



**Minutes of the Council Meeting held in the Council Chambers on
Wednesday, 21st June, 2017 commencing at 9:35am**

Min. No. **Present** Cr. Matthew Hannan (Mayor)

Crs: Ross Bodey, Denis Glanville, Colin Jones, Daryll Morris, Bernard Curtin, John Taylor, Director of Corporate Services (Matthew Hansen), Director of Technical Services (Fred Exton), Engineering Services Manager (Matthew Clarke) and General Manager (Rowan Perkins).

Apology

114 **RESOLVED** Crs: Taylor and Glanville that an apology for non-attendance be received from Cr John Bruce.

Declaration of Items of Pecuniary and other Interests

Cr Taylor declared a Pecuniary Interest in Item 8.1 as he has an interest in a property affected by the proposed scheme.

4. CONFIRMATION OF MINUTES

115 **RESOLVED** Crs Jones and Glanville that the Minutes of the meeting held in the Council Chambers on Wednesday 17th May, 2017 and the Minutes of the extraordinary meeting held in the Council Chambers on Wednesday 7th June, 2017 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**

116 **RESOLVED** Crs Morris and Taylor that the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 May 2017, be received and that the accounts paid as per Warrant No. 05/17 totaling \$4,480,440.59 be confirmed.

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5.2 DISABILITY INCLUSION ACTION PLAN

AUTHOR: Strategic & Social Planning Coordinator

STRATEGIC OUTCOME: Supported and engaged communities

STRATEGIC OBJECTIVE: 3.1 Create safe, friendly and accessible communities

FILE NO:

- 117 RESOLVED** Crs Taylor and Glanville that the Council
1. adopt the Berrigan Shire Council Active Ageing and Disability Inclusion Strategy and Action Plan 2017 – 2021 ([Appendix "A"](#)).
 2. endorse an Accessible Version of this Plan ([Appendix "B"](#)).
 3. provide copies of the adopted Disability Inclusion Strategy and Action Plan to the Disability Council NSW and the Minister for Disability Services NSW.

5.3 INTEGRATED PLANS

AUTHOR: Strategic & Social Planning Coordinator

STRATEGIC OUTCOME: Good government

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

FILE NO:

- 118 RESOLVED** Crs Curtin and Morris that the Council, having given consideration to submissions received up until 5:00pm on the 15th June 2017:
1. adopt on behalf of the community, the Berrigan Shire 2027 Community Strategic Plan developed by the Council pursuant to s402(1) – (7) of the Local Government Act 1993 ([Appendix "C"](#)).
 2. adopt the Berrigan Council Resourcing Strategy 2017 – 2027 inclusive of Council's:
 - Long Term Financial Strategy and Plan 2017 – 2027 ([Appendix "D"](#));
 - Asset Management Strategy and Plan 2017 – 2027 ([Appendix "E"](#)) and
 - Workforce Management and Development Strategy and Plan 2017 – 2021 ([Appendix "F"](#)).
 3. adopt the Berrigan Shire Council Delivery Program 2017 – 2021 ([Appendix "G"](#)).
 4. adopt the Berrigan Shire Council Annual Operational Plan 2017 – 2018 ([Appendix "H"](#)).

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5. include:
 - (a) provision of public toilets at Berrigan and Tocumwal cemeteries in the budget for 2018/2019 and
 - (b) up to 50% of \$14,380 as a reimbursement to the Tocumwal Recreation Reserve Committee of Management for the cost of toilet renovations and improvements.
 - (c) \$6,060 to Tocumwal Recreation Reserve Committee of Management as a contribution to drainage works.

5.4 FIRE AND EMERGENCY SERVICES LEVY

AUTHOR: Revenue Officer

STRATEGIC OUTCOME: Good government

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

FILE NO: 25.138.4

- 119 RESOLVED** Crs Curtin and Bodey that the Council note the deferral of the implementation of the Fire and Emergency Services Levy by the NSW Government.

5.5 CODE OF CONDUCT – APPOINTMENT OF PANEL OF CONDUCT REVIEWERS

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 13.045.3

- 120 RESOLVED** Crs Jones and Taylor that the Council appoint the following persons to the Berrigan Shire Council Panel of Conduct Reviewers for a four year term commencing 1 July 2017:-

1. The Centium Group – Sydney
2. Harris Wheeler Lawyers – Newcastle
3. Sinc Solutions Strategic Independent Consulting – Glebe
4. Mediate Today Pty Ltd – Shellharbour
5. Charlton Consulting Pty Ltd – Wodonga
6. Tress Cox Lawyers – Sydney
7. Prevention Partners – North Parramatta
8. O’Connell Workplace Solutions – Sydney
9. Workplace Investigation Services – Newport (NSW)
10. BAL Lawyers – Canberra

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5.6 RATES AND CHARGES 2017/18

AUTHOR: Revenue Officer

STRATEGIC OUTCOME: Good government

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

FILE NO: 25.138.1

MAKING OF RATES AND CHARGES FOR 2017/2018

The making of rates and charges must be made by resolution of Council, pursuant to Sections 534 and 535 of the *Local Government Act 1993*, as set out below.

GENERAL FUND – Ordinary Rates

In accordance with *Section 535 of the Local Government Act, 1993*, (herein referred to as “the Act”), that pursuant to Section 494 of the Act, **Ordinary Rates** for the following rating categories, **for the period 1st July 2017 to the 30th June 2018**, shall now be made by resolution;

121 RESOLVED Crs Taylor and Morris that Council make and levy an Ordinary Rate of **0.59126 cents** per dollar of land value on all rateable land within the Berrigan Shire Council local government area sub-categorised as:

- **FARMLAND - BAROOGA**
- **FARMLAND - BERRIGAN**
- **FARMLAND - FINLEY**
- **FARMLAND - TOCUMWAL**
- **FARMLAND – GRAVEL PITS**

122 RESOLVED Crs Taylor and Morris that Council make and levy an Ordinary Rate of **0.83995 cents** per dollar of land value on all rateable land within the Berrigan Shire Council local government area categorised as **RESIDENTIAL**.

123 RESOLVED Crs Taylor and Morris that Council make and levy an Ordinary Rate of **0.83995 cents** per dollar of land value on all rateable land within the Berrigan Shire Council local government area sub-categorised as:

- **RESIDENTIAL RIVER LAND – BAROOGA**
- **RESIDENTIAL RIVER LAND – TOCUMWAL**

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- 124** **RESOLVED** Crs Taylor and Morris that Council make and levy an Ordinary Rate of **0.6284 cents** per dollar of land value on all rateable land within the Berrigan Shire Council local government area sub-categorised as:
- **RESIDENTIAL RURAL – BAROOGA**
 - **RESIDENTIAL RURAL – BERRIGAN**
 - **RESIDENTIAL RURAL – FINLEY**
 - **RESIDENTIAL RURAL – TOCUMWAL**
- 125** **RESOLVED** Crs Taylor and Morris that Council make and levy an Ordinary Rate of **1.0539 cents** per dollar of land value on all rateable land within the Berrigan Shire Council local government area sub-categorised as **RESIDENTIAL – BAROOGA**.
- 126** **RESOLVED** Crs Taylor and Morris that Council make and levy an Ordinary Rate of **3.4155 cents** per dollar of land value on all rateable land within the Berrigan Shire Council local government area sub-categorised as **RESIDENTIAL – BERRIGAN**.
- 127** **RESOLVED** Crs Taylor and Morris that Council make and levy an Ordinary Rate of **2.6709 cents** per dollar of land value on all rateable land within the Berrigan Shire Council local government area sub-categorised as **RESIDENTIAL – FINLEY**.
- 128** **RESOLVED** Crs Taylor and Morris that Council make and levy an Ordinary Rate of **1.1202 cents** per dollar of land value on all rateable land within the Berrigan Shire Council local government area sub-categorised as **RESIDENTIAL – TOCUMWAL**.
- 129** **RESOLVED** Crs Taylor and Morris that Council make and levy an Ordinary Rate of **1.0539 cents** per dollar of land value on all rateable land within the Berrigan Shire Council local government area sub-categorised as
- **BUSINESS HOSPITALITY- BAROOGA**
 - **BUSINESS INDUSTRIAL – BAROOGA**
 - **BUSINESS ORDINARY – BAROOGA**
 - **BUSINESS RURAL – BAROOGA**
- 130** **RESOLVED** Crs Taylor and Morris that Council make and levy an Ordinary Rate of **3.4155 cents** per dollar of land value on all rateable land within the Berrigan Shire Council local government area sub-categorised as
- **BUSINESS HOSPITALITY- BERRIGAN**
 - **BUSINESS INDUSTRIAL – BERRIGAN**
 - **BUSINESS ORDINARY – BERRIGAN**
 - **BUSINESS RURAL – BERRIGAN**

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131 **RESOLVED** Crs Taylor and Morris that Council make and levy an Ordinary Rate of **2.6709 cents** per dollar of land value on all rateable land within the Berrigan Shire Council local government area sub-categorised as

- **BUSINESS HOSPITALITY- FINLEY**
- **BUSINESS INDUSTRIAL – FINLEY**
- **BUSINESS ORDINARY – FINLEY**
- **BUSINESS RURAL – FINLEY**

132 **RESOLVED** Crs Taylor and Morris that Council make and levy an Ordinary Rate of **1.1202 cents** per dollar of land value on all rateable land within the Berrigan Shire Council local government area sub-categorised as

- **BUSINESS HOSPITALITY- TOCUMWAL**
- **BUSINESS INDUSTRIAL – TOCUMWAL**
- **BUSINESS ORDINARY – TOCUMWAL**
- **BUSINESS RURAL – TOCUMWAL**

133 **RESOLVED** Crs Taylor and Morris that Council make and levy an Ordinary Rate on all rateable land, as detailed below;

- rateable land sub-categorised as **MINING BAROOGA** on which an Ordinary Rate of **1.0539 cents** per dollar of land value be made and levied; and,
- rateable land sub-categorised as **MINING BERRIGAN** on which an Ordinary Rate of **3.4155 cents** per dollar of land value be made and levied; and,
- rateable land sub-categorised as **MINING FINLEY** on which an Ordinary Rate of **2.6709 cents** per dollar of land value be made and levied; and,
- rateable land sub-categorised as **MINING TOCUMWAL** on which an Ordinary Rate of **1.1202 cents** per dollar of land value be made and levied.

WATER FUND

-Annual Charges

In accordance with *Section 535 of the Local Government Act, 1993* (herein referred to as “the Act”), that Annual Water Supply charges, pursuant to the provisions of Sections 501 of the Act, **for the period 1st July 2017 to 30th June 2018**, shall now be made by resolution;

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134 **RESOLVED** Crs Taylor and Morris pursuant to the provisions of Section 501 of the Act that Council make and levy **Water Access Charges** on all properties in accordance with the **Rating and Revenue Policy 2017/18** (other than the land herein specified in the First Schedule under the conditions given), which is:-

- a) land that is supplied with water from a water pipe of the Council;
or
- b) land that is situated within 225 metres of a water pipe of the Council, whether the land has frontage or not to the public road (if any) in which the water pipe is laid, even though the land is not actually supplied with water from any water pipe of the Council,

pursuant to,

water being able to be supplied to some part of the land from a standpipe at least 1 metre in height from the ground level, if such a pipe were laid and connected to the Council's main;

under the following criteria:-

-for rateable properties

A compulsory annual fixed charge of **\$523.00** be made and levied for availability to the water supply system (known as the **Water Access Charge**) and levied for each supply to the property, or multiples of each charge if the property is deemed to have multiple supplies/connections.

-for non-rateable properties

A compulsory annual fixed charge of **\$523.00** be made and levied for the recovery costs for providing access to the water supply system (known as the **Water Access Charge**) or multiples of each charge if the property is deemed to have multiple supplies/connections.

-Water Supply Special Rate or Charge

In accordance with Section 535 of the Act that a Water Supply Charge pursuant to the provisions of Section 551 of the Act, for the period defined by the relevant meter reading periods/cycles, shall now be made by resolution;

WATER CONSUMPTION CHARGES – All Town supplies

In accordance with *Section 535 of the Local Government Act, 1993* (herein referred to as "the Act") that a **Water Consumption Charge**, pursuant to the provisions of Section 502 of the Act, for

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the period defined by the relevant meter reading periods/cycles, shall now be made by resolution;

- 135 RESOLVED** Crs Taylor and Morris – that pursuant to Section 502, 539 and 540 of the Act that Council make and levy **Water Consumption Charges.**

Unfiltered (Barooga, Berrigan & Finley) **\$0.73 per kl** (stage 4 restrictions in force) **\$0.52 per kl** (other restrictions in force) **\$0.47 per kl** (no restrictions)

Treated (Barooga, Berrigan & Finley) **\$1.46 per kl** (stage 4 restrictions in force) **\$1.04 per kl** (other restrictions in force) **\$0.94 per kl** (no restrictions)

Treated (Tocumwal) **\$0.97 per kl** (stage 4 restrictions in force) **\$0.69 per kl** (other restrictions in force) **\$0.62 per kl** (no restrictions) in accordance with **Council's 2017/18 Rates and Revenue Policies and 2017/18 Fees and Charges.**

SEWER FUND

-Annual Charges

In accordance with Section 535 of the *Local Government Act, 1993* (herein referred to as "the Act"), that an Annual Charge pursuant to the provisions of Section 501 of the Act, known as the **Sewerage Supply Charge**, for the **1st July 2017 to the 30th June 2018**, shall now be made by resolution;

- 136 RESOLVED** Crs Taylor and Morris that pursuant to the provisions of Section 501 of the Act, that Council make and levy **Sewerage Supply Charges**, for the availability of the service, on each rateable assessment on land within the designated sewerage supply areas, (other than the land herein specified in the First Schedule under the conditions given), as detailed below:

Sewerage Supply area	Charge
Barooga	\$526.00
Berrigan	\$526.00
Finley	\$526.00
Tocumwal	\$526.00

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-Sewerage Pedestal Charge

In accordance with Section 535 of the Act, that a Sewer Charge, pursuant to the provisions of Section 501, 502 and 552, known as the **Sewerage Pedestal Charge, for the period 1st July 2017 to 30th June 2018**, shall now be made by resolution;

137 RESOLVED Crs Taylor and Morris that Council make and levy a **Sewerage Pedestal Charge** as detailed below:

- in Barooga, Berrigan, Finley and Tocumwal rating areas,
- for all non-rateable properties a charge of \$112.00 per cistern/toilet;
- for all rateable properties, for each additional cistern/toilet in excess of two (2), a charge of \$112.00.

-Sewer Maintenance Charge

In accordance with Section 535 of the Act that a Sewer Charge, pursuant to the provisions of Section 501 and 552 of the Act, known as the **On-Site Sewer Maintenance Charge, for the 1st July, 2017 to the 30th June 2018**, shall now be made by resolution;

138 RESOLVED Crs Taylor and Morris that Council make and levy a charge on each rateable assessment meeting criteria as stipulated in Council's Rating and Revenue Policy, as detailed below:

Name of Charge	Charge
On-Site Sewer Maintenance Charge	\$150.00

DOMESTIC WASTE MANAGEMENTSERVICES CHARGE

In accordance with Section 535 of the *Local Government Act, 1993* (herein referred to as "the Act"), that a **Domestic Waste Management Services Charge** pursuant to the provisions of Sections 496, 501, 502 and 504 of the Act, shall now be made by resolution;

139 RESOLVED Crs Taylor and Morris that the charge, for the period **1st July 2017 to 30th June 2018**, to be made and levied upon each parcel of rateable land for which the service is available, being for the **availability** of regular removal of domestic waste, as follows:

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1. Domestic Waste Collected - \$279.00 made for the availability of one bin of the size and pattern and service approved by the Council;

2. Domestic Waste Collected – Additional - \$187.00 made for an additional bin of the size and pattern and service approved by the Council;

3. Domestic Waste Uncollected - \$55.00 made on residential vacant land.

WASTE MANAGEMENT GARBAGE CHARGE

In accordance with Section 535 of the *Local Government Act, 1993* (herein referred to as “the Act”), that **Garbage charges**, pursuant to the provisions of Sections 501 and 502 of the Act, shall now be made by resolution;

140 RESOLVED Crs Taylor and Morris that the charge, for the period **1st July 2017 to 30th June 2018**, to be made upon each parcel of rateable land within the garbage collection area for which the service is available for the regular removal of waste as approved by Council, as follows:

1. Garbage Charge - \$261.00 made for the availability of one bin of the size and pattern approved by the Council;

2. Garbage and Recycling Collected Charge - \$384.00 made for the availability of bins of the size and pattern and service approved by the Council;

3. Recycling Collected Charge - \$124.00 made for the availability of an additional bin of the size and pattern and service approved by the Council.

STORMWATER MANAGEMENT SERVICE CHARGE – Sections 496A and 501 of the Local Government Act, 1993

In accordance with Section 535 of the *Local Government Act, 1993* (herein referred to as “the Act”), that a **Stormwater Management Service Charge**, pursuant to the provisions of Section 496A of the Act, and clause 125A and clause 125AA of the Local Government (General) Regulation 2005, shall now be made by resolution;

141 RESOLVED Crs Taylor and Morris that a **Stormwater Management Service Charge** of:

- **\$25.00** be made and levied, for the period **1st July 2017 to 30th June 2018**, on each parcel of urban property that is liable for the charge, whether the works or service is either provided or proposed to be provided; or

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- **\$12.50** be made and levied for the period **1st July 2017 to 30th June 2018**, on each parcel of urban strata property that is liable for the charge, whether the works or service is either provided or proposed to be provided.

INTEREST ON OVERDUE RATES AND CHARGES – Section 566, Local Government Act, 1993

- 142** **RESOLVED** Crs Taylor and Morris that in accordance with the provisions of Section 566 of the *Local Government Act 1993*, that the **interest rate** to apply on overdue rates and charges for the period **1st July, 2017 to 30th June 2018**, will be charged at **7.5%** per annum on a daily basis.

5.7 REGISTER OF DELEGATIONS

AUTHOR: General Manager

STRATEGIC OUTCOME: Good government

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

FILE NO:

- 143** **RESOLVED** Crs Morris and Glanville that the Council, pursuant to S377 of the Local Government Act, adopt the delegations to Committees of the Council, the Mayor and the General Manager and delegations by other bodies as contained within the Delegation Register as circulated as [appendix "K"](#) of this Agenda and further that the Council delegate the acceptance of tenders to provide services other than those provided by members of staff at the Council to the General Manager subject to such acceptances being reported to the Council.

5.8 REFERENCES POLICY

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 22.123.1

- 144** **RESOLVED** Crs Taylor and Morris that the Council:
- revoke its Policy for References; and
 - adopt the Policy for References set out below.

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62. REFERENCES POLICY

File Reference No:	22.123.1
Strategic Outcome:	Good government
Date of Adoption:	21/06/2017
Date for Review:	16/06/2021
Responsible Officer:	Director Corporate Services

1. POLICY STATEMENT

It is important that the Council and Council officers provide clear and factual information when providing references or acting as referees for current and former employees of Berrigan Shire Council.

It is also important that the privacy of personal information regarding current and former employees is protected in line with legislation, the Privacy Code of Practice for Local Government and the Council's Privacy Management Plan.

2. PURPOSE

This policy provides guidance to Council officers when providing references for current and former Council employees.

3. SCOPE

This policy applies to all Councillors, Council staff and other Council officials.

4. OBJECTIVE

This policy is developed to assist the Council with Delivery Plan Action 2.1.3.7:

Coordinate the delivery and management of Shire records and communications

5. DEFINITIONS

For the purposes of this policy, a reference is a statement:

- a) by the Council, or a Council officer,
- b) to a potential employer of a person who is a current or former employee of the Council,
- c) that relates to the employment of that person at the Council.

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A reference may be written or verbal.

6. POLICY IMPLEMENTATION

References from the Council

Written references

The Council may provide a written reference for a current or former employee, on the request of that employee.

Written references provided by the Council will be produced by authorised officers on Council letterhead stationery and signed by the General Manager.

At a minimum, the reference will indicate the employee's length of service and position(s) held in the organisation. Further information about the employee may be included in the reference with the express consent of the employee.

Verbal references

Where the Council is requested by a potential employer, it may verify that a current or former employee works or has worked for the Council, the duration of that work, and the position occupied during that time.

Council officers providing a verbal reference will not give an opinion as to the suitability of a current or former employee for a particular position with any potential employer without the express and specific consent of that employee.

Council officers should ensure verbal responses made as a referee on behalf of the Council are succinct, businesslike and relevant to the position in question.

References from an individual Council officer

Staff may request a reference from an individual Council officer.

These references will:

1. not be provided on Council letterhead stationery.
2. clearly indicate that content of the reference contains the Council Officer's personal opinions and comments and not that of the organisation.

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7. RELATED POLICIES OR STRATEGIES

7.1 Legislation

- *Local Government Act 1993*
- *Privacy and Personal Information Protection Act 1998*
- *Defamation Act 2005*
- *Privacy Code of Practice for Local Government*

7.2 Council policies and guidelines

- *Code of Conduct*
- *Privacy Management Plan*

**5.9 REIMBURSEMENT OF RELOCATION EXPENSES
POLICY**

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 22.123.1

145 RESOLVED Crs Taylor and Morris that the Council:

- revoke its Policy for Reimbursement of Relocation Expenses;
and
- adopt the Policy for Reimbursement of Relocation Expenses set
out below.

60 REIMBURSEMENT OF RELOCATION EXPENSES POLICY

File Reference No: 22.123.1

Strategic Outcome: Good government

Date of Adoption: 21/06/2017

Date for Review: 16/06/2021

Responsible Officer: Director Corporate Services

1. POLICY STATEMENT

In order to attract suitably qualified and skilled staff, Berrigan Shire Council may consider offering reimbursement of relocation expenses as part of an offer of employment.

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It is important that offers and payment of relocation expenses are transparent and equitable.

2. PURPOSE

The purpose of this Policy is to give managers, finance and human resources staff and prospective employees guidance on reimbursement of relocation expenses for employees required to relocate to take up employment with Berrigan Shire Council.

3. SCOPE

This policy applies to all Council employees

4. OBJECTIVE

This Policy has been developed to assist the Council with Delivery Plan Action 2.1.3.5

Manage human resource and workforce development activities through the implementation of the Berrigan Shire's Workforce Development Plan 2017 – 2021

5. DEFINITIONS

Eligible employee: An employee required to relocate their primary place of residence from a residence outside Berrigan Shire to a new residence in Berrigan Shire in order to take up a position with the Council.

Primary place of residence: The residence where the employee ordinarily resides. This definition excludes arrangements where an employee uses temporary accommodation in the Shire and commutes on a weekly basis from a primary residence elsewhere.

Relocation expenses: The reasonable cost of relocating to a new primary place of residence. This may include the cost of a removalist or, for a self-removal, the cost of truck hire and fuel.

6. POLICY IMPLEMENTATION

Berrigan Shire Council will reimburse 50% of the relocation expenses of eligible employees up to \$1,500 – i.e. 50% of \$3,000 in relocation expenses.

This payment will be made on the following terms:

- The Council and the employee will agree on the terms of reimbursement before the acceptance of an offer of employment with the Council. An agreement to reimburse relocation expenses under this policy will be explicitly included

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in the letter of appointment. Retrospective reimbursement of relocation expenses is not permitted.

- Reimbursement will be made after six months continuous employment with the Council and subject to successful completion of any probation period.
- Reimbursement is made on the basis of actual expenses paid and the employee is required to provide receipts to support her/his claim.
- Authorisation for any payment under this policy must be given by the General Manager or Director Corporate Services/Technical Services as applicable
- In the case of genuine hardship, reimbursement under this policy can be made at an earlier date with the explicit approval of the General Manager.

The Finance Manager should be made aware of any agreement to pay relocation expenses as soon as possible to allow for any budgetary considerations.

7. RELATED POLICIES OR STRATEGIES

7.1. Legislation

- *Local Government Act 1993*
- Local Government (State) Award 2014

7.2. Council policies and guidelines

- Berrigan Shire Council Code of Conduct
- Workforce Development Plan 2017-2021
- Salary Policy
- Guidelines on Payment of Expenses and Provision of Facilities to Council employees

5.10 EARLY RELEASE OF SUBDIVISION CERTIFICATES POLICY

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Sustainable natural and built landscapes

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

FILE NO: 07.094.1

Min. No.

146 **RESOLVED** Crs Taylor and Morris that the Council:

- revoke its Policy for Early Release of Subdivision Certificates;
and
- adopt the Policy for Early Release of Subdivision Certificates set
out below.

58 EARLY RELEASE OF SUBDIVISION CERTIFICATES

File Reference No: 07.094.3

Strategic Outcome: Sustainable natural and built landscapes

Date of Adoption: 21/06/2017

Date for Review: 16/06/2021

Responsible Officer: Development Manager

1. POLICY STATEMENT

Berrigan Shire Council has an interest in ensuring the continued development of land in the Shire for higher and better use as residential, commercial, industrial or agricultural land – in line with the Council's Local Environmental Plan 2013.

The early release of subdivision certificates is one process the Council can use to encourage and support future development. However, the Council also has an obligation to ensure that the interests of the Council and the broader community are protected.

The policy will balance these two aims by setting out the principles it will follow when releasing subdivision certificates before all required works are completed.

2. PURPOSE

The purpose of the policy is to regulate the early release of subdivision certificates to encourage appropriate development of land while protecting the interests of the Council and the community.

3. SCOPE

The policy applies to all subdivisions in the Berrigan Shire local government area

4. OBJECTIVE

This Policy has been developed to assist the Council with Delivery Plan Objective 1.1.1.2

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Coordinate strategic land-use planning and effective development assessment and control

5. DEFINITIONS

Compliance Certificate A certificate referred to in section 109C (1) (a) of the *Environmental Planning and Assessment Act 1979*

Development Consent Consent under Part 4 of the *Environmental Planning and Assessment Act 1979* to carry out development

Occupation Certificate A certificate referred to in section 109C (1) (c) of the *Environmental Planning and Assessment Act 1979*

Subdivision Certificate A certificate referred to in section 109C (1) (d) of the *Environmental Planning and Assessment Act 1979*

6. POLICY IMPLEMENTATION

6.1. General principle

As a general principle, the Council will permit the release of subdivision certificates prior to all works being complete and certified provided the developer can meet the conditions set out in this policy to the satisfaction of the Development Manager

6.2. Acceptable installation of utilities

The Council will not release a subdivision certificate until the relevant authorities responsible for accepting and maintaining the following services have formally advised the Council that the work completed under contract is acceptable.

- Electricity
- Gas, and
- Telecommunications

6.3. Bank Guarantees

The Council will not accept bank guarantees as surety for incomplete works and services that are to be undertaken by private construction companies.

The Development Manager may, at his/her discretion, accept a bank guarantee in exchange for early release of subdivision certificates where the developer has entered into a contract with the Council to complete the required work

6.4. Community and Strata Tiles

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6.4.1. Community Title

The Council will not release Community Title subdivision certificates until either:

a) works associated with the subdivision of the land have been undertaken in accordance with the requirements of this policy, or

b) for works associated with medium density dwelling developments incorporating the subdivision of land which has been approved under the provisions of clause 4.1c of Berrigan Local Environmental Plan 2013 the following applies:

(i) completion of the first stage of an approved "Staged Development" and issue of building Occupation Certificate, or

(ii) completion of

1. at least one dwelling unit and issue of an Occupation Certificate, and

2. construction of subsequent dwelling units included in the development consent to at least Framework Compliance Certificate stage, and

3. the works associated with the subdivision approval have been completed

6.4.2. Strata Title

The Council will not release Strata Title subdivision certificates until completion of all required construction work associated with the subdivision and after issue of building Occupation Certificates.

6.5. Exceptions to policy

The General Manager is authorised to permit exceptions to this policy where he/she considers that strict compliance with the policy would frustrate the purpose of the policy set out above.

7. RELATED POLICIES

7.1. Legislation

- *Local Government Act 1993*
- *Environmental Planning and Assessment Act 1979*

7.2. Policies and other Council plans

- Berrigan Local Environmental Plan 2013
- Commercial Credit Policy
- User Fees and Charges Policy
- Berrigan Development Control Plan 2014

Min. No.

5.11 PRE-EMPLOYMENT MEDICAL POLICY

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 22.123.1

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RESOLVED Crs Taylor and Morris that the Council:

- revoke its Policy for Pre-Employment Medical; and
- adopt the Policy for Pre-Employment Medical set out below.

08 PRE-EMPLOYMENT MEDICAL POLICY

File Reference No: 22.123.1

Strategic Outcome: Good government

Date of Adoption: 21/06/2017

Date for Review: 16/06/2021

Responsible Officer: Director Corporate Services

1. POLICY STATEMENT

As a responsible employer, Council has obligations and a duty of care under s344 of the *Local Government Act* 1993 and the *Workplace Health and Safety Act* 2010 with respect to employees' safety and risk.

Considering these obligations, Berrigan Shire Council expects all prospective employees to undertake a pre-employment medical examination which includes drug and alcohol screening.

2. PURPOSE

A proper medical examination will afford Council accurate guidance as to the physical capability of a prospective employee to perform the job for which they have applied

3. SCOPE

This policy applies to:

- Prospective employees
- Council Human Resources staff
- Council management

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4. OBJECTIVE

This Policy has been developed to assist the Council with Delivery Plan Action 2.1.3.5

Manage human resource and workforce development activities through the implementation of the Berrigan Shire's Workforce Development Plan 2017 – 2021

5. POLICY IMPLEMENTATION

5.1. Scope

All persons selected for temporary, casual and permanent appointment to Council's service will be required to undergo a pre-employment medical examination and drug and alcohol screen to determine fitness to perform nominated duties.

These examinations will be conducted by a medical practitioner approved by Council and will be at Council's expense on the understanding that the examination forms a further part of the selection process.

In each instance pre-employment medical examinations are to be carried out appropriate to the employment duties.

A permanent employee will not be permitted to start work with Berrigan Shire Council until the results of the pre-employment medical examination and drug and alcohol screen have been returned to and considered by the Council.

5.2. Assessment

The Council will provide the approved doctor with a position description and a breakdown of tasks including a comprehensive ergonomic analysis.

The doctor is to assess an applicant's capacity to undertake the tasks required in the relevant position. The applicant is also required to accurately represent his/her physical condition and special requirements.

Information from the employer and applicant will then ensure that the doctor is fully informed and in a position to assess an applicant's suitability for tasks within a given job. The range of assessments for the doctor to apply will not necessarily preclude applicants from employment if they are not totally fit medically.

The doctor is to report and assess within a range of classifications and to comment on special requirements.

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The classifications are:

1. Suitable for employment.
2. Suitable for employment but with a minor problem which will not affect his/her work but which may need protection, or modification of task or workplace
3. Suitable for employment in position proposed, may be unsuitable for other positions.
4. Not suitable for employment in the position or a substantial workers compensation insurance risk. Would place themselves or others at risk if required to perform tasks stated.

The Council will provide a standard form for the assessing doctor to complete and return to the Council.

5.3. Drug and Alcohol Screening

Berrigan Shire Council is a drug and alcohol free workplace. Possession, consumption or being under the influence of alcohol or drugs will not be permitted during working hours, including overtime and during call-outs. As part of its commitment to ensure a safe environment for other employees and the general public, Council will insist that new employees pass the pre-employment drug and alcohol screen.

All persons selected for permanent appointment to Council's service will be required to undergo a pre-employment drug and alcohol screen in line with AS 4308:2008 Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine.

The screen will form part of the pre-employment medical.

The results of the screen may lead to the Council not proceeding with an offer of employment.

5.4. Outcomes

Previous injuries or current impairments do not jeopardise prospective employment unless:

1. an applicant would be unable to do the job
2. if doing the job constitutes a substantial risk to themselves or others
3. if the special requirements of the applicant cannot reasonably or practicably be met.

Medical information collected by the Council under this policy will only be used for the purposes of assessing suitability for employment as per the *Privacy and Personal Information Act 1998* and *Health Records and Information Privacy Act 2002*

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6. RELATED POLICIES OR STRATEGIES

6.1. Legislation

- *Local Government Act 1993*
- *Workplace Health and Safety Act 2010*
- *Anti-Discrimination Act 1977*
- *Privacy and Personal Information Act 1998*
- *Health Records and Information Privacy Act 2002*
- Local Government (State) Award 2010
- AS/NZS 4308:2008 Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine

6.2. Council policies and guidelines

- Berrigan Shire Council Code of Conduct
- Berrigan Shire Council Privacy Management Plan
- Drug and Alcohol Free Workplace Policy
- Equal Employment Opportunity, Workplace Bullying and Harassment Policy

5.12 REVENUE POLICY

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO: 25.138.1

148 RESOLVED Crs Curtin and Taylor that the Council:

- revoke its Policy for Revenue; and
- adopt the Policy for Revenue set out below as amended.

REVENUE POLICY

File Reference No: 25.138.1

Strategic Outcome: Good government

Date of Adoption: 21/06/2017

Date for Review: 20/06/2018

Responsible Officer: Director Corporate Services

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1. POLICY STATEMENT

Clause 201 of the *Local Government (General) Regulation 2005* requires Berrigan Shire Council to prepare an annual statement of the Council's revenue policy. This is included in the Council's Operational Plan.

This policy provides information regarding the levying of Council's rates, its fees and charges and other major income sources.

Rates and charges provide Council with a major source of revenue to meet the cost of providing services to residents of the Shire.

2. PURPOSE

The rates and charges described below are levied to provide the net funding requirements of the programs and initiatives identified in the Annual Operational Plan 2017/18.

3. SCOPE

This policy covers the setting and levying of all Council rates, charges and fees for the financial year ending 30 June 2018

4. OBJECTIVE

This policy is developed to assist the Council with the following Delivery Program 2017 – 2021 Objectives:

2.1.3 Council operations and financial management support ethical, transparent and accountable corporate governance.

5. POLICY IMPLEMENTATION

Total revenue raised from the levying of land rates continues to be capped by the State Government with the Independent Pricing & Regulatory Tribunal (IPART) having developed a Local Government Cost Index (LGCI) for use in setting the maximum allowable increase in general income for local government. IPART has set the maximum allowable increase as 1.5% for the 2017/18 rating year.

Ordinary Rates

Section 494 of the *Local Government Act 1993* (LGA), requires Council to make and levy an Ordinary rate for each year on all rateable land in the local government area.

Ordinary rates are applied to properties based on applying an ad Valorem Rate-in-\$ to the independent land valuations provided by the NSW Department of Lands (Valuer General's Office).

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Council is required to use the latest valuations received up until 30 June of the previous year for rating purposes in the current financial year. Shire-wide general revaluations are undertaken every 3 years.

Valuations, with a base date 01/07/2016, will be used for rating purposes for 01/07/2017 – 30/06/2018.

In accordance with Section 493 and 514 of the *Local Government Act 1993*, all parcels of rateable land within Councils boundaries have been declared to be within one of the following categories:

- Farmland
- Residential
- Business
- Mining

The determination of the sub category for each parcel of rateable land is in accordance with the definitions set out in Sections 515, 516, 517, 518, 518A, 519 and 529 of the *Local Government Act 1993*.

The applicable subcategories for each category are as follows:

Farmland subcategories

- Farmland – Berrigan
- Farmland – Barooga
- Farmland – Finley
- Farmland – Tocumwal
- Farmland – Gravel Pits

Residential subcategories

- Residential
- Residential – Barooga
- Residential – Berrigan
- Residential – Finley
- Residential – Tocumwal
- Residential Rural – Barooga
- Residential Rural – Berrigan
- Residential Rural – Finley
- Residential Rural – Tocumwal
- Residential – River Land Barooga
- Residential – River Land Tocumwal

Business subcategories

- Business Ordinary – Barooga
- Business Ordinary – Berrigan

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- Business Ordinary – Finley
- Business Ordinary – Tocumwal
- Business Industrial – Berrigan
- Business Industrial – Finley
- Business Industrial – Tocumwal
- Business Industrial – Barooga
- Business Hospitality – Berrigan
- Business Hospitality – Barooga
- Business Hospitality – Finley
- Business Hospitality – Tocumwal
- Business Rural – Barooga
- Business Rural – Berrigan
- Business Rural – Finley
- Business Rural – Tocumwal

Mining subcategories

- Mining – Berrigan
- Mining – Barooga
- Mining – Finley
- Mining – Tocumwal

Rating scenario

The ordinary rates proposed by the Council for 2017- 2018 contain a 1.5% increase, which is the increase determined by the Independent Pricing and Regulatory Tribunal (IPART).

The Ordinary rates table below illustrates the proposed rating scenario for Berrigan Shire Council. This information is based on the rating database up to June 2017.

FARMLAND

The Farmland rate is sub-categorised into regional districts, based on the urban/town locations. The farmland rate will be one ad Valorem rate shire wide.

Farmland – Ad Valorem Rate = \$0.0059126 cents in the dollar, based on the 2016 unimproved capital value of the property.

Estimated Total Yield of Farmland = \$1,840,268.00

(Farmland = 36.66% of the total yield)

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RESIDENTIAL – BAROOGA

The Residential rate for Barooga is worked out on the basis that the average valued property in Barooga will pay the same as the average valued property in each town in the Shire. The Residential category may apply if the land is zoned or designated for residential purposes

Residential Barooga – Ad Valorem Rate = \$0.010539 cents in the dollar, based on the 2016 unimproved capital value of the property.

Estimated Total Yield of Residential Barooga = \$544,471.00

BUSINESS – BAROOGA

Land is categorised as Business-Barooga if it is of a business, commercial or industrial nature. Business- Barooga has four sub-categories: Business Industry, Business Ordinary, Business Hospitality and Business Rural Each category has the same ad Valorem as Residential Barooga.

Business Barooga – Ad Valorem = 0.010539 cents in the dollar, based on the

2016 unimproved capital value of the property

Estimated total yield of Business Barooga = \$92,578.00

(Residential and Business Barooga = 12.69% of the total yield)

RESIDENTIAL – BERRIGAN

The Residential rate for Berrigan is worked out on the basis that the average valued property in Berrigan will pay the same as the average valued property in each town in the Shire. The Residential category may apply if the land is zoned or designated for residential purposes.

Residential Berrigan – Ad Valorem Rate = 0.034155 cents in the dollar, based on the 2016 unimproved capital value of the property.

Estimated total yield of Residential Berrigan = \$330465.00

BUSINESS – BERRIGAN

Land is categorised as Business-Berrigan if it is of a business, commercial or industrial nature. Business- Berrigan has four sub-categories: Business Industry, Business Ordinary, Business Hospitality and Business Rural. Each category has the same ad Valorem as Residential Berrigan.

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Business Berrigan – Ad Valorem = 0.034155 cents in the dollar,
based on the 2016 unimproved capital value of the property.

Estimated total yield of Business Berrigan = \$73,365.00

(Residential and Business Berrigan = 8.04% of the total yield)

RESIDENTIAL – FINLEY

The Residential rate for Finley is worked out on the basis that the average valued property in Finley will pay the same as the average valued property in each town in the Shire. The Residential category may apply if the land is zoned or designated for residential purposes.

Residential Finley – Ad Valorem = \$0.026709 cents in the dollar,
based on the 2016 unimproved capital value of the property.

Estimated total yield of Residential Finley = \$667,658.00

BUSINESS - FINLEY

Land is categorised as Business - Finley if it is of a business, commercial or industrial nature. Business - Finley has four sub-categories: Business Industry, Business Ordinary, Business Hospitality and Business Rural. Each category has the same ad Valorem as Residential Finley.

Business Finley – Ad Valorem + \$0.026709 cents in the dollar,
based on the 2016 unimproved capital value of the property.

Estimated total yield of Business Finley = \$158002.00

(Residential and Business Finley = 16.45% of the total yield)

RESIDENTIAL – TOCUMWAL

The Residential rate for Tocumwal is worked out on the basis that the average valued property in Tocumwal will pay the same as the average valued property in all towns shire wide. The Residential category may apply if the land is zoned or designated for residential purposes

Residential Tocumwal – Ad Valorem Rate = 0.011202 cents in the dollar,
based on the unimproved capital value of the property.

Estimated total yield of Residential Tocumwal = \$740,550.00

Land is categorised as Business -Tocumwal if it is of a business, commercial or industrial nature. Business-Tocumwal has four sub-categories: Business Industry, Business Ordinary, Business

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Hospitality and Business Rural. Each category has the same ad Valorem as Residential Tocumwal

Business Tocumwal – Ad Valorem = 0.011202 cents in the dollar, based on the 2016 unimproved capital value of the property.

Estimated total yield of Business Tocumwal = \$181,372.00

(Residential and Business Tocumwal = 18.36% of the total yield)

RESIDENTIAL RURAL

The Residential Rural rate is a Residential sub-category and is based on the criteria provided by the LGA, it usually located outside a town category. The ad Valorem is less to reflect less use of town facilities. The ad Valorem is the same across the shire.

Residential Rural – Ad Valorem = \$0.006284 cents in the dollar, based on the 2016 unimproved capital value of the property.

Total yield of Residential Rural = \$337,116.00

(Residential Rural = 6.72% of the total yield)

RESIDENTIAL – Riverland Tocumwal & Riverland Barooga

This is a sub-category of Residential and is for semi-rural properties that may not strictly fit Residential or Rural Residential criteria and will generally be less than the adjoining towns' rate.

Residential – Ad Valorem = \$0.0090012 cents in the dollar, based on the 2016 unimproved capital value of the property.

Total Yield of Residential = \$54,483.00

(Residential = 1.09% of the total yield)

Annual service and utility charges

Domestic Waste and Non-Domestic Waste Management Services

Berrigan Shire Council intends to make the following charges for levying in 2017- 2018 to meet the reasonable costs associated with the collection, disposal and recycling of waste in accordance with Sections 496, 501 and 504 of the *Local Government Act 1993*.

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Berrigan Shire Council will levy annual charges for the following services:

2017/18 WASTE MANAGEMENT SERVICE CHARGES

SERVICE PROVIDED	2017/18 FEE (\$) PER ANNUM	ESTIMATED REVENUE 2017/18	% VARIATION
Domestic Waste Collected 1 x Weekly Pick up of 120 litre small garbage bin (Green) 1 x Fortnightly pick up 240 litre recycling bin (Blue)	\$279.00	\$903,681	2.5%
Additional Service Collected 1 x Weekly Pick up of 120 litre small garbage bin (Green)	\$187.00	\$1,683	2.5%
Uncollected (vacant charge) Charged on vacant land within the collection zone – no service is provided.	\$55.00	\$15,015	2.5%
Business / Non Residential Garbage Charge 1 x Weekly pick up of 240 litre big bin. (Green)	\$261.00	\$62,640	2.5%
Garbage and Recycling Charge 1 x Weekly pick up of 240 litre big garbage bin. (Green) 1 x Fortnightly pick up of 240 litre recycling bin. (Blue)	\$384.00	\$9,984	2.5%

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Recycling Collected 1 x Fortnightly pick up of 240 litre recycling bin. (Blue)	\$124.00	\$3,472	2.5%
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Sewer Charges

In accordance with the provisions of Section 535, 501 and 552 of the *Local Government Act 1993*, a special rate or charge relating to sewerage will be levied on all rateable land confined within the area shown on each of the Town Sewer Supply areas except:

- i) Land which is more than 75 metres from a sewer of the Council and is not connected to the sewer;
- ii) Land from which sewerage could not be discharged into any sewer of the Council.

Berrigan Shire Sewerage will operate as one entity and each rateable property in Barooga, Berrigan, Finley and Tocumwal will have the same sewerage supply charge applied as specified in Council's Annual Fees and Charges. In addition, a standard pedestal charge per cistern/water closet in excess of two will be raised on all rateable properties with more than 2 cisterns/water closets.

In special circumstances, an on-site low pressure sewer maintenance charge will apply to those properties connected to Council's sewer supply via a low-pressure sewer pump. The Council will maintain the pump in perpetuity subject to the owner of the property entering into an agreement for maintenance and paying the annual low- pressure charge.

These charges are specified in Council's Annual Fees and Charges.

- For non-rateable properties

A standard pedestal charge per cistern/water closet will be raised on all non-rateable properties connected to the sewerage supply.

- For rateable properties outside village boundaries

Rateable properties outside the existing village boundaries, and connected to the town sewer supply, will be charged the normal town sewer supply charges, including pedestal charges if applicable.

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The Table below sets out the intended sewer charges for 2017/18:

2017/18 SEWER CHARGES

SERVICE PROVIDED	FEE PER ANNUM	ESTIMATED REVENUE	% VARIATION
Sewer Supply Charge Charged to all rateable land utilising the town sewer system or zoned residential and within 75m of Councils sewer system.	\$526.00	\$1,819,960	2.5%
Pedestal Charge Any property with more than 2 (two) cisterns/water closets will be charged a pedestal charge per excess cistern/water closet. A pedestal charge per cistern/water closet will be raised on all non-rateable properties connected to the sewer supply	\$112.00	\$163,632	2.5%
On-Site Low Pressure Maintenance Charge Applied to properties connected to Councils' sewerage supply via a low-pressure pump. Council maintains the pump in perpetuity subject to the owner paying the On- site low pressure maintenance charge.	\$150.00	\$14,550	58%

Stormwater Management Services

Under the provisions of Section 535 of the *Local Government Act* 1993, Council has resolved to levy a Stormwater Management Services Charge in accordance with Sections 496A of the *Local Government Act*, and clause 125A and clause 125AA, of the *Local Government (General) Regulation* 2005

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This charge will be applicable for each non-vacant urban property, or all eligible properties for which the works or service is either provided or proposed to be provided.

2017/18 STORMWATER MANAGEMENT SERVICES

<u>SERVICE PROVIDED</u>	<u>FEE PER ANNUM</u>	<u>% VARIATION</u>
Residential Premises on urban land	\$25.00	0%
Strata properties (per Strata)	\$12.50	0%
Vacant land	Exempt	0%
Commercial Premises on urban land	\$25.00	0%
Other	\$25.00	0%

Total Estimated Yield for Stormwater Management 2017/18 -
\$70,025.00

Water Supply Charges

In accordance with the provisions of Section 501, 502, 535 and 552 of the Local Government Act 1993, Council has resolved that water supply charges be levied on all properties that

- i) Land that is supplied with water from a water pipe of the Council; or
- ii) Land that is situated within 225 metres of a water pipe of the Council, whether the land has a frontage or not to the public road (if any) in which the water pipe is laid, and confined within the area shown on each of the Town Water Supply areas, even though the land is not actually supplied with water from any water pipe of the Council;

subject to, water being able to be supplied to some part of the land from a standpipe at least 1 metre in height from the ground level, if such a pipe were laid and connected to Council's main.

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Except for those non-rateable properties described below:

Non-rateable State Government properties of non-commercial nature without a water connection and not using the service will not be levied an annual fixed Water Access Charge.

2017/18 WATER ACCESS AND CONSUMPTION CHARGES

SERVICE PROVIDED	FEE PER ANNUM	ESTIMATED REVENUE 2017/18	% VARIATION
Water Access Charge Applied to all properties supplied with water from a water pipe of the Council or land that is situated within 225m of Councils' water supply pipes. (see Appendix A)	\$523.00	\$2,026,625	2.5%
Water Consumption Charges – Unfiltered (Barooga, Berrigan & Finley)	\$0.73 per kl (stage 4 restrictions in force) \$0.52 per kl (other restrictions in force) \$0.47 per kl (no restrictions)		0%
Water Consumption Charges – Treated (Barooga, Berrigan & Finley)	\$1.46 per kl (stage 4 restrictions in force) \$1.04 per kl (other restrictions in force) \$0.94 per kl (no restrictions)		0%

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Water Consumption Charges – Treated (Tocumwal)	<p>\$0.97 per kl (stage 4 restrictions in force)</p> <p>\$0.69 per kl (other restrictions in force)</p> <p>\$0.62 per kl (no restrictions)</p>		0%
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Water meter reads are scheduled four (4) times a year with payment generally required thirty days (30) after the issue date of the account.

Payment of Rates and Service Charges

Payment and due dates

Berrigan Shire rates and charges are payable in full or by quarterly instalments in accordance with Section 562 of the *Local Government Act 1993*.

Annual Rates and charges notices are issued in July each year and are payable in four (4) instalments on 31 August, 30 November, 28 February and 31 May.

A rate notice, or rate instalment notice, is issued at least thirty (30) days before each instalment is due.

Water Consumption Notices are issued on a quarterly basis, approximately 30 days before the charge is due for payment.

Council may agree to enter into a payment plan with a person. The amount and frequency of the payments under the agreement are required to be acceptable to Council.

Council requires all ratepayers to pay their rates in full by the due date(s). However, some ratepayers experience genuine financial hardship and may consequently request Council to consider alternative arrangements in respect of the timing of their rate payments.

Such requests must be made prior to any recovery action being undertaken, including legal action.

Concessions

i) Pensioner Concessions

Section 575 of the *Local Government Act 1993*, provides for concessions on Council rates and charges for eligible

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pensioners. By virtue of Section 575, an eligible pensioner may apply to Council for annual concessions on a rate or charge of:

- Up to \$250.00 on all ordinary rates and charges for domestic waste management services
- Up to \$87.50 on annual water charges.
- Up to \$87.50 on annual sewer charges

Applications for concessions must be made in writing using the appropriate form available from Council's Rates Department.

The Council believes that the concession rates set by the NSW State Government are adequate, equitable and require no additional concession to be offered by the Council

ii) Developer Concessions

Council may offer incentives in the form of rating waivers relative to annual water and sewerage charges to developers involved with multi-lot subdivisions. Applications for developer concessions are as follows:

- Written application should be submitted to the Council prior to 31st May for consideration at the June Meeting.
- Annual water and sewerage charges may be waived on the undeveloped lots of a subdivision, up to a maximum period of three (3) years, or until the lots are built upon, sold, leased or otherwise occupied (whichever is the sooner).
- No concessions under this section are given for Domestic Waste, Storm water, Pedestal or Water Consumption Charges.

Hardship Provisions

Ratepayers having difficulty meeting their commitments may be eligible for assistance and consideration.

All applications for assistance and consideration will be assessed as per the Council's adopted Hardship Policy.

Recovery of Rates and Charges, Including Water Consumption Charges

i) Reminder Notices

- If an instalment or charge is not paid within **fourteen (14)** days of the instalment or payment date, a reminder letter will be issued requesting payment within **twenty one (21)** days.

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- If the debt remains unpaid after this time, a final notice will be issued giving **fourteen (14)** days to pay
- If an instalment or charge amount of current defaulters are less than \$300.00, initial external recovery action may be deferred until outstanding amounts reach this amount, however this will be at the discretion of the Revenue Officer.
- If the debt remains unpaid, the debt may then be referred to Councils debt recovery agency.

ii) Recovery Action – Debt Recovery Agency Procedures

- The debt recovery agency will as soon as possible, after receipt of the referral from the Council, issue a letter of demand in relation to each overdue amount advising that the Council has referred the debt to the agency for collection and that payment is required.
- Following the expiration of the payment period, the debt collection agency will issue a solicitor's letter.
- Legal proceedings will then be commenced if these notices or letters are disregarded, or if arrangements are not adhered to, with the approval of the Revenue Officer.

Note 1: Legal action procedures will be undertaken within the guidelines of the Uniform Civil Procedure Rules and the NSW *Local Government Act*. All costs associated with debt recovery will be charged to the debtor. All costs awarded by the Court will be levied as a charge against the land.

Note 2: If legal action is commenced and costs incurred prior to a debtor applying under the Hardship Provisions, then such costs will be charged to the debtor and shall not be waived, unless under the direction of the General Manager.

iii) Arrangements to Repay Rates and Charges

- A ratepayer may enter into a weekly, fortnightly or monthly arrangement to repay the rates and charges with the Council or Council's debt collection agency with a view that the arrangement will have rates and charges paid in full within twelve (12) months. Normal interest charges apply to these arrangements.
- Council's Rates Department may enter into a longer term repayment arrangement if in their opinion a ratepayer's financial circumstances warrant this. Normal interest charges apply to these arrangements.
- Ratepayers are to be advised at the time of making a repayment arrangement that if an arrangement is dishonored or

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changed without prior Council approval, then recovery action may commence without further notice.

iv) Interest Charges

The Council increases overdue rates by the maximum allowable in accordance with Section 566 of the *Local Government Act* 1993.

Council may write off interest charges on overdue rates, in accordance with Section 567 of the *Local Government Act* 1993. Ratepayers seeking to have interest written off under hardship provisions are to submit a written application to Council's Rates Department.

v) Sale of Property for Overdue Rates

Under Section 713 of the *Local Government Act* 1993, the Council may:

- Sell any land (including vacant land) on which any rate or charge has remained unpaid for more than five (5) years from the date on which it became payable.
- Sell any vacant land on which any rate or charge has remained unpaid for more than one year, provided that the amount of such rates and charges are more than the land valuation it received from the NSW Valuer-General.
- Any sale will be carried out by public auction in accordance with the process outlined in the *Local Government Act* 1993.

User Fees and Charges

Fee and Charge Setting Principles

Where legally possible, the Council intends to charge users for the provision of all goods and services that it provides.

As a general rule the Council will set its fees and charges at a rate to generate the maximum amount of revenue possible to offset the cost burden of the provision of services borne by other sources of revenue such as rates and untied grants.

Therefore, the Council will at a minimum seek to recover the full cost of service provision from its customers and clients.

This general principle will only be modified where the specific fee and charge setting principles as shown below apply.

Efficiency: the fees are simple and not cumbersome to administer

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Legality: the fees are set in line with legislation and/or other legal restrictions.

Transparency: the nature and use of the service is understood by users

Effectiveness: the fees provide value for money for users

Clarity: users are clear about when & how fees apply

Equity: the fees are fairly applied across a range of users

Ethics: users with special service needs are not charged exorbitant fees directly in accord with the cost of higher servicing requirements

Fee setting rationales

Every fee or charge set by the Council will be based on a clear fee setting rationale. This rationale will be shown for each fee in the Fees and Charges Register.

The rationales applicable are as follows:

(A) Statute Limited – Priced at the figure stipulated by law as applicable to this activity

(B) Cost Recovery – Priced so as to return full cost recovery for the activities provided

(C) Commercial Basis – Priced to cover the cost of the item plus a commercial mark-up

(D) Community Service Obligation – Priced at below the cost of providing this activity as provision of the activity meets a social or economic objective of the Council.

The User Fees and Charges Policy Rationale Identifier (A, B, C etc.) will appear beside the various fees and charges in the Register of Fees and Charges. Where an asterisk appears next to the Policy ID (i.e. A*, B* etc.) the Council has identified that the maximum amount charged does not cover the cost to the Council of providing the service.

Where a fee or charge is shown as “ND”, the Council has chosen not to disclose this amount – in accordance with clause 201(4) of the *Local Government (General) Regulation 2005* – as disclosure could confer a commercial advantage on a competitor of the Council.

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Goods and Services Tax

The Council will use its best endeavours to determine the Goods and Services Tax (GST) status for each user fee and charge that it sets. However there may be fees and charges for which the Council is unable to confirm the GST status.

Accordingly, if a fee that is shown as being subject to GST is subsequently found not to be subject to GST, then that fee will be amended by reducing the GST to nil. Conversely, if the Council is advised that a fee which is shown as being not subject to GST becomes subject to GST, then the fee will be increased but only to the extent of the GST

Register of Fees and Charges

The complete Register of Fees and Charges is detailed in a separate document included in the 2017/18 Operational Plan.

Borrowings

The Council currently has one significant outstanding loan as summarised in the table below:

Outstanding Loans - 30 June 2016

PURPOSE	AMOUNT	TERM	RATE	ANNUAL REPAYMENTS	DUE	LENDER
LIRS Drainage	\$1,630,000	10 y	4.260%	\$200,488	Dec 2024	NAB

Loan Redemption - 2017/18 to 2020/21

FUND	2016 / 2017	2017 / 2018	2018/2019	2019/2020
General	\$200,488	\$200,488	\$200,488	\$200,488
Water	\$0	\$0	\$0	\$0
Sewer	\$0	\$0	\$0	\$0
Sub Total	\$200,488	\$200,488	\$200,488	\$200,488
TOTAL	\$200,488	\$200,488	\$200,488	\$200,488
Less LIRS subsidy	(\$34,112)	(\$30,065)	(\$25,774)	(\$21,250)
NETT COST	\$166,366	\$170,423	\$174,714	\$179,238
General	\$200,488	\$200,488	\$200,488	\$200,488

The external borrowing is a long term credit-foncier loan at a fixed interest rate repayable by monthly instalments and secured against the Council's revenues.

Min. No.

The Local Infrastructure Renewal Scheme (LIRS) provides the Council a 3% per annum interest rate subsidy on eligible loans. For the LIRS drainage loan, this is between \$25,000 and \$38,000 per annum over the first four years. Claims are made six monthly.

6. RELATED POLICIES OR STRATEGIES

6.1 Legislation

- *Local Government Act 1993*
- Local Government (General) Regulation 1994

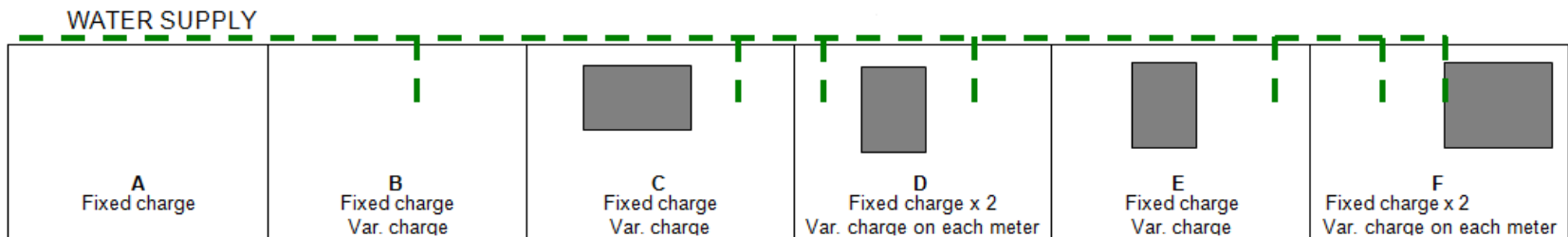
6.2 Council policies and guidelines

- Berrigan Shire 2027 (Community Strategic Plan)
- Berrigan Shire Council Delivery Program 2017 – 2021
- Berrigan Shire Council Annual Operational Plan 2017 - 2018
- User Fees and Charges Policy
- Hardship Policy

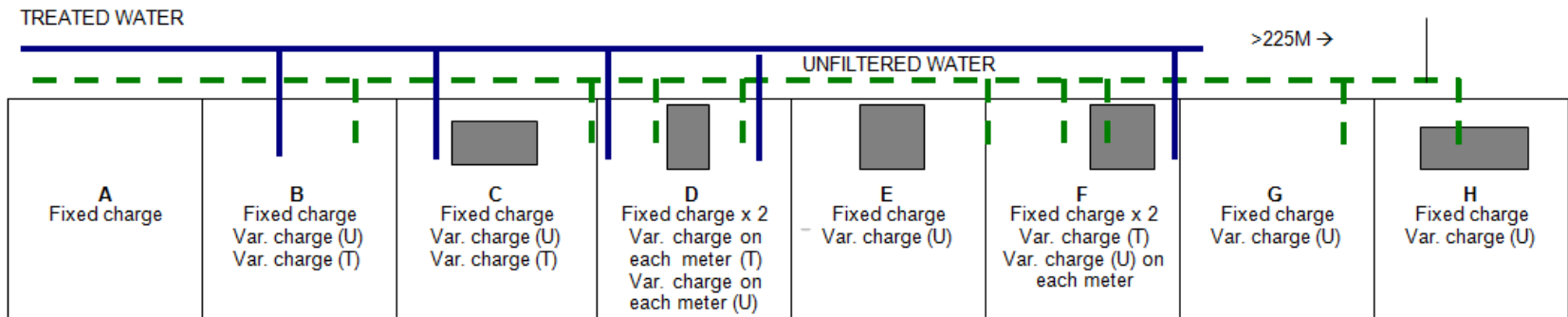
Min. No.

APPENDIX A

**1. WHERE SINGLE SUPPLY IS AVAILABLE TO PROPERTY
(Tocumwal) – Not including proposed new subdivisions outside village boundary**



**2. WHERE DUAL SUPPLY IS AVAILABLE TO PROPERTY (EXCEPT "H" – SINGLE AVAILABLE ONLY)
(Barooga, Berrigan and Finley) – Not including proposed new subdivisions outside village boundary**



NOTE: Indicates residence or residential use with house
 (T) Treated Supply
 (U) Unfiltered Supply

Min. No.

5.13 REVOCATION OF COUNCIL POLICIES

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

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

FILE NO:

149 RESOLVED Crs Morris and Glanville that the Council revoke the following Council policies:

- 25 – Driveway Construction.
- 38 – Drainage Corridors Fire Reduction.
- 45 – Volunteering in Berrigan Shire

5.14 TENDER T01/17/18 ANNUAL PLANT HIRE

AUTHOR: ENGINEERING SERVICES MANAGER

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

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

FILE NO: T01/17/18

150 RESOLVED Crs Jones and Bodey that the Council:

1. accepts all compliant tenders for the 2017-18 financial year for T01/17/18 Annual Plant Hire Rates as set out below:

A & T GOLDMAN PTY LTD
PEARSE EARTHMOVING
ROB EX CIVIL
BELL KEARNEY EXCAVATION
BERRIGAN WATER CARTAGE
COATES HIRE
EARTH PLANT HIRE
FENHILL PTY LTD
FOXYS BACKHOE SERVICE
JOHN NOLAN PTY LTD
JUDD AND SONS PTY LTD
MILLERS CIVIL CONTRACTORS AND PLANT HIRE
MUZZASLASH AND LABOUR HIRE
NECAM PTY LTD
O'LOUGHLIN EXCAVATIONS
PASCOE'S GRADING AND EARTHMOVING
RIVERINA EARHWORKS PTY LTD
ROLLERS AUSTRALIA PTY LTD
SE AND ST LITTLE PTY LTD
RSP ENVIRONMENTAL SERVICES

Min. No.

SHERRIN RENTALS
STABILCO P/L
STEPHEN HAYNES PTY LTD
THE MINING PTY LTD
TOX FREE

2. sign and seal the contract documents.
3. appoint the Director of Technical Services as the Contract Superintendent and the Engineering Services Manager as the Superintendents' Representative.

5.15 TENDER T02/17/18 SUPPLY OF QUARRY PRODUCTS

AUTHOR: ENGINEERING SERVICES MANAGER

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities

FILE NO: T02/17/18

151 RESOLVED Crs Jones and Bodey that the Council

1. accepts all compliant tenders for the 2017-18 financial year for T02/17/18 Supply of Quarry Products as et out below:

A & T GOLDMAN PTY LTD
LAWRENCE BROTHERS
EB MAWSONS & SONT'S PTY LTD
JUDD & SONS PTY LTD

2. sign and seal the contract documents.
3. appoint the Director of Technical Services as the Contract Superintendent and the Engineering Services Manager as the Superintendents' Representative.

5.16 TENDER T03/17/18 SUPPLY OF ELECTRICAL SERVICES

AUTHOR: ENGINEERING SERVICES MANAGER

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities

FILE NO: T03/17/18

152 RESOLVED Crs Jones and Bodey that the Council

1. accepts all compliant tenders for the 2017-18 financial year for T03/17/18 Supply of Electrical Services as set out below:

Min. No.

SYMMETRIX
PBS POWER SERVICES PTY LTD
MURRAY VALLY LOCATING & ELECTRICAL
MARCUS MCMILLIAN ELECTRICAL
KERFOOT ELECTRICS
COBRAM ELECTRICAL & DATA

2. sign and seal the contract documents.
3. appoint the Director of Technical Services as the Contract Superintendent and the Engineering Services Manager as the Superintendents' Representative.

ITEMS FOR NOTING

- 6.1 LIONS PARK, TOCUMWAL
- 6.2 FINANCE ASSISTANCE GRANT
- 6.3 DEVELOPMENT DETERMINATIONS FOR THE MONTH OF MAY

- 153** **RESOLVED** Crs Curtin and Glanville that Items for Noting numbered 6.1 to 6.3 inclusive be received and noted.

The meeting adjourned at 10:25am

The meeting reconvened at 10:53am.

7. CLOSED COUNCIL

In accordance with the *Local Government Act 1993* and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

Set out below is section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in the closed part of a meeting.

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than councillors)
- (b) the personal hardship of any resident or ratepayer
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

Min. No.

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret
- (e) information that would, if disclosed, prejudice the maintenance of law
- (f) matters affecting the security of the council, councillors, council staff or council property
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.

7.1 BERRIGAN BANKING PROPOSAL – DISCUSSION PAPER

This item is classified CONFIDENTIAL under section 10A(d)(i) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or

It is not in the public interest to reveal the commercial information.

154 RESOLVED Crs Jones and Morris that the Council move into a closed session to consider the following business together with any reports tabled at the meeting.

And further that pursuant to section 10A(1)-(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above and that the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.

Min. No.

7.1 **BERRIGAN BANKING PROPOSAL – DISCUSSION
PAPER**

Council closed its meeting at 10:54am. The public and media left
the Chamber.

156 RESOLVED Crs Curtin and Glanville that the Council move out of
closed and into open Council.

Open Council resumed at 11:35am.

RESOLUTIONS FROM THE CLOSED COUNCIL MEETING

The Mayor advised those present of the following resolution made
while the meeting was closed to the public.

7.1 **BERRIGAN BANKING PROPOSAL – DISCUSSION
PAPER**

AUTHOR: General Manager

STRATEGIC OUTCOME: Diverse and resilient business

**STRATEGIC OBJECTIVE: 4.2 Strengthen and diversify the
local economy**

FILE NO:

“that the Council request further information from the Bendigo Bank
in relation to the potential establishment of an agency at the
Council office.”

Cr Taylor again declared a conflict of interest in this item and left
the Chambers at 11:35am.

Min. No.

8.1 MINUTES OF THE TECHNICAL SERVICES COMMITTEE MEETING

157 RESOLVED Crs Bodey and Morris that recommendation numbered 1 inclusive of the Technical Services Committee Meeting held on 7th June, 2017 be adopted.

5. HALF COST SCHEME 06/16/17 NANGUNIA STREET, BAROOGA

AUTHOR: Executive Engineer

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities

FILE NO: HCS 06/16/17

RECOMMENDATION NO. 1 – that:

1. In accordance with Council’s policy: Contributory Footpath And Kerb And Gutter Schemes Policy pursuant to clauses 217,218 & 219 of the Roads Act 1993, proceed with the construction of footpath along Nangunia Street, Barooga (Takari Street to end of residential subdivision west side) and make a charge on abutting property owners in accordance with the Schedule for Scheme 06/16/17 as set out below.

**SCHEDULE: SCHEME NO. 06/16/17
NANGUNIA STREET, BAROOGA FOOTPATH CONSTRUCTION
(TAKARI STREET TO END OF RESIDENTIAL SUBDIVISION WEST SIDE)**

Estimated full unit rate is \$90.00 excluding GST per square metre, inclusive of survey, design, construction and supervision.

Property	Owner's Percentage	Frontage (m)	Total Cost \$	Owner's Cost Excl GST \$	GST \$	Total Owner's Cost Incl. GST \$	Council Cost \$
6 BEATRICE COURT, BAROOGA 3644, (LOT 34 DP1102913)	25%	5.32	\$574.56	\$143.64	\$14.36	\$158.00	\$430.92
47-51 TAKARI STREET, BAROOGA 3644, (LOT 1 DP1174446)	25%	19.95	\$2,154.60	\$538.65	\$53.87	\$592.52	\$1,615.95
8 RUSSELL COURT, BAROOGA 3644, (LOT 17 DP1102913)	25%	34.49	\$3,724.92	\$931.23	\$93.12	\$1,024.35	\$2,793.69

Min. No.

8 BEATRICE COURT, BAROOGA 3644, (LOT 32 DP1102913)	25%	40	\$4,320.00	\$1,080.00	\$108.00	\$1,188.00	\$3,240.00
7 BEATRICE COURT, BAROOGA 3644, (LOT 33 DP1102913)	25%	31.07	\$3,355.56	\$838.89	\$83.89	\$922.78	\$2,516.67
10 RUSSELL COURT, BAROOGA 3644, (LOT 15 DP1102913)	25%	5.11	\$551.88	\$137.97	\$13.80	\$151.77	\$413.91
9 RUSSELL COURT, BAROOGA 3644, (LOT 16 DP1102913)	25%	34.39	\$3,714.12	\$928.53	\$92.85	\$1,021.38	\$2,785.59
7 RUSSELL COURT, BAROOGA 3644, (LOT 18 DP1102913)	25%	5.51	\$595.08	\$148.77	\$14.88	\$163.65	\$446.31
Berrigan Shire Council Road Reserve	0%	88.00	\$9,504.00	\$0.00	\$0.00	\$0.00	\$9,504.00
Total		263.84	\$28,494.72	\$4,747.68	\$474.77	\$5,222.45	\$23,747.04

Cr Taylor returned to the Chambers at 11:36am.

8.2 MINUTES OF THE RISK MANAGEMENT COMMITTEE MEETING

158 RESOLVED Crs Glanville and Jones that recommendations numbered 1 to 3 inclusive of the Risk Management Committee Meeting held on 7th June, 2017 be adopted.

4. PLAYGROUND MANAGEMENT

AUTHOR: Enterprise Risk Manager

STRATEGIC OUTCOME: Good government

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

Min. No.

FILE NO: 27.121.2

RECOMMENDATION NO. 1 the Council

1. adopt the Playground Facility Risk Rating Register included as appendix "A"
2. revoke the existing Playground Management Policy.
3. adopt the Playground Management Policy as follows:

61. **PLAYGROUND MANAGEMENT POLICY**

File Reference No: 27.121.2

Strategic Outcome: Good government

Date of Adoption: 07/06/2017

Date for Review: 07/06/2021

Responsible Officer: Enterprise and Risk Manager

1. **POLICY STATEMENT**

Berrigan Shire Council recognises that it has a duty of care to ensure the siting, construction and maintenance of all playgrounds under its control, is carried out in a manner that is as safe and sustainable as reasonably practicable, for the users of the playgrounds.

2. **PURPOSE**

The purpose of this policy is to clearly outline the methodology used when considering provision of a new playground, and measures necessary for the maintenance of existing playgrounds.

3. **SCOPE**

This policy applies to all playgrounds under Berrigan Shire Council's control, including the siting and installation of new playgrounds, and the workers including volunteers that are responsible for inspecting and maintaining them.

4. **OBJECTIVE**

This policy is designed to assist the Council to meet the following Community Strategic Plan objectives:

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

3.1 Create safe, friendly and accessible communities;

3.2 Support life-long learning, culture and recreation.

Min. No.

5. DEFINITIONS

Playground An area designed for children's play, including the site, natural features, built landscape and any manufactured equipment. It does not include sites and equipment intended for use in formal sport.

Playground equipment - Equipment including manufactured structures and impact absorbing surfacing.

6. POLICY IMPLEMENTATION

6.1 Determining New Playgrounds for Berrigan Shire
Decisions to install new playgrounds can be based on a number of factors including:

- Demand;
- Current use of existing playgrounds;
- Formal requests;
- Close proximity of other facilities;

Funding of the playground will be in accordance with Council's Community Strategic Plan, Delivery Plan and Resourcing Strategy. Any opportunities to obtain funding from other sources will be pursued.

Any new proposed playgrounds will be assessed in accordance with Facility Risk Rating procedures and Council's Risk Management Policy and Framework.

6.2 Facility Risk Ratings

New and existing playgrounds are assessed and rated using the Statewide Mutual Best Practice Manual for playgrounds. The process involves:

- a) Establishing a register of all playgrounds;
- b) Determining the level of development at the playground site including natural and introduced hazards located in the vicinity of the playground equipment;
- c) Determining the number of people that use, or are likely to use the playground;
- d) Determining the frequency of use of the playground including seasonal fluctuations;
- e) Calculating a risk rating;
- f) Selecting, arranging and installing appropriate measures.

6.3 Playground Maintenance and Inspection

Council has in place a regular inspection and maintenance regime for playgrounds.

Min. No.

Ongoing maintenance of playgrounds will be carried out as identified through inspections, as a result of customer complaints, and as part of scheduled maintenance and recurrent expenditure programs for playgrounds.

6.4 Documentation

All records relating to the playground assessment process, and inspection and maintenance programs, will be maintained in accordance with Australian Standard requirements and as part of Council's record management system.

6.5 Monitoring and Review

The Playground Facility Risk Rating Register will be reviewed in line with policy, and where any significant change to the level of development or usage of a playground requires a reassessment of its risk and potential hazards.

7. RELATED LEGISLATION POLICIES OR STRATEGIES

7.1 Legislation

Work Health and Safety Act 2011

Work Health and Safety Regulations 2011

AS/NZS 4486 Playgrounds and playground equipment

AS 4685.1: Playground equipment and surfacing

AS 4422: Playground surfacing

7.2 Policies and strategies

Risk Management Policy and Framework

Statewide Mutual Best Practice Manual – Playgrounds

5. EMPLOYEE ASSISTANCE PROGRAM 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: 22.112.5

RECOMMENDATION NO. 2 that Council

1. revoke the Employee Assistance Program Policy,
2. adopt the Employee Assistance Program Policy as outlined below

Min. No.

67 EMPLOYEE ASSISTANCE PROGRAM POLICY

File Reference No: 22.112.5

Strategic Outcome: Good government

Date of Adoption: 07/06/2017

Date for Review: 07/06/2021

Responsible Officer: Enterprise and Risk Manager

1. POLICY STATEMENT

The Berrigan Shire Council in its commitment to maintaining a safe and healthy working environment has recognised the need to provide adequate support for staff experiencing personal or work related problems by providing an Employee Assistance Program (EAP).

Council will enlist the services of an EAP provider to provide professional counselling services for its workforce.

2. PURPOSE

The purpose of this policy is to outline the provision of the EAP program and define the parameters by which the EAP program is offered.

3. SCOPE

This policy applies to paid employees of the Berrigan Shire Council, registered volunteers of Council's S355 Committees of Management, and current elected councillors.

4. OBJECTIVE

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

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

5. DEFINITIONS

Organisational Referral is when Council has identified a need, such as following an incident, and will arrange for EAP access.

Self-Referral is where the employee has identified a problem which they wish to discuss in a private and confidential setting without anyone in the organisation being involved in any way.

Suggested Referral is when the option of accessing the EAP is made, usually by a Supervisor or Manager, or even a work colleague.

Min. No.

6. POLICY IMPLEMENTATION

6.1 EAP Provider

The Council will contract a regionally located provider to manage the EAP, independent of Council. The focus will be on providing professional counselling services that meet both the employee's and Council's needs.

Information regarding the EAP Provider is available from Council's Payroll/HR Officer.

6.2 EAP Procedure

The EAP offers assistance for problems such as:

- Relationship difficulties
- Divorce and separation
- Harassment and discrimination
- Conflict
- Alcohol and drug problems
- Work related problems
- Grief and bereavement
- Financial difficulties
- Stress and fatigue
- Emotional difficulties

The EAP is free of charge up to a maximum of three visits in one calendar year, to all Berrigan Shire Council paid employees, registered volunteers of Council's S355 Committees of Management, and current elected members of Council. Any additional visits will be at the cost of the individual.

Use of the EAP can be through self-referral, suggested referral or organisational referral. Where the referral is either suggested or organisational, use of the EAP is at the discretion of the individual and is completely voluntary.

The EAP provider will make arrangements to meet with the individual usually at a location close to their place of residence, or at the provider's premises, however on occasion an alternative venue may need to be arranged. Under these circumstances travelling will be charged according to the EAP agreement between the Council and the provider.

Where a counsellor may suggest referral to a specialist agency, any costs associated with the referral are to be met by the individual.

Min. No.

6.2.1 Leave requirements for paid employees

Where an employee wishes to utilise the EAP service, normal leave procedures will apply. If the referral to the EAP is a suggested or organisational referral, arrangements regarding leave or leave with pay will be made with the affected employee/s.

6.2.2 Confidentiality

A vital feature of the EAP is the confidentiality and respect for an individual's privacy. No one needs to know that an individual is utilising the services of the EAP. Should an individual confide in or advise somebody within Council that they are attending the EAP, he/she is required to observe strict confidentiality and where possible offer support.

Confidentiality also means that nobody, include the Council will receive information from the EAP provider concerning an individual situation. Conversations and any information shared with a counsellor will be confidential and will not be communicated further unless written authorisation is given.

6.2.3 Council Contact

The EAP is facilitated by the Human Resource Officer. Information, direction, support and advice on the EAP service can be obtained by contacting the Human Resource Officer, Council's Contact Officers or by making direct contact with the EAP Provider.

Contact details of the current EAP Provider are displayed on all noticeboards.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

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

- *Privacy and Personal Information Protection Act 1998*
- Local Government (State) Award 2010
- Work Health and Safety Policy
- Internal Reporting Policy
- Code of Conduct
- Discrimination, Workplace Bullying and Harassment Policy
- Drug and Alcohol Free Workplace Policy
- Privacy Management Plan

Min. No.

6. CLOTHING AND PROTECTIVE EQUIPMENT 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: 22.112.1

RECOMMENDATION NO. 3 – that Council

1. revoke the Clothing and Protective Equipment Policy,
2. adopt the Clothing and Protective Equipment Policy as outlined below

65 CLOTHING AND PROTECTIVE EQUIPMENT POLICY

File Reference No: 22.112.1

Strategic Outcome: Good government

Date of Adoption: 07/06/2017

Date for Review: 07/06/2021

Responsible Officer: Enterprise and Risk Manager

1. POLICY STATEMENT

Council is committed to providing a safe working environment for its workers, in addition to promoting a professional image. This policy outlines the provision and use of Council uniforms, protective clothing and equipment.

2. PURPOSE

The purpose of this policy is to:

- Outline how clothing and protective equipment will be made available to Council workers;
- Advise on worker responsibility in relation to the wearing, use and maintenance of clothing and protective equipment.

3. SCOPE

This policy applies to workers of the Berrigan Shire Council, specifically permanent and casual staff, and volunteers.

4. OBJECTIVE

Min. No.

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

2.2.1 Meet legislative requirements for Council elections, local government and integrated planning and reporting.

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

5. DEFINITIONS

Operational Staff refers to personnel required to regularly work outdoors and includes water operators, sewer operators, roads construction and maintenance, parks and gardens personnel, and town maintenance.

Non-operational Staff refers to personnel who regularly work indoors and includes office staff, technical staff, and library staff.

Volunteers under this policy, specifically relates to unpaid personnel of Council's volunteer committees established under S355 of the Local Government Act 1993

Personal Protective equipment (PPE) means anything used or worn by a person to minimise risk to the person's health and safety, including air supplied respiratory equipment.

Environmental Liaison and Enforcement Officer and appropriate relief staff are those personnel responsible for enforcing Council's obligations under state legislation and local policy.

6. POLICY IMPLEMENTATION

6.1 Provision of Clothing and PPE for Operational Staff

On commencement of permanent employment, all operational staff are provided with:

- 1 x sunhat (bucket or legionnaire style)
- 1 x pair of safety work boots
- 1 x high visibility wet weather jacket
- 3 x pairs of trousers
- 3 x long sleeve shirts
- 1 x pair of safety sunglasses
- 1 x jumper
- 1 x water bottle

The following items will be held in the Store and issued as required:

- Safety rubber boots

Min. No.

- Wet weather gear
- Safety helmets
- Disposable overalls
- Sunscreen
- Insect repellent

The Store Person shall order protective clothing on an as needs basis, and shall keep in stock adequate supplies of various sizes. Every effort will be made to ensure correct sizes are provided. Clothing will be stored in the Store and will be issued by the Store Person who will monitor the quantity issued.

All clothing for operational staff will include the Berrigan Shire Council logo.

6.2 Provision of Clothing for Non-operational Staff

Council employees not entitled to a uniform issue through the Store will have access to a subsidy to purchase uniforms approved by the Council from its preferred uniform supplier.

The Council will allocate an overall subsidy in its annual operating budget. This subsidy will then be shared across all eligible staff on the following basis:

- Permanent staff working more than 0.75 EFT – one full share;
- Permanent staff working less than 0.75 EFT – one half share;
- Casual staff - \$100

New staff members will be provided with their appropriate allocation amount on commencement.

Staff will be invoiced for the amount of purchases exceeding the allocation. Unspent uniform allocations will not be carried forward into the next financial year.

6.3 Provision of Clothing for environmental Liaison and Enforcement Staff

All Environmental Liaison and Enforcement staff including relief staff are issued with the same clothing and protective equipment as operational staff, however all shirts and jumpers must have the identifying “Ranger” emblem embroidered on the shoulder.

6.4 Provision of PPE for Volunteers

Volunteers are provided with PPE relevant to their work activity. Hi-vis vests issued do not contain the Berrigan Shire Council logo.

A register of issue is maintained by the Enterprise Risk Manager.

Min. No.

6.5 Additional PPE

Additional PPE will be provided as needs are identified. Needs may be identified through a variety of methods including consultation, workplace inspections, worker requests, changes in legislation, etc.

6.6 Replacement of Clothing and PPE

All clothing and PPE for operational staff will be replaced on a needs basis, as determined by the Overseers. The worn or damaged items may be requested to be returned to the Store Person.

Department Managers will ensure that the level of issues to operational, non-operational and volunteers is such that the condition of the clothing (where provided) and PPE does not deteriorate to the stage where the worker's health and safety, and the image of the Council is jeopardised.

6.7 Compulsory Requirements for Clothing and PPE

All workers are required to wear high visibility jackets whenever it is a requirement of their work activity.

Other PPE (such as hard hats, ear muffs, safety glasses, etc.) shall be worn in areas designated by signage, safe work method statements, as directed to tool box meetings or through other means.

In accordance with Work Health and Safety legislation, a worker must while at work, co-operate with his or her employer or other person so far as is necessary to enable compliance with any requirement under the *Work Health and Safety Act* and *Work Health and Safety Regulations*. This requires workers to comply with any PPE and clothing requirements.

If an employee presents at work without the appropriate clothing or PPE, or whilst in an identified PPE designated area, fails to wear, removes or alters the equipment or clothing, they will be request to leave the worksite and return only when they are properly attired. Any time lost will be without pay. Further failures will result in disciplinary action in accordance with the Local Government (State) Award 2010.

Operational staff are required to wear their issued long pants and long sleeve shirts at all times.

Where non-operational staff are required to work outdoors in addition to their normal duties indoors, they are required to recognise the same personal protective requirements. Where long

Min. No.

sleeved shirts have not been issued, staff are to ensure they apply sunscreen at regular intervals whilst outdoors.

6.8 Clothing and Personal Protective Equipment Maintenance
All workers are responsible for the cleanliness of their clothing and the maintenance of their PPE.

Any PPE that cannot be used for the purpose of which it is designed either due to damage or wear and tear must be immediately replaced.

6.9 Acknowledgement

It is acknowledged by Council that this policy will not be able to be applied strictly to all workers due to irregular fittings, etc. Therefore those workers will be accommodated within this policy at the General Manager's discretion.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

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

- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulations 2011*
- Local Government (State) Award 2010
- Code of Conduct
- Work Health and Safety Policy
- Heat Street Policy
- Expenses and Facilities Guidelines for Staff

Min. No.

MAYORS REPORT

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

- Finley Chamber of Commerce Annual General Meeting
- Finley Sporting Complex Committee of Management meeting
- Barooga Bowls Presentation
- Finley School of Arts & War Memorial Hall Committee of Management meeting
- Barooga Town Entry Concept Plans meeting
- Tocumwal Multipurpose Service opening
- Finley Rotary changeover

106 **RESOLVED** Crs Morris and Glanville that the Mayors report be received.

DELEGATES REPORTS

Cr Brodey

- Tocumwal Multipurpose Service opening

Cr Taylor

- Nil

Cr Morris

- Finley Chamber of Commerce Annual General Meeting

Cr Curtin

- Berrigan Bank meetings
- Berrigan & District Development Committee
- Central Murray County Council
- Berrigan Local Health Area Committee meeting
- RFS meeting
- Tocumwal Multipurpose Service opening

Cr Glanville

- Tocumwal Multipurpose Service opening

Cr Jones

- Central Murray County Council – future of the CMCC & appointment of the General Manager

Cr Morris declared a Pecuniary Interest in this matter as he is an employee of CMCC and left the Chambers at 11:50am.

Min. No.

Matt Hansen declared a Pecuniary Interest in this matter as he has an interest in the General Manager position of the CMCC and left the Chambers at 11:52am.

Cr Morris and Hansen returned to the Chambers at 11:54am.

Cr Jones

- Tocumwal Chamber of Commerce meeting
- Tocumwal creek walk meeting
- Tocumwal Multipurpose Service opening

GENERAL BUSINESS

Cr Jones

- Nil

Cr Glanville

- Nil

Cr Curtin

- Tax concessions rural areas

Cr Morris

- Parking at Tocumwal Hospital
- Finley School of Arts project – DCS provided an update to the meeting

Cr Taylor

- Office of Environment & Heritage meeting
- Block of land in Finley

Cr Glanville

- Nil

Cr Hannan

- Aerodrome blocks
- Finley signs

Engineering Services Manager

- Nil

Director Technical Services

- Finley Truck Wash Grant
- Tocumwal kerb & gutter works

Director Corporate Services

- Nil

Min. No.

General Manager

- Massive Murray Paddle

107 **RESOLVED** Crs Morris and Taylor that Council contribute \$5000 to
towards the Massive Murray Paddle.

- State Budget

There being no further business the meeting closed at 12:20pm.