



**Minutes of the Council Meeting held in the Council Chambers on Wednesday, 20<sup>th</sup> April, 2016 commencing at 9.40 am.**

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**Min. No. Present:** Cr. Bernard Curtin (Mayor)

Crs: John Bruce, Matthew Hannan, Brian Hill, Denis Glanville, Colin Jones, Daryll Morris, Andrea O'Neill, Director of Corporate Services (Matthew Hansen), Director Technical Services (Fred Exton), Development Manager (Laurie Stevens) and General Manager (Rowan Perkins).

**Apology**

Nil

**Declaration of Items of Pecuniary and other Interests**

nil

**4. CONFIRMATION OF MINUTES**

**80 RESOLVED** Crs: Hill and O'Neill that the Minutes of the meeting held in the Council Chambers on Wednesday, 16<sup>th</sup> March, 2016 be confirmed.

**5.1 FINANCE – ACCOUNTS**

**AUTHOR:** Finance Manager

**STRATEGIC OUTCOME:** Good government

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

**81 RESOLVED** Crs: O'Neill and Glanville that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 March 2016, be received and that the accounts paid as per Warrant No. 0316 totalling \$2,026,132.13 be confirmed.

**5.2 COUNCILLORS AND OFFICERS LIABILITY INSURANCE**

**AUTHOR:** Enterprise Risk Manager

**STRATEGIC OUTCOME:** Good government

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

**FILE NO:** 27.034.1

**Min. No.**

All Councillors individually answered the following questions:

1. Has there been or is there now pending against any Councillor or officer of the council or its Subsidiary Companies or against any outside director a Claim against them in their capacity as such? **No**
2. Is any Councillor or officer after enquiry, aware of any circumstances which might give rise to a Claim, including but not limited to any act, error, omission, misrepresentation, breach of duty or misconduct? **No**
3. Is any Councillor or officer after enquiry, aware of any circumstances which might give rise to a prosecution proceeding, under any Work Health & Safety Act, any Environmental Protection Legislation, or any other similar Act or Legislation? **No**
4. Is any Councillor or officer after enquiry, aware of any facts or circumstances which might affect the ability of the Council or its Subsidiary Companies to meet its debts as and when they fall due? **No**

**5.3 BAROOGA WALKING TRACKS BROCHURE**

**AUTHOR: Economic Development Officer**

**STRATEGIC OUTCOME: Diverse and resilient business**

**STRATEGIC OBJECTIVE: 4.3 Diversify and promote local tourism**

**FILE NO:**

- 82 RESOLVED** Crs: Morris and Jones that Council does not fund the Barooga Walking Tracks brochure.

**5 4 REQUEST TO USE THE FINLEY WAR MEMORIAL HALL FOR TOWN AND COUNTRY BALL**

**AUTHOR: Director Corporate Services**

**STRATEGIC OUTCOME: Supported and engaged communities**

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

**FILE NO: 05.101.3**

**Min. No.**

**83**        **RESOLVED** Crs: Morris and Hill that the Council permits the Finley Football Netball Club Inc. to use the Finley War Memorial Hall for the period 20 to 27 July 2016 subject to:

1.    Payment of all applicable fees and charges for the use of the venue, including bonds, to the Finley War Memorial Hall Committee of Management
2.    Evidence of suitable public liability insurance noting the Council's interest provided to the Council
3.    A Risk Management Plan for the event- including the setting-up and cleaning up - noting the identified defects in the Hall. This should including parking, disabled and frail aged access to the building and toilets.
4.    Compliance with all other statutory and regulatory obligations that may apply, including but not limited to liquor licencing, food handling regulations and noise abatement.

**84**        **RESOLVED** Crs: Hill and Glanville that the Council here suspend standing orders to consider Item 5.9.

**5.9            DRAFT OPERATIONAL PLAN & REVIEW OF DELIVERY PROGRAM**

**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:**

**85**        **RESOLVED** Crs: Hill and Jones that the Council reviews and comments on the draft Operational Plan 2016 – 2017 and review of the Council's Delivery Program 2012 – 2017.

**86**        **RESOLVED** Crs: Hill and Morris that the Council resume standing orders.

Cr Matthew Hannan declared a Pecuniary Interest and left the Chamber at 10.08 am as he is a member of the Finley Farmers Market Committee.

**Min. No.**

**5 5            REQUEST TO USE THE FINLEY WAR MEMORIAL HALL FOR FARMERS MARKETS**

**AUTHOR: Director Corporate Services**

**STRATEGIC OUTCOME:    Supported and engaged communities**

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

**FILE NO: 05.101.3**

**87            RESOLVED** Crs: Hill and Morris that the Council permits the Finley Farmers Markets Inc. to use the Finley War Memorial Hall for four Farmers Markets to be held on:

1.    Saturday 7 May 2016
2.    Saturday 4 June 2016
3.    Saturday 2 July 2016
4.    Saturday 6 August 2016, subject to confirmation

subject to:

5.    Payment of all applicable fees and charges for the use of the venue, including any required bonds, to the Finley War Memorial Hall Committee of Management
6.    Evidence of suitable public liability insurance noting the Council's interest provided to the Council
7.    A Risk Management Plan for the event – including the setting-up and cleaning up – noting the identified defects in the Hall. This should including parking, loading and unloading stalls and disabled and frail aged access to the building and toilets.
8.    Compliance with all other statutory and regulatory obligations that may apply.

Cr Hannan returned to the Chamber at 10.12 am.

**5.6            REQUEST TO WAIVE TIPPING FEES**

**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:**

**88            RESOLVED** Crs: Jones and Glanville that the Council advise Berrigan Red Cross that it will waive tipping fees for the Red Cross

**Min. No.**

Shop for the next twelve months for the disposal of up to 6 m<sup>3</sup> of non-putrescible waste and further that, the Council staff prepare a draft Policy in relation to tipping fees for charitable organisations.

**5.7 EVENT FUNDING APPLICATION**

**AUTHOR: Economic Development Officer**

**STRATEGIC OUTCOME: Diverse and resilient business**

**STRATEGIC OBJECTIVE: 4.3 Diversify and promote local tourism**

**FILE NO: 08.063.3**

- 89 RESOLVED** Crs: Hill and Jones that the Council fund to a maximum of \$1,500 a radio campaign and a Country News advertisement to promote the Finley Show Society Three Day Sheep Dog Trials.

**5.8 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:**

- 90 RESOLVED** Crs: Morris and Glanville that the Council:
- Note the third quarterly review of the 2015/16 budget and vote the funds contained therein as shown in Appendix "C"
  - Note the Quarterly Budget Review Statement attached also as "Appendix "D"

**ITEMS FOR NOTING**

- 6.1 RATES COLLECTIONS AND OUTSTANDING DEBTORS – 3<sup>RD</sup> QUARTER REPORT 2015/2016
- 6.2 INTERNATIONAL WOMENS DAY
- 6.3 FINLEY HIGH SCHOOL YOUTH FUTURES EXPO – DATE CHANGE.
- 6.4 LETTER OF APPRECIATION
- 6.5 NSW LOCAL ROADS CONGRESS 2016
- 6.6 DEVELOPMENT DETERMINATIONS FOR MONTH OF MARCH 2016

**Min. No.**

- 91**        **RESOLVED** Crs: Glanville and Hannan that Items for Noting numbered 6.1 to 6.6 Inclusive be received and noted.

**7.1**        **MINUTES OF THE CORPORATE SERVICES  
COMMITTEE MEETING HELD ON 13<sup>TH</sup> APRIL, 2016**

- 92**        **RESOLVED** Crs: Hill and O'Neill that recommendations numbered 1 to 11 inclusive of the Corporate Services Committee Meeting held on 13<sup>th</sup> April, 2016 be adopted.

**4.        INVESTMENT GUIDELINES**

**AUTHOR: Director Corporate Services**

**STRATEGIC OUTCOME:                    Good government**

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

**FILE NO: 12.024.2**

**RECOMMENDATION NO. 1** - that the Council note the Investment Guidelines attached as Appendix "A".

**5.        DISPOSAL 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. 2** - that the Council adopt the Disposal Policy as setout below:

**00        DISPOSAL POLICY**

File Reference No:

Strategic Outcome:    Good government

Date of Adoption:        20/04/2016

Date for Review:        [Click here to enter a date.](#)

Responsible Officer:    Enterprise and Risk Manager \_\_\_\_\_

**Min. No.**

**1. POLICY STATEMENT**

Berrigan Shire Council, as identified in its Procurement and Disposal Policy adopted in 2013, has a responsibility to ensure that its disposal decisions are made in an ethical, transparent, accountable and effective manner.

This policy forms part of the Council's Procurement and Disposal Framework and should be read in conjunction with the policies and procedures that form that framework.

**2. PURPOSE**

The purpose of this policy is to ensure the Council has in place an open, fair, transparent and accountable process in the disposal of Council's surplus assets, whilst obtaining best value for money and avoiding any conflicts of interest, whether real or perceived.

**3. SCOPE**

This policy covers the disposal of all Council owned assets including but not limited to: plant, equipment, materials and stock items; office equipment and furniture; IT hardware; real estate (surplus land and buildings) and Council infrastructure.

This policy does not apply to the sale of land through subdivisions, or the sale of property for overdue rates.

This policy applies to all Councillors and staff, including volunteers of Berrigan Shire Council.

**4. OBJECTIVE**

This policy is developed to assist the Council with Delivery Plan Objective 2.2.2:

*Council operations support ethical, transparent and accountable corporate governance*

**5. DEFINITIONS**

**Asset:** An asset for the purpose of this policy is a resource controlled by Council as a result of past events and from which future economic benefits are expected to flow to the Council, e.g. surplus land, motor vehicles, plant and equipment, furniture, etc.

**Min. No.**

**Asset Disposal:** Asset Disposal is the process whereby Council divests itself of any asset in an organised, transparent and authorised manner.

**Best Value:** is whereby Council obtains the best possible return for the goods it sells in financial, social, economic and environmental terms.

**Council Officer:** Any person authorised by the Council to purchase goods or services or dispose of goods on behalf of the Council. This includes employees, volunteers, Councillors and other agents acting on behalf of the Council.

**Surplus or Scrap Materials:** This relates to surplus goods, materials or scrap material. This could include sand, gravel, soil, chemicals, paint, turf, hardware items, pavers, pipe, cables, timber (including wood from felled trees), pipe fittings, scrap metals, steel posts, brass, street signs, water meters, tool boxes.

**Write-off Asset:** A write off is a reduction in the recorded amount of an asset. A write off occurs upon the realization of the reduced or zero value of an asset.

## **6. POLICY IMPLEMENTATION**

### **6.1. Reasons**

A decision to dispose of a Council owned asset may be based on one or more of the following:

- No longer required;
- Unserviceable or beyond economic repair;
- Technologically obsolete and operationally inefficient;
- Non-compliant with occupational health and safety standards;
- Surplus to current or immediately foreseeable needs;
- Optimum time for maximum return;
- Or part of an asset replacement program.

### **6.2. Approval**

Approval to commence the disposal process including the method of disposal, must be obtained from the General Manager (or delegate) or Council where appropriate.

### **6.3. Methods**

Methods of disposal will be dependent upon the type of asset and the value of the asset.



## **Min. No.**

### **6.3.1. Public Auction**

Public auction maximises the opportunity for public participation in the disposal process and is the appropriate method when:

- i) There is public demand for the items;
- ii) Alternative disposal methods are unlikely to realise higher revenue; or
- iii) The costs associated with the auction can be justified in relation to the expected revenue from the sale.

### **6.3.2. On-line Auctions**

On-line auctions are used where there is perceived demand for an item. This is only used in instances where the value of the item exceeds fifty dollars.

### **6.3.3. Trade-in**

Trading-in goods can be an efficient means of disposal, and a convenient way to upgrade equipment such as plant. However, trade-in prices do not always provide the best return. Any decision to trade-in goods must be based on a clear analysis of the benefits of the trade-in as opposed to separate sale/auction of the goods.

### **6.3.4. Direct sale or transfer of land**

Subject to resolution of Council, land may be disposed of via direct sale when no other method is considered appropriate, for example, when only one potentially suitable purchaser is identified.

### **6.3.5. Disposing of and writing off the value of the goods (recycling or destruction)**

An asset may be disposed of and/or destroyed, and the value of an asset may be written off if it is deemed:

- i) To have no value;
- ii) To be unsafe or non-compliant to applicable standards;
- iii) To be unserviceable or beyond economical repair; or
- iv) That the disposal cost is higher than the likely return.

Where a recommendation to dispose of an asset to landfill or write off an asset is made, the relevant Manager will provide the General Manager with the assessment criteria used to determine that the asset has no potential to realise a return for Council and will detail the method of destruction and name of the officer who will be charged with the responsibility of ensuring the asset is destroyed.

Dumping/recycling or destroying of assets shall be undertaken after consideration of the environmental issues so that any hazardous substances shall be assessed to ensure safe disposal.

## **6.4 Surplus or Scrap Materials**

**Min. No.**

As a general guide, employees are to return from the work site surplus goods/materials or scrap materials. These items must be placed in the relevant compound, stock piles, bins or left on vehicles to be used on the next project. However, there are circumstances where it is not cost effective to return the surplus goods/materials or scrap materials back to the depot, then the most appropriate method of disposal of these low value assets, shall be at the discretion of the Director or Manager.

**6.4.1 Surplus Fill**

Fill materials which are surplus following Council activities such as excavation, and/or road construction are utilized elsewhere within Council activities or on Council owned properties, wherever possible. Where this is not possible, surplus fill is returned to stockpile sites or disposed of to landfill due to no value. Surplus fill is not disposed of via private sale arrangements.

**6.5 Recordkeeping**

For accounting and integrity purposes, adequate records of the disposal process must be maintained, including:

- Authority to dispose
- Value of asset
- Method of disposal
- Purchaser – if appropriate
- Proceeds of sale

**7. RELATED POLICIES OR STRATEGIES**

**7.1. Legislation**

- *Local Government Act 1993*
- *Local Government Act 1993*
- *Local Government Regulation 1994*

**Council policies and guidelines**

- Berrigan Shire 2023 – Community Strategic Plan
- Berrigan Shire Council Local Environmental Plan
- Berrigan Shire Council Risk Management Policy and Framework
- Berrigan Shire Council Code of Conduct
- Berrigan Shire Council Resourcing Strategy
- Berrigan Shire Procurement and Disposal Policy
- Berrigan Shire Fraud Control Policy

**Min. No.**

**6. EMERGENCY SERVICES PROPERTY LEVY**

**AUTHOR:** Director Corporate Services

**STRATEGIC OUTCOME:** Good government

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

**FILE NO:** 09.160.1. 09.160.3, 09.160.4

**RECOMMENDATION NO. 3** - that the Council advise the NSW  
Treasurer and the NSW Minister for Local Government:

1. it supports in principle the introduction of the Emergency Services Property Levy (ESPL)
2. in the interests of transparency and good government, the Emergency Services Levy should be scrapped with the ESPL increased to cover the shortfall
3. agreement to collect the ESPL is contingent on:
  - a. the Council being fully compensated for all direct and indirect costs relating to raising, collecting and remitting the ESPL,
  - b. the ESPL being a "charge upon the land" with liability attaching to the landholder until the charge is paid to the Council,
  - c. the ESPL being clearly identified on Council rate notices as a NSW Government charge.
  - d. Council rates having priority over the ESPL in debt recovery.

**7. PROPOSED FEES AND CHARGES – 2016/17**

**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 NO. 4** - that the Council adopt the Fees and Charges Register shown in Appendix "B" as a draft and incorporate into the draft 2016/17 Council Operational Plan.

**8. FINANCIAL HARDSHIP – LOOSE FILL ASBESTOS INSULATION**

**AUTHOR:** Director Corporate Services

**STRATEGIC OUTCOME:** Supported and engaged  
communities

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

**FILE NO:** 25.138.1

**Min. No.**

**RECOMMENDATION NO. 5** - the Council request staff to investigate the waiver of development charges for privately owned dwellings to be replaced following demolition due to the presence of asbestos insulation and then further consider a proposed Financial Hardship – Loose Fill Insulation Policy.

**9. TOWN BEACH TOILETS**

**AUTHOR: General Manager**

**STRATEGIC OUTCOME: Diverse and resilient business**

**STRATEGIC OBJECTIVE: 4.3 Diversify and promote local tourism**

**FILE NO:**

**RECOMMENDATION NO. 6** - that the Council note the report in relation to the Tocumwal Town Beach toilets.

**10. 2016 CORPORATE WORKSHOP**

**AUTHOR: General Manager**

**STRATEGIC OUTCOME: Good government**

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

**FILE NO:**

**RECOMMENDATION NO. 7** - that the Council adopt the actions included in the results of the 2016 Corporate workshop shown below.

<b>Action List</b>	
<b>Action</b>	<b>Responsible Officer(s)</b>
<b>Review of Delivery Program and Council Improvement Plan</b>	SSCP
Reinstate Tocumwal Foreshore investment in Delivery Program	
Include in Delivery program the development of volunteer	SSCP

**Min. No.**

<p>training program around subject areas of :</p> <ul style="list-style-type: none"> <li>• Good governance; and</li> <li>• Financial systems and controls</li> </ul>	
<p>Include in Council Improvement Plan:</p> <ul style="list-style-type: none"> <li>• Energy audit program;</li> <li>• Investigation of solar farm; and</li> <li>• Expansion of electronic systems for invoicing and payments etc.</li> </ul>	SSCP
<p><b>Tocumwal Foreshore Improvement Plan</b> Develop costings and stages for all plan components with the splash park being a high priority</p>	DTS
<p>Do not allocate funding during 2016/2017 but develop funding plan when costs and staging are known including recognition of \$200k contribution from the Committee of Management.</p>	DCS
<p><b>Review of Event Funding Policy</b>  In future event funding applications be called in specifics periods and amend existing policy to reflect this.</p>	EDO
<p>Do not establish a funding pool for community events</p>	N/A
<p>Funding criteria needs to be stricter and clearer and amend existing policy to reflect this.</p>	EDO
<p>3 year funding is still relevant</p>	N/A
<p>Council to develop and provide marketing and budgeting workshops to improve quality of event funding applications lodged.</p>	EDO
<p>Need to develop Council collateral for display at events ie banners etc</p>	EDO
<p><b>Community Infrastructure Priorities</b>  Priority community infrastructure projects for the future are:</p>	GM

**Min. No.**

<ul style="list-style-type: none"> <li>• Investigation of indoor sports facility at Finley;</li> <li>• Railway Park Toilets; and</li> <li>• Finalization and implementation of the Tocumwal Foreshore Master Plan.</li> </ul>	
<b>Disability Action Plan</b>	For information only
<p><b>Finley School of Arts and War Memorial Hall engagement</b></p> <p>Engagement strategy to include:</p> <ul style="list-style-type: none"> <li>• Street stalls;</li> <li>• And information leaflets to be letter boxed with tear off response strip;</li> <li>• Establishment of dedicated response email address;</li> <li>• Conduct an online survey;</li> <li>• A meeting with the Committee of Management prior to commencement; and</li> <li>• Development of indicative cost of an alternative indoor sporting facility.</li> </ul>	DCS & SSCP
<b>Review of Levee Banks</b>	For information only
<b>Social Media – where to from here</b>	For information only
<p><b>General Business</b></p> <p>Barooga walking track brochure.</p> <p>Committee meetings deferred until 13/4/2016.</p> <p>Investigate need for shade structures at playgrounds at:</p> <ul style="list-style-type: none"> <li>• Rotary Park, Finley;</li> <li>• Tocumwal Recreation Reserve</li> <li>• Berrigan Sportsground.</li> </ul>	<p>No agreed position</p> <p>All</p> <p>ERM</p>

**Min. No.**

**11 EVENT MANAGEMENT DOCUMENTATION**

**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. 8** - that the Council:

1. Revoke the existing Event Management Policy;
2. Adopt the amended Event Management Policy as outlined below;
3. Revoke the existing Event Management Guide;
4. Adopt the amended Event Management Guide as attached in Appendix "D"

**121 EVENT MANAGEMENT POLICY**

File Reference No:

Strategic Outcome: Good government

Date of Adoption: [Click here to enter a date.](#)

Date for Review: [Click here to enter a date.](#)

Responsible Officer: Enterprise and Risk Manager \_\_\_\_\_

**8. POLICY STATEMENT**

Berrigan Shire Council recognises that events form an integral part in strengthening communities, and also have the potential to generate significant economic development within the region.

Whilst there are many different types of events, the degree of Council's involvement, management and responsibility varies in accordance with the type and size of the event, the location, and the organising body.

Whilst Council aims to support and promote events, in all instances the safety of the public, participants, and workers is a priority. The adoption of risk management practices is a requirement for all event organisers to ensure steps are taken to eliminate risks, or where this is not possible, risk minimisation strategies are implemented.

**Min. No.**

**9. PURPOSE**

The purpose of this policy is to recognise the significant social, economic and community capacity building benefits that events provide to the community; clarify Council's role in supporting the management of events; and ensure that all events whereby Berrigan Shire Council has a direct or indirect liability are managed with a view to minimising risk.

**10. SCOPE**

This policy applies to all Councillors and staff, including volunteers of Berrigan Shire Council.

This policy applies to all events held on Council controlled land.

This policy applies to all organisations accessing Council support for their events.

**11. OBJECTIVE**

This policy is developed to assist the Council with Strategic Objectives:

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

*3.1 Create safe, friendly and accessible communities;*

*3.2 Support community engagement through life-long learning, culture and recreation;*

*4.2 Strengthen and diversify the local economy;*

*4.3 Diversify and promote local tourism*

**12. DEFINITIONS**

**Event:** An organized gathering, a planned public or social occasion.

**Workers:** Defined in accordance with the *Work Health and Safety Act 2011*, a worker includes paid employees, contractors and volunteers working on behalf of the Person Conducting a Business or Undertaking (PCBU).

**13. POLICY IMPLEMENTATION**



**Min. No.**

## **6.1 Council Support of Events**

Council support is based upon assessing written requests for assistance. Written requests may be in the form of a letter where support is for in-kind support or for financial support where applicants must use the Event Funding Application Form.

### **6.1.1 In-kind Support**

In-kind support may include site preparation, waste collection or traffic management. Managers will be responsible for identifying if this support is available taking into consideration Council resources, and the costs associated with providing the service.

### **6.1.2 Financial Support**

Financial Support for events is made through the Event Funding Pool. Event organisers must complete the Event Funding Application Form and lodge with Council for assessment during advertised funding rounds.

Council will consider various aspects of the application to determine the event's eligibility for funding. This includes:

- The type of organisation applying for funding;
- The amount of funding requested;
- Predicted visitation to the area;
- Predicted visitor length of stay;
- Assessment of Economic Impact;
- Sustainability of the event;
- Correctly completed application forms including previous event evaluations and acquittals.

Council's support will be focused on providing funding for:

- Marketing
- Appointment of an Event Co-ordinator
- Speaker's fee
- Costs associated with risk management

## **6.2 Council's Role in Managing Events**

Council has a role to play in all events where they are held on Council controlled land. The extent of Council's involvement however is dictated by the extent of Council's involvement in the event itself.

To determine Council's liability and responsibility in managing events, an event can be categorized into three areas:

**Min. No.**

**6.2.1 Events initiated and managed by and only involving Council**

These type events are a Council event and Council holds complete responsibility.

Where the organizing group is a Section 355 Committee of Council, the Council also has a direct responsibility to ensure risk assessments have been conducted and adequate risk control measures are in place. S355 Committees are obliged to notify Council of the event, and whilst the Council may not be directly involved in the running of the event, they are responsible for ensuring the Committee meets the minimum risk management requirements, as determined by Council's insurers.

**6.2.2 Events where Council is a participant and not the main organizer**

Council has the same responsibilities as if the event was initiated and managed by Council but only for its own area and level of participation. This must be clearly stated and agreed upon with the main event organizer.

**6.2.3 Events where Council is the main organizer and invites other organisations to take part**

Council holds the overall responsibility and liability and therefore has the authority to determine the terms and conditions of participation of the other organisations including ensuring they are adequately insured and carry out a risk assessment for their area and activity.

**6.2.4 Events held on Council controlled land**

Where the organizing group does not have a direct relationship with Council, but is holding their event on Council owned or controlled land, the organisation has a responsibility to advise Council of their event and obtain the required approvals. In addition, advice will be given regarding insurance and any additional risk management requirements.

User groups who utilize Council facilities on an ongoing regular basis such as football, netball, cricket, tennis clubs, etc., are consider under individual hiring arrangements, and are therefore not covered by this policy.

**6.3 Council Approvals for Events**

The Council has legislated authority and discretion to impose appropriate conditions upon applications for development consent or approval to undertake an activity in order to limit environmental impact, protect assets and public safety. Events requiring Council approval will include:

**Min. No.**

- Any event involving road use or road enclosure;
- Any event involving the sale of alcohol;
- Events that require the erection of temporary structures, amusement devices or food stalls;
- Any mass gathering event requiring the use of loud speakers or amplifying equipment on public or private land.

**14. RELATED POLICIES OR STRATEGIES**

**14.1. Legislation**

- *Civil Liability Act 202*
- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulations 2011*
- *Local Government Act 1993*
- *Local Government Regulation 1994*
- *Environmental Planning and Assessment Act 1979*
- *Roads Act 1993*
- AS/NZS ISO 31000:2009 Risk Management – Principles and guidelines

**Council policies and guidelines**

- Berrigan Shire Council Event Management Guide
- Berrigan Shire 2023 – Community Strategic Plan
- Berrigan Shire Council Local Environmental Plan
- Berrigan Shire Council Risk Management Policy and Framework

**12 REQUESTS FROM COMMITTEES OF MANAGEMENT FOR INCLUSION IN FOUR YEAR DELIVERY PROGRAM**

**AUTHOR:** General Manager

**STRATEGIC OUTCOME:** Supported and engaged communities

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

**FILE NO:**

**RECOMMENDATION NO. 9** - that the Council include the following in the Four Year Delivery Program:

**Min. No.**

<b>Committee</b>	<b>Project</b>	<b>Estimated Costs</b>	<b>Comment</b>
Berrigan Conservation Group and Tidy Towns Committee of Management	Footpath along Cobram Street Berrigan to meet with the walking track.	\$39,000	These works are identified in the capital works program. Half cost provisions may apply.
	Walking track along Racecourse Road Berrigan to link existing walking tracks and to provide a safe environment for exercise.	\$20,000	These works are included in the capital works program for 2017/2018.
Berrigan War Memorial Pool Committee of Management	Provide safe entry ramp to shallow end of main pool to allow use by the aged and disabled.	Unknown – the Committee is looking for Council assistance to develop the concept.	The Council can work with the Committee over the next twelve months to clarify what actually is required and the cost of same.
	Shade structure at eastern end of main pool.	\$3,200 plus Council supervision.	This could be supported and funded from the Council's Risk Management budget.
	Automatic sprinkler system	Unknown	This could be supported however the project required design and costing to be further considered. Council to work with the Committee
	Replacement of grounds and gardening equipment	Unknown	The Committee is looking for the Council to recycle ride on mowers blowers, edgers etc

**Min. No.**

<b>Committee</b>	<b>Project</b>	<b>Estimated Costs</b>	<b>Comment</b>
			through the Committee.  This can be accommodated as and when available.
	Provision of garden shed to store equipment	\$1,700	Supported however no specific allowance has been provided in existing budgets.
Finley War Memorial School of Arts and War Memorial Hall Committee of Management	Replacement of kitchen floor and upgrade of kitchen	Floor \$10,000  Kitchen unknown	A budget for the floor replacement has been included in the 2015/2016 budget.  The kitchen upgrade cost and contributions from other parties is currently being investigated
Finley Showgrounds and Sporting Complex Committee of Management	Disabled access ramp and handrail at Bob Close Pavilion and disabled signage	\$740 for materials. Committee to install	Could be supported through Risk Management Budget. Requires review to determine compliance.
	Outdoor seating – 4 at Lion's Bar and 2 at Mickle shed	\$900	Could be supported however budget allocation required

**Min. No.**

<b>Committee</b>	<b>Project</b>	<b>Estimated Costs</b>	<b>Comment</b>
Tocumwal Recreation Reserve Committee of Management	Renovation of public toilets adjacent to netball and tennis courts.	\$26,225 of which \$17,046 is sought	<p>Could be supported. The existing toilets are about 50 years old and service both the public and netball and tennis spectators.</p> <p>One toilets block has previously been demolished at the Reserve and another is proposed to be removed shortly. Council support through 1/3; 1/3; 1/3 funding program</p>
Murray Border Flying Club (as occupier of the Tocumwal Aerodrome Terminal building)	Renovate terminal building kitchen and servery.	\$8,333	<p>The Club is pursuing a 1/3, 1/3, 1/3 arrange with the Council whereby it would fund 1/3 of the project, borrow 1/3 from the Council and the Council would fund the remainder.</p> <p>The aim is to have the project completed prior to the National Aerobatic Championships to be held in November 2016.</p>

**Min. No.**

Committee	Project	Estimated Costs	Comment
			<p>The proposal is interesting in that while the terminal building is an asset of the Council, the Council's 1/3, 1/3, 1/3 policy related to its own Committees</p> <p>The proposal would see a good improvement to the terminal building however the proposal ,obviously requires some discussion.</p>
Barooga Advancement Group	Table and Chairs near hall	\$5,000	supported

**13. GUIDE TO OPERATIONS – SECTION 355 COMMITTEES**

**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 NO. 10** - that the Council adopt the following minimum governance rules for its s355 Committees of Management:

1. An Annual General Meeting, advertised by public notice
2. Meetings held at a public venue and open to the public

**Min. No.**

3. Minutes of all meetings and financial reports be forwarded to the Council
4. Quarterly financial reports presented to the Council
5. A handover check list be provided to each new Committee

**14. PROPOSED OPERATIONAL BUDGET – 2016/17 TO 2019/20**

**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 NO. 11** - that the Council adopt the draft budget as shown in Appendix "G" for inclusion in the Council's 2016/2017 Integrated Plan with the inclusion of \$69,000 for Takari Street footpath works (nett) and allowance for the Committee grants works of approx. \$25,000 as shown in Item 12.

**7.2 MINUTES OF THE TECHNICAL SERVICES COMMITTEE MEETING HELD ON 13<sup>TH</sup> APRIL, 2016**

- 93 RESOLVED** Crs: Glanville and Jones that recommendations numbered 1 to 2 inclusive of the Technical Services Committee Meeting held on 13<sup>th</sup> April, 2016 be adopted.

**5. DEDICATION OF PRIVATE ROADS AS PUBLIC ROADS**

**AUTHOR: Director Technical Services**

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

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

**FILE NO: 28.120.1**

**RECOMMENDATION NO. 1** - that the Council agree 'in principle' to private roads being dedicated as public roads under the control of Council subject to:

- a) each request being assessed on its merits with a report to be presented to Council concerning the physical characteristics of the road and its suitability to be a public road;
- b) any costs for required improvements, subdivision plan preparation, lodgement fees and associated legal services to be met by the existing owners.



**Min. No.**

**6. TAKARI STREET, BAROOGA**

**AUTHOR: Director Technical Services**

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

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

**FILE NO: 28.051.4 & 28.128.6**

**RECOMMENDATION NO. 2:**

1. That Council confirm it proposes to construct a footpath on the southern side of Takari Street, Barooga as planned in the Barooga Pedestrian Access and Mobility Plan, make provision in the 2016/17 draft budget of \$94,000 for these works and recommence the process for a half cost footpath scheme for the works.

2. That the construction of concrete footpaths from Russell Court and Beatrice Court to Nangunia Street be completed in conjunction with the construction of the footpath in Nangunia Street from the Botanical Gardens to Takari Street (Currently programmed for 2018/19).

**7.3 MINUTES OF THE RISK MANAGEMENT COMMITTEE MEETING HELD ON 13<sup>TH</sup> APRIL, 2016**

**94 RESOLVED** Crs: O'Neill and Hill that recommendation number 1 of the Risk Management Committee Meeting held on 13<sup>th</sup> April, 2016 be adopted.

**4. WORKPLACE REHABILITATION 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 the Council adopt the Workplace Rehabilitation Policy as outlined below.

**Min. No.**

**00 WORKPLACE REHABILITATION POLICY**

File Reference No:

Strategic Outcome: Good government

Date of Adoption: [Click here to enter a date.](#)

Date for Review: [Click here to enter a date.](#)

Responsible Officer: Enterprise and Risk Manager \_\_\_\_\_

**15. POLICY STATEMENT**

Council is committed to the prevention of illness and injury by providing a safe and healthy working environment. Where a work related injury or illness occurs, Council will ensure procedures and resources are in place to provide an early and safe return to work.

Council's workplace rehabilitation is a managed process involving early provision of necessary and reasonable services, including suitable duties programs to facilitate the injured/ill worker's earliest possible return to, and recovery at, work.

**16. PURPOSE**

The purpose of this policy is to outline the rehabilitation and return to work process that Council has in place and that will apply where an employee sustains an injury or suffers an illness whilst performing work for the Berrigan Shire Council, and the options available to staff returning to work after an injury/illness resulting from circumstances outside of the workplace.

**17. SCOPE**

This Policy applies to all Council staff.

This Policy has been developed through a collaborative consultation process between management, Council's Return to Work Co-ordinator, Workplace Health and Safety Representatives, and Union Delegates.

**18. OBJECTIVE**

This policy is developed to assist the Council with Community Strategic Plan Objective 2.2

**Min. No.**

*Ensure effective governance by Council of Council operations and reporting*

Specific objectives are to:

1. Facilitate return to work for employees who are injured or ill at work, as soon as possible and to provide information to assist an injured and/or ill employee to return to work;
2. Provide voluntary recovery at work programs for employees who are injured or ill due to circumstances outside of the workplace;
3. Determine the needs of injured and/or ill employee by liaising with the employee, nominated treating doctor, Council's workers compensation insurance provider, and other relevant stakeholders;
4. Provide early access to rehabilitation services such as accredited workplace rehabilitation providers where required;
5. Develop and implement the injured and/or ill employee's return to work plan in conjunction with the employee, Council's workers compensation insurance provider, the nominated treating doctor, and the workplace rehabilitation provider;
6. Provide suitable duties for an injured and/or ill employee as an integral part of the rehabilitation and return to work process;
7. Consult with employees and where applicable any employee representatives, to allow the rehabilitation and return to work process to operate effectively;
8. Provide employees with information about workers compensation claims including choice of nominated treating doctor, and accredited workplace rehabilitation provider;
9. Maintain records of workplace incidents and return to work data to continually improve Council's work health and safety management system, and injury management system;
10. Advise injured and/or ill employees that participation in rehabilitation and return to work plans is voluntary, however non-participation may result in reduced weekly benefits.

**19. DEFINITIONS**

**Job Demand Analysis (JDA)** is a systematic procedure to quantify and evaluate the physical and environmental demands of a job.

## Min. No.

**Lost Time Injury/Illness (LTI)** is an injury or illness that results in time away from the workplace.

**Nominated Treating Doctor (NTD)** is the doctor chosen by the injured worker to treat their injury/illness.

**Non-work Related Injuries/Illness** are injuries/illnesses that are not caused by employment and are not claimable through worker's compensation legislation.

**Return to Work Co-ordinator (RTWC).** Council is required by legislation to appoint a RTWC.

The role of the RTWC is to:

- Determine the injured worker's needs;
- Identify suitable duties for the injured worker;
- Co-ordinate and monitor return to work plans;
- Liaise with all parties including the rehabilitation provider where appropriate;
- Provide information and support to the injured worker; and
- Maintain confidentiality

**Return to Work Plans (RWP)** When an injured worker has (according to medical judgement) the capacity to return to work, an individual return to work plan will be developed by the return to work coordinator, outlining the duties to be performed.

**Workplace Rehabilitation Provider (WRP).** Workplace Rehabilitation providers are available to assist when required in the return to work of employees who suffer a workplace injury or illness. When the Return to Work Plan is complex and requires specialist rehabilitation expertise. Berrigan Shire Council has engaged the services of a WRP, however injured employees have the right to nominate an accredited WRP of their own choice.

## 20. POLICY IMPLEMENTATION

### 20.1. Responsibilities

#### 20.1.1. Workplace Managers/Supervisors

Workplace Managers and/or Supervisors are responsible for:

- Ensuring that appropriate first aid and/or medical treatment is provided for work related injuries and/or illnesses;
- The ongoing workplace management of an injured and/or ill employee;

**Min. No.**

- Ensuring that incident report forms and/or workers' compensation claim forms are completed for all work related incidents and/or injuries;
- Assisting the Return to Work Coordinator and Workplace Rehabilitation Provider in the development of Return to Work Plans;
- Providing suitable alternative duties when required to enable the development and implementation of Return to Work Plans.

20.1.2. Employees

Employees are responsible for:

- Taking care to prevent work related injuries and/or illnesses to themselves and others in the workplace;
- Notifying Council of any work related incidents/injury or illness as soon as possible;
- Undertaking the rehabilitation program provided by Council;
- Cooperating with the RTWC and WRP;
- Providing accurate information about any aspect of their claim;
- Notifying Council of any change in circumstances, for example, changes to the medical condition, changes to home circumstance which might impact on the injury or changes to financial circumstances;
- Attending scheduled medical and rehabilitation assessments, as required;
- Cooperation with workplace changes that will assist other injured employees.

**20.2. Injury Notification**

When a work related injury or illness occurs, the employee must notify their Workplace Manager as soon as possible.

The Manager will notify the Return to Work Co-ordinator (RTWC) who will in turn notify Council's workers compensation insurer within 48 hours. The RTWC will also liaise with relevant staff to initiate an incident investigation.

Where the injury or illness results in a Lost Time Injury/Illness (LTI), the employee must provide Council with a suitable NSW Workers Compensation Certificate of Capacity from their Nominated Treating Doctor (NTD). The RTWC will notify Council's insurers immediately upon receipt of the documentation.

**20.3. Injury/Illness Follow Up**

When an employee sustains a significant injury/illness at work, the RTWC will arrange for a representative from Council's Workplace Rehabilitation Provider (WRP) to contact the employee to provide advice and assistance with:

**Min. No.**

- Completing workers compensation forms;
- Explaining the employee's rights, obligations, benefits, rehabilitation and return to work procedures;
- Arranging a Return to Work Plan (RWP) on the advice of the NTD.

The RTWC will consult with Council's insurers, the injured employee and the NTD in developing and implementing a RWP.

The RWP will include alternative or suitable duties and/or a graduated return to work. The RWP will be approved by the WRP in consultation with the NTD.

Some serious injuries/illnesses may require extended injury management. Berrigan Shire Council will assist employees who are not fit to return to their pre-injury duties by investigating alternative work arrangements within the Council.

**20.4. Suitable Alternative Duties**

Suitable alternative duties are work duties agreed between the RTWC and an injured employee, in consultation with the Manager/Supervisor, which facilitates the injured employee's rehabilitation and recovery at work.

Suitable alternative duties will be determined by referencing the Job Demand Analysis (JDA) to determine tasks that are achievable and which comply with a NSW Workers Compensation medical certificate issued by the employee's NTD.

Suitable alternative duties may include:

- Parts of the job the employee was performing before the injury
- Duties at the same or different worksite
- Different hours and/or modified duties
- Different duties altogether
- Full time or part time duties
- Training opportunities

These duties will be identified after consultation with relevant parties and will be specified in writing.

**20.5.6.5 Non-Work Related Injury and Illness**

Where an employee is unable to work due to circumstances outside of the workplace, Council will consult with the employee where clarification of a diagnosis/prognosis is necessary or further information is required. In the case of a non-work related injury/illness, a RWP may be developed, however this is a

**Min. No.**

voluntary arrangement co-ordinated by the RTWC between Council, the employee, and where required in consultation with the treating doctor.

Each case will be assessed individually.

**21. RELATED POLICIES OR STRATEGIES**

Additional publications to be read in conjunction with this policy include:

- *Workers Compensation Act 1987*
- *Workplace Injury Management and Workers Compensation Act 1998*
- *Workers Compensation Regulation 2010*
- *Work Health and Safety Act 2011*
- *Privacy and Personal Information Protection Act 1998*
- Local Government (State) Award 2014
- Work Health and Safety Policy
- Code of Conduct
- Privacy Management Plan

The meeting adjourned at 10.35 am and reconvened at 10.57 am.

**MAYORS REPORT**

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

- Berrigan and District Development Association meeting
- Corporate Workshop
- Finley War Memorial Hall Committee of Management meeting

**95 RESOLVED** Crs: Hannan and Glanville that the Mayors report be received.

**DELEGATES REPORTS**

**Cr Hill**

- Finley Showgrounds Committee of Management
- Corporate Workshop
- Finley Recreation Reserve Committee meeting

**Cr O'Neill**

- Corporate Workshop
- Finley War Memorial Hall Committee of Management meeting
- Jerilderie Street, Berrigan meeting

**Min. No.**

**Cr Morris**

- Local Health Advisory Committee meeting x two
- Corporate Workshop
- Finley War Memorial Hall Committee of Management meeting
- Finley Chamber of Commerce, Industry and Agriculture meeting

**Cr Hannan**

- Corporate Workshop
- Finley War Memorial Hall Committee of Management meeting

**Cr Glanville**

- Corporate workshop
- Finley War Memorial Hall Committee of Management meeting

**Cr Jones**

- Corporate Workshop
- Murray Darling Association Region Two meeting
- Tocumwal Chamber of Commerce and Tourism meeting
- Tocumwal Farmers Market
- Willoring Estate

**Cr Bruce**

- Barooga Advancement Group meeting
- Barooga Botanical Gardens Committee of Management meeting

**GENERAL BUSINESS**

**Cr Bruce**

- Garage sale at Barooga was good
- Barooga Botanical Gardens toilets – few small issues
- Weekend cleaning is an issue

**Cr Jones**

- Mosaic – Hennessy Street bus Shelter
- Tocumwal Chamber of Commerce and Tourism wants an event co-ordinator

**Cr Glanville**

- Nil
- Will be absent from 18th May until 1st June, 2016



**Min. No.**

- 96**      **RESOLVED** Crs: O'Neill and Morris that the Council grant leave of absence to Cr Glanville from 18<sup>th</sup> May until 1<sup>st</sup> June, 2016.

**Cr Hannan**

- Basketball at hall
- 97**      **RESOLVED** Crs: Bruce and Morris that the Council allow basketball to be conducted at the Finley War Memorial Hall for a period up to six months for a Juniors clinic, subject to an agreement for use and other conditions:
- An indemnity being provided to the council by all participants.
  - The users forming an incorporated body of which all participants must be a member.
  - Entering into an Agreement with the council for the relocation of the basketball use to the Indoor Cricket Centre at the Finley Showgrounds.
  - Affiliation of the incorporated body to the relevant basketball league.
  - Payment of legal costs of the preparation of the required Agreement.
  - The Hall to be booked and paid for using the existing Committee systems.
  - The Agreement may be renewed by the agreement of the Council.
- Indoor Sports Centre
- \$243,000 rough estimate

**Cr Morris**

- Nil
- Gala Day not that successful
- Garage sale was good
- Show n Shine was good

**Cr O'Neill**

- Council donated \$4,000 for the new entrance to the Berrigan Sportsground
  - Committee having difficulty funding the cost of the entry shed.
- 98**      **RESOLVED** Crs: Bruce and Morris that the Council provide a loan to the Berrigan Sportsground Committee of Management based on the project cost of \$12,000 and a Council loan of \$4,000 with appropriate terms and conditions to be negotiated by staff.
- Jerilderie Street meeting – needs a report to the Council
  - Dean Street land, Tocumwal

**Cr Hill**

- Murray Street Finley drainage works and reseal - good

**Min. No.**

**Cr Curtin**

- Chanter Street, Berrigan crossing
- Focus – immigration at Nhill
- Finley Hospital redevelopment
- Ex Cr McGee accident

**Development Manager**

- House fire at Berrigan
- Gazettal of Finley Presbyterian Church proposed for 6th May, 2016
- RV's at Finley Showground
- Need feedback from Showground Committee of Management re camping area.

**Director Technical Services**

- Traffic lights vanalised at Lower River Road
- Started reconstruction at Broughans Road

**Director Corporate Services**

- Second Hand Shop site – use of railway land

**General Manager**

- Business and Environment Awards – record attendance
- Voting delegate – LGNSW
- National Assembly motions?
- LGNSW subscription
- Council elections up to 12 months deferral
- Alleged defamatory statements

**99**      **RESOLVED** Crs: O'Neill and Glanville that the Mayor be delegated voting right for the LGNSW elections

**100**     **RESOLVED** Crs: O'Neill and Jones that the Council pay the basic LGNSW membership.

**Director Corporate Services**

- IPART rating issues discussion paper

There being no further business the meeting closed at 12.38 pm.