



Council Chambers,
BERRIGAN 2712

Sir/Madam,

The Ordinary Meeting of the Council of the Shire of Berrigan will be held in the **Council Chambers**, Berrigan, on **19th November, 2014**, when the following business will be submitted:-

9:00AM

Public Question Time

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11.	CLOSE OF MEETING	

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

ROWAN PERKINS
GENERAL MANAGER



Council Meeting

Wednesday, 19th November, 2014

BUSINESS PAPER

1. APOLOGIES

2. DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTEREST

3. VISITORS ATTENDING MEETING

9:00am at Question Time - Anne Jones and Jill Loversidge presenting petition to Council re the Tocumwal Visitor Information Centre.

10.15 am Mr Frederick YOUEL, Finley for presentation of Australian Citizenship.

10.30 am Alexander Garden Competition winners:
Mr & Mrs R Thatcher, 38 Buchanans Road, BAROOGA
Mr & Mrs C von Brockhusen, 74-76 Barooga Street, BERRIGAN
Mr T & Mrs K McCaw, 58 Hampden Street, FINLEY
Mr & Mrs SB McKay, 53-55 Bruce Birrell Drive, TOCUMWAL

12:30pm Mr Jack Hocking, CSU scholarship awardee.

4. CONFIRMATION OF MINUTES

RECOMMENDATION – that the Minutes of the meeting held in the Council Chambers on Wednesday 15th October, 2014 and Extraordinary Council meeting held on Monday 10th November, 2014, be confirmed subject to the following amendment.

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Items requiring Council Resolution

5.1 LEGAL ADVICE RECEIVED STREET RENAMING PROJECT

AUTHOR: Strategic and Social Planning Coordinator
STRATEGIC OUTCOME: Good government
STRATEGIC OBJECTIVE: 2.2 Ensure effective governance by Council of Council operations and reporting

FILE NO: 28.110.1

Crs Morris and Hannan gave notice at the 15th October, 2014 Council meeting that at this meeting they intend to move the following motion:

“that Council rescind Minute number 228 Recommendation No 1 adopted 21 August, 2013 regarding street names.”

5.2 FINANCE – ACCOUNTS

AUTHOR: Finance Manager

STRATEGIC OUTCOME: Good government

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

RECOMMENDATION – that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 October 2014, be received and that the accounts paid as per Warrant No. 10/14 totalling \$1,294,515.14 be confirmed.

REPORT

- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 31 October 2014 is certified by the Finance Manager.
- b) The Finance Manager certifies that the Cash Book of the Council was reconciled with the Bank Statements as at 31 October 2014.
- c) The Finance Manager certifies the Accounts, including the Petty Cash Book made up to 31 October 2014, totalling \$1,294,515.14 and will be submitted for confirmation of payment as per Warrant No. 10/14
- d) The Finance Manager certifies that all Investments have been placed in accordance with Council’s Investment Policy, Section 625 of the Local

Items requiring Council Resolution

Government Act 1993 (as amended), the Minister's Amended Investment Order gazetted 11 January 2011, clause 212 of the Local Government (General) Regulations 2005 and Third Party Investment requirements of the Office of Local Government Circular 06-70.

- e) October has shown a decrease in total funds in comparison to last month. This is comparable with the same period last year in line with general cash holding patterns. Total funds held are expected to increase in November with receipt of Financial Assistance Grant and rates. Investment returns remain low, due to stagnant interest rates.

Changes in Investment Portfolio for October 2014

Previous Investment			New Investment		
Prior Financial Institution	Amount	Interest Rate	Current Financial Institution	Amount	Interest Rate
IMB	\$2,000,000.00	3.50%	IMB	\$2,000,000.00	3.40%
WAW	\$2,000,000.00	3.85%			

RESOLUTION

Berrigan Shire Council Business Paper, 19th November, 2014

Items requiring Council Resolution

Statement of Bank Balances as at 31 October 2014

Bank Account Reconciliation

Cash book balance as at 1 October 2014	\$ 1,120,942.37
Receipts for October 2014	\$ 649,428.61
Transfers from NAB at Call Account/Term Deposits Credited Back	\$ 2,000,000.00
	<u>\$ 3,770,370.98</u>

Less Payments Statement No 10/14

Cheque Payments V75394-V75405	\$ 27,278.31
Electronic Funds Transfer (EFT) payroll	\$ 432,943.84
Electronic Funds Transfer (EFT) Creditors E019363-E019624	\$ 819,921.79
Transfers to NAB At Call Account/Term Deposits Invested	\$ -
Loan repayments, bank charges, etc	\$ 14,371.20
Total Payments for October 2014	<u>\$ 1,294,515.14</u>
Cash Book Balance as at 31 October 2014	<u>\$ 2,475,855.84</u>

<i>Bank Statements as at 31 October 2014</i>	\$ 2,477,797.72
Plus Outstanding Deposits	
Less Outstanding Cheques	\$ 1,941.88
Reconciliation Balance as at 31 October 2014	<u>\$ 2,475,855.84</u>

INVESTMENT REGISTER

INSTITUTION	DEPOSIT NO.	TERM (days)	RATE	MATURITY DATE	INSTITUTION TOTAL
National Australia Bank	01/09	At Call	2.60%		\$ 514,805.44
Central Murray Credit Union	104/14	180	4.00%	14/12/2014	\$ 2,000,000.00
Bendigo Bank	85/11	90	3.55%	9/12/2014	\$ 2,000,000.00
BOQ	107/14	150	3.45%	10/02/2015	\$ 1,000,000.00
Defence Bank Limited	102/14	210	3.55%	29/03/2015	\$ 1,000,000.00
Defence Bank Limited	106/14	210	3.55%	9/04/2015	\$ 1,000,000.00
Hume	91/12	120	3.40%	12/01/2015	\$ 1,000,000.00
Hume	87/11	180	3.70%	27/01/2015	\$ 1,000,000.00
IMB	105/14	90	3.40%	12/01/2015	\$ 2,000,000.00
AMP	99/13	270	3.50%	12/06/2015	\$ 1,000,000.00
Goulburn Murray Credit Union	101/14	270	3.65%	13/05/2015	\$ 1,000,000.00
Goulburn Murray Credit Union	103/14	180	3.55%	9/12/2014	\$ 1,000,000.00
					<u>\$ 14,514,805.44</u>

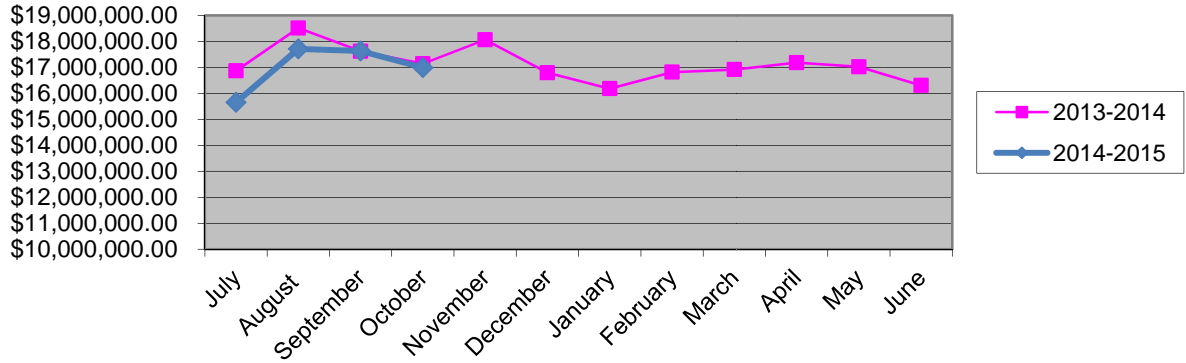
Total Funds Held at 31 October 2014	<u>\$16,990,661.28</u>
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Carla von Brockhusen - Finance Manager

RESOLUTION

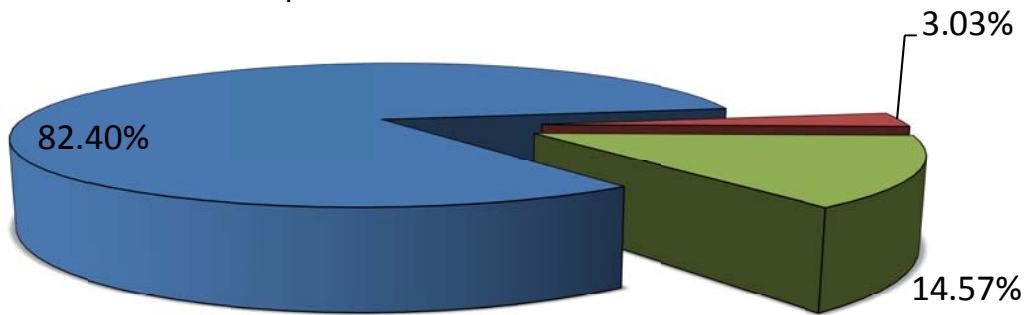
Items requiring Council Resolution

Total Funds Held

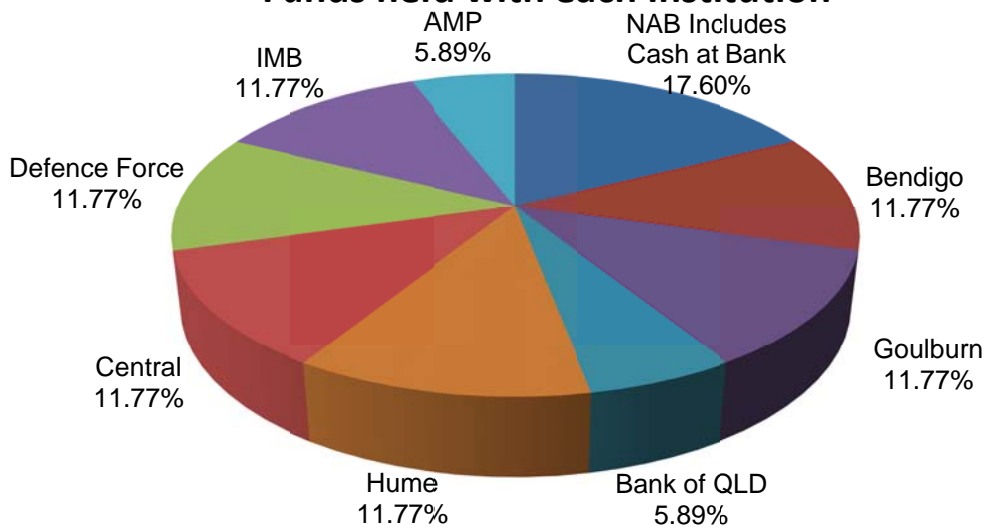


Funds Held By Type

■ Term Deposits ■ At Call ■ Cash at Bank



Funds held with each Institution



RESOLUTION

Items requiring Council Resolution

5.3 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:

RECOMMENDATION: - that the Council:

1. Note the first quarterly review of the 2013/14 budget and vote the funds contained therein as shown in Appendix "A".
2. Note the Quarterly Budget Review Statement attached also as "Appendix "B"

REPORT:

Circulated with the Agenda as Appendix "A" is the Quarterly Financial Review for the period 1 July 2013 to 30 September 2014. This report takes into account all known factors and work variations until 30 September 2014 and later where possible, including budget allocations for the 2014/15 financial year.

The report will show distribution of funds allocated to capital works in the original 2013/14 budget allocated to the specific jobs identified in the capital works program.

It will also show any brought-forward amounts as approved in the final review of the 2014/15 budget. The variations shown in the far-right column of the report shows changes to line budgets after the effect of any brought-forward amount has been considered.

The summarised results for the period are as follows:

	\$
Revised budget surplus 2013/14	546,052
Less Projected budget surplus 2013/14	<u>(469,337)</u>
Additional surplus from 2013/14	76,715
Original budget surplus 14/15	7,856
Increased expenditure as per this report	(446,953)
Increased revenue as per this report	446,953
Revised budget surplus	\$84,571

Unlike previous years, the Council does not have a large cash surplus to allocate at the next review. The pausing of the Financial Assistance Grant for three years from 2014/15 has had an effect. Also, declining interest rates have meant that interest

Items requiring Council Resolution

revenue earned in 2013/14 over and above the budgeted amount also is not as large as has been the case over the past few years.

This underscores the wisdom in not allocating spending on inherently uncertain revenue in the Council's original budget. If the Council had committed to spending on the basis of historic interest revenue and FAG returns, it likely would have been over committed and have to find some drastic spending cuts.

This report does not address the medium to long term impact of the pause in FAG. This will need to be addressed as part of a review of the Council's Financial Strategy and Long Term Financial Plan.

Key budget variations are discussed below.

Unfavourable

- Required drainage works at Finley, including Loco Dam and the Riverina Highway retention pond have required additional funds to complete the projects.
- Linemarking at Tocumwal Aerodrome has cost around \$34,000 more than budgeted.

Favourable

- Workers Compensation Insurance refunds received - \$50,640. This offsets earlier amounts paid out by the Council.
- Temporary transfers of High Security water - \$96,255, which has been transferred to the water fund reserve.

Significant variations are detailed below. Variances which are unfavourable to the Council's result are shown with a (u) next to them and variances which are favourable are denoted with a (f).

JOB/ITEM	INC /EXP	TITLE/DESCRIPTION	AMOUNT	COMMENTS
1002-0400	EXP	COMMUNITY GRANTS SCHEME	\$11,640 (f)	FUNDS FOR FINLEY SCHOOL OF ARTS AIR CONDITIONING TRANSFERRED TO 1714-0118
1050-0320	EXP	WAGES SUPERANNUATION - LG RET	\$26,171 (u)	TRANSFER FROM 1050-0320
1050-0340	EXP	WAGES SUPERANNUATION - LG ACC	\$26,171 (f)	TRANSFER TO 1050-0320

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Berrigan Shire Council Business Paper, 19th November, 2014

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JOB/ITEM	INC /EXP	TITLE/DESCRIPTION	AMOUNT	COMMENTS
1070-0320	EXP	STAFF SUPERANNUATION - LG RET	\$16,385 (u)	TRANSFER FROM 1050-0320
1070-0340	EXP	STAFF SUPERANNUATION - LG ACC	\$16,385 (f)	TRANSFER TO 1050-0320
1400-1510	INC	WORKERS COMPENSATION INSURANCE REFUND	\$50,460 (f)	REBATE RECEIVED
3315-1952	INC	HOME MODS - DOHA OPERATIING GRANT	\$10,100 (f)	HACC GRANT RECEIVED
3325-1952	INC	TRANSPORT - DOHA OP GRANT	\$17,850 (f)	HACC GRANT RECEIVED
3660-1000	INC	DWM CHARGES COLLECTED	\$19,500 (f)	INCOME FROM CHARGE MORE THAN EXPECTED
3670-2026	INC	DWM TRANSFER TO RESERVE	\$21,360 (f)	INCREASE RESERVE TRANSFER
4110-1504	INC	SALE OF HIGH SECURITY WATER	\$96,225 (f)	WATER SALES
4110-2026	INC	WATER SUPPLIES TRANSFER TO RESERVE	\$87,231 (f)	TRANSFER TO RESERVE
1417-0540	EXP	REMODEL LOCO DAM	\$34,000 (u)	TO COMPLETE PROJECT – FUNDED FROM OTHER DRAINAGE PROGRAMS
1417-0546	EXP	RETENTION POND - RIV HWY FIN	\$81,000 (u)	TO COMPLETE PROJECT – FUNDED FROM OTHER DRAINAGE PROGRAMS
1417-0549	EXP	ENDEAVOUR ST CONSTRUCT PUMP ST	\$88,640 (f)	PROJECT NOT STARTING IN CURRENT YEAR
1417-0551	EXP	CONSTRUCT PUMP STATION TOC GOLF	\$27,145 (u)	TO COMPLETE PROJECT – FUNDED FROM OTHER DRAINAGE PROGRAMS
1417-0828	EXP	FINLEY ST DETENTION BASIN	\$17,688 (f)	REVISED START
1710-0197	EXP	LIBRARY SOFTWARE OP COSTS	\$10,500 (u)	INCREASED COST OF SOFTWARE, FUNDED FROM

NO-HUTS-RESOLUTION

Berrigan Shire Council Business Paper, 19th November, 2014

Items requiring Council Resolution

JOB/ITEM	INC /EXP	TITLE/DESCRIPTION	AMOUNT	COMMENTS
				OTHER LIBRARY ACTIVITIES
1714-0118	EXP	FIN - SCHOOL OF ARTS AIRCON	\$11,640 (u)	FROM 1002-0400
1717-0173	EXP	FINLEY SHOWGROUND PRMF TOILET	\$27,500 (u)	FUNDED FROM GRANT – 6500-1963
1717-0225	EXP	BGN - REC RES DEMO & NEW SHED	\$29,300 (u)	TO COMPLETE PROJECT
1717-0226	EXP	FIN - FIN REC RES DEMO & NEW SHED	\$11,900 (u)	TO COMPLETE PROJECT, FUNDED BY COMMITTEE
6500-1963	INC	FINLEY SHOWGROUND PRMF GRANT	\$27,500 (f)	GRANT RECEIVED
1812-0105	EXP	PINE LODGE PIT OPERATING EXPEN	\$11,250 (u)	REVISED EXPENDITURE
6920-1500	INC	PINE LODGE PIT REVENUE	\$11,250 (u)	REVISED OPERATIONS
1911-0306	EXP	WOODSTOCK ROAD	\$17,865 (u)	TO COMPLETE PROJECT
1917-0642	EXP	CORCORAN ST-SCHOOL-DRUMMOND ST	\$17,690 (u)	TO COMPLETE PROJECT
1918-0105	EXP	STREET LIGHTING - OPERATIONS	\$22,450 (u)	SPLIT FROM 1918-0106 ELECTRICITY
1918-0106	EXP	STREET LIGHTING - ELECTRICITY	\$22,450 (f)	SPLIT OUT 1918-0105 OPERATIONS
7100-1950	INC	RURAL LOCAL ROADS GRANT (RLR) (FAG)	\$17,460 (f)	ADDITIONAL FAG RECEIVED
7300-1664	INC	K&G - TUPPAL ST ROUNDABOUT TO BRIDGE	\$11,581 (f)	INCOME RECEIVED
1920-0182	EXP	TOC-AERO REMARK LINES-RUNWAYS	\$33,910 (u)	FROM 1920-0185
1920-0185	EXP	TOC AERO RUNWAY 18- 36 BITUMEN	\$34,140 (f)	TO 1920-0182
1956-1000	EXP	RTA REGIONAL ROAD REPAIR BUDGET	\$250,000 (f)	SPLIT TO SPECIFIC PROJECTS
0015-0363	EXP	MR363 BERRIGAN - BAROOGA RD	\$40,000 (u)	FROM REPAIR PROGRAM BUDGET

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Items requiring Council Resolution

JOB/ITEM	INC /EXP	TITLE/DESCRIPTION	AMOUNT	COMMENTS
0015-0550	EXP	MR550 TOCUMWAL - MULWALA RD	\$16,869 (u)	FROM REPAIR BUDGET
0015-0564	EXP	MR564 BERRIGAN - JERILDERIE RD	\$190,000 (u)	FROM REPAIR BUDGET
7830-1950	INC	RTA REHABILITATION WORKS FUNDING	\$142,500 (f)	GRANT RECEIVED
9200-1950	INC	FINANCAL ASSISTANCE GRANT (FAG)	\$10,344 (f)	ADDITIONAL FAG RECEIVED
9400-1842	INC	INTEREST - TERM DEPOSITS	\$11,515 (u)	FROM 9400-1843
9400-1843	INC	INTEREST - OTHER	\$11,515 (f)	TO 9400-1842

Councillors are invited to make comments or ask questions about any of the variances in this report.

Quarterly Budget Review Statement

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

The QBRS is designed to:

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

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

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

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

The QBRS, on the other hand, is prepared strictly on an accrual basis and in a format that is consistent with the Annual Financial Statements. While some of the

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Items requiring Council Resolution

basic transparency of the line-item budget has been lost, it does allow for tracking of the Council's operating result from quarter to quarter to the end of the financial year.

Statements

The QBRS consists of six statements:

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

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

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

- The first column shows the Council's original budget as reflected in the Management Plan adopted by the Council in June.
- The next five columns show budget changes previously approved by the Council. In this case, this reflects Council's works brought forward from 2013/14.
- The Revised Budget column shows the Council's budgeted result prior the changes adopted by the Council in the September quarter review.
- The highlighted Variations this Quarter column shows the effect of the changes adopted by the Council at the review; and
- The Projected Year End Result shows the Council's current position.
- Finally, the actual YTD figures show what the Council's actual result for the quarter. As the Council raises much of its rate revenue at the start of the financial year, this will be significantly more than the projected result for the year.

The September QBRS shows the Council is estimating to return an operating **surplus** for the 2014/15 year of \$1,825, an increase from the initial estimate of \$1,432

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

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

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

Since all expenditure should be funded in some manner, the Capital Expenditure and Capital Funding sections of this report should balance.

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

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

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

The changes in this statement largely reflect the additional brought forward surplus

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

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

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

Items requiring Council Resolution

The first two of these indicators are fairly much in line with Council's previous experience.

The third indicator shows that the Council's original budget proposed an asset renewal ratio of 181.0%. **This is well above the Fit for the Future benchmark of 100% for this ratio.**

Contracts and Other Expenses Budget Review Statement – This statement is an attempt to provide the Council with some detail about the Council's new contractual arrangement and expenditure on consultancies and legal expenses

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5.4 DOCUMENTS FOR SIGNING AND SEALING

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: 05.051.1 & 15.128.25

RECOMMENDATION: - that the Council sign and seal:

- a) the Transfer document in relation to the purchase of the levee bank at Woperana, Tocumwal being Lot 101 DP 914895 to be transferred from the Murray Valley National Park to the Council.
- b) the Local Infrastructure Renewal Scheme Round Three funding agreement with the NSW Government and relating to an interest rate subsidy on a \$1.62m loan for drainage works.

REPORT:

- a) The Council resolved on 19th February, 2014 to purchase the land enclosing the levee bank at Woperana from the Murray Valley National Park to the Council. This Transfer document will enable settlement of the matter.
- b) The Office of Local Government has advised the Council that its application for funding under the Local Infrastructure Renewal Scheme has been successful.

Under this funding agreement, the Council will receive an interest subsidy of 3% (to a maximum of \$270,972) on a loan of \$1.62m to fund essential drainage works in Berrigan, Finley and Tocumwal.

To accept this funding, the Council is required to sign under seal the funding agreement and return to the Office of Local Government by 5 December 2014.

Once a funding agreement has been entered into, the Council will begin the process of procuring loan funding and developing a schedule to complete the works.

Items requiring Council Resolution

5.5 SPECIAL RATE VARIATION

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 25.138.3

RECOMMENDATION: - that the Council advise the Independent Pricing and Regulatory Tribunal that it will not submit a request for a Special Rate Variation for the 2015/16 rate levy.

REPORT:

In New South Wales, Councils wishing to increase their ordinary rates by an amount over the rate peg set by the Independent Pricing and Regulatory Tribunal (IPART) must seek permission to from IPART to do so via a Special Rate Variation (SRV) request.

The deadline to advise IPART of the Council's intent to submit an SRV request for the 2015/16 rate levy is 12 December 2014 and the request itself must be submitted by 16 February, 2015.

The Council has given some consideration towards submitting an SRV to close the funding gap created by the "pause" in indexation of the Council's Financial Assistance Grant (FAG).

A representative from IPART was in contact with Council staff about the Council's intent to seek a SRV for 2015/16. While IPART did not state that the Council should not submit an application or that an application would be unsuccessful, it did advise that it would expect evidence of significant community consultation about any proposed rate increase.

It would be difficult to undertake significant community consultation between now and the submission due date – which means any application would likely be rejected.

On this basis, I would advise that the Council **not** submit an SRV for 2015/16.

If the Council wishes to submit an SRV for the 2016/17 year, it would need to start developing a case and consultation program well before the end of this financial year. Note however, in this timeframe the Council will also be required to develop, consult on and submit its Fit for the Future road map.

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Items requiring Council Resolution

5.6 FINANCIAL STATEMENTS 2013/14

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

RECOMMENDATION: - that the Council, not having received any submissions in relation to its 2013/14 Annual Statements and having considered the reports presented by its Auditors, RSD Chartered Accountants, adopt the 2013/14 Annual Statements and the Report on the conduct of the Audit

REPORT:

The Council adopted the draft Financial Statements for public exhibition and referred them to the Auditors for report, at its ordinary meeting held on Wednesday 15 October, 2014.

RSD Chartered Accountants, the Council's appointed Auditor, has provided a report on the conduct of the audit.

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

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

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

Mr Phil Delahunty, Audit Principal for RSD Chartered Accountants attended the Council's October meeting and answered questions raised by Councillors. At this meeting he reiterated that the Council was in a strong financial position and that he had no concerns regarding the state of the accounts.

Items requiring Council Resolution

The public exhibition period closed at 5pm Friday 7 November, 2014 and no submissions were received. The Council can now complete the statutory process for finalising the accounts by adopting the above recommendation.

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Items requiring Council Resolution

5.7 POLICY FOR THE PAYMENT OF EXPENSES AND THE PROVISION OF FACILITIES FOR MAYORS AND COUNCILLORS

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: - that the Council, noting that no submissions were received during the statutory period of public exhibition, adopt the following "Payment of Expenses and Provision of Facilities" Policy as set out below:

PART 1 INTRODUCTION

This policy for the payment of expenses and the provision of facilities for Mayors and Councillors is effective from 18 September 2013, 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 Division 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.

Items requiring Council Resolution

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

1.1 PURPOSE OF THE POLICY

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.

1.2 OBJECTIVES AND SCOPE OF THE POLICY

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

Berrigan Shire 2023 Strategic Outcomes and Objectives

Strategic Outcome	Strategic Objectives
Good Government Council of Council operations and reporting;	2.2 Ensure effective governance by

The objectives of this policy are:

- To outline the details and range of benefits provided to Councillors by the Council in a transparent manner.
- 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.
- 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.
- To ensure that Councillor use of Council facilities and resources is effective, efficient, appropriate, lawful and ethical,

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.

1.3 MAKING AND ADOPTION OF THE POLICY

Berrigan Shire Council is required on an annual basis to review and submit its policy to the Director-General of the Division 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

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Items requiring Council Resolution

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 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.

1.4 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.

1.5 OTHER GOVERNMENT POLICY PROVISIONS

- Division of Local Government Guidelines (May 2009) issued under section 23A of the *Local Government Act 1993*.
- Division 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.

1.6 OTHER RELEVANT COUNCIL DOCUMENTS AND POLICIES

Items requiring Council Resolution

- Policy 90 – Private Use of Council Vehicles
- Policy 98 – Communication Devices Policy
- Annual Schedule of Fees and Charges
- 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

1.7 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*.

1.8 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 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

PART 2 PAYMENT OF EXPENSES

2.1 GENERAL PROVISIONS

2.1.1 PAYMENT OF EXPENSES GENERALLY

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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 or 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 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

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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.

2.1.2 SPOUSE AND PARTNER EXPENSES

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

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

Items requiring Council Resolution

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.

2.2 SPECIFIC EXPENSES FOR COUNCILLORS

2.2.1 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 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.

2.2.2 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

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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.

2.2.3 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.

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 their 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 traveled at the rate specified in the

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relevant Industrial Agreement. 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.

2.2.4 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-imburement 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.

2.2.5 REIMBURSEMENT OF MOTOR VEHICLE EXPENSES

Fuel costs associated with travel in a private motor vehicle will be reimbursed based on distance traveled 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.

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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

2.2.6 INFRINGEMENT NOTICES

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

2.2.7 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.

2.2.8 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.

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

2.2.10 ACCOMMODATION COSTS

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

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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.

2.2.11 INCIDENTAL EXPENSES

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

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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.

2.2.12 ATTENDANCE AT SEMINARS AND CONFERENCES

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.

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.

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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.

2.2.13 TRAINING AND EDUCATIONAL 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.

2.2.14 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:

- The function is relevant to the council's interests; or
- The Councillor receives an official invitation to attend a function organized by a community or business group operating within Berrigan Shire; or
- 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.

2.3 COMMUNICATION COSTS

2.3.1 COMMUNICATION DEVICES INSTALLED IN COUNCILLOR'S HOMES

The Council will make available to each Councillor a mobile telephone and a tablet computer ("tablet") for use on official council

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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 devices is to be in line with Council Policy No. 98 – 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.

2.3.2 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.

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.

2.3.3 BILLING ANOMALIES

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

2.3.4 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 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.

2.3.5 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:

2.3.6 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.

2.3.7 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, mis-statement, misleading statement, misleading conduct, omission, neglect or breach of duty made, committed, attempted or allegedly made, committed or attempted by the insured person.

2.3.8 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.

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2.3.9 MOTOR VEHICLE INSURANCE

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.

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

2.3.10. LEGAL EXPENSES AND OBLIGATIONS

The Council will reimburse the reasonable legal expenses of:

- 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
- 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:

- 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 misbehavior 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

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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.

2.4 ADDITIONAL EXPENSES FOR MAYORS

2.4.1 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

3.1.1 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.

3.1.2 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

Items requiring Council Resolution

Annual Schedule of Fees and Charges (i.e. for photocopying, facsimile transmission etc.).

3.2. SPECIFIC FACILITIES FOR MAYORS AND COUNCILLORS

3.2.1. OFFICE EQUIPMENT & 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.

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.

3.2.2. 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.

3.2.3. 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.

3.2.4. 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.

3.2.5. BUSINESS CARDS

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

3.2.6. 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.

3.2.7. 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.

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Items requiring Council Resolution

3.3. ADDITIONAL MAYORAL FACILITIES

3.3.1. MAYORAL VEHICLE

This section is to be read in conjunction with Council's general policy and in particular Policy 90 – 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

4.1 ACQUISITION AND RETURNING OF FACILITIES AND EQUIPMENT BY COUNCILLORS

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.

4.2 SUPERANNUATION

4.2.1 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.

REPORT:

The Council must, pursuant to s252(i) of the Local Government Act, within five months after the end of each year, adopt a Policy concerning the payment of

Items requiring Council Resolution

expenses incurred or to be incurred by, and the provision of facilities to, the Mayor, the Deputy Mayor and other Councillors in relation to discharging the functions of civic office.

Additionally, s252 provides that:

- 2) *the policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the mayor or a Councillor of a facility provided by the Council to the mayor or Councillor.*
- 3) *A Council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the Mayor, the Deputy Mayor (if there is one) or a Councillor otherwise than in accordance with a Policy under this section.*
- 4) *A Council may from time to time amend a Policy under this section.*
- 5) *a Policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.*

s253 of the Local Government Act is also relevant to adoption of such a Policy or its amendment and states:

- 1) *A Council must give public notice of its intention to adopt or amend a Policy for the payment of expenses or provision of facilities allowing 28 days for the making of public submissions.*
- 2) *Before adopting or amending the Policy, the Council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft Policy or amendment.*
- 3) *Despite subsections (1) and (2), a Council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the Council is of the opinion that the proposed amendment is not substantial.*
- 4) *Within 28 days after adopting a policy or making an amendment to a policy for which public notice is required to be given under this section, a Council is to forward to the Director-General:*
 - a) *A copy of the Policy or amendment together with details of all submissions received in accordance with subsection (1), and*
 - b) *A statement setting out, for each submission, the Council's response to the submission and the reasons for the Council's response, and*
 - c) *A copy of the notice given under subsection (1).*
- 5) *A Council must comply with this section when proposing to adopt a Policy each year in accordance with section 252 (1) even if the Council proposes to adopt a Policy that is the same as its existing Policy.*

The Council's Policy is, from an officer's perspective, still relevant and does not require substantive amendment.

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Items requiring Council Resolution

The draft policy was placed on public exhibition through public advertisement for the required 28 days. At the close of the exhibition period no submissions were received in relation to the draft policy which could now be adopted.

RESOLUTION

Items requiring Council Resolution

5.8 MARY LAWSON MEMORIAL WAYSIDE REST 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: 21.101.10

RECOMMENDATION: - that the Council:

- A) Revoke existing members of the Mary Lawson Memorial Wayside Rest Committee of Management.
- B) pursuant to Section 355 of the Local Government Act, 1993, appoint the following persons to the Mary Lawson Memorial Wayside Rest Committee of Management:

President	Henry Matheson
Secretary/	Lois Harley
Treasurer	Marie Quirk
Committee	Danny Wark, Madeleine Wark, Colin Drury, Ivy Matheson, Ken Jenkins, Doug Delmenico, Rachelle Delmenico, Chris Braybon, Colin Breust, Kim Hornby, Jan Braybon, Greg Murphy, Allan Matheson, Maree Matheson, Marj Kable, Bill Braybon, Doug Thomas, Ron Nettleton, Peter Horneman, Lorraine Thompson, Phillip Matheson, Todd Ruffin, Bernie Evans, John Magill, Graham & Veronica Dobie, Alan Cowan and Michael (Fergie) Walsh.

REPORT:

Advice of Committee members has been received and should be endorsed by the Council.

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Items requiring Council Resolution

5.9 TOCUMWAL FORESHORE 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: 05.101.7

RECOMMENDATION: - that the Council:

- A) Revoke existing members of the Tocumwal Foreshore Committee of Management.
- C) pursuant to Section 355 of the Local Government Act, 1993, appoint the following persons to the Tocumwal Foreshore Committee of Management:

President	Ross Bodey
Secretary/ Treasurer	Judy Carlon
Committee	Ann Way, Anthony Hore, Bob Bowman, Bill Greig

REPORT:

Advice of Committee members has been received and should be endorsed by the Council.

Items requiring Council Resolution

5.10 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

RECOMMENDATION: - that, pursuant to section 21 of the *Government Information (Public Access) Act 2009* the Council adopt the Agency Information Guide 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 8,300 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.

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.

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Items requiring Council Resolution

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
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

Items requiring Council Resolution

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.
- 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:

Coastal Protection Act 1979

Privacy and Personal Information Protection Act 1998

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Items requiring Council Resolution

Community Land Development Act 1989

Companion Animals Act 1998

Contaminated Land Management Act 1997

Conveyancing Act 1919

Environmental Planning and Assessment Act 1979

Fire Brigades Act 1989

Fluoridation of Public Water Supplies Act 1957

Food Act 1989

Graffiti Control Act 2008

Government Information (Public Access) Act 2009

Heritage Act 1977

Impounding Act 1993

Library Act 1939

Noxious Weeds Act 1993

Protection of the Environment Operations Act 1997

Public Health Act 1991

Recreation Vehicles Act 1983

Roads Act 1993

State Emergency & Rescue Management Act 1989

State Emergency Service Act 1989

Strata Schemes (Freehold Development) Act 1973

Strata Schemes (Leasehold Development) Act 1986

Strata Schemes Management Act 1996

Swimming Pools Act 1992

Unclaimed Money Act 1995

Water Act 1912

Water Management Act 2000

Work Health and Safety Act 2011

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 2012. Berrigan Shire is not divided into wards and councillors are elected at large.

Items requiring Council Resolution

The Mayor is elected by the Councillors from among their number and serves for a 12 month term. The current Mayor was elected in September 2013.

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. 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 (2011) 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 Councillor's on the Council website at <http://www.berriganshire.nsw.gov.au/Council/YourCouncillors.aspx>

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Items requiring Council Resolution

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 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
 - a. Code of meeting practice
 - b. Agendas, minutes and business papers for any meeting of the Council or any committee of the Council
 - c. Councillors expenses and facilities policy
2. Council Administration
 - a. Berrigan Shire Council Code of Conduct
 - b. Annual Report, Financial Statements and Auditor's Report
 - c. Equal Employment Opportunity Management Plan
 - d. Land Register,
 - e. Investment Register,

Items requiring Council Resolution

- f. Delegations Register
 - g. Register of voting on planning matters
 - h. 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
- a. Environmental planning instruments and development control plans
 - b. Development Applications and associated documents
5. Other documents.
- a. Leases and licences for use of public land classified as community land
 - b. Register of contracts
 - c. Register of gifts
 - d. Returns of the interests of Councillors, designated persons and delegates (Note: only available at the Council Administration Office)
 - e. 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.

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Items requiring Council Resolution

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.

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

REPORT:

Items requiring Council Resolution

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

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

Section 20 of the GIPA Act states:

- (1) An agency (other than a Minister) must have a guide (its "agency information guide") that:*
- (a) describes the structure and functions of the agency, and*
 - (b) describes the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public, and*
 - (c) specifies any arrangements that exist to enable members of the public to participate in the formulation of the agency’s policy and the exercise of the agency’s functions, and*
 - (d) identifies the various kinds of government information held by the agency, and*
 - (e) identifies the kinds of government information held by the agency that the agency makes (or will make) publicly available, and*
 - (f) specifies the manner in which the agency makes (or will make) government information publicly available, and*
 - (g) identifies the kinds of information that are (or will be) made publicly available free of charge and those kinds for which a charge is (or will be) imposed.*
- (2) An agency must make government information publicly available as provided by its agency information guide.*

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

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

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Items requiring Council Resolution

5.11 2013/14 ANNUAL REPORT

AUTHOR: Strategic and 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

RECOMMENDATION: - that the Council adopt the 2013/14 Annual Report attached as Appendix "C" and formally advise the Minister for Local Government that it has been published electronically on the Council's website.

REPORT:

Each year the Council produces an Annual Report to review its performance and achievements for the past financial year. The document is designed to provide an insight into the Council's operations and financial position, and indicate how the Council has performed in achieving the activities it set itself during the year. A copy of the report has been attached as Appendix "C".

Council's Annual Report has been prepared in accordance with the Department of Local Government's Integrated Planning and Reporting Framework.

The format of the report reflects that this is not a report to the Division of Local Government or the New South Wales Government; it is a report to the community.

As such it can be published and read a one complete document or 5 separate reports allowing readers the opportunity to focus only on the areas which are of interest to the reader.

In six parts the Annual Report includes:

- An introduction which provides the reader with brief overview of the Shire, its vision for the future in addition to comments from the Mayor and General Manager
- The Shire Profile introduces Councillors, Councillor Management and includes information on Council meeting attendance, organizational structure, payments to Councillors and Senior staff
- The Our Performance section of the Annual Report is where readers will find information about the highlights and challenges faced by the Council during the financial year in implementing its *Delivery Program 2013 – 2017*;
- Summary tables reporting on Council's performance against the objectives set out in the Council's *Annual Operational Plan* will also be found in this section

Items requiring Council Resolution

- Information not contained elsewhere in the report and which must be reported in order to meet legislated reporting requirements is the section labeled Statutory Requirements
- The State of our Assets report provides information about capital works program in addition to a snapshot of Councils asset management practices and performance
- The section titled Financials contains as in past years a community financial report as well as the financial statements for the 2013/14 financial year

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

Under the *Local Government Act* the Council is required to provide a copy of its Annual Report to the Minister for Local Government by 30 November. With changes in technology it is now acceptable to submit an “electronic copy” by publishing the report on the Council’s website and formally advising the Minister by letter or email that the report has been published and the URL for the document.

The report must remain available on the site for the full year. As such, it is recommended that the 2013/14 Annual Report be adopted by the Council and published on the Council’s website. Once the document has been published, the Minister for Local Government will be formally advised of its availability.

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Items requiring Council Resolution

5.12 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: 04.121.1

RECOMMENDATION: - that the Council note the September Quarter Progress Report of the Annual Operational Plan 2014/15 circulated as Appendix “D”.






REPORT:

Circulated with this Agenda as Appendix “D” is the September 2014 quarterly review and progress report of the Council’s *Annual Operational Plan 2014/15*.

This report provides a traffic light review with comments by Responsible Officers of the status of:

- Council actions that support and promote *Berrigan Shire 2023* outcomes (these are outcomes which match Department of Local Government’s quadruple bottom line reporting requirements: Social, Economic, Environmental and Civic Leadership);
- *Delivery Program Objectives*;
- *Annual Operational Plan Objectives*; and
- *Annual Operational Plan Actions*.

The traffic light format provides a visual update on the status of *Council’s Annual Operational Plan* and Council’s progress toward full implementation of its *4-year Delivery Program*. It should be read in accordance with the following key:

				
Complete	On Target	Not on Target	Past Due	No Status / Deferred

Additional information in the appended reporting and monitoring Review and Progress Report includes:

1. A percentage target for each *Delivery Program*, *Annual Operational Plan* objective and or *Operational Plan* action – usually 100% though in some instances where it is reasonable to assume a degree of ‘slippage’:(i.e.:

RESOLUTION

Items requiring Council Resolution

seasonality; carryover from previous years and or carry forward as is the case for ongoing capital works) the full year performance target may be lower

2. A Year to Date (YTD) assessment by the responsible Council Officer of progress toward completion and or the achievement of the set target
3. Comments from the Responsible Council Officer highlighting service achievements and or the challenges relevant to the Council operation being reported and its status.

Council should also note that not all Annual Operational Plan Actions or objectives have targets and are reported qualitatively by the responsible officer.

The following is a summary by strategic outcome of the status of Council's Annual Operational Plan actions.

	Completed	On target	Not on target	Past Due	Deferred / Not due to start	Total
Sustainable natural and built landscapes	3	12	0	0	0	15
Good government	1	10			1	12
Supported and engaged communities	1	15	1	0	1	18
Diverse and resilient business	1	14	1		4	20
Total Actions	6	51	2	0	6	65

RESOLUTION

Items requiring Council Resolution

5.13 EVENT FUNDING

AUTHOR: Economic Development Officer

STRATEGIC OUTCOME: Diverse and resilient business

STRATEGIC OBJECTIVE:4.3 Diversify and promote local tourism

FILE NO: 08.063.3

RECOMMENDATION: - that the Council provide an amount of \$5,000 to the Cobram Barooga Golf Club Committee to host Cobram Barooga Country Week Golf.

REPORT:

Country Week Golf is a new team event being held in August 2015 covering a broad cross section of the golfing community from amateurs to club professionals. The organizing committee has done a good deal of research in designing this event to create a golf tournament format that is unique in Australia and the event has been sanctioned by Golf Victoria. The committee has taken a long term view with plans to grow the event in a sustainable manner and to include other venues in the Shire. This is evidenced by the letter of support provided by Tocumwal Golf Club attached as Appendix "E".

The Cobram Barooga Golf Club Committee is a subcommittee of the Barooga Sports Club.

Under the Council's Event Funding criteria this event satisfies a number of key indicators:

1. Extended length of stay
2. It is a new event
3. Addresses a traditional low season for accommodation houses.
4. The event is designed as an attractor and is not catering to visitors already here. The number of local competitors is restricted to a maximum of 25% of the field.
5. As a sporting event this event is relevant to the Berrigan Shire Tourism Strategy as a tier two event.
6. There is a growth plan beyond the first year.
7. Partnership with the accommodation operators has been addressed

Items requiring Council Resolution

The Council has already made funding allocations for events in 2014/2015 totaling \$12,500. Country Week Golf will take place in the 2015/2016 financial year and the funding can be allocated from this budget allowing further applications in 2014/2015 financial year to be considered.

The Funding Application form from the committee is included with this agenda as appendix "F".

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Items requiring Council Resolution

5.14 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

RECOMMENDATION: - that the Council, having considered feedback provided by the pool Committees of Management and other user bodies, adopt the following “Supervision and Hiring Arrangements for Community Swimming Pools” Policy as 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 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).

Items requiring Council Resolution

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:

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.

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Items requiring Council Resolution

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:

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:

Items requiring Council Resolution

- 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 coloured tag system in place 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
- 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

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Items requiring Council Resolution

- 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 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.

Items requiring Council Resolution

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)

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.

RESOLUTION

Items requiring Council Resolution

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.

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.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 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*

7.2 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

Items requiring Council Resolution

- **New South Wales Department of Education and Communities - [Water Safety Guidelines for Unstructured Aquatic Activity](#)**

7.3 Council policies

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

REPORT:

At its ordinary meeting in September 2014, the Council adopted a draft policy regarding supervision and hiring arrangements at its community-run swimming pools and asked Council staff to seek comments from the pool Committees of Management, Finley Swimming Club and the schools.

Overall, the schools and Committees of Management were satisfied with the policy, with some minor amendments.

Suggested changes included:

- Widening the scope of first aid qualifications acceptable – which was agreed to by Council staff
- Modifying the requirement for the Committees to have a second CPR trained person on site while the pool is open – Council staff have agreed to make this an aspiration rather than a requirement, at least initially.

The revised policy should be acceptable now to all user groups and can be adopted formally by the Council should it wish.

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Items requiring Council Resolution

5.15 EVENT FUNDING

AUTHOR: Economic Development Officer

STRATEGIC OUTCOME: Diverse and resilient business

STRATEGIC OBJECTIVE: 4.3 Diversify and promote local tourism

FILE NO: 08.063.3

RECOMMENDATION: - that Council does not provide funding from the Events Funding budget for the Barooga Sports Bowls Club for the Barooga Classic Pairs

REPORT:

The Barooga Classic Pairs Competition is a 4 day Bowls Tournament that has been held at the end of May for the past 3 years. In the first year of the event, 2012, the competition was held at venues in Barooga and Cobram and 112 bowlers attended. In 2013, only 64 bowlers attended as the Cobram greens were not available. In 2014, competitor numbers increased again to 112 with a move to include the Tocumwal Bowls Club green.

Under Council's Event Funding criteria this event satisfies the following key indicators:

1. Extended length of stay (at least 4 days)
2. Addresses a traditional low season for accommodation houses.
3. The event is designed as an attractor and is not catering to visitors already here.
4. As a sporting event this event is relevant to the Berrigan Shire Tourism Strategy and would satisfy Tier Two.

However, this event is not a new event and the funding application does not indicate any expected increase in competitor numbers or dispersal in 2015. The value of the prizes (money), meals and vouchers is disproportionate to the income from entry fees. The sustainability of this event is questionable when considerable prize money is the hook to attract competitors.

The funding application from the committee is included with this agenda as Appendix "G".

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Items requiring Council Resolution

5.16 REVIEW OF DETERMINATION OF DEVELOPMENT APPLICATION

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: 49/14/DA/D9

RECOMMENDATION: that the application for a Review of Determination of Development Application No. 49/14/DA/D9, pursuant to the provisions of Section 82A of the Environmental Planning and Assessment Act 1979, be supported and the subdivision of the land into six allotments as per the amended plan be approved subject to the following conditions:

DC0001 Approved Plans

The development shall be implemented in accordance with the details set out on the Approved Plans (marked Christelle Pearse amended 21-10-2014) and on the application form and on any supporting information received with the application except as amended by the conditions specified hereunder.

DC0063 Telephone and Electricity Connections

Separate telephone and electricity services must be connected to each allotment prior to the issue of a Subdivision Certificate.

DC0079 Rural Address Signs

An application for "Works, Structures and Activities on a Council Road" must be submitted to the Council for the provision of a Rural Address Sign, which is to be located adjacent to the access driveway associated with each new (lot created / dwelling).

The appropriate fee is to be paid for the supply and installation of each required rural address sign must be paid upon lodgement of the application form and before release of a (Subdivision Certificate / Final Occupation Certificate).

The purpose of the sign is to standardise the identification of rural properties for the benefit of utility service providers and emergency service vehicles.

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All Weather Accesss

Three combined all weather access driveways must be provided to the proposed allotments which must incorporate appropriate drainage measures consisting of concrete culverts and headwalls in accordance with Councils standards and specifications to enable appropriate access to each lot. Works to be completed prior to the issue of a subdivision certificate.

DC0089 Works in Road Reserve

No work is to be carried out beyond the property boundary on any road reserve, nature strip, footpath, concrete kerb, paved area, building or supply service without the prior written consent of the Council, in order to protect community assets and eliminate potential hazards to the community in the "public place".

An "Application for Works, Structures and Activities on a Council Road" must be submitted to Council, along with relevant plans and the determined fee. Consent must be obtained, before commencement of any work.

Gas Connections

Gas connections must be provided to each allotment prior to the issue of a subdivision certificate.

DC0059 Water and Sewer Connections

Separate water and sewer connections must be provided to proposed Lots 1 - 6 as per Council policy prior to the issue of a Subdivision Certificate.

DC0085 Financial Contribution Water Supply

A financial Contribution of \$10,680.00 must be submitted to Council for the augmentation of the town water supply scheme in accordance with the provisions of Councils Water Development Servicing Plan created under Section 64 of the Local Government Act 1993 prior to the issue of a Subdivision Certificate.

DC0020 Water and Sewer Connections

All water supply and sewer work must be carried out by a NSW Licenced Plumber and Drainer. All plumbing and drainage works must be carried out in accordance with AS3500 (National Plumbing and Drainage Code) and any conditions applied to the approval to do water and sewer work issued under Section 68 of the Local Government Act 1993.

Such conditions may include the necessity for the Council to undertake inspections of all drains and pipework before they are

Items requiring Council Resolution

covered or provision of Compliance Certificates or works as executed drawings prior to issue of an Occupation or Subdivision Certificate.

DC0057 Sewer Extension Plan

A sewer extension plan must be submitted to Council for approval. All lots within the subdivision must then be provided with a sewer connection prior to the issue of a Subdivision Certificate.

The Mayor called for a division in relation to the motion which resulted in the following:

Division

Voting In Favour:

Voting Against:

REPORT:

Council is in receipt of an application for a Review of Determination, pursuant to the provisions of Section 82A of the Environmental Planning and Assessment Act 1979, of Development Application No. 49/14/DA/D9 – 10 Lot Subdivision, which was refused by the Council at the April 2014 General Council meeting.

The reason that the application was refused was that the development was “incompatible with planning legislation and not in the public interest” due to the configuration of the proposed allotments which did not result in the functional utilization of the land. See Appendix “H”.

The proponent has provided an amended plan of subdivision in support of the application for review. See Appendix “I”.

The lot yield has been reduced to 6 lots however the configuration of the lots allow for a better utilization of the land for large lot residential purposes. In addition there is the potential for the further subdivision of each lot whereby functional configurations could be achieved.

Whilst the original proposal alienated appropriately zoned land for large lot residential purposes, the amended plan allows for the future development of the land if required. It is considered that the amended plan of subdivision is acceptable and can be supported subject to the application of conditions of consent as per Council policy.

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Items requiring Council Resolution

5.17 CHANGE OF USE – OPEN 24 HOUR SERVICE STATION

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: 43/15/DA/DM

RECOMMENDATION: that Development Application No. 43/15/DA/DM be approved subject to the following conditions:

DC0001 Approved Plans

The development shall be implemented in accordance with the details set out on the application form and on any supporting information received with the application except as amended by the conditions specified hereunder.

Hours of Operation

The opening hours of the premises are to be restricted to 6:00am and 10:00pm daily so as to minimize any adverse impacts on adjacent residential premises.

Ent015 Food Handling

Persons responsible for Food Handling, preparation and storage shall observe the relevant requirements of the Food Act 2003 and regulations thereunder.

Fuel Handling

The operation of the fuel handling components of the development must be undertaken in accordance with the provisions of the relevant legislation. Evidence that the premises are suitable for use this must be provided to Council prior to the commencement of operations.

The Mayor called for a division in relation to the motion which resulted in the following:

Division
Voting In Favour:

Voting Against:

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Items requiring Council Resolution

REPORT:

Site

The site is Lots 7, 8 and part Lot 9//DP3407, 16-20 Murray Street, Finley. The site is located in the RU5 – Village Zone under the provisions of Berrigan Local Environmental Plan 2013. See Appendix “J”.

Proposal

It is proposed to re-open a disused service station which will sell fuel, take-away and dine in meals, snacks and small grocery items. It is proposed to operate the service station on a 24 hours a day basis.

Discussion

Given that the application is for the use of the premises on a 24 hours a day basis, neighbouring residences were notified of the proposal. One verbal response was received from the owner of the adjoining property directly behind the service station who advised that he had no objection to the proposal however did have concerns about noise and lighting particularly at night.

The adjoining neighbor at 22 Murray Street, Finley submitted a written submission whereby there is no objection to the re-opening of the business however is concerned that opening 24 hours a day will have a impact, particularly with noise and parking over his driveway which he had experienced in the past. The respondent has advised verbally that he would have no objection to the premises opening from 6:00am to 8:00pm.

The previous use of the premises was restricted to the hours of 5:30am to 6:30pm. As can be seen on the aerial photo in Appendix “J” access to the premises is from Murray Hut Drive. There is limited parking available in close proximity to the premises in Murray Street. Parking on the west side of Murray Street is restricted to a gravel road shoulder formation.

It can be expected that neighbouring residential properties will experience some noise impacts in particular from vehicles visiting the on- site at night however these could be ameliorated by the erection of extended fencing on the southern boundary similar to that erected at the rear of the site adjoining the laneway. Of concern however is the proposed provision of meals which has the potential to generate customers at night, in particular heavy vehicles which are generally noisy and which can have refrigeration motors operating whilst the truck is idle. There is insufficient area on site to cater for these larger vehicles therefore it can be anticipated that they will park adjacent to the residential properties with the resultant adverse impacts particularly late at night and early morning.

In conclusion it is considered that the proposed development for the operation of the service station on a 24 hour basis is not considered appropriate in its

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location due to the potential impacts on the surrounding residential premises. Whilst there is no objection to the re-opening of the business it is considered that the proposal can be supported subject to a reduction opening hours. In this respect it is suggested that opening hours of 6:00am to 10:00pm would not be inappropriate.

Section 79C of the Environmental Planning and Assessment Act 1979 has been taken into consideration when assessing this proposal.

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Items requiring Council Resolution

5.18 REMOTE CONTROL FOR FINLEY RECREATION RESERVE LIGHTS**AUTHOR:** Director Corporate Services**STRATEGIC OUTCOME:** Supported and engaged communities**STRATEGIC OBJECTIVE:** 3.1 Create safe, friendly and accessible communities**FILE NO:** 21.101.7

RECOMMENDATION: - That the Council advise the Finley Recreation Reserve Committee of Management that it considers the installation of a remote control system for the floodlights at Finley Recreation Reserve for use by the Air Ambulance to be the responsibility of the NSW Government, and therefore the Council will not pay for these works.

REPORT:

The Ambulance Service from time to time uses the Finley Recreation Reserve as an area to load patients into the Air Ambulance. If this is done at night, the oval floodlights are used to improve safety.

With the redevelopment of the facilities at Finley Recreation Reserve, the controls for the floodlights have been moved into the new building. If the Ambulance Service wishes to use the floodlights, it will need to find someone to open up the building for them.

To rectify this, the Finley Recreation Reserve Committee of Management have suggested installing a remote control system to turn on the floodlights. They have obtained a quote for the works required - \$800 + GST

My understanding is that the Committee has approached the Ambulance Service to pay for the system to be installed and been told that there is no budget for these types of works.

The Committee has therefore requested that the Council consider funding this directly.

While the safe and efficient operation of the Air Ambulance service is in the interest of the Finley community, funding this service is the responsibility of the NSW government. On the face of it, this is an example of cost shifting to local government. If the floodlights are deemed necessary by the NSW Government, then it should be their responsibility to fund the works required to make them useable remotely.

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Items requiring Council Resolution

**5.19 COUNCIL CHRISTMAS FUNCTION AND
OPENING OF FINLEY RECREATION
RESERVE FACILITY**

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 15.128.26, 22.017.1

RECOMMENDATION: - that the Council, pursuant to the provisions of its Drug and Alcohol Free Workplace Policy, designate the following events as “approved events” at which alcohol may be provided and consumed in accordance with the Policy:

- Councillors and Staff Christmas Party at Tocumwal Football Netball Club social rooms – 28 November 2014
- Official opening of the new facilities at Finley Recreation Reserve – 10 December 2014

REPORT:

It has been determined that the annual Christmas function would be held at the Tocumwal Football Netball Club social rooms on Friday 28 November 2014.

The Council is also hosting the official opening of the new facilities at Finley Recreation Reserve on Wednesday 10 December 2014.

At both events, it would be appropriate and customary for alcohol to be provided to guests.

Should the Council wish for alcohol to be consumed at these events, it will need to determine that these events are “approved events” in order to comply with the Council’s adopted Drug and Alcohol Free Workplace Policy.

At both events, alcohol will be served by staff with suitable Responsible Service of Alcohol qualifications and low alcohol and non-alcoholic drinks will be available.

Items requiring Council Resolution

5.20 FIXING COUNTRY ROADS (NSW) AND NATIONAL STRONGER REGIONS FUND APPLICATIONS'**AUTHOR:** Strategic & Social Planning Coordinator**STRATEGIC OUTCOME:** Diverse and resilient business**STRATEGIC OBJECTIVE:** 4.4 Connect local, regional and national road, rail, and aviation infrastructure**FILE NO:****RECOMMENDATION:** - that

1. The direction of Council is sought in relation to financing options.
2. Council as part of its Fixing Country Roads Grant Application will contribute \$500,000 towards the cost of this project.

REPORT:

As part of the 2014-15 Budget, the NSW Government allocated \$37.5 million to its Fixing Country Roads - Local Roads and Bridges Program to improve the efficiency of freight movements from 'paddock to port'.

Expressions of Interest (EOI) for Fixing Country Roads funding from eligible regional NSW councils closed on 4 August 2014. Council's expression of interest for the re-development of Silo Road, Tocumwal has been shortlisted to progress to the next stage of the program.

The Director of Technical Services and Council's Economic Development Officer recently attended a Fixing Country Roads Program briefing conducted by Transport New South Wales. The briefing outlined the evaluation criteria to be met by projects likely to receive funding from this program. The criteria include:

- 1.Improved Access and Productivity
- 2.Growth and Economic Benefits
- 3.Strategic Alignment and Partnership
- 4.Deliverability and Project Readiness

Based on feedback received, at this briefing, it is apparent that for Council's Application to be successful it needs to be financially committed to the project. Further by doing so it will meet a key criterion namely, the ability to work in partnership with Transport NSW.

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Therefore based on the size and scope of the works involved, and so that Council's contribution is viewed as credible, it is suggested that upwards of \$500,000 be committed by Council to this \$3 million project.

The re-development of Silo Road was also included in the National Stronger Regions Fund proposal put to Council at its Ordinary Council Meeting 15th October 2014. At this meeting Council resolved

That Council staff prepare a report on the impact of borrowing \$1m for this project to the November Council meeting for consideration.

Therefore, in response to this resolution and the shortlisting of Council's Fixing Country Roads Expression of Interest a number of financing options for both projects have been considered by Council Officers including:

- Allocation in the 2015/16 Budget of projected additional Roads to Recovery funds and the smoothing of this expenditure through re-prioritization of Roads to Recovery funded works in Council's Capital Works Program 2015/16, 2016/17 and 2017/18;
- One off use of Council's unrestricted working capital held as cash for the Fixing of Country Roads Application only
- Loan funds for both projects; and or
- A combination of the above financing options.

At the time of writing this report Council Officers expect that funds from the Roads to Recovery Program to Council will increase from 2013/14 financial year (\$560,000) to \$605,000 for the financial years 2014-15 to 2015/16 inclusive plus an additional \$605,000 (a "bonus" annual allocation) in 2015/16. These funds are not allocated in the Council's current Capital Works Program and operating budget.

In relation to the unrestricted working cash option this option has been successfully used by Council for the construction of the Berrigan Library and the Barooga Recreation Reserve Pavilion. As at 30th June, 2014 Council's unrestricted cash and investments balance was \$3.988 million representing funds available for discretionary expenditure of which, \$1.7 million is used for ongoing operations or to put it another way short-term cash-flow requirements.

Council also has the option of using loan funds for this project. The use of loan funds for this project is consistent with its adopted *Financial Strategy* 2012, on the basis that if Council secured a grant for the project it would in this circumstance be more cost-effective to borrow the funds than to hold off on developing the project until sufficient funds became available.

Late Item requiring Council Resolution

Admitted with the permission of the Mayor

5.21 INTEGRATED PLANNING AND REPORTING & FIT FOR THE FUTURE TIMETABLE

AUTHOR: Strategic and Social Planning Coordinator

STRATEGIC OUTCOME: Good government

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

FILE NO:

RECOMMENDATION: - that the

1. Council adopt the following timetable to complete its Integrated Planning and Reporting process for implementation in the 2015 - 2016 financial year:
 - 1.1 Week beginning 7th December, 2014 conduct Capital Works inspection tour
 - 1.2 21st January, 2015 adopt draft Capital Works Program
 - 1.3 22nd January, 2015 review Long Term Financial Plan
 - 1.4 Week beginning 9th February 2015 conduct 2-day Corporate Workshop which will include:
 - 1.4.1 Consideration of Community Survey results
 - 1.4.2 Overview of Resourcing Strategy inclusive of the current Long-term Financial Plan
 - 1.4.3 Administrative review of Delivery Program
 - 1.4.4 Identifying priority projects for further scoping and inclusion in the Annual Operational Plan 2015-2016
 - 1.5 15th April, 2015 adopt
 - 1.5.1 Draft Delivery Program (4 years)
 - 1.5.2 Draft Operational Plan (1 year)
 - 1.5.3 Rating and Revenue Policy; and
 - 1.5.4 Draft Fees and Charges
 - 1.6 20th May, 2015 administrative review and adoption of
 - 1.6.1 Draft Resourcing Strategy inclusive of Draft Long Term Financial Plan, Workforce Development Plan (Org Structure), and Asset Management strategy
 - 1.7 21st May, 2015 public exhibition and consultation draft Integrated Plans
 - 1.8 17th June, 2015 adopt
 - 1.8.1 All of the above as a final Integrated Plan; and

RESOLUTION

Items requiring Council Resolution

1.8.2 Set 2015-2016 rates and charges by resolution

2 Council adopt the following timetable to complete its Fit for the Future Submission

- 2.1 3rd December, 2014 at Council's Committee meeting it will review – scale and capacity requirements and in doing so determine likely direction of Fit for the Future submission.**
- 2.2 4th December, 2014 – Corporate preparation commences for development of Fit for the Future submission. This preparation will include scoping: status quo or merger of rural Councils**
- 2.3 Week beginning 9th February 2015 at a 2-day Corporate Workshop – adopt draft Fit for the Future Submission incorporating where relevant Community Satisfaction Survey results**
- 2.4 2nd - 31st March, 2015 conduct community engagement and consultation in relation to Council's draft Fit for the Future Submission**
- 2.5 15th April, 2015 adopt Fit for the Future Submission**

REPORT:

During the next six months in response to the State Government's Fit for the Future program of reform Council needs to develop by 30th June, 2015 its Fit for the Future Submission. Historically, at the December Council meeting .the Council also considers the process and parameters to progress and finalise for the upcoming financial year the review of its Integrated Plans. Notwithstanding the development of Council's Fit for the Future submission this work still needs to be undertaken.

Set out in the above recommendation is what appears to be a logical process that draws together the components of these two processes. This is also described in the Gant Chart included in this report. The development of these dates ensures that Council Officers have clear timeframes for the completion of the many elements required by the Fit for the Future Program and the Integrated Planning and Reporting process.

Whilst the above has been suggested there may be a need to vary the suggested timeframes as the process unfolds.

For immediate Council consideration is agreement on a date for the Capital Works tour and scheduling of the Corporate Workshop. The Capital Works tour provides Council with an overview of works scheduled in its current Program of works and is also used to highlight projects identified by Council Officers as needing consideration by Council for subsequent inclusion a draft Capital Works Program.

Late Item requiring Council Resolution

Admitted with the permission of the Mayor

Integrated Planning and Report and Fit for Future Timetable

	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15
Integrated Planning and Reporting							
Capital Works Tour	7-Dec						
Conduct Community Satisfaction Survey	15-Dec	15-Jan					
Adopt Draft Capital Works Program		21-Jan					
Commence Corporate review of LTFP		22-Jan	1-28-Feb	1-31-Mar	1-30-Apr	1-20-May	
2-day Corporate Workshop			9-Feb				
Consideration of Survey Results			9-Feb				
Overview of Resourcing Strategy			9-Feb				
Administrative Review of Delivery Program			9-Feb				
Priority projects identified and subsequently scoped for inclusion in Annual Operational Plan			9-Feb	1--31-Mar	1-10-Apr		
Adopt Draft Delivery Program					15-Apr		
Adopt Draft Annual Operational Plan					15-Apr		
Adopt Rating and Revenue Policy					15-Apr		
Adopt Draft Fees and Charges					15-Apr		
Administrative Review and adoption of Draft Resourcing Strategy inclusive of Draft LTFP; Workforce Development Plan & Asset Management Strategy						20-May	1-16-Jun
Public Exhibition and consultation draft Integrated Plans						21-May	
Adopt final suite of Integrated Plans							17-Jun
Set Rates and Charges by Resolution							
Fit for the Future							
Review scale and capacity requirements Council Committee	3-Dec						
Development of Fit for Future Submission commences		5--31-Jan	1-8-Feb				
Adopt Draft Fit for Future Submission			9-Feb				
Community Consultation Draft Fit for Future Submission				2-31-March			
Adopt Fit for Future Submission					15-Apr		
Submit Fit for Future Submission							Due 30-Jun

RESOLUTION

Items for Noting

RECOMMENDATION – that Items for Noting numbered 6.1 to 6.6 Inclusive be received and noted.

6.1 KIDS FEST 2014

AUTHOR: Strategic Social Planning Coordinator

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO: 03.121.2

REPORT:

The Berrigan Shire Kids Fest was initiated (2011) as a Children's Week activity which would:

- Provide an opportunity for community, children's services, local schools, youth and community groups to plan and conduct events that celebrate childhood
- Facilitate the involvement of individuals, groups and organisations in local activities and events that support and involve children and their families

Project partners in this year's Shire-wide community event included:

Berrigan Shire Council – Library Services	Intereach Family Services
Berrigan Shire Council – Early Intervention Services	Outback Youth Theatre Deniliquin
Berrigan Public School	St Columba's Primary School
Centacare Finley	Lions Club of Tocumwal
Lions Club of Finley	Smithers Orchards
Rotary Club of Tocumwal	Lions Club of Cobram-Barooga
Lions Club of Berrigan	

The scheduling and the order in which Kids Fest was conducted in each town was changed to try and improve attendance at Barooga – a change which was successful, despite clashing with a similar event held in Cobram.

The following provides a summary of events held and the activities' provided by event partners.

Items for Noting

Kids Fest Berrigan – Apex Park 21/10/14

Activities	Provided By
Face Painting	Berrigan Library Services
Billie the Clown	Bill Dunn -Volunteer
Sausage Sizzle	BSC & Berrigan Lions
Outdoor Activities	Berrigan Public School & St Columbas
Art in the Park	Intereach
Orange Juice	Rotary Club of Tocumwal/ Smithers Citrus and Centacare
Outdoor Games	Intereach
Drama Workshops	Outback Youth Theatre Deniliquin

Kids Fest Barooga – Collie Park 22/10/14

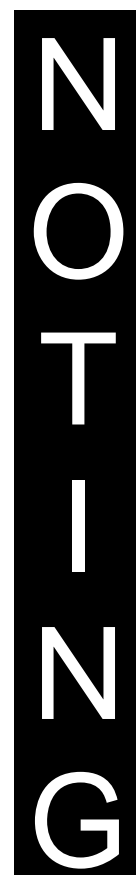
Activities	Provided By
Balloon Art	BSC
Face Painting	BSC Library Services
Sausage Sizzle	BSC & Barooga Lions
Art in the Park	Intereach
Outdoor Games	BSC – Outdoor Games equipment / Intereach
Orange Juice	Rotary Club of Tocumwal and Smithers Citrus/ Centacare
Drama Workshop	Outback Youth Theatre Deniliquin

Kids Fest Tocumwal – CWA Park 23/10/14

Activities	Provided By
Face Painting	BSC Library Services & Outback Youth Theatre Deniliquin
Sausage Sizzle	BSC & Tocumwal Lions
Outdoor Games	BSC Early Intervention Services
Billie the Clown	Bill Dunn – Volunteer
Art in the Park	BSC Library Services
Orange Juice	Rotary Club of Tocumwal and Smithers Citrus
Drama Workshop	Outback Youth Theatre Deniliquin

Kids Fest Finley – Rotary Park 24/10/14

Activities	Provided By
Billie the Clown	Bill Dunn -Volunteer
Sausage Sizzle	BSC & Finley Lions
Outdoor Painting and Crafts	Intereach Finley
Drama Workshop	Outback Youth Theatre
Face Painting	Lii Vitale, Sabrina Taylor, Dora Miaoulis
Outdoor Games	BSC – Early Intervention Services, Finley Public School & St Joseph’s School, St Columba’s School (Equipment)
Orange Juice	Rotary Club of Tocumwal and Smithers Citrus



Items for Noting

Marketing and promotion of the event included:

- Registration with Childrens Week NSW
- Promotional Products Logos Childrens Week NSW
- Copies of posters distributed to all Public Schools, Primary Schools and Pre-Schools for inclusion in School Newsletters

The project proposal for Children's Week identified a target audience of 300 children aged 3 years to 14 years and their families. This year as in other year's Kids Fest volunteers included local high school students who assisted with face painting and who will be recognised and receive a certificate from the Council's Youth Development Committee.

Project Evaluation

The budget for this event was \$3000: \$2000 allocated by Council for Kids Fest and a further \$1,000 drawn from Council's targeted cultural activities budget. The additional funds were used to secure the services of Outback Youth Theatre – Deniliquin. Kids Fest was in this instance used to test the likely support for an upcoming Youth Development Committee sponsored Workshop planned for January 2015. Based on the level of engagement Outback Youth Theatre experienced at Kids Fest we have been advised by Outback Youth Theatre – Deniliquin that it is confident that planning for a drama program in the Shire should proceed.

Overall, attendance numbers were excellent with all events attracting a new cohort of children and families from previous years. The reach of Kids Fest was also extended to local schools with the artist engaged by Council from Outback Youth Theatre – Danielle O'Keefe also conducting drama workshops at the following schools:

St Columba's Berrigan; Berrigan Public School; Sacred Heart Tocumwal, Tocumwal Public School, Barooga Public School; and Finley Public School.

Attendance

Barooga	40
Finley	55
Berrigan	60
Tocumwal	70
School Based Drama	150
Total	375

Items for Noting

Also included hereunder is a letter of thanks from St Columba's Primary School.

St. Columba's Primary School

22 October 2014

Anne Nevins
Library Manager
Berrigan Shire Council
52-54 Chanter Street
BERRIGAN NSW 2712

Dear Anne

I write to thank you for the opportunity for our students to participate in the drama workshop with Danielle O'Keefe on Tuesday 21 October as part of the Children's Week celebrations.

The children thoroughly enjoyed the activities conducted by Danielle and it was a valuable learning experience for them.

I look forward to the schools involvement with the Children's Week activities in 2015.

Yours sincerely



Michael Connell
Principal

NOTING

Items for Noting

6.2 RUBBISH DISPOSAL – BAROOGA NATIONAL AND REGIONAL PARKS

AUTHOR: General Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 1.2 Retain the diversity and preserve the health of our natural landscapes and wildlife

FILE NO: 31.160.3

REPORT:

The Chairman of Barooga Advancement Group has written to advise of the group's concern with the removal of the bins from the National and Regional Parks in the vicinity of Barooga.

Whilst not stated the inference is that the NSW National Parks and Wildlife Service has removed the bins from the Parks following the Council's recent decision not to provide it with free disposal at Council landfills.

The Chairman expresses his concern that there will be a build of rubbish in the Parks during the camping season and puts forward the following ideas for consideration:

- Maybe the bins can be there just for camping season.
- Barooga Advancement Group can run an awareness campaign locally that these bins are not for local residents
- put signage around the bins "only for campers"
- put a CCTV at each site to monitor local use
- share the costs between National Parks and Berrigan Shire (not sure who pays for it now)
- Or we have a Barooga transfer station at Berrigan Road corner for example, we have a levy on our rates
- maybe BAG could run a half yearly "hard rubbish weekend" where all hard rubbish goes on the kerb, all the hoarders take what they want and the rest goes to the tip

While some of the above have merit the fact remains that the NSW National Parks and Wildlife Service are responsible for the operational costs associated with its Parks in exactly the same way as the Council and other Authorities are for their areas of responsibility.

Items for Noting

6.3 YOUTH DEVELOPMENT COMMITTEE 2014

AUTHOR: Strategic & Social Planning Coordinator

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 2.1 Berrigan Shire 2022 objective and strategies inform Council planning and community led projects

FILE NO: 02.036.7

REPORT:

The Berrigan Shire Youth Development Committee is allocated on an annual basis upwards of \$10,000 per year and only draws on this amount on an as needed basis. The flexibility of this arrangement recognises that from time to time there will be an active group of young people who have the support of community members. While at other times there may be limited adult support and mentoring available to young people or limited interest by the young people themselves.

The past 12 months has seen the re-emergence of a cohort of young people who are active in their community and who have adult mentors. Consequently the Committee has had a very successful and busy 12 months initiating, promoting and or sponsoring the following projects:

Activity	Date	Number of Young People
<ul style="list-style-type: none"> Friday Night Dance Party – Masquerade Ball 	21 st November 2013	60 participants / 10 young people on the organising committee
<ul style="list-style-type: none"> Turn It Up Mulwala – Bus 	21 st December 2013	4

NOTING

Items for Noting

Activity	Date	Number of Young People
<ul style="list-style-type: none"> • Finley Fun Run a youth initiated fund raiser for Timor Leste. Committee assisted with a small grant and event risk management / insurance cover 	8 th February 2014	100 people attended the event; 13 volunteers registered on the day which raised \$1,000 and helped send 9 young people to Timor Leste
<ul style="list-style-type: none"> • Youth Week 2014 -- this year's events' include: <ul style="list-style-type: none"> ○ Finley High School Youth Day 11 April 2014 ○ Promotion of Youth Week at Employment Expo 9 April 2014; an ○ Street Art Workshop at the Berrigan Library 12 April 2014 and ○ Installation of Street Art Designs from the workshop at the Berrigan Skate Park 13 April 2014 	9-13 th April 2014	<p>A total of 250 young people benefited from these activities with up to 30 young people involved in planning Youth Day Events, and initial planning for Street Art Workshop</p> <p>Council and a NSW State Government Youth Week Grant funded these activities</p>
<ul style="list-style-type: none"> • International Children's Games: 	March 2014 – December 2014	An ongoing project this year the Committee has been involved in fundraising and promoting this activity. It is funding cost of travel to and from the Games. A team of 12 young people will compete in swimming and athletics. Local Service Clubs and businesses have assisted with fundraising efforts needed to cover the costs associated with competition uniforms

Items for Noting

In addition to these projects the Committee's Youth Development Grant Application program has received applications and awarded grants to young people and or grant applicants for the following:

Applicant	Activity Funded/Supported	Amount
Yasmin McGrath/Matt McVeigh	Finley Fun Run	\$300
Liam (Thomas) Burton	Travel Costs associated with Australian Age and MultiClass Swimming Championship	\$250
Kieran Davis (Finley High School Yr 10 Coordinator)	Yr 10 Camp – sponsorship and contribution towards the cost of this camp for 4 students who would otherwise not be able to afford to participate in this activity	\$1600
Tyson Peters / Joshua Barrett and Youth Outback Theatre Deniliquin	Breaking Down the Barriers – Youth Drama Festival scheduled for January 2015	\$2000

Finally the Committee also awards certificates recognising the contribution of young people who have assisted at Community Events or been part of the organising committee for Youth Development Committee sponsored events and activities. In the past 12 months the following young people have been recognised by the Committee and received a Certificate of Appreciation.

Young Person	Activity
Joshua Barrett	Childrens Week 2013 – Face Painting
Emily Collier	Childrens Week 2013 – Face Painting
Jasmine Collier	Childrens Week 2013 – Face Painting
Tyson Peters	Childrens Week 2013 – Face Painting
Lii Vitale	Childrens Week 2013 – Face Painting
Maice Close	Masquerade Ball 21 st November 2013
Shinae Harrison	Masquerade Ball 21 st November 2013
Sarah Wallis	Masquerade Ball 21 st November 2013
Kate Whiley	Masquerade Ball 21 st November 2013
Zoe Richardson	Masquerade Ball 21 st November 2013
Matt McVeigh	Masquerade Ball 21 st November 2013
Millie Naicori	Masquerade Ball 21 st November 2013
Tom Burns	Masquerade Ball 21 st November 2013
Caitlin Pettit	Childrens Week 2014 – Face Painting
Lii Vitale	Childrens Week 2014 – Face Painting
Jasmine Houzaife	Childrens Week 2014 – Face Painting
Dasee Purtell	Childrens Week 2014 – Face Painting
Eliza Purtell	Childrens Week 2014 – Face Painting
Indi Fraser	Childrens Week 2014 – Face Painting

NOTING

Items for Noting

Young Person	Activity
Sabrina Taylor	Childrens Week 2014 – Face Painting
Dora Miaolous	Childrens Week 2014 – Face Painting

Items for Noting

6.4 NATURAL DISASTER FUNDING ARRANGEMENTS – DRAFT REPORT

AUTHOR: General Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities

FILE NO: 15.128.27

REPORT:

The following information appeared in the 3rd October 2014 edition of the LGNSW Weekly:

The Productivity Commission has released the draft report for the Natural Disaster Funding Arrangements inquiry. The draft report includes a range of recommendations, many of which will impact Local Government. Councils are encouraged to lodge submissions on the draft report.

In the Natural Disaster Funding Arrangements inquiry draft report the Productivity Commission (PC) recommends a major restructure of Australian Government funding for natural disasters.

The draft report proposes several options to reform the funding arrangements for natural disaster relief and recovery. It also presents recommendations relating to natural hazard mitigation funding, land use planning, insurance, and natural hazard information.

The PC preferred option is to reduce support under the Natural Disaster Relief and Recovery Arrangements (NDRRA) by increasing the small disaster criteria from \$240,000 to \$2 million, increasing the annual eligibility thresholds, and having a flat cost sharing rate of 50 per cent.

The draft report includes the recommendation for the Australian Government to gradually increase annual mitigation expenditure from about \$40 million to \$200 million annually, with distribution to the states and territories on a per capita basis, conditional to matched funding contributions.

Extracts of some of the draft recommendations that directly impact on Local Government are presented below:

3.4: State, territory and local governments should further investigate non-traditional insurance products for roads.

4.2: State and territory governments, local governments and insurers should explore opportunities for collaboration and partnerships.

NOTING

Items for Noting

- 4.4: *State governments should:*
 - Provide local governments with guidance on how to prioritise competing objectives within land use planning*
 - Provide local government with guidance on how to integrate land use planning and building standards.*
 - Furthermore, local governments should publish the reasoning behind development assessment decisions.*
- 4.5: *The onus is on state governments to ensure that local governments in their jurisdiction are sufficiently resourced to effectively implement their land use planning responsibilities. State governments should review the adequacy of local governments' resources and capabilities, and provide further resources and support where they are not adequate.*
- 4.6: *State governments should provide additional support and guidance to local governments that addresses the extent of local governments' legal liability when releasing natural hazard information and making changes to land use planning regulations.*

Councils are encouraged to lodge submissions to the draft report and/or attend the public hearing in Sydney. LGNSW welcomes any feedback from councils and copies of their submissions to incorporate into our representations.

The time to attend information sessions and make a submission have passed however the general tenor of the report is obviously of concern and reflects the apparently current federal position of divesting costs to other levels of government.

The draft report also apparently fails to recognize that the federal government is the only level of government with the capacity to address the impacts of significant natural disasters.

Items for Noting

6.5 WORK HEALTH & SAFETY COMMITTEE

AUTHOR: Enterprise Risk Manager

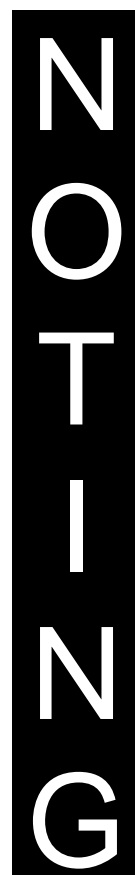
STRATEGIC OUTCOME: Good government

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

FILE NO: 15.128.27

REPORT:

Minutes of the last meeting held on 6th November are attached as Appendix "L"



Items for Noting

6.6 DEVELOPMENT DETERMINATIONS FOR MONTH OF OCTOBER 2014

AUTHOR: Executive Support Officer

STRATEGIC OUTCOME: Good government

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

REPORT: APPLICATIONS DETERMINED FOR OCTOBER

Application	Description	Property Location	Applicant	Owner	Status	Value	Days Taken		
21/15/DA/D2	Barooga Professional Bull Riding Event	18-38 BURKINSHAW STREET, BAROOGA NSW 3644 (LotPT261//DP1138087)	Barooga PBR	DEPARTMENT OF LANDS	OF Approved 29-10-2014	\$ 0.00	Active 1	Total 56	
31/15/DA/DD	Upgrade of Skate Park	102-108 DENILIQWIN STREET, TOCUMWAL NSW 2714 (Lot8/29/DP758981)	Berrigan Shire Council	BERRIGAN SHIRE COUNCIL	Approved 22-10-2014	\$ 155000.00	Active 26	Total 26	
33/15/DA/DM	Relocation of Shipping Container and Transportable Building	60 MORRIS DRIVE, TOCUMWAL NSW 2714 (Lot29//DP270154)	Mr Paul Boaden	MR P R BOADEN & MRS D S BOADEN	Approved 21-10-2014	\$ 1000.00	Active 23	Total 23	
34/15/DA/DM	Strawberry Fields Festival 2014	LOWER RIVER ROAD, TOCUMWAL NSW 2714 (Lot129//DP752304)	Mr William Staughton	REDGUM AUSTRALIS LTD	Approved 17-10-2014	\$ 0.00	Active 20	Total 20	
19/15/CD/M8	Residential Storage Shed	10 BELINDA COURT, TOCUMWAL NSW 2714 (Lot11//DP270154)	Mr Claudio Dedomenico	CRAWFORD CONTRACTORS PTY LTD	Approved 07-10-2014	\$ 19950.00	Active 11	Total 11	
35/15/DA/D1	New Dwelling	BUSHLANDS ROAD, TOCUMWAL NSW 2714 (Lot7//DP286078)	Ms Lisa Van Soest	VAN SOEST INVESTMENTS FAMILY PTY LTD	Approved 21-10-2014	\$ 170000.00	Active 18	Total 18	
20/15/CD/M5	Inground Fibreglass Swimming Pool	7 FRANKS ROAD, BAROOGA NSW 3644 (Lot11//DP1142719)	Poolside Cobram	MR CD BROWN & MRS KN BROWN	Approved 07-10-2014	\$ 26990.00	Active 7	Total 7	
21/15/CD/M4	Pergola	21-22 KEOGH DRIVE, TOCUMWAL NSW 2714 (Lot33//DP1118257)	Mr Kevin Sidebottom - GV Carports	MR GCJ CARR	Approved 08-10-2014	\$ 19900.00	Active 5	Total 5	
36/15/DA/D5	Carport	20 NANGUNIA STREET, BERRIGAN NSW 2712 (Lot1//DP567135)	Grandame Nominees Pty Ltd	MR D HUGHES	Approved 17-10-2014	\$ 5471.00	Active 11	Total 11	
37/15/DA/D5	Carport	3 HARLEY COURT, FINLEY NSW 2713 (Lot14//DP713898)	Mr Paul Dundon	MR P A DUNDON	Approved 30-10-2014	\$ 3000.00	Active 20	Total 20	

NOTION

Items for Noting

22/15/CD/MM	BBQ and Steel Structure	65-75 MURRAY STREET, Boomerang Way TOCUMWAL NSW 2714 (Lot6//DP851337)	Tourist Park	MR NL HUGGINS AND MRS KKH09-10-2014 HUGGINS	Approved	\$ 15000.00	Active	Total	2	2
23/15/CD/PC	BV Dwelling & Attached Garage	15 LEWIS CRESCENT, FINLEY NSW 2713 (Lot14//DP1097289)	JG King Homes	BERRIGAN SHIRE COUNCIL	Approved 09-10-2014	\$ 249586.00	Active	Total	1	1
24/15/CD/M6	Pergola	11 CHOMLEY CLOSE, BAROOGA NSW 3644 (Lot13//DP1110970)	Apollo Patios Vic	MR GUMBLETON MISS MK LA ROSE	MP Approved AND 14-10-2014	\$ 13431.00	Active	Total	1	1
39/15/DA/D1	BV Dwelling & Attached Garage	7 MAJUDA COURT, TOCUMWAL NSW 2714 (Lot68//DP1131677)	Kennedy Builders	D BARNES MCMILLAN BROWN CARAPELLOT	M Approved N 30-10-2014 A	\$ 210000.00	Active	Total	12	12
40/15/DA/D1	BV Dwelling & Attached Garage	30 ANTHONY AVENUE, TOCUMWAL NSW 2714 (Lot55//DP1131677)	Kennedy Builders Pty Ltd	AC, LM & KENNEDY	KM Approved 30-10-2014	\$ 210000.00	Active	Total	12	12
25/15/CD/M4	Residential Storage Shed	8 NUGGET FULLER DRIVE, TOCUMWAL NSW 2714 (Lot104//DP1070311)	Mr Brian Jaques	MR BD JAQUES & MS BL JAQUES	Approved 17-10-2014	\$ 9400.00	Active	Total	1	1
46/15/DA/D5	Residential Storage Shed	12-14 BROWNE STREET, TOCUMWAL NSW 2714 (Lot2/38//DP758981)	Bernard Gierveld	MR BJ GIERVELD & MRS ME GIERVELD	Approved 28-10-2014	\$ 35022.00	Active	Total	4	4
26/15/CD/M6	Pergola	71 MURRAY STREET, FINLEY NSW 2713 (Lot9//DP1003538)	Ms Kaila Murrowood	MR MURROWOOD	PJ Approved 27-10-2014	\$ 3500.00	Active	Total	1	1
27/15/CD/M6	Skillion Verandah	14 KAMAROOKA STREET, BAROOGA NSW 3644 (Lot8//DP238626)	Mr Kevin Sidebottom	MR CP ADKINS	Approved 30-10-2014	\$ 8470.00	Active	Total	1	1
28/15/CD/M5	Inground Fireglass Swimming Pool	12-14 BROWNE STREET, TOCUMWAL NSW 2714 (Lot2/38//DP758981)	Naughtons Pools	MR BJ GIERVELD & MRS ME GIERVELD	Approved 31-10-2014	\$ 35750.00	Active	Total	1	1
45/15/DA/D3	Grain Bunker	14 STRATHVALE ROAD, BERRIGAN NSW 2712 (Lot12//DP819654)	Mr John McNaught	NSW GRAIN CORPORATION LTD	Approved 12-11-2014	\$ 60000.00	Active	Total	16	16
48/15/DA/D1	BV Dwelling & Attached Garage	15 GYPSIE CRESCENT, BAROOGA NSW 3644 (Lot44//DP1110847)	Mr Tim Kuepers	MR DC WILSON & MS BR ANTHONY	Approved 11-11-2014	\$ 278000.00	Active	Total	8	8

APPLICATIONS PENDING DETERMINATION AS AT 12/10/2014

Application No.	Date Lodged	Description	Property Location
29/15/DA/DD	11-09-2014	Upgrade of Public Boat Ramp	BAROOGA NSW 3644 (Lot80//DP752274)
30/15/DA/DD	12-09-2014	Upgrade of Skate Park	82-96 DENISON STREET, FINLEY NSW 2713 (Lot1/18//DP758412)
41/15/DA/D3	16-10-2014	Storage Units	119-121 HOWE STREET, FINLEY NSW 2713 (Lot7//DP251191)
43/15/DA/DM	20-10-2014	Change of Use - Open 24 hour Service Station	16-20 MURRAY STREET, FINLEY NSW 2713 (Lot8/C//DP3407)
44/15/DA/D5	20-10-2014	Residential Storage Shed	17 ANDERSON STREET, FINLEY NSW 2713

NOTING

Items for Noting

			(Lot10//DP819958)
47/15/DA/DM	24-10-2014	Storage Shed	BAROOGA ROAD, TOCUMWAL NSW 2714 (Lot1//DP286078)
49/15/DA/D5	03-11-2014	Rural Shed	14 BABS COURT, TOCUMWAL NSW 2714 (Lot1//DP1193573)
29/15/CD/M1	04-11-2014	BV Dwelling	BAROOGA-TOCUMWAL ROAD, BAROOGA NSW 3644 (Lot7//DP1138900)
50/15/DA/D4	05-11-2014	Drainage/Recycle System	CARAMAR ROAD, BAROOGA NSW 3644 (Lot1//DP206634)
29/15/DA/DD	11-09-2014	Upgrade of Public Boat Ramp	BAROOGA NSW 3644 (Lot80//DP752274)
30/15/DA/DD	12-09-2014	Upgrade of Skate Park	82-96 DENISON STREET, FINLEY NSW 2713 (Lot1/18/DP758412)
41/15/DA/D3	16-10-2014	Storage Units	119-121 HOWE STREET, FINLEY NSW 2713 (Lot7//DP251191)

TOTAL APPLICATIONS DETERMINED / ISSUED

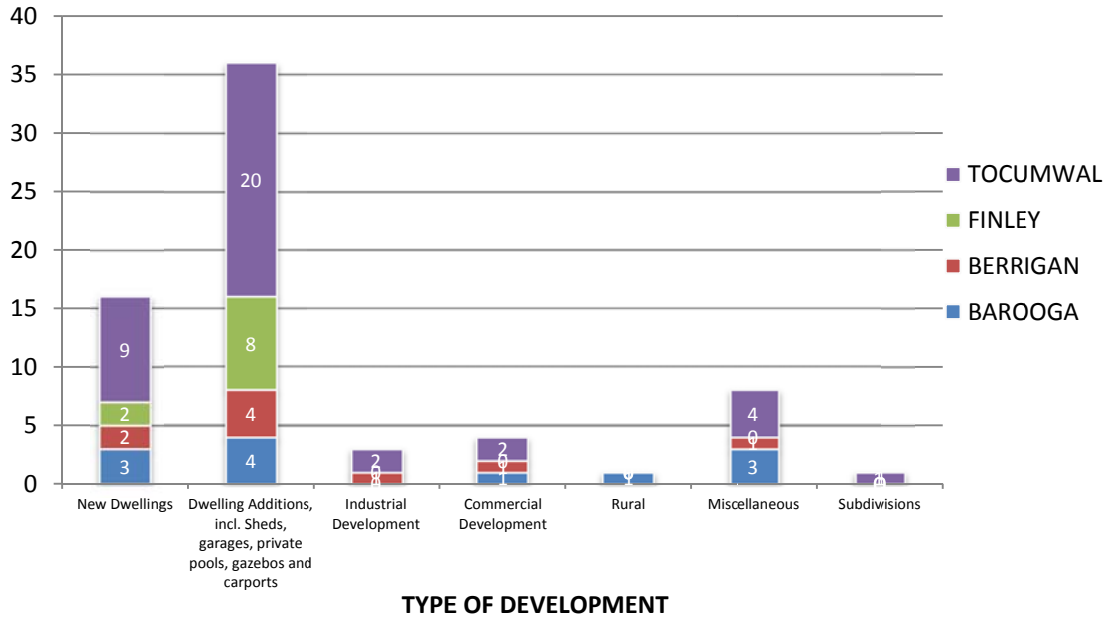
	This Month (October)	Year to Date	This Month Value	Year to Date Value
<i>Development Applications Determined</i>	12	42	\$1,127,493.00	\$5,992,974.00
<i>Construction Certificates Issued</i>	7	29	\$873,493.00	\$3,119,382.00
<i>Complying Development Cert. Issued</i>	10	27	\$401,977.00	\$1,258,342.00
<i>Local Activity Approvals Issued</i>	8	26	0	0

OTHER CERTIFICATES ISSUED FOR OCTOBER

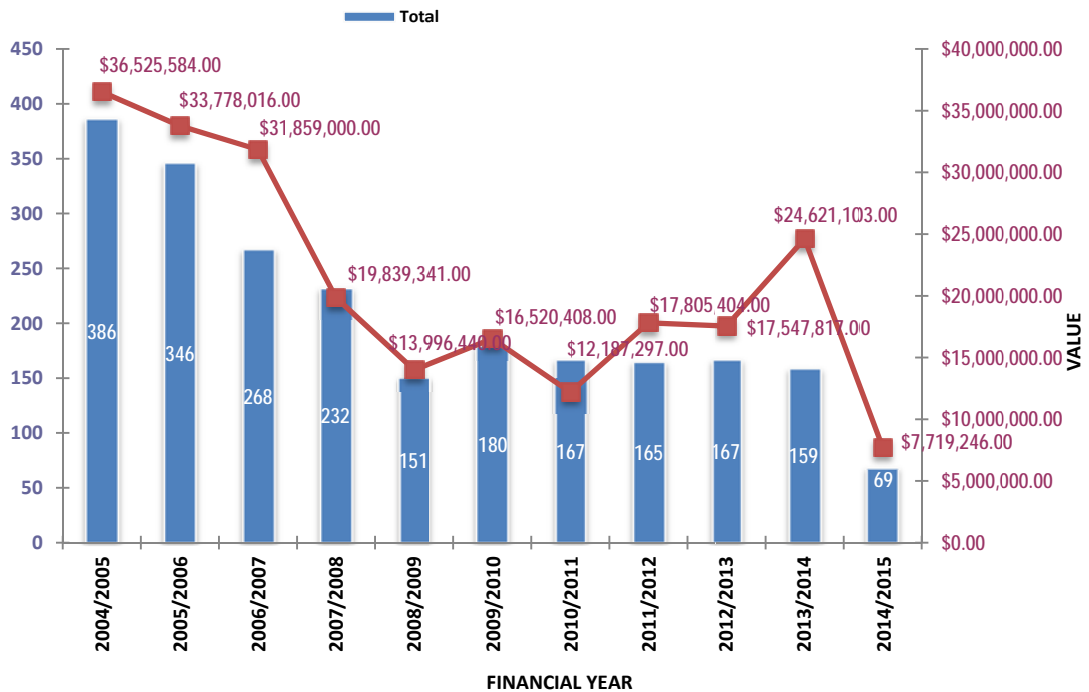
	149(2) Planning Certificate		149(5) Certificate		735A Certificate Outstanding Notices or Orders under LG Act 1993		121zp Certificate Outstanding Notices or Orders under EP&A Act 1979		149(D) Building Certificate		Swimming Pool Certificate	
	Oct	Year Total	Oct	Year Total	Oct	Year Total	Oct	Year Total	Oct	Year Total	Oct	Year Total
BAROOGA	2	22	0	0	0	0	0	0	0	0	0	1
BERRIGAN	4	19	0	1	4	5	1	1	0	2	0	0
FINLEY	8	40	0	3	0	0	0	0	0	0	0	0
TOCUMWAL	10	39	0	0	0	0	0	0	0	1	0	0
TOTAL	24	120	0	4	4	5	1	1	0	3	0	1

Items for Noting

DEVELOPMENT ACTIVITY 2014 / 2015



DEVELOPMENT ACTIVITY



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7.1 MINUTES FOR CORPORATE SERVICES COMMITTEE MEETING HELD ON WEDNESDAY 5TH NOVEMBER, 2014.

RECOMMENDATION – that Recommendation No. 1 of the Corporate Services Committee meeting held on Wednesday 5th November, 2014 be adopted:

RECOMMENDATION NO. 1 - that the Council

- a) Note the submissions received by it as part of the consultation undertaken about the suggested renaming of interrupted urban streets and unnamed service lanes in the retail centres of Tocumwal, Finley and Berrigan
- b) due to the potential risks posed to Council and residents by the confusion that does arise for emergency services needing to access properties (in an emergency) in streets which are interrupted and or unnamed lanes that Council in accordance with the provisions of the Councils Street and Public Place Naming Policy, the Roads Act 1993 and the Roads (General) Regulation 2008, adopt the following street names:

TOCUMWAL		
Current Street Name/ Section	Recommended new name	Background to recommended new name
Tuppal Street 2 - 36	Boyd Street	Early holder of land included in Tuppal & Barooga Stations pastoral leases
Tuppal Street 38 - 120	Falkiner Street	Early owner of Tuppal Station
Adams St 35 - 49	Becomes Cobram Street	Natural continuation of the street (suggested at street meeting)
Adams Street 51 - 102	Calaway Street	Original Shire engineer 1906
Lane (between River and Morris Street)	Sandy Lane	Long standing family name in the Tocumwal area
Charlotte Street 71 - 92	Centurion Track	Multiple generations residents of Charlotte Street ex service personnel (suggestion came from street meeting)
Anzac Avenue 26 -35	Browne Street	Natural continuation of the street

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TOCUMWAL		
Current Street Name/ Section	Recommended new name	Background to recommended new name
Browne Street 2 -19	Browne Street	Re-numbering needed to accommodate inclusion of Anzac Avenue as part of Browne Street
Hillson Street 13 - 20	Ball Court	Shire President 1943 JP Ball

FINLEY		
Current Street Name/ Section	Recommended new name	Rationale for new name
Warmatta Street (West of Murray Street)	Pinnuck Street	Shire President 1934 G Pinnuck 1967 HE Pinnuck 1971 HE Pinnuck
Headford Street (West of Murray Street)	Ulupna Street	Town called Ulupna after 'Murray Hut' and before 'Finley' Parish name Farm name
Osborne Street (West of Murray Street)	Scoullar Street	Shire President 1937 OG Scoullar
Townsend Street (West of Murray Street)	McNamara Street	Early farmer, storekeeper and owner of Finley Free Press

FINLEY		
Current Street Name/ Section	Recommended new name	Rationale for new name
Warmatta Street (West of Murray Street)	Pinnuck Street	Shire President 1934 G Pinnuck 1967 HE Pinnuck 1971 HE Pinnuck
Headford Street (West of Murray Street)	Ulupna Street	Town called Ulupna after 'Murray Hut' and before 'Finley' Parish name Farm name
Osborne Street (West of Murray Street)	Scoullar Street	Shire President 1937 OG Scoullar
Townsend Street (West of Murray Street)	McNamara Street	Early farmer, storekeeper and owner of Finley Free Press

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- c) take the following actions to support residents and business affected by the change:
- i. In accordance with Roads Act 1993, Roads Regulation 2008 Naming of Roads that it publish Notice of the new name in the NSW Government Gazette and in local newspapers and inform the prescribed authorities listed in Reg. 9 (b) of the Regulation
 - ii. Update national street address data bases used by banks, insurance companies, power companies, government departments
 - iii. Write to all affected property owners advising them of the new street name and property address
 - iv. Use an unaddressed mail service to deliver general advice of the street name change to all premises in an affected street
 - v. Install and improve street signs in the affected streets
 - vi. Write to local banks, neighbouring Councils in Victoria and NSW and advise them of the changes
 - vii. Provide to local business on request or through local Chambers an electronic copy of affected addresses and new addresses in excel format so that local business can more easily update their data bases
 - viii. Print and deliver to all households translation tables for any street or section of street in their town that may be changed

Assist older residents and the disabled through its Library and Home and Community Care Service with any problems they may experience with change of address.

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7.2 MINUTES FOR THE MEETING OF THE RISK MANAGEMENT COMMITTEE HELD WEDNESDAY, 5TH NOVEMBER, 2014.

RECOMMENDATION – that Recommendation No. 1 of the Risk Management Committee meeting held on Wednesday 5th November, 2014 be adopted:

4. HEAT STRESS POLICY

AUTHOR: Enterprise Risk Manager

STRATEGIC OUTCOME: Good government

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

FILE NO: 27.121.2

RECOMMENDATION NO. 1: - that Council

1. revoke Policy 34 “Heat Stress Policy” adopted on 20th October, 1999 and
2. adopt the Heat Stress Policy as outlined below:

1. POLICY STATEMENT

Council acknowledges its responsibilities under the *Work Health and Safety Act 2011* to provide as far as reasonably practicable, a healthy and safe workplace for all Council workers, and will eliminate exposure to extreme heat or adopt control measures to minimise exposure wherever elimination is not possible.

2. PURPOSE

The purpose of this policy is to provide guidance to all staff when working in heat, to understand the health implications for working in extreme conditions, and to implement control measures when required.

3. SCOPE

This policy applies:

- To all workers of the Berrigan Shire Council including volunteers and contractors;
- Generally, to work situations involving manual activities performed outdoors, or work involving the generation of heat.

4. OBJECTIVE

This policy is designed to assist the Council to meet the following Delivery Plan objective:

Committee meeting reports

2.2.2 Council operations support ethical, transparent and accountable corporate governance.

5. DEFINITIONS

Working in heat can be as a result of working outdoors in hot weather or where heat is generated as part of a work activity. Heat stress results when the body is unable to sufficiently cool itself and usually requires a combination of risk factors.

Those factors include:

- Temperature
- Humidity
- Amount of air movement
- Radiant temperature of surroundings
- Clothing
- Physical activity
- Poor health

Heat discomfort is what many people feel when it is hot. It is not a medical condition like heat stress and therefore is not considered a risk to health.

People who work indoors or do light work are unlikely to suffer from heat stress and any discomfort caused by increased temperatures can be managed by:

- Increasing air movement
- Providing air conditioning (where practical)
- Providing access to cool water
- Wearing suitable loose fitting clothing

Workers involved in manual activities conducted outdoors are at greater risk of developing heat stress.

Workload types:

Workloads		
Heavy	Medium	Light
Manual work involving repetition and the use of very high force such as digging, jack-hammering, sawing, shovelling, etc.	Manual work where machinery can be utilised limiting physical exertion such as lawn mowing, forklift operation, backhoe operation, line marking, etc.	Manual work or supervisory work requiring very little physical exertion such as litter collection, preparing signs, lifeguard operations, inspection and testing regimes.
Manual work involving the use of spark-creating equipment such as chainsaws, blow torches, pneumatic		

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equipment, concrete saws, etc.		
Physical work such as concreting, spraying, laying pipes, etc.		Work that can be relocated to indoors, such as cleaning workspaces or amenities, bookwork, etc.

The key to effective management of heat stress is to plan in advance giving consideration to expected weather conditions, rather than reacting to weather conditions as they occur.

To minimise the effects of hot weather on staff and the Council's work program, management and overseers must monitor expected weather conditions and plan accordingly.

6. POLICY IMPLEMENTATION

6.1 Responsibilities

Temperatures will be monitored by the relevant Manager or Overseer during hot days with reference to the Bureau of Meteorology forecasts, and NSW Health heatwave alerts, to ascertain the predicted temperatures scheduled over the working week. The Manager or Overseer will then make any necessary arrangements to reduce the risks to workers.

The Director Corporate Services will ensure that lifeguards and S355 Committees of Council are adequately informed of Council procedures for working in extreme conditions.

Workers are responsible for advising Managers or Overseers of conditions that may increase the risk of heat stress.

Management of heat stress is a shared responsibility between management and each individual.

6.2 Temperature Monitoring and Risk Management

Outdoor temperatures and relative humidity in the Berrigan Shire vary significantly. Extra care must be taken on extremely hot days and on days where humidity is high.

These guidelines are in place to assist Managers/Overseers in assessing workloads against forecasted temperatures and

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conditions, to program work and decide upon control measures to be adopted, to reduce the risk of heat stress on workers.

When temperatures are forecast to reach or exceed 40°C, Managers/Overseers will consult with workers involved in heavy or medium manual work, at various forums such as Tool Box Meetings and Site Meetings, to set break times, and discuss additional measures if required. Measures to be implemented will be documented on the Site Specific Risk Assessment/Tool Box Meeting record, signed by relevant workers, and included on Safe Work Method Statements.

Works are not permitted to proceed on a day where the temperature is predicted to reach or exceed 40°C without the Site Specific Risk Assessment/Tool Box Meeting record completed, addressing additional control measures, and signed by all workers.

6.3 Personal Risk Factors

People respond differently to heat, and some workers may experience distress or symptoms of heat stress at temperatures less than 40°C.

This can be due to a number of risk factors including:

- Poor physical fitness
- Obesity
- Pre-existing medical conditions or treatments
- Use of medication
- Chronic skin disorders

Under these circumstances, workers are encouraged to speak with their Manager, Overseer or Ganger to arrange additional or alternative measures.

The table below is a reference to determine actions:

Control Measure	Temp. °C
Standard Operating Procedures in place. Employees who are at risk are required to discuss their individual circumstances with their Manager, Overseer or Ganger.	Up to 40°C
Heat Stress identified on Site Specific Risk Assessment, with	40°C and above

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<p>additional control measures discussed and documented on the Tool Box Meeting Record.</p>	
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This table is indicative only as other variables can have a significant effect on an individual including exposure to additional heat sources such as machinery, and bituminous work.

Operators of air-conditioned plant or equipment and staff working in air-conditioned buildings are exempt from increased break times or inclusion in the Heat Stress Management Plan.

6.4 Heat Stress Management

The Tool Box Meeting Record will outline additional control measures to be implemented to manage heat stress.

Actions that may influence work and measures adopted for heat stress management include the following:

- a) Where possible, flexibility in starting times and work programming/planning is to be considered to enable the programmed works to be completed before the forecast hottest part of the day and prior to the temperature reaching 40°C;
- b) The expected duration of excessively high temperatures should be considered before the workload is programmed with alternative arrangements considered, such as using plant instead of manual labour;
- c) Employees should be relocated to duties of a light workload as the temperature increases and subsequently when the temperature drops, heavy or medium duties can be resumed;
- d) Employees whose duties require them to be outside are required to wear the protective clothing and equipment provided. This includes the wearing of Council issued clothing, hat, sunglasses and sunscreen;
- e) All vehicles will be fitted with air-conditioning where practicable;
- f) Additional break times will be provided;

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- g) Wherever possible, shade will be provided or alternatively shaded areas will be identified for those staff whose duties require them to be outside;
- h) Job rotation particularly for traffic controllers during roadworks will be made available where possible. This will allow workers an opportunity to work from air-conditioned plant for longer periods;
- i) Depot lunch rooms will be fitted with air-conditioning where practical or appropriate;
- j) Drink bottles are made available for all outdoor workers. All workers have access to cool water prior to works commencing and throughout the day. For remote worksites, workers will be given the opportunity to refill their drink bottles if required, or where this is difficult, alternatives will be made available such as the provision of bottled water;
- k) Information regarding working in heat, and recognising the symptoms of heat stress is issued to all outdoor workers including volunteers.

6.5 Contractual/Emergency Obligations

All works that have commenced and have subsequently halted due to extreme temperatures/conditions, need to be completed or made safe as a minimum requirement.

In meeting emergency situation requirements in accordance with the specification, works shall continue. An emergency roster will be developed to ensure sufficient staff are present to enable appropriate breaks to be taken.

7. RELATED POLICIES OR STRATEGIES

Work Health and Safety Act 2011
Work Health and Safety Regulations 2011
Local Government (State) Award 2010
Work Health and Safety Policy
Clothing and Protective Equipment Policy

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**7.3 MINUTES FOR THE MEETING OF THE
TECHNICAL SERVICES COMMITTEE HELD
WEDNESDAY, 5TH NOVEMBER, 2014**

RECOMMENDATION – that Recommendation No. 1 of the Technical Services Committee meeting held on Wednesday 5th November, 2014 be adopted:

5.1 RECONSTRUCTION OF BROUGHANS ROAD
AUTHOR: Director Technical Services
STRATEGIC OUTCOME: Sustainable natural and built landscapes
STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities
FILE NO: 28.051.3

RECOMMENDATION NO. 1 - that Council proceed with the reconstruction of Broughans Road as per the adopted capital works program and that consultation continue with residents of the affected area regarding the final alignment of the road and location and nature of compensatory tree plantings.

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**7.4 MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
HELD BY CORRESPONDENCE DATED OCTOBER 2014**

RECOMMENDATION – that Recommendation No. 1 of the Local Traffic Committee meeting held on Wednesday 5th November, 2014 be adopted:

NEW BUSINESS

- 1. BERRIGAN ANNUAL COMMUNITY CHRISTMAS NIGHT MARKET ROAD CLOSURE – CHANTER STREET, BERRIGAN**

RECOMMENDATION NO. 1. – that Council approve the application received from the Berrigan District Development Association for the closure of Chanter Street, between Jerilderie Street and Drummond Street, Berrigan, on Friday 5th of December, 2014 for their annual Christmas market night.

Items requiring Council Resolution

8. MAYOR'S REPORT

RECOMMENDATION – that the Mayor's Report be received.

RESOLUTION

Items requiring Council Resolution

9. DELEGATES REPORT

RESOLUTION

Items requiring Council Resolution

10. GENERAL BUSINESS

RESOLUTION