is at medium because if council allow this the likelihood of its occurrence is Almost Certain. The amount noted above however was used in the assessment. Should council choose an external provider that would cost significantly more and raise the risk rating.

If council choose to keep me undertaking my normal decision making role etc, that holds different risks such as further delaying the delivery of the report.

The risk should this report not be finalised however, I feel, is much higher.

2. People and Culture

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

This risk has been considered due to the moderate loss of workforce knowledge during my absence. The DCEO however is well versed in the practices and requirements of council and staff should not notice a huge difference during my time working differently. The DCEO and I work closely on a number of issues and is aware of my preferences and style of management so impacts on staff and morale should be minimal. I will still be in Berrigan during this time at any rate so can assist if something urgent occurs.

Options

1. Allow the CEO to work exclusively on this project as suggested.
2. Require the CEO to continue to work on the project they way it is currently occurring, noting delivery of the project is unlikely before the end of June 2025.
3. Abandon the project, noting important information will not be available to council, or likely with less wholistic understanding, as urgent matters arise.



Conclusions

The sustainability report has been noted by the previous council as an important piece of work for council and asked me to research, develop and deliver the project in house. I too believe the work is important but cannot deliver in the timeframes required if I cannot focus solely on the project for a consistent period.



8.29 Delegation - Performance Review Panel

Author:	Deputy Chief Executive Officer, Matthew Hansen
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	1. Guidelines for the appointment and oversight of general managers (under separate cover)

Recommendation

That Council:

1. rename the "CEO remuneration committee" appointed by resolution at its meeting on 18 September 2024, the "performance review panel", consistent with the guidelines for appointment of oversight of general managers issued by the Office of Local Government
2. delegate the following functions to the performance review panel:
 - a. conduct of the CEO's performance reviews.
 - b. reporting the findings and recommendations of reviews to the council, and
 - c. development of the CEO's performance agreement.
3. direct the CEO and the performance review panel to develop agreed terms of reference for the panel.

Report

[Section 335 of the Local Government Act 1993](#) (the Act) defines the role of the general manager (known as the Chief Executive Officer at Berrigan Shire Council).

In 2022, the Office of Local Government released new guidelines for the appointment of oversight of general managers. The guidelines were issued under [s23A of the Act](#), which requires council to consider when exercising their functions in relation to the recruitment and oversight of the general manager.

The guidelines, attached to this report, require council to establish a performance review panel to be led by the mayor. The panel must be delegated the task of undertaking the general manager's performance reviews.



The guidelines state:

It is recommended that full responsibility for performance management be delegated to the performance review panel, including discussions about performance, any actions that should be taken and the determination of the new performance agreement.

[...]

Councillors who are not members of the performance review panel may be invited to contribute to the performance review process by providing feedback to the mayor on the general manager's performance relevant to the agreed performance criteria.

All councillors should be notified of relevant dates in the performance review cycle and be kept advised of the panel's findings and recommendations.

At the statutory meeting held on 18 September 2024, council appointed the following delegates to the "CEO remuneration committee":

- Cr Cornwell McKean (ex-officio)
- Cr Brooker,
- Cr Paine, and
- Cr Ngatokoia.

While it is arguably implicit that this committee is required to review the CEOs performance in line with the guidelines, it may be useful to make this explicit.

It may also be useful to develop terms of reference for this panel in future, to provide direction and clarity for all involved in the review process. Local Government NSW may be able to assist in the preparation of terms of reference.



8.30 CEO Performance and Development Plan

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	<ol style="list-style-type: none">1. Performance Action Plan Karina Ewer 2024-25 (under separate cover)2. Performance Action Plan First Quarter Report (under separate cover)

Recommendation

That Council:

1. adopt the CEO Performance and Development Plan as presented and
2. receive and note the first quarter report on progress as presented.

Report

At the councillor induction workshop on 4 October 2024, I presented my Performance and Development Plan and the first quarter update for your information. I had intended to provide the report officially to the October Ordinary meeting for adoption of the Plan as agreed with the previous council and to ask council receive and note the progress made in the first quarter report.

Council may choose to alter my Performance and Development Plan at this time. If that is the case, I will make adjustments as advised and sign with the Mayor to finalise that part of the process.

If no changes are made, I will arrange for the Mayor and I to sign the document and continue to provide quarterly updates on my progress as previously has been the case.



9 NOTICES OF MOTION/QUESTIONS WITH NOTICE

Nil

10 CONFIDENTIAL MATTERS

Nil

11 MOTIONS WITHOUT NOTICE / QUESTIONS WITHOUT NOTICE

12 COUNCILLOR REPORTS

12.1 Mayor's Report

12.2 Verbal Reports from Delegates

13 CONCLUSION OF MEETING

The next ordinary council meeting will be held on Wednesday 18 December 2024 from 9:00am in the Council Chambers, 56 Chanter Street, Berrigan.

There being no further business the Mayor, Mayor Julia Cornwell McKean closed the meeting at [type time](#).