



Minutes of the Council Meeting held in the Council Chambers on Wednesday, 16th November, 2016 commencing at 9.15 am.

Min. No. Present: Cr. Matthew Hannan (Mayor)
Crs: Ross Bodey, John Bruce, Bernard Curtin, Denis Glanville, Colin Jones, Daryll Morris, John Taylor, Director Technical Services (Fred Exton), Development Manager (Laurie Stevens) and General Manager (Rowan Perkins).

Apology

Nil

Declaration of Items of Pecuniary and other Interests

Nil

4. CONFIRMATION OF MINUTES

293 RESOLVED Crs: Glanville and Morris that the Minutes of the meeting held in the Council Chambers on Wednesday 12th October, 2016 and Extraordinary meeting held in the Council Chambers on Wednesday 2nd November, 2016, be confirmed.

5.1 FINANCE – ACCOUNTS

AUTHOR: Finance Manager

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.2 Ensure effective governance by Council of Council operations and reporting

294 RESOLVED Crs: Bruce and Taylor that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 October 2016, be received and that the accounts paid as per Warrant No. 10/16 totalling \$1,248,826.17 be confirmed.

5.2 BAROOGA ADVANCEMENT GROUP COMMITTEE OF MANAGEMENT

AUTHOR: General Manager

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.2 Ensure effective governance by Council of Council operations and reporting

FILE NO: 02.036.1

Min. No.

295 **RESOLVED** Crs: Jones and Glanville that the Council:

- A) Revoke existing members of the Barooga Advancement Group Committee of Management.
- B) pursuant to Section 355 of the Local Government Act, 1993, appoint the following persons to the Barooga Advancement Group Committee of Management:

President Trevor Ellison
Secretary Neil Duffield
Treasurer Nicole Foster
Committee Simon Klaver, Jacky Klaver, Darrell Bowden, Natasha Bignell, Barry Kennedy, Sue Kennedy, Tom Saggars, Bob Davis, Lyn Thatcher, Denis Thatcher, Lyn Mountney, Mel Bowden, Leanne May, Ian Yeaman, Sheila Duffield, Lyn Woodhead, Val Toohey.

5.3 FINANCIAL STATEMENTS 2015/16

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

**STRATEGIC OBJECTIVE: 2.2 Ensure effective governance
by Council of Council operations
and reporting**

FILE NO: 12.019.1

296 **RESOLVED** Crs: Morris and Taylor that the Council, not having received any submissions in relation to its 2015/16 Annual Statements and having considered the reports presented by its Auditors, RSD Chartered Accountants, adopt the 2015/16 Annual Statements and the Report on the conduct of the Audit.

5.4 FINANCIAL REVIEW

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

**STRATEGIC OBJECTIVE: 2.2 Ensure effective governance
by Council of Council operations
and reporting**

FILE NO: 12.019.1

297 **RESOLVED** Crs: Glanville and Morris that the Council:

- 1. Note the first quarterly review of the 2016/17 budget and vote the funds contained therein as shown in Appendix "A".
- 2. Note the Quarterly Budget Review Statement attached as "Appendix "B".

Min. No.

5.5 AGENCY INFORMATION GUIDE

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

**STRATEGIC OBJECTIVE: 2.2 Ensure effective governance
by Council of Council operations
and reporting**

FILE NO: 16.002.1

298 RESOLVED Crs: Morris and Taylor that, pursuant to section 21 of the *Government Information (Public Access) Act 2009* the Council adopt the Agency Information Guide, as amended, below:

Berrigan Shire Council's agency information guide describes who we are and what we do.

It also describes how members of the public, community organisations, the media and government agencies can interact with us, access information held by us and change information you believe to be incorrect.

THE COUNCIL, ITS STRUCTURE AND FUNCTIONS

Legal identity

Berrigan Shire Council is constituted and operates under the provisions of the *Local Government Act 1993*. The Council is responsible for providing local government representation and services for the residents of Berrigan Shire.

Berrigan Shire was proclaimed by the New South Wales State Government on 15 May 1906 and has existed within substantially the same boundaries since that date. Located on the Murray River in the Southern Riverina, the Shire area covers approximately 2,100 square kilometres and is home to more than 8,400 residents.

Integrated Planning and Reporting

Berrigan Shire's preferred future is established in *Berrigan Shire 2023*, the Shire's Community Strategic Plan. This plan was developed in conjunction with our community under the Integrated Planning and Reporting (IP&R) framework established by the Office of Local Government.

In *Berrigan Shire 2023*, the community set out its vision for the future

Min. No.

In 2023 we will be recognised as a Shire that builds on and promotes our natural assets and advantages to create employment and economic activity to attract residents, families and tourists.

As well as *Berrigan Shire 2023*, the IP&R framework includes a suite of other plans, strategies and reports that are used by the Council to support the provision of a range of services, programs and initiatives on behalf of residents and others and advances Berrigan Shire as a lifestyle and investment destination of choice.

You can view the Council's suite of plans and strategies under the IP&R framework at the Council Administration Office and on the Council website at <http://www.berriganshire.nsw.gov.au/Council/Documents/ManagementPlansCodesReports.aspx>

Corporate Structure and functions

Berrigan Shire Council is led by a General Manager who is responsible for the efficient operation of the Council and for ensuring implementation of the Council's decisions. The General Manager is appointed by the Council under a standard contract.

The Council is made up two major divisions, each managed by a Director.

- Technical Services
- Corporate Services

Each department is responsible for the services as shown below:

Technical Services	Corporate Services
Roads, Bridges and Footpaths	Administration, HR and finance
Depot	Rates and charges
Animal control	Saleyards
Stormwater drainage	Home and community care
Parks and Gardens	Early intervention service
Water and Sewerage	Recreation reserves
Environmental Health	Libraries
Building control	Public swimming pools
Waste control	Rural Fire Service
Town planning	Tourism

Min. No.

Council buildings	Cemeteries
Development	Caravan parks
Aerodrome	Social and cultural planning

Outside this structure the Council has a series of Committees of Management that operate under section 355 of the *Local Government Act 1993*. You can find a complete list of these committees on the Council website at <http://www.berriganshire.nsw.gov.au/Council/CommitteesofCouncil.aspx>

LOCAL GOVERNMENT AND THE PUBLIC

As a service organisation, the majority of the activities of Berrigan Shire Council may have an impact on you. The following is an outline of how the broad functions of the Council may affect you and others.

- **Service functions** involve the Council providing services and facilities to the public. This includes the provision of public infrastructure such as roads, water supply and sewerage systems, waste collection and recycling services, community infrastructure such as libraries, halls and recreation reserves and human services such as Home and Community Care.
- **Regulatory functions** place restrictions on the use of land and on some other activities in order to mitigate any adverse effect on community amenity and the environment and to protect the life and safety of the public. Members of the public must be aware of, and comply with, such functions.
- **Ancillary functions** include, for example, the resumption of private land and the power for the Council to enter onto a person's land. In general, these activities will only affect the owners of the property.
- **Revenue functions** have a direct effect on the public in that the Council can compel landholders in the Shire to pay rates and charges lawfully made by the Council. The Council's revenue functions have an indirect effect on the public in that revenue raised by the Council is used to fund the services and facilities provided to the community.
- **Administrative functions** do not affect the public directly but the impact of these functions on the efficient and effective provision of services by the Council may affect the public.

Min. No.

- **Enforcement functions** such as impoundment of wandering stock directly affects those members of the public who are in breach of certain legislation. It has an indirect effect on the wider community through the maintenance of community amenity.
- **Community support functions** include such matters such as facilitation of community and business activity within the Shire and advocating for the needs of the community with other levels of government.

The Council exercises its functions under the *Local Government Act 1993*. As well as the *Local Government Act*, the Council has powers under a number of other Acts including:

<i>Coastal Protection Act 1979</i>	<i>Privacy and Personal Information Protection Act 1998</i>
<i>Community Land Development Act 1989</i>	<i>Protection of the Environment Operations Act 1997</i>
<i>Companion Animals Act 1998</i>	<i>Public Health Act 1991</i>
<i>Contaminated Land Management Act 1997</i>	<i>Recreation Vehicles Act 1983</i>
<i>Conveyancing Act 1919</i>	<i>Roads Act 1993</i>
<i>Environmental Planning and Assessment Act 1979</i>	<i>State Emergency & Rescue Management Act 1989</i>
<i>Fire Brigades Act 1989</i>	<i>State Emergency Service Act 1989</i>
<i>Fluoridation of Public Water Supplies Act 1957</i>	<i>Strata Schemes (Freehold Development) Act 1973</i>
<i>Food Act 1989</i>	<i>Strata Schemes (Leasehold Development) Act 1986</i>
<i>Graffiti Control Act 2008</i>	<i>Strata Schemes Management Act 1996</i>
<i>Government Information (Public Access) Act 2009</i>	<i>Swimming Pools Act 1992</i>
<i>Heritage Act 1977</i>	<i>Unclaimed Money Act 1995</i>
<i>Impounding Act 1993</i>	<i>Water Act 1912</i>
<i>Library Act 1939</i>	<i>Water Management Act 2000</i>
<i>Noxious Weeds Act 1993</i>	<i>Work Health and Safety Act 2011</i>

Min. No.

PARTICIPATION IN LOCAL GOVERNMENT

Representation

Local government in New South Wales is based on the principle of representative democracy. This means that eligible voters elect representatives to their local Council to make decisions on their behalf. In New South Wales, elections are held every four years.

Berrigan Shire Council is represented by a publicly elected Council that is responsible for providing leadership in the development and implementation of a program of actions that contribute to the Shire community's vision.

Berrigan Shire Council is represented by eight councillors, headed by a Mayor.

Councillors serve a four year term; the current Council was elected in September 2016. Berrigan Shire is not divided into wards and councillors are elected at large.

The Mayor is elected by the Councillors from among their number and serves for a 2 year term. The current Mayor was elected in September 2016.

The role of the Council is to:

1. Represent the community and advocate its viewpoint
2. Formulate policy and strategic direction and make decisions that will benefit the community as a whole
3. Oversee the implementation of policy and key strategic plans and review the performance of the organisation
4. Set and approve the Council budget

Meetings

Berrigan Shire Council holds an ordinary meeting of the Council on a monthly basis. This is ordinarily scheduled for the third Wednesday of the month, commencing at 9.15am. The venue for the meeting is the Berrigan Shire Council Chambers, 56 Chanter St Berrigan. The Council may choose to vary the time, date or venue of meetings or hold an extraordinary meeting.

The Council also holds meetings of various committees of the Council on the Wednesday two weeks before the third Wednesday of the month.

You can find Council and committee meeting times on the Council website (<http://www.berriganshire.nsw.gov.au>) and they are also advertised in the Southern Riverina News and the Cobram Courier.

Min. No.

Ordinary meetings of the Council are open to the public, except as allowed for in the *Local Government Act 1993*.

Public participation

Council's Community Engagement Framework (2016) strengthens Council's commitment to supporting the participation of individuals, groups and communities in Council planning and decision making. It guides the development of Council's Community Strategic Planning engagement strategies and consultation on local issues.

Opportunities exist for you and other members of the community to participate in all facets of the governance of the Council. There is participation through the formal decision-making structures and through the many support units and groups that contribute to the Council's affairs.

Outside the formal structures of decision-making the Council has a procedure for receiving and responding to complaints and suggestions from the public about the Council and its functions. You are also encouraged to contact Councillors to put forward your views regarding issues relating to the Council. You can find contact details for the Councillors on the Council website at <http://www.berriganshire.nsw.gov.au/Council/YourCouncillors.aspx>

Many Council plans, codes and policies are placed on display for public comment before final adoption by the Council. Notification of requests for public comment is made on the Council website (<http://www.berriganshire.nsw.gov.au>) and in the Southern Riverina News and the Cobram Courier.

These draft plans and codes also available on the Council website and also are available for perusal at the Council administration office and the Barooga, Berrigan, Finley and Tocumwal branches of the Berrigan Shire Library Service.

You and other members of the public are invited to join the various committees of management that operate facilities such as recreation reserves, public halls and parks and gardens. Other committees open to the public include various advisory and support groups on issues such as youth, public libraries and community assistance.

COUNCIL INFORMATION AND ACCESS TO INFORMATION

List of Council documents available to the public

The *Government Information Public Access Act 2009* (GIPA Act) and associated regulation provides you with a general right of access to information held by the Council as long as it does not

Min. No.

infringe privacy or other laws or there are public interest considerations against disclosure

A range of information about the Council and its operations is available on the Council's website and/or the Council administration office in Berrigan

You are entitled to inspect these documents held by the Council on the Council's website – unless there is an unreasonable additional cost to the Council to publish these documents on the website – or at the offices of the Council during ordinary office hours or at any other place as determined by the Council.

Any current or previous document of this type may be inspected by you free of charge. Copies can be supplied for reasonable copying charges.

1. Information about Council and Council meetings
 - i. Code of meeting practice
 - ii. Agendas, minutes and business papers for any meeting of the Council or any committee of the Council
 - iii. Councillors expenses and facilities policy
2. Council Administration
 - i. Berrigan Shire Council Code of Conduct
 - ii. Annual Report, Financial Statements and Auditor's Report
 - iii. Equal Employment Opportunity Management Plan
 - iv. Land Register,
 - v. Investment Register,
 - vi. Delegations Register
 - vii. Register of voting on planning matters
 - viii. Register of graffiti removal work
3. Plans and policies,
 - a. A range of Council policies are available on the Council's website
<http://www.berriganshire.nsw.gov.au/Council/Documents/CouncilPolicies.aspx>
 - b. Other Council plans, strategies and reports can be found at:
<http://www.berriganshire.nsw.gov.au/Council/Documents/ManagementPlansCodesReports.aspx>
4. Development and Planning
 - i. Environmental planning instruments and development control plans
 - ii. Development Applications and associated documents
5. Other documents.

Min. No.

- i. Leases and licences for use of public land classified as community land
- ii. Register of contracts
- iii. Register of gifts
- iv. Returns of the interests of Councillors, designated persons and delegates (Note: only available for viewing at the Council Administration Office)
- v. Register of current declarations of disclosures of political donations

How to Access Information the Council holds

Under the GIPA Act the Council has an obligation to provide greater accessibility to government information for the public.

Documents available for free can be found on the Council's website (<http://www.berriganshire.nsw.gov.au>) or picked up in person at the Council's office in Berrigan during office hours.

You may come to the Council's office at 56 Chanter Street, Berrigan, and view the Council's open access information during office hours (8.00am to 5.00pm Monday to Friday excluding public holidays).

Any person can request to view his/her own personal record and can request the alteration of certain information that is held by the Council in connection with its administrative functions and if the information is, in the person's opinion, incomplete, incorrect, out of date or misleading. Any records of a legal or accounting nature cannot be altered without proper approval or advice.

The Director Corporate Services has been appointed as the Council's Public Officer and Right to Information Officer. Among other duties, the Director Corporate Services may deal with requests from the public concerning the Council's affairs and has the responsibility of assisting people to gain access to public documents of the Council. The Director Corporate Services is also responsible for determining applications for access to documents or for the amendment of records.

The Council will endeavor to make as much information as possible available proactively or upon request, unless there is an overriding public interest against disclosure. In some cases, it may be necessary to lodge a formal access application. Access forms are available on the Council's website or by contacting the Council's Public Officer.

Requests for amendment of a document of the Council which you feel is incorrect will require you to make written application to the Director Corporate Services in the first instance.

Min. No.

Matthew Hansen
Director Corporate Services
Berrigan Shire Council
PO Box 137
BERRIGAN NSW 2712

Telephone: (03) 5888 5100.
Email: mail@berriganshire.nsw.gov.au

Office of the Information and Privacy Commissioner

The Office of the Information and Privacy Commissioner (OIPC) has been established to oversee the GIPA Act. The OIPC provides information about the right to access information held by NSW government agencies, including Councils.

You can contact the OIPC via:

Level 11, 1 Castlereagh St
SYDNEY NSW 2001
GPO Box 7011
SYDNEY NSW 2001
Telephone: 1800 472 679
Email: ipcinfo@ipc.nsw.gov.au

5.6 POLICY FOR RECOGNITION OF SERVICE

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged communities

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

FILE NO: 22.017.1

299 RESOLVED Crs: Curtin and Morris that the Council:

- Revoke its Policy for Recognition of Service; and
- Adopt the Policy for Recognition of Service set out below.

1. POLICY STATEMENT

This policy provides a consistent framework to allow for suitable and appropriate recognition of Councillors and long term staff.

2. PURPOSE

Berrigan Shire Council, as a responsible employer, wishes to publicly recognise the loyal and dedicated service of its employees.

Min. No.

The Council also wishes to honour and acknowledge the service of its Councillors.

3. SCOPE

This policy applies to Councillors and Council employees

4. OBJECTIVE

This policy is developed to assist the Council with:

Delivery Plan Action 2.2.2.5:

Manage human resource and workforce development activities through the implementation of the Berrigan Shire's Workforce Development Plan 2013 – 2017

and Delivery Plan Objective 2.2.2.1:

Provide facilities and support including financial to elected Council.

5. DEFINITIONS

Service is defined as continuous employment or service with Berrigan Shire Council. Part-time employment is counted equally as full-time service.

Parental leave and leave without pay is not counted in calculating years of service.

6. POLICY IMPLEMENTATION

6.1 Long service awards:

The Council will acknowledge the contribution made by long serving Councillors and employees in the following manner.

Service	Acknowledgement
5 years	Certificate of Service
10, 15, years	Certificate of Service, gift to the value of \$200
20,25, 30 years	Certificate of Service, gift to the value of \$500

Presentation of service acknowledgements will be made at an annual function held by the Council. All Councillors, employees, their spouses and/or partners will be invited to attend.

6.2 Farewell presentations:

Long serving Councillors and employees who have left the Council will be recognised as follows:

6.2.1 Employees:

Employees with over 25 years of service to the Council will be presented with a suitable gift to the value of \$500

Min. No.

25-29 years – The Council will present the gift at a Council meeting

30 years or more – The Council will present the gift at a retirement function arranged by the Council. Councillors, relevant members of staff, their spouses and partners will be invited to attend.

6.2.2 Councillors:

Where a person ceases to hold the office of Councillor, either through retirement or the result of an election, an appropriate ceremony will be held in their honour, including presentation of a suitable gift.

7. RELATED POLICIES OR STRATEGIES

Relevant Legislation, Documents and Policies

- *Local Government Act 1993*
- *Fringe Benefits Tax Assessment Act 1986 (C'wealth)*
- Local Government (State) Award 2010
- Berrigan Shire Council Code of Conduct
- Payment of expenses and the provision of facilities for Mayors and Councillors
- Berrigan Shire 2023 (Community Strategic Plan)
- Berrigan Shire Council Workforce Development Plan 2013
- Berrigan Shire Council Guidelines of the payment of expenses and provision of facilities to employees

5.7 POLICY FOR STREET STALLS

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged communities

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

FILE NO: 28.167.1

300 RESOLVED Crs: Bodey and Glanville that the Council:

- Revoke its Policy for Street Stalls; and
- Adopt the Policy for Street Stalls set out below.

1. POLICY STATEMENT

In order to ensure the orderly and equitable operation of street stalls in each of the towns in Berrigan Shire, the Council allocates available times and dates to various community groups.

Min. No.

The Council has a role in regulating street stalls to ensure:

- Access for pedestrians is not unduly impeded
- Local traders are not unduly inconvenienced
- All groups wishing to hold a street stall are given an opportunity

2. PURPOSE

The policy is designed to regulate and equitably share the space made available for local community groups to operate street stalls in each of the towns in Berrigan Shire.

3. SCOPE

This policy applies to all organisations wishing to hold a street stall on Council-controlled land

4. OBJECTIVE

This policy is developed to assist the Council with Delivery Plan Objective 3.1.3

Strengthen the inclusiveness and accessibility of our community

5. DEFINITIONS

A **street stall** is a temporary stall or stand operating in the open, generally selling a range of small items and/or raffle tickets. They are generally run for the purpose of raising funds for community activities and other charitable reasons.

6. POLICY IMPLEMENTATION

6.1. Eligibility

Only organisations operating for charitable or community purposes will be allocated a street stall date.

The Council will not provide street stall dates to individuals or to private businesses.

No organisation will be allocated more than 3 street stall dates per calendar year.

6.2. Applications

The Council will seek applications for street stall dates annually.

The Council will place a notice in the Council's Bulletin Page in the Cobram Courier and the Southern Riverina News when accepting applications for the coming year. A similar notice will appear on the Council website and social media outlets.

Applications for street stall dates will close on 31 January annually. This allows time for the Council to prepare and distribute advice of approved dates.

Min. No.

Applications received should contain the following information

- **Completed** application form
- Name of the organisation
- Contact name and daytime contact details
- Current Certificate of Currency of the organisation's Public Liability Insurance for \$20 million
- Preferred dates (please provide a range of dates, in order of preference)
- Rough outline of activity planned – e.g. "wood raffle and cake stall"

6.3. Allocation

The Council will allocate dates to eligible organisations on a "first come, first served" basis.

An alternative date will be allocated to any organisation subsequently requesting a date already booked. The Council will attempt to take into account any preferences listed in the application.

Additional stalls for special appeals for disaster relief, e.g. a natural disaster such as a fire, flood etc., will be considered with a completed application form and current Certificate of Currency of the organisation's Public Liability insurance for \$20 million.

6.4. Designated Locations

The preferred locations for street stalls are as follows:

Barooga	Outside the former IGA on Vermont Street.
Berrigan	Outside the Newsagency on Chanter Street.
Finley	Outside the Newsagency on Murray Street.
Tocumwal	Outside the Supermarket on Deniliquin Street

Alternative locations will be considered by the Council upon request.

6.5. Operation

The stall must be conducted at the agreed site.

The organisation must meet the requirements of the Council's Outdoor Dining and Footpath Trading Policy. The Council may, at its discretion, impose further requirements over and above that policy if deemed necessary.

Street stall operators should consider their legal responsibilities to their volunteers and the public while operating their stall.

No more than two street stalls will be allocated for each town per week.

Min. No.

Switching or swapping of dates with other organisations is permitted subject to

- concurrence of both organisations, and
- sufficient notice being given to the Council

7. RELATED POLICIES OR STRATEGIES

7.1. Legislation

- *Local Government Act 1993*
- *Roads Act 1993*
- *Food Act 2003*
- *Environmental Planning and Assessment Act 1979*

7.2. Policies and other documents

- Berrigan Shire Council Code of Conduct
- Risk Management Policy and Framework
- Outdoor Dining and Footpath Trading Policy

5.8 POLICY FOR SUPERVISION AND HIRING ARRANGEMENTS FOR COMMUNITY SWIMMING POOLS

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged communities

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

FILE NO: 26.160.1, 26.160.2, 26.160.3, 26.160.4

301 RESOLVED Crs: Morris and Jones that the Council:

- Revoke its Policy for Supervision and Hiring Arrangements for Community Swimming Pools; and
- Adopt the Policy for Supervision and Hiring Arrangements for Community Swimming Pools set out below.

1. POLICY STATEMENT

Berrigan Shire Council is responsible for three community-run public swimming pools; one each at Berrigan, Finley and Tocumwal. These pools are operated by a volunteer committee of Council established under s355 of the *Local Government Act 1993* on behalf of the local community, with the Council acting as trustee

Min. No.

of the land and providing a legal structure to the committee to operate.

These public swimming pools provide an important venue for many forms of water sports, fitness and other recreational activities, and are enjoyed by significant numbers within the community.

However, there are inherent dangers with aquatic locations. Berrigan Shire Council has a responsibility to ensure that adequate safeguards are in place to minimise the risks that can be associated with aquatic locations under its care and control.

2. PURPOSE

The purpose of this policy is to set acceptable standards for the use of the community swimming pools, including minimum terms for hire agreements and minimum supervision requirements.

This is in line with the Council's Risk Management Framework and guidelines set by the Office of Local Government and Royal Life Australia (RLSSA).

3. SCOPE

This policy applies to the use of Council-controlled community-run swimming pools at Berrigan, Finley and Tocumwal.

4. OBJECTIVE

This policy is developed to assist the Council with:

Delivery Plan Objective 3.1.2.3:

Provide recreation facilities which support active lifestyle and ageing in place

and Delivery Plan Objective 2.2.2:

Council operations support ethical, transparent and accountable corporate governance

5. DEFINITIONS

Active Supervision – is defined by the RLSSA as

Active supervision at public pools consists of four key elements:

Min. No.

Be Prepared: *Ensure you have everything you need before getting into the water, such as towels and dry clothes.*

Be Close: *Always be within arms' reach of your child.*

All of Your Attention: *Focus all of your attention on your child and get into the pool and talk and play with them.*

All of the Time: *You should never leave your child alone in the water, nor should they be left in the care of an older child or with the assumption that your responsibility diminishes due to the presence of lifeguards.*

Committee of Management – A committee established under s355 of the Local Government Act 1993 to exercise a function of the Council. In this case, the volunteer committees of the Council delegated care, control and management of Council's community swimming pools.

6. POLICY IMPLEMENTATION

6.1 Delegation

The Council has delegated care, control and management of the swimming pools in its control to a volunteer Committee of Management. These committees are responsible for the day-to-day operations of these facilities.

6.2 Specific requirements

The configuration of all of the Council's public swimming pools would see them classified as "Category 5" pools under Practice Note 15 released by the Office of Local Government. Given the use patterns and patronage of its public pools, the Council has taken a position that meeting the recommendations of Practice Note 15 would be cost-prohibitive and excessive.

Berrigan Shire Council has taken a risk-management approach to supervision at its public pools. As such, the Council has made a decision to vary from the recommendations of Practice Note 15 in some cases. In each case, a specific risk assessment has been undertaken to justify the variation in question.

6.3 Hire arrangements

Practice Note 15 states:

Min. No.

It is also a recommended practice that councils/delegated aquatic facility managers enter into formal agreements with user groups such as schools, swimming instructors, clubs and community organisations using the facilities.

The agreement should identify key responsibilities of both the council/delegated aquatic facility manager and the hirer, for example, in relation to supervision, emergencies and first aid. This ensures that all parties are aware of their roles and reinforces appropriate stakeholder responsibilities and general behaviours

Third-party users of the public swimming pools will be required to enter into a formal hire agreement with the Council.

For schools and swimming clubs, this will be entered into annually prior to the start of each swimming season. Casual hirers will enter into a single-use agreement.

The hire agreement will include specifics about:

- Dates and times of use
- Supervision requirements, etc.
- Insurances and indemnities
- User obligations

Schools and swimming clubs will also be required to advise the lifeguard and the Council about the activities to be undertaken at each session, the supervision arrangements in place and any details about users with special needs or requirements. For school groups, this may take the form of an in-house risk assessment

Schools hiring a Council public swimming pool must have in place a coloured tag system to identify non-swimmers and weak swimmers in line with the Water Safety Guidelines for Unstructured Aquatic Activity issued by the NSW Department of Education and Communities.

Hirers will be expected to have Public Liability Insurance to the value of \$20 million and to produce a Certificate of Currency upon request.

6.4 Supervision

While open to the public, the minimum supervision requirements are:

- A lifeguard meeting the minimum qualification requirements of this policy

Min. No.

- While the pool is open to the public, the lifeguard's sole responsibility is active supervision of the water.
- There must be a minimum of one (1) qualified lifeguard per 100 patrons.
- Use of a diving board or other devices such as inflatable structures will require an additional qualified lifeguard whose sole role will be to supervise the use of the device.

The Committees of Management will also endeavour to have another person in the pool area with NSW WorkCover approved Senior First Aid, including CPR, Schools Emergency Care and CPR or an equivalent qualification that is acceptable to the Council.

A third-party hirer of the pool must meet the following supervision requirements:

- A minimum of two (2) people on supervision duty at any one time
- At least one of the supervisors must be a qualified lifeguard under this policy, inducted into the specific pool in question and be capable of supervising the water
- The sole role of the qualified lifeguard must be to provide active supervision of swimmers in the water and no other task. The lifeguard must not be coaching swimmers in the pool or supervising patrons out of the pool.
- There must be a minimum of one (1) qualified lifeguard per 100 patrons.
- Another person in the pool area with NSW WorkCover approved Senior First Aid, including CPR, Schools Emergency Care and CPR or an equivalent qualification that is acceptable to the Council
- Use of a diving board or other devices such as inflatable structures will require an additional qualified lifeguard whose sole role will be to supervise the use of the device.

6.5 Supervision of children

Berrigan Shire Council is committed to the safety of children at its public pools and as such its supervision requirements are in line with the RLSSA Keep Safe @ Public Pools program.

- Children under the age of 10 will not be permitted to use the pool unless they are accompanied by a person responsible for their supervision. This person must be aged over 18 and be actively supervising the child at all times.
- Parents and guardians should actively supervise their children at all times and be dressed ready to enter a pool. For 0–5

Min. No.

year olds and non-swimmers, a parent or guardian needs to be in the water at all times and within arms' reach of the child.

- Constant active supervision is required for children aged 6–10 years old. Parents and carers must be prepared to enter the water with this age group.

The lifeguard on duty has an obligation to ensure that children are being adequately supervised and is authorised to take action where supervision is inadequate, including asking the patron to exit the water and/or leave the pool grounds.

The Council acknowledges that these requirements may contravene the strict requirements of the *Anti-Discrimination Act 1977* but it has taken the position that any contravention is justified in order to protect the life and safety of its pool patrons, following an assessment of the risks involved.

6.6 Equipment

While open, each public pool will have the following equipment available for use:

Lifesaving equipment

- Spinal board
- Neck collar
- Board straps
- Reach pole
- Kick board

Resuscitation equipment

- Oxygen unit
- Pocket mask and latex gloves

Other equipment

- Mobile telephone (at the pool deck)
- First aid kits x 3
 - First aid room (Type A)
 - Pool deck (Type B)
 - Bum bag carried by the pool lifeguard (Type C)

Min. No.

6.7 Qualifications

A person acting as a lifeguard at a public pool must at a minimum have a RLSSA NSW Pool Lifeguard Licence (updated annually) including:

- RLSSA Bronze Medallion,
- NSW Workcover approved Senior First Aid (updated every 3 years) and
- RLSSA Oxygen Equipment;

The lifeguard must also be specifically inducted into each pool that he or she will supervise.

Lifeguards must also have a current "Working with children" check meeting the requirements of the *Commission for Children and Young People Act 1998*

The Council will not employ lifeguards aged under 16. Lifeguards aged between 16 and 18 will not be rostered to work alone; they must be under the supervision of another lifeguard on duty aged over 18.

6.8 Volunteer lifeguards

The use of lifeguards not employed by the Council on a volunteer basis is permitted.

Volunteer lifeguards, including lifeguards on duty when the pool is being used by a third-party hirer, must have the same qualifications and undertake the same inductions as a Council-employed lifeguard.

In addition to these requirements, the Pool Supervisor must assess each volunteer lifeguard and explicitly approve the use of that lifeguard at each event. The Pool Supervisor will keep adequate records of the qualifications of each volunteer lifeguard.

Volunteer lifeguards are to act within the requirements of this policy and other Council requirements and under the direction of the Pool Supervisor.

Volunteer lifeguards must be aged over 16. Volunteer lifeguards aged between 16 and 18 may be used, but only under the supervision of another qualified lifeguard on duty aged over 18.

Min. No.

6.9 Inspections

Formal inspections of the pool will be conducted on a regular basis in line with the Pool Operating Manuals. These include pre-season, weekly and daily checks

Third-party hirers will also inspect the pool area on each occasion before taking control of the pool facility.

6.10 RELATED LEGISLATION, POLICIES AND STRATEGIES

6.11 Legislation

- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- *Work Health and Safety Act 2011*
- *Anti-Discrimination Act 1977*
- *Commission for Children and Young People Act 1998*

6.12 Other documents

- Office of Local Government Practice Note 15 – Water Safety
- RLSSA Guidelines for Safe Pool Operation
- RLSSA Keep Safe @ Public School program
- Office of the State Coroner NSW – Inquest into the death of Armani Dirani
- New South Wales Department of Education and Communities - Water Safety Guidelines for Unstructured Aquatic Activity

6.13 Council policies

- Berrigan Shire Council Risk Management Framework
- Risk Management Policy
- Pool Operation Manuals

5.9 COUNCILLOR EXPENSES AND FACILITIES POLICY

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

**STRATEGIC OBJECTIVE: 2.2 Ensure effective governance
by Council of Council operations and
reporting**

FILE NO: 13.045.1

302 RESOLVED Crs: Jones and Bodey that the Council

1. adopt the “Payment of Expenses and Provision of Facilities For Mayors and Councillors” draft policy, as set out below, and

Min. No.

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 18 January 2017.

PART 1 INTRODUCTION

This policy for the payment of expenses and the provision of facilities for Mayors and Councillors is effective from 18th January, 2017, being the date it was adopted by the Council.

The policy comprises four parts, being:

1. Part I Introduction – defines key terms and describes the legislative and reporting requirements that prescribe the policy's purpose, objectives and scope;
2. Part II Payment of Expenses – describes the general and specific provisions, circumstances and Council procedures related to the payment of allowable expenses;
3. Part III Provision of Facilities – outlines the general and specific provisions, circumstances concerning Councillor use of Council facilities and resources; and
4. Part IV Other Matters – provides guidance on issues related to Councillor acquisition and return of facilities and superannuation

This policy is made under Sections 252-254 of the *Local Government Act 1993* (the Act), Section 403 of the *Local Government (General) Regulation* and in accordance with the Guidelines issued by the Office of Local Government (October 2009) in accordance with Section 23A of the Act.

Broadly, the Act requires that the Council must annually adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Mayor, Deputy Mayor and the other Councillors in relation to discharging the functions of civic office.

This Policy must comply with the provisions of the Act, the Regulation and the Guidelines.

7.3. Purpose

The purpose of the Policy is to ensure that Councillors receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties. It ensures that these are provided in an accountable and transparent manner.

7.4. Objectives and scope

7.4.1. Objectives

Min. No.

Berrigan Shire Council is committed to the following *Berrigan Shire* 2023 strategic outcomes and objectives:

Good Government

2.2 Ensure effective governance by Council of Council operations and reporting;

The objectives of this policy are:

1. To outline the details and range of benefits provided to Councillors by the Council in a transparent manner.
2. To ensure that Councillors are reimbursed for expenses reasonably incurred in their performance of their role as a Councillor in a manner that is acceptable to the community.
3. To encourage members of the community to seek election to the Council by ensuring that they would not be financially or otherwise disadvantaged in undertaking the civic duties of a Councillor.
4. To ensure that Councillor use of Council facilities and resources is effective, efficient, appropriate, lawful and ethical.

7.4.2. Scope

The policy applies to all Councillors and if appropriate any Councillor administrators as well.

The policy does not apply to the receipt or expenditure of Councillors or Mayoral annual allowances.

The policy does not apply to Council staff. Council staff are regulated in similar matters by separate policy.

7.5. Making and adoption

Berrigan Shire Council is required on an annual basis to review and submit its policy to the Chief Executive of the Office of Local Government within 28 days of adoption by the Council, even if it is proposed to adopt an unchanged policy. Current policies must be submitted by 30 November each year.

Before adopting or amending this policy, the Council must give public notice of its intention, and allow at least 28 days for public submissions. Any public submissions received will be considered and appropriate changes made prior to the adoption of the policy.

Even if changes that are considered not substantial are proposed, the required annual adoption of this policy must still be subject to the public notification process outlined above.

At any time, other than the required annual adoption of this policy and if the proposed amendment is not substantial the Council is not required to provide public notice. The term “not substantial” should

Min. No.

be taken to mean minor changes to the wording of the policy, or changes to monetary provisions or rates that are less than 5%. It also means minor changes to the standard of the provision of equipment and facilities. Any new category of expenses, facilities and equipment included in the policy will require public notice.

7.6. Legislative and other provisions

7.6.1. Legislative provisions

- Sections 252-254 of the *Local Government Act* 1993 – Payment of expenses and provisions of facilities.
- Section 428 of the *Local Government Act* 1993 – Annual reports
- Clause 217 of the *Local Government (General) Regulation* 2005 – Additional information for inclusion in annual reports.
- Clause 403 of the *Local Government (General) Regulation* 2005 – Payment of expenses and provision of facilities.
- Local Government (State) Award 2014.

7.6.2. Other Government Policy Provisions

- Office of Local Government Guidelines (May 2009) issued under section 23A of the *Local Government Act* 1993.
- Office of Local Government Circulars to Councils
 - Circular 05/08 Legal assistance for Councillors and council employees
 - Circular 08/24 Misuse of council resources
 - Circular 08/37 Council decision making prior to elections
 - Circular 11/27 Findings from review of Councillor expenses and facilities policies
- Model Code of Conduct for Local Councils in NSW, particularly Use of Council Resources.
- ICAC Publication – *No Excuse for Misuse*, preventing the misuse of council resources.

7.6.3. Other relevant Council documents and policies

- Private Use of Council Vehicles
- Communication Devices Policy
- Annual Schedule of Fees and Charges

Min. No.

- Berrigan Shire Council Code of Conduct
- Berrigan Shire 2023 (Community Strategic Plan)
- Berrigan Shire Council Delivery Plan 2013-2017
- Berrigan Shire Council Operational Plan 2014-15

7.7. Reporting

Section 428 of the Act requires councils to include in their Annual Report:

- The Council's policy on the provision of facilities for, and the payment of expenses to, Mayors and Councillors.
- The total amount of money expended during the year on providing those facilities and paying those expenses.
- Additional information as required by the *Local Government (General) Regulation 2005*.

7.8. Definitions

Expenses:

Payments made by the council to reimburse councillors for reasonable costs or charges incurred or to be incurred for discharging their civic functions.

Expenses must be outlined in a council's policy and may be either reimbursed to a councillor or paid directly by a council for something that is deemed to be a necessary expense to enable them to perform their civic functions. Expenses are separate and additional to annual fees.

Facilities:

Equipment and services that are provided by councils to councillors to enable them to perform their civic functions with relative ease and at a standard appropriate to their professional role as councillors.

Functions of civic office / civic functions:

Functions that councillors are required to undertake to fulfil their legislated role and responsibilities for the council that should result in a direct benefit for the council and/or for the local government area.

Reasonable costs / expenses

A cost and expense that, in its amount and nature is consistent with what a reasonable person would incur, in the conduct of the same activity in the same or similar circumstance

Min. No.

PART 2 PAYMENT OF EXPENSES

8.1. General provisions

8.1.1. Payment of Expenses generally

Berrigan Shire Council is committed to ensuring that Councillors are reimbursed for expenses reasonably incurred in their role of Councillor so that they are not financially or otherwise disadvantaged in undertaking their civic duties.

To ensure consistency and transparency all expenses and costs claimed must be done so in accordance with the requirements of this policy.

Reimbursement of costs and expenses to Councillors will be processed following the submission of appropriate receipts and tax invoices, and the completion of the required claim forms.

A claim form must include an itemized account of expenditure and should not be general in nature. Incidental expenses may not require specific receipts provided it can be demonstrated that expenditure was incurred, it was not general in nature, and that the Councillor certifies that the expense was for the purpose intended. Generally, this will only be acceptable when it was not possible to obtain a tax invoice or receipt, or proof of purchase was lost during the payment process (i.e. ticket taken and not returned by an automatic machine).

Where possible, expenses should be claimed as part of the Councillor monthly return. If waiting until the time of the monthly return would cause undue hardship, arrangements can be made to submit an earlier claim. All expenses must be claimed within 12 weeks of being incurred.

Berrigan Shire Council operates an internal requisition process that will enable most expenses associated with attendance at conferences, seminars and training courses to be directly invoiced to the council. This system can be used to cover expenses relating to registration fees, travel and accommodation.

Where possible, provision will also be made for the cost of meals and incidentals not covered by registration fees to be charged back to the Council. This system will help minimize out-of-pocket expenditures to Councillors.

In certain circumstances Councillors attending conferences, seminars and training away from home may request payment in advance, in anticipation of any additional expenses that may be incurred (i.e. meals not covered by registration fees, taxi fares etc.). In most cases the advance will be in the form of petty cash and will need to be pre-arranged with the Council's Finance Section. On

Min. No.

their return, Councillors must fully reconcile all expenses against the cost of the advance within 14 days.

A general expense allowance will not be available under any circumstance.

All expense provisions have a monetary cap. This cap is to ensure that Councillors and the community can have a reasonable expectation as to what the scope of expected expenses may be and also to serve as a guide to Councillors.

Councillors should not obtain private benefit from the provision of equipment and facilities, nor from travel bonuses such as “Frequent Flyer” schemes or any other such loyalty programs while on Council business. However, it is acknowledged that incidental use of Council equipment or facilities may occur from time to time. Such incidental use is not subject to compensatory payment back to the Council.

Where more substantial private use does occur the Act provides that a payment may be made to cover the level of private use. Where this is expected or is likely to occur, specific expense and facility provisions reflect appropriate mechanisms to compensate the Council for such use.

Participation in Council elections is a private matter and Councillors must not use Council resources in the course of this participation.

In circumstances where it is appropriate for a Councillor to give a gift or benefit (for example, on a Council business trip or when receiving visitors, these gifts should be of token value and in accordance with any policy developed by the Council. Clarification of what token gifts and benefits are can be obtained from the Council’s Code of Conduct, clause 5.3.

While this policy attempts to clearly articulate circumstances concerning the payment of expenses and provision of facilities it is possible that a dispute may arise regarding these.

In circumstances where such a dispute does arise the dispute will initially be referred to the Council by the General Manager for the determination. In making its determination the Council may use the services of one of its appointed Conduct Reviewers, its Solicitor or other appropriate external resource to assist with that determination.

8.1.2. Spouse and partner expenses

On occasions, it will be appropriate, and in some cases a requirement, that Councillors will be accompanied by their spouse,

Min. No.

partner or accompanying person¹ to official functions and activities. In these instances, certain costs incurred by the Councillor on behalf of their partner (meaning spouse, partner or accompanying person), are properly those of the Councillor in the performance of his or her functions and are thus reimbursable.

Berrigan Shire Council will meet the reasonable costs of a partner attending official council functions within the local government area where it could be reasonably expected that the partner would attend.

The Council will also meet the expenses for the partner of the Mayor (or a Councillor when they are representing the Mayor), when they are called on to attend an official function of council or carry out an official ceremonial duty outside of the council area.

Where partners accompany Councillors to seminars and conferences and the like, the Councillor will be personally responsible for all additional costs associated with their partner's attendance, including travel, accommodation, meals, partner's programs etc.

The payment of partner expenses for attending appropriate functions as permitted above will be confined specifically to the ticket, meal and/or the direct cost of attending the function. Peripheral expenses incurred by partners are not considered reimbursable expenses.

8.2. Specific expenses

8.2.1. Travel

All travel by Councillors should use the most direct route and the most practicable and economical mode of transport subject to any personal medical considerations.

The mode and method of transportation to be used shall be agreed with the Council or the Mayor and the General Manager prior to the travel taking place, and where possible Councillors should attempt to travel with other representatives from the Council in order to minimize costs.

Where possible, a Council fleet vehicle will be made available to Councillors traveling outside of the local government area. These vehicles will need to be booked with the General Manager.

On occasions, it may be appropriate for Councillors using council vehicles to leave from home or another pre-arranged location due to the departure time. In these circumstances it may be reasonable

¹ An accompanying person is a person who has a close personal relationship with the Councillor and/or provides carer support to the Councillor.

Min. No.

for the Councillor borrowing the council vehicle to obtain the vehicle the night before. Likewise Councillors returning to Berrigan after 5pm may arrange to return the vehicle the following morning.

8.2.2. Local travel arrangements and expenses

As a rural council it should be recognized that Councillors will need to travel in order to carry out their civic duties.

In addition to travel within the local government area, it may be necessary for Councillors to travel outside of the local government area in order to represent the Council at meetings or events, or to take part in conferences and training activities. In most cases transportation options are limited, and with little or no public transportation the majority of travel will be by private or council provided motor vehicle.

While the Council is committed to meeting the special needs of Councillors in order to maximize participation in civic duties, the inherent nature of local government in a rural setting makes it necessary for Councillors to provide their own transport for activities within the LGA.

Where Councillors use their private vehicle for attendance at local events as part of their official duties they will be reimbursed at a rate determined by the relevant State Industrial Agreement for vehicle expenses, and should claim reimbursement as part of their usual monthly return.

8.2.3. Travel outside the LGA including interstate travel

It is acknowledged that Berrigan Shire Council is a border community and that interstate travel to Victoria and the ACT will be essential in the carrying out of the council's official duties. As such, travel to official events and activities in Victoria will be regarded in the same way as travel to locations in NSW.

As a rural LGA it is often necessary for Councillors to travel outside of the Shire in the conduct of their official duties. Councillors traveling to meetings and events within 200km of Berrigan Shire do not require the specific approval of the Council or General Manager.

Where possible, a council vehicle will be made available to Councillors traveling to events within 200km of the Shire. Where this is not possible Councillors will be reimbursed for the private use of their vehicle at the rate determined by the relevant Industrial Agreement for vehicle expenses and claimed as part of their monthly return.

Min. No.

Travel to meetings and events that are more than 200km from Berrigan Shire should be undertaken with the Council's or with the Mayor and the General Manager's consent. In these circumstances travel arrangements should be organized in consultation with the General Manager. If travel by motor vehicle is the most suitable method of transportation, the Council will endeavour to provide a council vehicle. If it is not possible to use a council vehicle, the Council may agree to the Councillor using his/her own vehicle.

Where the Council agrees for a Councillor to supply their own vehicle, the Councillor may claim a reimbursement for the use of their vehicle for the distance travelled at the rate specified in the Local Government (State) Award 2014. Alternatively, where a Councillor chooses to use their own vehicle, and the Council related travel only forms part of the overall travel, the Councillor may claim for reimbursement of travel costs only calculated on the basis of the average fuel consumption of the vehicle and the distance travelled that relates to the Council purpose.

If the Councillor chooses to use their own vehicle despite a council vehicle being made available, or without the prior agreement of the Council, they will be ineligible to claim a reimbursement for travel more than 200km from the Shire.

Approval to travel to destinations in states other than NSW, the ACT or Victoria for the conduct of council business requires the prior approval of the Council. The application for approval should include full details of the trip, including itinerary, costs and reasons for travel. Travel arrangements for interstate travel will be coordinated by the Council on behalf of the Councillor.

8.2.4. Overseas travel

Berrigan Shire Council will not undertake any overseas travel unless a direct and tangible benefit for the council and the local community can be established.

All overseas travel will be approved by a meeting of the full council prior to a Councillor undertaking a trip. Travel will be approved on an individual trip basis and retrospective re-imbusement of overseas travel expenses that have not previously been authorized will not be permitted.

Before a proposal for overseas travel is approved, a detailed proposal, including nomination of the Councillors undertaking the trip, purpose of the trip, expected benefits, duration, itinerary and approximate costs, will be furnished to the Council as part of a council business paper.

After returning from overseas, Councillors will provide a detailed report to a meeting of the Council on the aspects of the trip relevant to council business and/or the local community.

Min. No.

8.2.5. Reimbursement of motor vehicle expenses

Fuel costs associated with travel in a private motor vehicle will be reimbursed based on distance travelled at the rate specified in the relevant State Industrial Agreement, and not the cost of fuel.

Where travel is undertaken in a council fleet vehicle the vehicle should be refueled with the fuel card supplied. If this option is not feasible, Councillors may use an alternative fuel distributor and claim reimbursement for the actual cost of fuel.

Fuel cards may be used for fuel and oil only and Councillors will need the password to use the fuel card. Receipts for all transactions are required.

See also Section 2.2.3

8.2.6. Infringement notices

Councillors are personally responsible for all traffic or parking fines incurred while traveling in private or council vehicles on council business.

8.2.7. Vehicle security

Where travel overnight is required, and it is necessary to leave either a council or private vehicle being used with council approval in a public place such as an airport, the staff member should, where possible, use a secure parking area and claim a reimbursement for the relevant parking fee on their return.

8.2.8. Travel using other forms of transport

Where a Councillor is traveling by transport other than a private motor vehicle, the Council will meet the full actual cost of travel to and from events, including any associated costs such as parking and road tolls. These arrangements cover travel by air, public transport, taxis, hire cars etc. and should be arranged in consultation with the General Manager.

8.2.9. Extending travel arrangements

Councillors wishing to extend their stay in a destination they have visited for council purposes, or to travel to an alternative location, will require the prior approval of the Council or the Mayor and the General Manager.

In such instances Councillors should recognize that the Council's responsibility for their travel ends when the business activity ends and not when they return home. Any additional costs incurred

Min. No.

following the completion of the business activity, including meal costs and accommodation, are not considered to be reimbursable expenses.

8.2.10. Accommodation

In carrying out their civic duties, Councillors will sometimes need to stay away from home. In these circumstances the Council will meet all reasonable accommodation expenses including breakfast and incidentals associated with attendance at events, save that partners shall be responsible for any additional accommodation, meals and incidental expenses incurred on their behalf.

The wide range of events and conferences that Councillors attend often means that there is a diverse range of prices and standards for accommodation. For example the costs of staying in accommodation of a similar standard can be considerably different from regional to urban areas. Similarly, it may sometimes be necessary for a Councillor to stay in cabin accommodation at a conference in a regional area, or at a 4½ or 5 star venue in the city if this is the venue for a conference or event.

The Council will not reimburse more than \$400 per night for accommodation, although Councillors are expected to select accommodation in conjunction with the General Manager and at a standard that is appropriate to the location and event.

Reasonableness will be determined by the Mayor and the General Manager and will depend on the location of the event and the standards of accommodation available. In considering which events it may be appropriate for Councillors to attend, the potential cost of accommodation will be taken into consideration before a decision to participate is made.

Where a Councillor attends events that require travel outside of Berrigan Shire that would necessitate leaving home before 6am, returning home after 10pm or an overall working day exceeding 10 hours, then the Councillor may include accommodation after the event in travel arrangements. This should be done in consultation with the General Manager.

Where the Council conducts Corporate Planning events at a location more than 200km from Berrigan Shire, it shall provide accommodation on the evening before and each day of attendance, or as appropriate within these guidelines.

8.2.11. Incidental expenses

Reasonable out of pocket or incidental expenses associated with attending official functions, conferences, seminars or training

Min. No.

courses that Councillors incur may be reimbursed upon the presentation of official receipts and the completion of the necessary claim forms.

The Council will reimburse the actual cost of transport related expenses such as taxi fares, parking fees and road tolls. Other incidental expenses such as telephone or facsimile calls will be limited to \$20 per day, or such amount as may be negotiated with the Mayor and the General Manager in exceptional circumstances.

Where Councillors are required to carry out official duties outside of the LGA or sleep away from home, each Councillor may claim reimbursement for the actual cost of sustenance (food and beverages) to a maximum of \$200 per day.

The cost of meals not included in registration fees for conferences or similar functions may be reimbursed after reconciliation. Councillors who choose not to eat a meal provided as part of a conference registration or accommodation package or the like will not be reimbursed for any additional food costs incurred.

Councillors may also claim reimbursement for meal or refreshments expenses incurred while attending business functions or meetings. In some circumstances it may be appropriate to offer an appropriate level of hospitality to non-council employees attending the meeting/function at the Council's request.

Meals or refreshments of this nature should be modest and the costs of meals limited to those outlined above, unless prior approval has been received from the Mayor and the General Manager. In order for these expenses to be reimbursed, it is important that the Councillor involved organizes pre-approval of these expenses with the Council or the Mayor and the General Manager.

8.2.12. Attendance at conferences and seminars

The Council is to be represented at Annual Conferences as under:

Local Government New South Wales

- MAYOR
- Deputy MAYOR
- General Manager
- One other Councillor

National Roads Congress

- Director of Technical Services
- One Councillor

The Council may nominate and authorise elected members whilst the General Manager may authorize employees to attend the above conferences, as may be required.

Min. No.

Attendance of Councillors at seminars and conferences must be authorized by the Council.

Requests to attend seminars and conferences not specified above should generally be made to the Council or, if urgent, the Mayor and the General Manager, outlining the benefits to the Council of attending the event.

Approval for discretionary trips and attendance at conferences and the like should, where possible be approved by a full meeting of the Council. If this is not possible then the approval should be given jointly by the Mayor and the General Manager. If the Mayor requires approval to attend seminars or conferences outside of council meetings it should be given jointly by the Deputy Mayor and the General Manager.

Where attendance at a conference or seminar has been approved, the Council will cover the actual cost of registration fees including costs of related official lunches and dinners, and associated tours where they are relevant to the business and interests of the Council. The reasonable cost of transportation and accommodation associated with attendance at the seminar or conference, and meals when they are not included in the registration fee, will also be met and as discussed elsewhere in this Policy.

8.2.13. Training and education expenses

Berrigan Shire Council encourages its Councillors to undertake relevant training and skills development to ensure they carry out their functions as effectively as possible. Where possible, the General Manager will make Councillors aware of training and educational opportunities.

Attendance at training activities will be by request to the Council or the General Manager who will determine the appropriateness of the request relative to the overall training requirements of all Councillors and budgetary levels established by the Council to provide Councillor training and development.

Where the Council is paying these expenses it is essential that the training or educational course is directly related to the Councillor's civic functions and responsibilities.

8.2.14. Attendance at dinners and other non-Council functions

Councillors attending dinners and other non-council functions are entitled to the reimbursement of their ticket or meal costs in accordance with this policy under the following circumstances:

1. The function is relevant to the council's interests; or

Min. No.

2. The Councillor receives an official invitation to attend a function organized by a community or business group operating within Berrigan Shire; or

3. The event will provide Councillors with a briefing on issues facing the local community.

The direct cost of attending such functions can be reimbursed as part of the Councillors normal monthly return. No payment will be reimbursed for any component of a ticket that is additional to the service cost of the function, such as a donation to a political party or candidate's electoral fund, or some other private benefit.

8.3. Communication costs

8.3.1. Communication devices installed in Councillors' residences

The Council will make available to each Councillor a mobile telephone and a tablet computer ("tablet") for use on official council business. The type of mobile telephone and table provided will be chosen by the General Manager. Councillors may choose to use the machines provided or, alternatively, use their own privately owned phone and tablet.

Use of these devises is to be in line with Council Policy on Communication Devices. Councillors are responsible for any use or misuse of these devices at any time.

The Council will meet all costs associated with the use of these machines to a maximum value of \$100 per Councillor per month. This amount includes telephone rental, other service charges, use of data services and the making of telephone calls related to official council business.

Where Councillors choose not to have a mobile telephone and/or a tablet provided, the Council will meet direct expenses associated with the use of mobile telephone services for official duties to a maximum of \$100 per Councillor per month.

8.3.2. Communication expenses while travelling

The Council will reimburse Councillors for all reasonable council business related communication costs incurred while traveling on council business. Councillors are encouraged to use their Council-provided mobile telephone to make any calls relating to Council business.

In certain circumstances it may be appropriate for Councillors to use communication devices provided by accommodation providers. Councillors are however reminded that communication charges charged by accommodation providers are often inflated and should therefore be used only when absolutely necessary.

Min. No.

Other than the use of a Council-provided mobile telephone, the total of communication related expenses whilst traveling will be included in the Councillors \$20 daily limit for incidentals. Should the Councillor anticipate that this limit will be exceeded, they should contact the General Manager to make alternative arrangements.

The Council acknowledges that family responsibilities may sometimes impact on the Councillor's ability to undertake their civic duties and therefore accepts that Councillors traveling away from home may need to maintain contact with family members while they are away. Where a Councillor incurs private call costs (including calls made on council provided mobile telephones) these should be limited to a maximum of 5 minutes and will be included in the maximum total for daily allowable incidental expenses.

8.3.3. Billing anomalies

Where anomalies in billing amounts become apparent, call costs may be audited and the Councillor asked to reconcile calls made with the account statement.

8.4. Care and other related expenses

To allow Councillors to undertake their council business obligations, Councillors are able to claim for the reasonable cost of carer arrangements, including childcare expenses and the care of elderly, disabled and/or sick immediate family members.

These provisions only apply to council endorsed meetings (including working parties and committee meetings) and cover the period commencing 45 minutes prior to the meeting start and ending one hour after the completion of the meeting to an upper limit of \$20 an hour. All reimbursements are subject to the provision of an invoice and are paid on a "per Councillor" not "per care recipient" basis.

Councillors with a disability or special access needs will be provided with additional support to allow them to perform their normal civic duties and responsibilities. The level of support will be to a level comparable to that offered to staff members and reasonableness will be based on practicality and cost.

8.5. Insurance expenses and obligations

Councillors will receive the benefit of insurance cover to the limit specified in the Council's insurance policies for the following matters arising out of the performance of their civic duties and/or exercise of their council functions.

Min. No.

All insurances are to be subject to any limitations or conditions set out in the Council's policy of insurance.

8.5.1. Public Liability/Professional Indemnity

Public Liability and professional indemnity insurances apply in relation to claims arising out of the Councillor's (alleged) negligent performance of civic duties or exercise of their functions as Councillors.

8.5.2. Councillors' and Officers' Liability

This policy covers Councillors against claims made against them for any alleged wrongful acts in the course of their duties.

Wrongful Act is taken to mean any act, error, misstatement, misleading statement, misleading conduct, omission, neglect or breach of duty made, committed, attempted or allegedly made, committed or attempted by the insured person.

8.5.3. Personal Accident

Councillors are covered, within specified limits, for any personal injury obtained while engaged in or on any activity related to their official council duties including travel to and from these activities.

Full details of the insurance cover are available from the Council's Insurance Officer.

8.5.4. Motor Vehicle

Berrigan Shire Council has an insurance policy to cover loss or damage to council fleet vehicles. Councillors using these vehicles are covered by the policy.

8.6. Legal expenses and obligations

The Council will reimburse the reasonable legal expenses of:

1. A Councillor defending an action arising from the performance in good faith of a function under Section 731 of the *Local Government Act 1993*; or
2. A Councillor defending an action in defamation provided that the outcome of the legal proceedings is favourable to the Councillor

Reasonable legal costs will also be available for an inquiry, investigation or hearing into a Councillor's conduct by an appropriate investigative or review body including:

Min. No.

- i) Local Government Pecuniary Interest and Disciplinary Tribunal
- ii) Independent Commission Against Corruption
- iii) Office of the NSW Ombudsman
- iv) Division of Local Government, Department of Premier and Cabinet
- v) NSW Police Force
- vi) Director of Public Prosecutions
- vii) Council's conduct Review Committee/Reviewer

This is provided that the subject of the inquiry, investigation or hearing arises from the performance in good faith of a Councillor's functions under the Act and the matter before the investigative or review body has proceeded past any initial assessment phase to a formal investigation or review.

In the case of a conduct complaint made against a Councillor, legal costs will only be made available where a matter has been referred by a general manager to a conduct reviewer/conduct review committee to make formal enquiries into that matter in accordance with the procedures in the Model code of conduct.

In the case of a pecuniary interest or misbehaviour matter legal costs will only be made available where a formal investigation has been commenced by the Division of Local Government.

In addition, legal costs will only be provided where the investigative or review body makes a finding that is not substantially unfavourable to the Councillor. This may include circumstances in which a matter does not proceed to a finding. In relation to a Councillor's conduct, a finding by an investigative or review body that an inadvertent minor technical breach had occurred may not necessarily be considered a substantially unfavourable outcome.

The Council will not meet the legal costs of legal proceedings initiated by a Councillor under any circumstance.

The Council will not meet the legal costs of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.

Legal costs will not be met for legal proceedings that do not involve a Councillor performing their role as a Councillor.

No legal expense may be incurred by a Councillor without the express resolution of the Council prior to the expense being incurred.

Min. No.

8.7. Additional expenses for mayors

8.7.1. Communication costs – Mobile telephone

The Council will provide the Mayor with an additional \$150 business cost allowance for a mobile telephone - a maximum value of \$250 per month.

PART 3 PROVISION OF FACILITIES

9.1. General provisions

9.1.1. Provision of facilities generally

Berrigan Shire Council will provide Councillors with facilities equipment and services so that they can undertake their role as elected members of the Council.

Council facilities, equipment and services are not to be used to produce election material or for any other political purposes. Councillors should not generally obtain private benefit from the provision of equipment or facilities, nor from any travel bonus or other such loyalty scheme.

9.1.2. Private use of equipment and facilities

It is acknowledged that incidental use of council equipment and facilities may occur from time to time. Such incidental private use is not subject to compensatory payment.

Where more substantial private use occurs, Councillors will be expected to make a payment to cover the level of private use.

This payment will be made on a full cost recovery basis and where appropriate charged in accordance with the Council's adopted Annual Schedule of Fees and Charges (i.e. for photocopying, facsimile transmission etc.).

9.2. Specific facilities

9.2.1. Office equipment and supplies

The Council will make available for each Councillor a mobile telephone and tablet computer for use on official Council business. The Council will also provide associated hardware and software to facilitate electronic communication and storage of relevant Council documents.

Councillors will be provided with access to the photocopiers, facsimile machines, telephones and other relevant office equipment located at the council office in Berrigan for the purposes of official council business.

Min. No.

Each Councillor will be provided with a diary of a type and standard prescribed by the General Manager. The standard will be equivalent to diaries supplied to council staff members.

9.2.2. Office space

Councillors wishing to conduct formal meetings have access to meeting rooms at the Council office in Berrigan. These rooms must be booked through reception. See also the Council's policy on the use of the Council Chambers.

9.2.3. Secretarial support

All Councillors will be provided with adequate secretarial support so that the Council's official duties may be pursued in a professional manner.

9.2.4. Councillor name badges

All Councillors will be issued with a council name badge. Retiring Councillors will be permitted to retain their badges as a token of service to the Council.

9.2.5. Business cards

All Councillors will be issued with business cards to use during the performance of their official duties.

9.2.6. Meals and refreshments

Where Councillors attend meetings convened by the Council, minor refreshments may be provided in addition to any appropriate meals as determined by the General Manager.

9.2.7. Council vehicles

Access to a suitable vehicle (if available) will be provided for use on official duties. Vehicles will be sourced from the council's general fleet and bookings must be made in advance.

9.3. Additional Mayoral facilities

9.3.1. Mayoral vehicle

Min. No.

This section is to be read in conjunction with Council's general policy and in particular the Council's policy – Private Use of Council Vehicles.

The Mayor will be provided with a fully serviced and maintained executive standard council vehicle, including fuel card, for official duties and commuter use associated with such duties.

The Mayor shall be provided with full private use of the vehicle upon payment of a weekly amount as determined from time to time by the council as part of its Annual Schedule of Fees and Charges.

PART 4 OTHER MATTERS

10.1. Acquisition and returning of facilities and equipment

On the completion of their term of office, extended leave of absence or at the cessation of their civic duties and where requested, Councillors are required to return all equipment and facilities issued by the Council within 28 days. This includes mobile telephones and tablet computers provided to Councillors and associated peripherals, and the mayoral vehicle.

Dedicated mobile phone accounts provided by the Council for official purposes will be disconnected within 28 days of the cessation of duties.

Under certain circumstances the Councillor may be given the option to purchase the equipment previously allocated to them at an agreed fair market price.

10.2. Superannuation

10.2.1. Councillor contributions to superannuation

In accordance with the Australian Tax Office Interpretative Decision 2007/205, the Council may enter into an arrangement with a Councillor under which the Councillor agrees to forego all or part of their annual fee in exchange for the Council making contributions to a complying superannuation fund on their behalf.

To establish this facility, a Councillor must submit a written request to the General Manager, using similar wording to that of a normal employee deduction request. The request cannot be retrospective.

Min. No.

5.10 REQUESTS FOR DONATIONS AND FINANCIAL ASSISTANCE POLICY

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged communities

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

FILE NO:

303 RESOLVED Crs: Curtin and Morris that the Council:

- Revoke its Policy for Requests for Donations and Financial Assistance; and
- Adopt the Policy for Requests for Donations and Financial Assistance set out below.

1. POLICY STATEMENT

As the representative body for the community of Berrigan Shire, Berrigan Shire Council receives many requests from various bodies for donations and other forms of financial assistance.

Section 356 of the *Local Government Act 1993* allows the Council to contribute money or otherwise grant financial assistance to persons or organisations for the purpose of exercising its functions.

This Policy provides a framework for assessing requests for donations and financial assistance from the Council

2. PURPOSE

The purpose of the policy is to:

1. Provide the community and other bodies with guidance in relation to the types of financial support that the Council may provide
2. Provide Councillors and Council staff with clear guidelines in relation to assessing requests for donations and financial support

3. SCOPE

- Individuals and organisations seeking donations and financial assistance from the Council.

Min. No.

- Council staff assessing applications for donations and financial assistance from the Council.

4. OBJECTIVE

This policy is developed to assist the Council with *Berrigan Shire 2023 Strategic Objective 3.2*:

Support community engagement through life-long learning, culture and recreation.

5. DEFINITIONS

A **Council volunteer Committee of Management** is a committee established under Section 355 of the Local Government Act and delegated care, control and management of a Council facility.

A **commercial organisation** is any individual or organisation that is operating a business on a commercial basis. This includes businesses operating on a not-for-profit basis.

6. POLICY IMPLEMENTATION

While the Council may consider requests for donations and funding assistance at any time, the Council has more capacity to respond to requests that are made in time for inclusion in its annual Operational Plan. In general, this requires organisations to submit a request to the Council by March for inclusion in the Operational Plan and budget for the following financial year.

Any application for financial assistance must be made in writing. Applicants are encouraged to make contact with the Council to discuss their proposal. Depending on the size and nature of the request, the Council may consider making any assistance contingent on meeting certain criteria.

In general, assessment of any request will be based on community, social and economic need, project outcomes and the documented strategic priorities of the Council. Priority will be given to organisations/individuals that are directly connected with the Berrigan Shire – i.e. local residents, businesses, service organisations etc.

The Council is obliged to ensure any funding provided is consistent with the requirements of s356 of the *Local Government Act 1993*.

6.1. Specific requests for assistance

Min. No.

The Council provides Council staff with some discretion to make decisions regarding donations and funding assistance in certain specific cases. These include:

- Refund of Development Consent and other Application Fees
- Assistance to attend sporting and other events
- Capital grants and assistance to Council volunteer committees.
- Scholarships
- Assistance to fund events and tourism initiatives

Requests outside these specific cases will require the Council to specifically approve any assistance by resolution or by inclusion the Council's Operational Plan.

6.2. Refund of Development Consent and other Application Fees

Organisations and individuals may request the Council waive development application or other fees in lieu of direct support. While this is not a direct donation from the Council, the Council will recognise the value of this support in its operational budget.

To this end:

- The Council will pay the application and inspection fees for non-commercial activities of community and charitable organisations upon request and acceptance by the Director Corporate Services. Funds for this purpose will be allocated in the Community Works budget,
- Where the activities contain a commercial component, the request is to be referred to Council for decision.
- Where a request is made by a commercial organisation, the Director of Corporate Services will assess the request against the general guidelines of this policy.

If, in the opinion of the Director Corporate Services, the request has some merit, the request will be referred to the Council for consideration. Otherwise it will be refused.

Min. No.

Organisations requesting the Council waive any development application fees are encouraged to pay the fees up-front when their application is lodged. If the Council approves the request for waive fees, then the Council will refund those fees to the applicant.

Otherwise, the application will not be formally accepted by the Council until the Council considers the request for the waiving of fees and makes payment on behalf of the applicant.

The Council will not waive any fees that it is required to collect on behalf of a third party, such as the Building Industry Long Service Levy.

6.3. Requests for assistance to attend sporting and other events

In recognition of the distances and expense of travelling to state or national competitions, the Council, via the Berrigan Shire Youth Development Committee, provides assistance to individuals selected to represent the region, the state or the nation.

The Council shall reimburse up to \$100 towards the cost attending a sporting or other event provided that:

1. The individual is 18 years of age or under, and
2. The individual is a resident of Berrigan Shire, and
3. The individual has been selected to represent the region, the state or Australia in a State, National or International championship.

This assistance is provided to individuals selected in representative teams only. It is not provided to individuals in local teams where the team as a whole is representing the region.

Applications for assistance under this scheme are to be made directly to the Berrigan Shire Youth Development Committee for assessment and payment in line with their existing procedures.

6.4. Requests for Capital Grants and Assistance from Council Volunteer Committees

Min. No.

The Council recognises that its volunteer committees responsible for the operation and maintenance of Council-controlled facilities need assistance with funding significant capital improvements.

Funding assistance to these committees will be provided on the following basis:

- The funds are used for capital improvement of a Council facility
- The relevant volunteer committee of management will retain control of the funds and liability for any loans
- The maximum project value is \$50,000. Projects over this value will be considered independently on their merits as to whether any contribution will be made and if so, upon what terms and conditions
- The Council will maintain an aggregate cap of \$100,000 on loan contributions and commitments under this scheme at any time.

Applicants are strongly encouraged to make requests for funding under this scheme through the Council's annual integrated planning and reporting process. Applications outside this process may be presented to the Council for consideration with the consent of the Mayor or General Manager.

All funding provided under this scheme will be made either through inclusion in the Council's Operational Plan or via a formal resolution of the Council.

If approved by the Council, funding assistance will be provided in the following form:

- A grant of no more than one-third of the total project value, plus
- A loan – at a subsidized interest rate – of no more than one-third of the total project value,

This is subject to

- Confirmation of the committee's willingness and ability to fund the remaining cost of the project.

Any loan under this scheme will be provided on the following terms

- The term of the loan to be:
 - no longer than 3 years for amounts under \$5,000

Min. No.

- 5 years for larger amounts
- Loan repayments to be no less than semi-annually
- The interest rate charged will be 50% of the interest rate earned by the Council on its most recent term deposit.

7. RELATED POLICIES OR STRATEGIES

- *Local Government Act 1993*
- *Berrigan Shire 2023* and other Council integrated strategic plans
- Berrigan Shire Council Event Management Policy
- Berrigan Shire Council Scholarship Program

5.11 REVOCATION OF COUNCIL POLICIES

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.2 Ensure effective governance by Council of Council operations and reporting

FILE NO:

304 RESOLVED Crs: Glanville and Morris that the Council revoke the following Council polices:

- 5 – Unauthorised Advertising Structure – Removal of
- 9 – Murray River Water Policy Statement on Water Quality

5.12 ANNUAL REPORT 2015- 2016

AUTHOR: Strategic & Social Planning Coordinator

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.2 Ensure effective governance by Council of Council operations and reporting

FILE NO: 04.145.1

305 RESOLVED Crs: Curtin and Morris that the Council adopt the 2015/16 Annual Report attached as Appendix "E" and formally advise the Minister for Local Government that it has been published electronically on the Council's website.

Min. No.

5.13 FINLEY WAR MEMORIAL HALL AND SCHOOL OF ARTS COMMITTEE OF MANAGEMENT

AUTHOR: General Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

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

FILE NO: 05.101.3

306 RESOLVED Crs: Jones and Taylor that the Council

1. Determine that the complement of the Finley War Memorial Hall and School of Arts Committee of Management be a total of thirteen comprising:

- One Councillor
- Six community representatives
- 2 Finley Amateur Dramatic and Musical Society representatives
- 2 Finley Basketball Association representatives
- 2 Finley Old Time Dance group representatives

And further that the quorum of the Committee of Management be 7 and all members to have voting rights.

2. appoint Cr Matthew Hannan as its representative on the Finley War Memorial Hall and School of Arts Committee of Management.

3. Requests the Finley War Memorial Hall and School of Arts Committee of Management to hold an Annual General Meeting by not later than 31st January 2017.

The Town Planner (Camillus O’Kane) entered the meeting at 9.55 am.

5.14 VARIATION OF THE *BERRIGAN DEVELOPMENT CONTROL PLAN 2014* NEEDED TO APPROVE DEVELOPMENT APPLICATION 44/17/DA/D1 – BEING THE CONSTRUCTION OF A FLEXIBLE DESIGN HOME

AUTHOR: TOWN PLANNER

STRATEGIC OUTCOME: Sustainable natural and built landscapes

Min. No.

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

FILE NO: 44/17/DA/D1

307 RESOLVED Crs: Glanville and Taylor that the Development Application 85/16/DA/D1 for the Construction of a Flexible Design Home be approved subject to the following conditions:

1. Approved Plans

The development shall be implemented in accordance with the details set out on the plans Barson Drawing Number 25323 (Sheets A01-A14), the application form and on any supporting information received with the application except as amended by the conditions specified hereunder.

2. Appointment of PCA and Notice of Commencement

No work is to commence until the person granted development consent has:

- (a) obtained a Construction Certificate for each structure
- (b) appointed a PRINCIPAL CERTIFYING AUTHORITY
- (c) has notified the Council of the appointment
- (d) has given the Council at least 2 days notice of the intention to commence erection of the building.

(Section 81A EP&A Act 1979)

3. Critical Stage Inspections

The Principal Certifying Authority for building or subdivision work carried out on a site is required to be satisfied that the work has been inspected on such occasions as are prescribed by the regulations or other occasions required by the principal certifying authority, before the issue of a Certificate of Occupancy or Subdivision Certificate for the building or work. (Section 109E EP&A Act 1979).

4. Occupation

The structure must not be occupied or used until the Principal Certifying Authority has received and determined the application for an "Occupation Certificate".

A Final Occupation Certificate must not be issued unless all required certificates have been received and the building is suitable for occupation or use in accordance with its classification under the Building Code of Australia.

(Section 109C(1)(c) and 109H EP&A Act 1979)

Min. No.

5. Permitted hours for building work

All building work shall be carried out only between the hours of 7.00am and 6.00pm Monday to Friday inclusive, 8.00am and 5.00pm Saturdays. No work shall be carried out on Sundays and public holidays.

6. Stormwater

Roofwater from the building must be piped underground to the Wollamai Street kerb in accordance with the Building Code of Australia and Relevant Australian Standards to ensure runoff does not affect neighbouring properties.

7. Compliance with Building Code of Australia

All building work must be carried out in accordance with the provisions of the Building Code of Australia

8. Excavations and backfilling

(a) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

(b) All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

9. Signs to be erected on building & demolition site

a. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

(i) stating that unauthorised entry to the work site is prohibited, and

(ii) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

b. Any such sign is to be removed when the work has been completed. (Clause 78H of Regulation).

10. Toilet facilities

a. Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

b. Each toilet provided:

(i) must be a standard flushing toilet, and

Min. No.

- (ii) must be connected:
- to a public sewer, or
 - if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or
 - if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.
- c. The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.

11. Waste

A garbage receptacle for the reception of all waste materials from the site shall be provided prior to building work commencing and shall be maintained and serviced for the duration of the work.

12. BASIX

Prior to the issue of a Final Occupation Certificate, documentary evidence must be provided to the Principle Certifying Authority to demonstrate fulfilment of the commitments listed in each relevant BASIX Certificate for this development, as required by the Environmental Planning & Assessment Act 1979.

13. Smoke Alarms

The Environmental Planning and Assessment Amendment (Smoke Alarms) Regulation 2006 requires that all existing buildings used for sleeping must be fitted with smoke alarms that comply with Australian Standard (AS) 3786-1993. Prior to the issuing of a Final Occupation Certificate for the works specified in this consent, the Principle Certifying Authority must be satisfied that the smoke alarm/s are installed and operate correctly.

14. Driveway

A sealed, paved or concrete access driveway must be installed from the back of the kerb to the property boundary at each proposed vehicular crossing prior to the issue of a Final Occupation Certificate. This is to ensure safe vehicular movement on the site, prevent nuisance or uneven surface hazards in the public place and to enhance the development.

15. Excavations and backfilling

Min. No.

(a) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

(b) All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

16. Support for neighbouring buildings

a. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

(i) must preserve and protect the building from damage, and

(ii) if necessary, must underpin and support the building in an approved manner, and

(iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

b. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land

17. Protection of public places

a. If the work involved in the erection or demolition of a building:

(i) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or

(ii) building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.

b. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

c. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

d. Any such hoarding, fence or awning is to be removed when the work has been completed.

Min. No.

18. Landscaping

Landscaping of the site must be undertaken and implemented in accordance with Sheet A14 of the approved plans prior to the issue of an Occupation Certificate so as to enhance the visual amenity of the locality and to enhance the appearance of the development.

Division:

In Favour: Cr. Matthew Hannan, Ross Bodey, John Bruce,
Bernard Curtin, Denis Glanville, Colin Jones, Daryll
Morris, John Taylor

Against: nil

The Town Planner left the meeting at 10.12 am
The meeting adjourned at 10.12 am.

The Economic Development Officer and Chris Donovan entered the meeting to discuss the recent PGA trainees Golf event held at the Tocumwal Golf Club.

- Surveyed participants in Tocumwal events
- Went through survey results
- Official dinner needs improvement
- Looking for increased school involvement
- Looking for support for 2017
- Increase support to involve schools
- Work with Economic Development Officer

The Mayor here made presentations to the winners of the Alexander Garden Competition:

The winners in each town for **THE BEST GARDEN AS VIEWED FROM THE ROADWAY** in each town are:

BAROOGA – Stan and Mary NIXON, 45 Barinya Street
BERRIGAN – Mr C von Brockhusen, 74 Barooga Street
FINLEY – Ron and Alison LUELF, 1 Tocumwal Street
TOCUMWAL – Jeff and Jo DAVIS, 22 Calaway Street

The winner of the **Best Garden as viewed from the Roadway within the Shire is:**

Jeff and Jo DAVIS, 22 Calaway Street TOCUMWAL

The meeting reconvened at 11.15 am.

Min. No.

5.15 COMMUNITY GARDEN POLICY

AUTHOR: Strategic & Social Planning Coordinator

STRATEGIC OUTCOME: Supported and engaged communities

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

FILE NO:

308 RESOLVED Crs: Morris and Jones that the Council adopt the Community Garden Policy set out below

Community Garden Policy

1. Purpose

To describe the nature of Council support for the establishment of community gardens initiated by community groups and to encourage, where appropriate, the development of community gardens on appropriate private and Council controlled land.

2. Objectives

The objectives of this policy are to promote the development of community gardens and to provide Council with a consistent approach in its response to requests for funding and or support that may, from time to time, be directed to the Council for the establishment of, and or the resources, needed to maintain a community garden.

3. Key Principles

Key principles that underpin this policy:

- Community gardens improve the health and wellbeing of the community.
- Community gardens provide a setting for inter-generational exchange across all abilities.
- Community gardens provide a range of physical, social, economic, cultural and environmental benefits.
- Community gardens must operate and comply with existing Council policies including and where required all planning permit conditions.

4. Scope

The Berrigan Shire Community Gardens Policy is designed to facilitate the establishment of community initiated and managed community gardens on Council owned and managed land. Excluded from this policy are nature strip gardens where the garden beds are established on a nature strip and managed collectively or individually by local residents or community groups.

Min. No.

5. Definition

For the purpose of this policy, community gardens are defined as places where residents and community garden volunteers meet and undertake a range of activities associated with the day to day development and management of the garden.

6. Policy

6.1 Background

Community gardens provide a range of physical, social, economic, cultural and environmental benefits. Benefits which include: educational opportunities, the promotion of community connections, and the sharing of knowledge, skills and local resources.

Community gardens can be divided into either shared or individual plots, however most gardens consist of a combination of both catering for a range of community needs.

For the purpose of this policy the type of community garden: kitchen garden; demonstration garden; sensory garden; memorial garden for example, will be determined by the community group developing and managing on a day to day basis the community garden.

6.2 Council Role and Responsibilities

The Berrigan Shire Council understands that community gardens provide a broad range of benefits to individuals, as well as the wider community. Council will therefore, provide the following support. Namely, it will

- Assist the development of community gardens through the provision of advice for interested community groups or individuals, which will include advice about insurance and risk management.
- Promote existing community gardens through Council's website, newsletters and events.
- Construct and install signage for community gardens on Council owned and managed land.
- Investigate, on request from Community groups, new opportunities to designate land for use as a community garden.
- Provide a consistent approach to the assessment of community garden applications on Council controlled or managed land by developing a set of procedures that will include the following Site Selection Criteria for Community Gardens.

7. Site Selection Criteria for Community Gardens on Council Controlled or Managed Land

Min. No.

7.1 Location: Sites classified as Community Land under the Local Government Act may be appropriate. In addition to Crown Land if the Council is trustee and the site is appropriate. These are sites that are usually established for community use such as park lands, open spaces and community facilities that have outside areas. Priority will be given to sites located in higher density areas and near existing community facilities or community organisations that might be able to support or partner the project.

7.2 Safety: Sites should have no major safety or health concerns; and have good passive surveillance (for example, can be easily seen from nearby houses or community facilities). Sites must also undergo a risk assessment with hazards identified, including the secure nature of the site. Where possible hazards should be eliminated, or where not possible, additional control measures adopted.

7.3 Accessibility: Sites should be accessible for a range of user groups. Sites should allow disabled access, have vehicle access (e.g. for delivery of mulch and soil) and accommodate groups wanting to visit the garden.

7.4 Solar access: Sites need to be suitable for growing vegetables and receive full sunlight - ideally for at least 5 -6 hours per day.

7.5 Size: Sites which are large enough to accommodate garden beds, composting systems, rainwater tanks, seating areas, shelter for gardeners and for community workshops and demonstrations.

7.6 Water: Sites with easy access to water or buildings nearby from which rainwater can be collected.

7.7 Soil Contamination: Sites may need to be checked for soil contamination. If high levels are present then advice will need to be sought from experts on whether it is suitable for growing food.

7.8 Multiple Use: Sites where a community garden can be integrated without conflicting adversely with other land uses and where the community garden can still be used by non-gardeners for passive recreation and educational workshops.

8. Related Policies and Strategies

Social Justice Framework 2016

Liveability and Healthy Ageing Strategy 2013-2017

5.16 ROAD NAMING – TOCUMWAL AERODROME

AUTHOR: Development Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 4.4 Connect local, regional and national road, rail, and aviation infrastructure

FILE NO: 28.110.1

Min. No.

- 309** **RESOLVED** Crs: Curtin and Jones that the Council undertake community consultation in accordance with the Roads Act 1993 and the Roads Regulation 2008 with a view to naming the new road associated with the further subdivision of the Tocumwal Aerodrome. The proposed name is "Wirraway Court".

5.17 ROAD NAMING – PLUMPTON ROAD

AUTHOR: Development Manager

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 4.4 Connect local, regional and national road, rail, and aviation infrastructure

FILE NO: 28.110.1

- 310** **RESOLVED** Crs: Morris and Jones that the Council take appropriate action to correct the spelling of Plumpton Road, Finley to reflect its historical significance.

5.18 INTEGRATED PLANNING TIMETABLE

AUTHOR: Strategic & Social Planning Coordinator

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.1 Berrigan Shire 2023 objectives and strategies inform Council planning and community led projects

FILE NO: 04.121.4

- 311** **RESOLVED** Crs: Morris and Glanville that the Council adopt the following timetable to complete its review of the Community Strategic Plan and the development of its suite of Integrated Plans for implementation in the 2017-2016 financial year:

1. Week beginning 5 December 2016 Capital Works inspection tour conducted.
2. 14 December 2016 an initial working draft of the reviewed Community Strategic Plan – incorporating community feedback on the issues identified by the Council's Berrigan Shire 2027 community engagement program conducted 17 October 2016 – 18 November 2016. is presented for Councillor comment. Council comment will inform subsequent working drafts of the reviewed Community Strategic Plan used by Council Officers engaged in the review and development of new draft Integrated Plans.
3. 4 January 2017 Council Officers commence a review of the base case for the Long Term Financial Plan which will

Min. No.

- include a working draft of the Capital Works Program and working draft of the reviewed Community Strategic Plan.
4. 18 January 2016 the Council to adopt its draft Capital Works Program.
 5. Week beginning 30 January 2016 2 day Corporate Workshop which will include:
 - i. Overview of Resourcing Strategy (Long-term Financial Plan, reviewed Asset Management Strategy, and reviewed Workforce Development Plan).
 - ii. Councillor comment on Council Officers' review of the Resourcing Strategy and base case scenario assumptions used for internal review of the Long Term Financial Plan,
 - iii. The development of alternate Long Term Financial Plan scenario's based on reviewed CSP projects, Councillor initiated projects, and the draft Capital Works Program.
 - iv. The scoping the development of a new Delivery Program 2017 – 2021.
 - v. Identification of priority projects for further scoping and consideration and inclusion in Annual Operational Plan 2017 – 2018
 6. 15 March 2017 Ordinary Council Meeting
 - i. Draft Community Strategic Plan – endorsed by Council for public exhibition and comment.
 - ii. Draft Delivery Program 2017 – 2021 presented to the Council for initial comment.
 7. 17 April 2017 Council to
 - i. Review Draft Operational Plan 2017 - 2018
 - ii. Review Draft Rating and Revenue Policy 2017 – 2018; and
 - iii. Review Draft Fees and Charges 2017 – 2018.
 8. 17 May 2017 endorse for public exhibition and comment draft
 1. Resourcing Strategy 2017 – 2027 inclusive of
 - a. Long Term Financial Plan 2017 – 2027;
 - b. Workforce Development Plan 2017 – 2021 including updated Organisational Structure 2017- 2018); and
 - c. Asset Management Strategy 2017 – 2027.
 2. Delivery Program 2017-2021.
 3. Annual Operational Plan 2017 – 2018.
 4. Rating and Revenue Policy 2017 – 2018.
 5. Fees and Charges 2017 – 2018.
 9. 21 June, 2017 adopt all of the above as
 - a. Its final suite of Integrated Plans inclusive of the Community Strategic Plan; and
 - b. Set 2017 - 2018 rates and charges by resolution.

Min. No.

5.19 OPERATIONAL PLAN QUARTERLY REVIEW

AUTHOR: Strategic & Social Planning Coordinator

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.1 Berrigan Shire 2023 objective and strategies inform Council planning and community led projects

FILE NO:

- 312 RESOLVED** Crs: Morris and Jones that the Council note the September Quarter Progress Report of the Annual Operational Plan 2016/17 circulated as Appendix "H".

ITEMS FOR NOTING

6.1 KIDSFEST 2016

6.2 LGNSW ANNUAL REPORT

6.3 PUBLIC LIBRARY FUNDING STRATEGY – 2016/17

6.4 DEVELOPMENT DETERMINATIONS FOR MONTH OF OCTOBER 2016

- 313 RESOLVED** Crs: Glanville and Curtin that Items for Noting numbered 6.1 to 6.4 inclusive be received and noted.

7.1 MINUTES OF THE CORPORATE SERVICES COMMITTEE MEETING HELD ON 2nd NOVEMBER, 2016.

- 314 RESOLVED** Crs: Bruce and Jones that recommendations numbered 1 to 3 inclusive and 5 to 9 inclusive of the Corporate Services Committee Meeting held on 2nd November, 2016 be adopted.

4.4 FINLEY SCHOOL OF ARTS UPGRADE

Moved Crs: Morris and Taylor that the Council

1. Note the advice received from the Office of Liquor, Gaming and Racing regarding the unsuccessful CLUBGrants Category 3 funding application for the Finley School of Arts upgrade;
2. Not proceed with any redevelopment work for the Finley School of Arts Hall and the Finley War Memorial Hall;

Min. No.

3. Note the 11th October 2016 email received from the Finley War Memorial Hall and School of Arts Committee of Management;
4. Note the 19th October 2016 email received from the Finley War Memorial Hall and School of Arts Committee of Management;
5. Advise GPG Architects that it proposes to withdraw from the agreement to design, document and supervise works for the proposed Finley School of Arts redevelopment
6. Reallocate \$180,000 set aside in the 2016/17 budget for the redevelopment of the Finley School of Arts for improvements to Railway Park, Finley – including the construction of a new public toilet.
7. Invite the Finley War Memorial Hall and School of Arts Committee of Management to submit a revised proposal to improve the existing toilets and kitchen for consideration for funding in the 2017/18 budget under the Council's Requests for Donations and Financial Assistance Policy.

The motion was lost.

315 **RESOLVED** Crs: Bruce and Curtin that staff report on implementation of 'Option 3' based on community funding of the kitchen fitout.

4.1 CHRISTMAS FUNCTION

AUTHOR: General Manager

STRATEGIC OUTCOME: Good government

**STRATEGIC OBJECTIVE: 2.2 Ensure effective governance
by Council of Council operations and reporting**

FILE NO:

RECOMMENDATION NO. 1 - that the Council hold an informal Christmas function at the Finley Recreation Reserve in early December, 2016 for Councillors, Staff and partners.

**4.2 CHRISTMAS OFFICE CLOSURE AND DECEMBER
COUNCIL MEETING**

AUTHOR: General Manager

STRATEGIC OUTCOME: Good government

**STRATEGIC OBJECTIVE: 2.2 Ensure effective governance
by Council of Council operations and reporting**

FILE NO: 13.044.1

RECOMMENDATION NO. 2 - that the Council:

Min. No.

- Close the Shire Office from 4.00 pm on Friday 23rd December, 2016 reopening on 3rd January, 2017 with those days not being public holidays or weekends being deducted from staff leave entitlements.
- Close the Shire Libraries from close of business on Friday 23rd December, 2016 until Tuesday 3rd January, 2017 with those days not being public holidays or weekends being deducted from staff leave entitlements.
- That the Council's December Council meeting be held on Wednesday 14th December, 2016.

4.3 COUNCILLOR EXPENSES AND FACILITIES POLICY

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.2 Ensure effective governance by Council of Council operations and reporting

FILE NO: 13.045.1

RECOMMENDATION NO. 3 - that the Council note the draft "Payment of Expenses and Provision of Facilities For Mayors and Councillors" policy attached as Appendix "A-1".

4.4 FINLEY SCHOOL OF ARTS UPGRADE

AUTHOR: General Manager

STRATEGIC OUTCOME: Supported and engaged communities

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

FILE NO: 05.101.3

RECOMMENDATION NO. 4 - that the Council

1. Note the advice received from the Office of Liquor, Gaming and Racing regarding the unsuccessful CLUBGrants Category 3 funding application for the Finley School of Arts upgrade;
2. Not proceed with any redevelopment work for the Finley School of Arts Hall and the Finley War Memorial Hall;
3. Note the 11th October 2016 email received from the Finley War Memorial Hall and School of Arts Committee of Management;

Min. No.

4. Note the 19th October 2016 email received from the Finley War Memorial Hall and School of Arts Committee of Management;
5. Advise GPG Architects that it proposes to withdraw from the agreement to design, document and supervise works for the proposed Finley School of Arts redevelopment
6. Reallocate \$180,000 set aside in the 2016/17 budget for the redevelopment of the Finley School of Arts for improvements to Railway Park, Finley – including the construction of a new public toilet.
7. Invite the Finley War Memorial Hall and School of Arts Committee of Management to submit a revised proposal to improve the existing toilets and kitchen for consideration for funding in the 2017/18 budget under the Council's Requests for Donations and Financial Assistance Policy.

4.5 FINLEY WAR MEMORIAL HALL AND SCHOOL OF ARTS - USAGE

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO: 05.101.3

RECOMMENDATION NO 5 - that the Council note the report of the Finley War Memorial Hall and School of Arts usage.

4.6 VOLUNTEER COMMITTEE – GUIDE TO OPERATIONS

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged communities

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

FILE NO: 04.074.1

RECOMMENDATION NO. 6 - that the Council adopt the Volunteer Committee – Guide to Operations attached as Appendix "D-1".

4.7 VOLUNTEER RECOGNITION POLICY

AUTHOR: Director Corporate Services

Min. No.

STRATEGIC OUTCOME: Supported and engaged communities

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

FILE NO: 22.112.4, 04.074.1

RECOMMENDATION NO. 7 - that the Council adopt the following policy for Volunteer Recognition.

1. POLICY STATEMENT

Berrigan Shire Council relies on its volunteers to deliver services to its community, including the management of many of its community facilities. Without these volunteers, the Berrigan Shire community would not be able to enjoy the range and quality of social, cultural and recreation services on offer.

An important part of retaining and recruiting volunteers is recognition of the service of the Council's volunteers.

2. PURPOSE

The purpose of this policy is to:

- Recognise individual volunteers who have provided long service to the Council and through it, the community
- Recognise the contribution of volunteer service to the Council and the wider community
- Support and foster the concept of volunteerism in general

3. SCOPE

This policy is designed to recognise long service of members of Council's volunteer committees of management.

4. OBJECTIVE

This policy is developed to assist the Council with the following Delivery Plan Objectives:

3.2.2 Provide opportunities for lifelong learning, cultural expression and recreation

5. DEFINITIONS

Volunteer Committee of Management – a committee of the Council established under s355 of the Local Government and delegated specific Council functions, typically but not always, the care, control and management of a Council facility.

Min. No.

6. POLICY IMPLEMENTATION

6.1. Eligibility

Volunteers who have served for over 20 years on a volunteer committee of Council are eligible for recognition under this policy.

The General Manager and Mayor will determine the eligibility of a volunteer for recognition. Their decision on eligibility will be based on the evidence provided by the nominator and/or the Council's records.

6.2. Nomination

Volunteers potentially eligible for recognition must be nominated. The Council will not routinely monitor periods of service to determine eligibility.

Nominations can be made by:

1. Councillors
2. Council staff
3. Volunteer Committees of Council

Nominations should include:

1. Term of service
2. Positions held
3. Other information that may support the recognition of the service of the volunteer

6.3. Recognition

The eligible volunteer will be awarded with a certificate recognising his/her service on behalf of the Council. The certificate will be presented by the Mayor or his/her delegate at a meeting of the Council.

The Council will also support a nomination for that volunteer in the Riverina Volunteer of the Year awards or equivalent.

7. RELATED POLICIES OR STRATEGIES

7.1. Legislation

- *Local Government Act 1993*

Min. No.

7.2. Council policies and guidelines

- Berrigan Shire Council Code of Conduct
- Volunteer Strategy 2016
- Recognition of Service Policy (Councillors and Staff)

4.8 WAAAF WALK MASTER PLAN

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO: 21.101.10

RECOMMENDATION NO. 8 - that the Council refer the request by Tocumwal Rotary Club for the development of a masterplan for the WAAAF Walk in Tocumwal for consideration in the 2017/18 Operational Plan and Budget.

4.9 TOCUMWAL FORESHORE DEVELOPMENT – FUNDING OPTIONS

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Supported and engaged communities

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

FILE NO: 05.101.7

RECOMMENDATION NO. 9 - that the Council bring forward a financial strategy for a staged implementation of the Tocumwal Foreshore Masterplan

Min. No.

7.2 MINUTES OF A TECHNICAL SERVICES COMMITTEE MEETING HELD ON WEDNESDAY 2nd NOVEMBER, 2016 IN THE COUNCIL CHAMBERS COMMENCING AT 5.05 pm

316 RESOLVED Crs: Morris and Glanville that recommendation number 1 of the Technical Services Committee Meeting held on 2nd November, 2016 be adopted.

4. DRAFT BERRIGAN LAND USE STRATEGY

AUTHOR: Development Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

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

FILE NO:

RECOMMENDATION NO 1 - that the Council endorse the Draft Berrigan Land Use Strategy, commence community consultation and refer the documentation to the NSW Department of Planning and Environment and other relevant authorities for consideration prior to the formal adoption of the Strategy.

MAYORS REPORT

Cr. Hannan reported that he had attended the following during the period:

- Local Government Conference
- Carpe Diem, Berrigan
- RAMROC meeting
- Meeting with Susan Ley, MP
- Opening of Activities room, Finley Regional Care
- Meeting with Finley War Memorial and School of Arts Hall Committee of Management
- Street stall, Finley

317 RESOLVED Crs: Curtin and Taylor that the Mayors report be received.

Min. No.

DELEGATES REPORTS

Cr Bodey

- Murray Regional Tourism Board annual general meeting
- Murray Darling Association annual general meeting
- Tocumwal street stall

Cr Taylor

- Finley Recreation Reserve meeting
- Barooga Advancement Group/Finley Recreation Reserve meetings clash – will alternate

Cr Morris

- Local Government New South Wales conference
- Finley Showgrounds Committee of Management meeting

Cr Curtin

- Rural Fire service meeting

Cr Glanville

- Local Government New South Wales conference
- Murray Darling Association annual general meeting
- Tocumwal street stall
- Probus meeting

Cr Bruce

- Barooga Advancement Group meeting

Cr Jones

- Central Murray County Council meeting
- Murray Darling Association annual general meeting
- Tocumwal street stall
- Tocumwal Probus meeting

GENERAL BUSINESS

Cr Bruce

- Will attend Barooga streetstall – Cr Matthew Hannan help in afternoon one
- Takarii Street good
- Flood restoration

Cr Jones

- Skate park function

Cr Glanville

- nil

Min. No.

Cr Curtin

- Meeting with Berrigan Race Club and Police re licencing
- Berrigan and District Development Association – Central Murray Credit Union at next meeting
- Carp Diem – good
- RSL fundraising day
- Remembrance Day
- Disappointed that Local Member didn't contact the Council about Finley War Memorial and School of Arts Hall

Cr Morris

- Finley showgrounds RV
- Cnr Tocumwal and McNamara Street – fire hazard

Cr Taylor

- Golf events PGA

Cr Bodey

- Toilet doors and Tocumwal Library
- Town beach opening this afternoon
- erosion

Development Manager

- Other unsightly block at Finley
- Strawberry fields access

318 RESOLVED Crs: Glanville and Morris that Crs. Bruce, Taylor, Body and Jones request a site inspection of Strawberry Fields on Friday at 8.00 am.

Director Technical Services

- nil

Cr Bodey

- Levee bank damage –boat ramp exit road

Cr Hannan

- Attended Berrigan and District Development Association, Tocumwal Chamber, Finley Chamber meetings – attended all
- Young Achiever Awards

General Manager

319 RESOLVED Crs: Morris and Glanville that the General Manager be granted annual leave from 25th January until 27th January, 2017.

- Staff presentations etc
- Mosquitoes
- Cr Taylor and Bodey –Pecuniary Interest returns required
- Christmas function will be held on 9th December, 2016 at the Finley Recreation Reserve

Min. No.

-
- Aerodrome meeting tonight
- Western Regional Planning Panel Code of Conduct – Crs
Curtin and Bodey
- School presentations
- NBN changes

There being no further business the meeting closed at 1.10 pm.