



ORDINARY MEETING OF COUNCIL

Held on Wednesday 17 August 2022

Council Chambers
56 Chanter Street, Berrigan



Minutes



Council Meeting

Wednesday 17 August 2022

MINUTES

Min. No.

1. OPENING OF MEETING

The Council opened its meeting at 9:08am.

Cr Matthew Hannan read the following statement:

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

Confidential matters of Council will not be audio recorded.

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

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

Present:

Crs: Matthew Hannan (Mayor), Carly Marriott (Deputy Mayor), John Taylor, Sarah McNaught, Renee Paine, Julia Cornwell McKean and Roger Reynoldson

The following staff were also in attendance:

Karina Ewer (Chief Executive Officer), Matthew Hansen (Deputy Chief Executive Officer), Rohit Srivastava (Director Infrastructure) and Joanne Ruffin (Director Strategic Planning & Development)

2. ACKNOWLEDGEMENT OF COUNTRY

Cr Matthew Hannan made an Acknowledgement of Country with the following statement:

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

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

237 **Resolved** Cr Paine and Reynoldson that an apology for non-attendance be received from Cr Ted Hatty.

4. CONFIRMATION OF PREVIOUS MINUTES

238 **Resolved** Cr McNaught and Cornwell McKean that the Minutes of the meeting held in the Council Chambers on Wednesday 17 August 2022 be confirmed.

5. DISCLOSURES OF INTEREST

Nil

6. MAYORAL MINUTE(S)

Nil

7. REPORTS OF COMMITTEES

7.1 Audit, Risk and Improvement Committee Meeting

239 **Resolved** Cr Cornwell McKean and Cr Reynoldson that the Council receive and note the Minutes of the Audit, Risk and Improvement Committee from the meeting held on Tuesday 28 June, 2022.

8. REPORTS TO COUNCIL

8.1 Council Action List Report

240 **Resolved** Cr Taylor and Cr Paine that the Council receive and note the Council Action List Report.

8.2 Finance - Accounts

241 **Resolved** Cr Reynoldson and Cr Marriott that the Council:

- a) Receive the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 July 2022,
- b) Confirm the accounts paid as per Warrant No. 07/22 totaling \$2,175,251.40 and
- c) Note the report on investments attached as **"Appendix 8.2-A"**

242 **Resolved** Cr Cornwell McKean and Cr Paine that the Council defer the consideration of item 8.3 Local Roads and Community Infrastructure Program – Round 3 to discuss with item 8.8 Stronger Country Communities – Round 5

8.4 Administrative Policies

243 **Resolved** Cr Marriott and Cr Cornwell McKean that the Council:

1. Delegate authority to the Chief Executive Officer for the review and adoption of all Council policies classified as "Administrative"
2. Classify the following policies as "Administrative":
 - Communication Devices and the Internet
 - Street Stalls
 - Pre-Employment Medical
 - Employee Assistance Program
 - Employee Leave
 - Training and Development
 - Heat Stress
 - Public Internet Use
 - Workplace Rehabilitation
 - References
 - Private Employment
 - Library Service – Children and Young People
 - Clothing and Protective Equipment

- Library Service – Patron Code of Conduct
- Workplace Smoking
- Access Control
- Overdue, Lost or Damaged Library Materials
- Vaccination
- Family and Domestic Violence
- Salary Packaging
- Workplace Surveillance

8.5 Christmas Office Closure

244 **Resolved** Cr Marriott and Cr Paine that the Council note this report.

8.6 Murray River Adventure Trails

245 **Resolved** Cr Reynoldson and Cr Marriott that the Council note this report.

8.7 Development Application 166/22/DA/D5 – Residential Storage Shed – 4 Murray Grove, Barooga

246 **Resolved** Cr Marriott and Cr McNaught that the Council defer decision on this Development Application 166/22/DA/D5 to a future Council meeting.

Division:

For: Unanimous

Against: Nil

Reason for not supporting the original recommendation:

Cr Carly Marriot:

“The reason why is that we would like to give the applicant the opportunity to provide rationale as to why they need to encroach on the buffer zone.”

8.3 Local Roads and Community Infrastructure Program – Round 3

247 Resolved Cr Paine and Cr McNaught that the Council reallocate its Local Roads and Community Infrastructure – Round 3 funding to the projects set out in the table below:

Project	Funding	
	Initial	Revised
Barooga Recreation Reserve	\$566,054	\$600,000
Smithers Road	\$200,000	\$180,000
Tocumwal Foreshore	\$614,000	\$350,000
Finley War Memorial Hall	\$195,000	\$195,000
Burkinshaw St	\$180,000	\$220,000
Tocumwal Aviation Museum Carpark		\$210,054
TOTAL	\$1,755,054	\$1,755,054

Karina Ewer left the Council Chamber at 10:04am.

Karina Ewer returned to the Council Chamber at 10:06am.

Carly Marriott left the Council Chamber at 10:23am.

8.8 Stronger Country Communities – Round 5

248 Resolved Cr Cornwell McKean and Cr Reynoldson that the Council:

- select the following projects as options for funding under Stronger Country Communities Fund:
 1. Barooga Cricket Nets (\$200k)
 2. Golf Course Road lighting (\$200k)
 3. Underground power – Chanter Street, Berrigan (\$500k); and
- direct Council staff to:

1. conduct a survey of residents to guide Council to determine priorities, and
2. provide a report to the ordinary meeting of Council on 21 September with the results of this survey

Cr Carly Marriott returned to the Council Chamber at 10:24am.

8.9 CCTV Surveillance Policy

249 **Resolved** Cr Reynoldson and Cr Marriott that the Council, noting that no submissions were received from the public, adopt the CCTV Surveillance Policy below:



Policy

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CCTV SURVEILLANCE

Strategic Outcome:	Good government		
Policy type	Statutory		
Date of Adoption:	17 August 2022	Minute Number:	
Date for Review:	19 August 2026		
Responsible Officer:	Deputy Chief Executive Officer		
Document Control:	New policy		
Delivery Program Link:	2.1.3 Council operations and financial management support ethical, transparent, and accountable corporate governance		

1. POLICY STATEMENT

Council recognises crime can have a significant social, economic and environmental impact on the community. Hence, the need to ensure efforts are taken to prevent and reduce instances of crime. The CCTV Program has a range of benefits to the community and assists in identifying and reducing crime which can lead to enhanced public safety in particular locations or in a particular area.

This Policy has been developed in accordance with the provisions of the NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed Circuit Television (CCTV) in Public Spaces (the Guidelines). The Guidelines were developed to support councils, transport providers and others who implement CCTV in public spaces to ensure compliance with relevant legislation.

2. PURPOSE

This policy provides a framework for the installation, management, and operation of a closed-circuit surveillance system comprising cameras and associated equipment, software and systems (CCTV Program).

3. SCOPE

This policy applies to CCTV established, operated or managed by, or on behalf of Council with Council's express consent.



Policy

This Policy does not apply to:

- a) any CCTV installed by a third party, such as a tenant or licensee of Council land and/or facilities;
- b) mobile cameras including dash cams, and body worn video cameras that are primarily used for Council activities associated with enforcement by authorised officers of Council in their delegated tasks or for personal safety;
- c) cameras attached to Council's garbage trucks for operational purposes

4. OBJECTIVE

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

5. DEFINITIONS

CCTV television system that transfers images on a closed loop basis, where images are only available to those directly connected to the transmission system.

Public place: as defined in the *Local Government Act 1993* and specifically refers to public reserves and public roads. It also includes buildings and other assets located in public places.

6. POLICY IMPLEMENTATION

6.1 CCTV Program Development

Council staff must identify the outcome to be achieved, develop and document objectives for the establishment, operation and management of CCTV in a public space

CCTV will only be used in accordance with its established objectives and not for any other purpose.

Outcomes may include:

- To assist in the investigation and/or prosecution of civil and criminal offences in relation to the security of public places and Council's facilities/assets, or crimes against the person;
- Improving public confidence in the safety and security of public places;
- To deter anti-social behaviours in high-risk public places;
- To assist with the safety of Council staff or authorised contractors within public places;
- To assist with the management/operations or maintenance of public places, or monitoring their use; or
- Identifying potential environmental safety risks



Policy

6.2 Consultation

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

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

- Residents;
- Users of the public place;
- Local businesses;
- Police or other regulatory authorities; and
- Council staff

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

6.2.1 Police

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

6.2.2 Council staff

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

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

6.3 Establishment

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

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

The audit will consider:



Policy

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

6.4 Evaluation

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

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

- achieving its objectives (including an assessment of its impact upon crime and community safety, for those schemes implemented for crime prevention or community safety purposes);
- being used in accordance with its established objectives, and not for any other purpose;
- impacting on any groups;
- providing an overall benefit (after consideration of the costs involved in operating the scheme); and
- achieving its planned outcomes and if not, whether it requires changes to the extent or location of the cameras, or technology utilised.

6.5 Ownership

Council staff will ensure the ownership of public area CCTV schemes is clear and publicly known.

Council staff will erect signs informing the public of the existence of CCTV in a public place and will take steps to ensure the signs comply with relevant legislation such as the *Privacy and Personal Information Protection Act 1998*.

Furthermore, Council staff will maintain a public register of its CCTV schemes.

Council maintains ownership of, and has copyright of all data, recordings, photographs and documentation pertaining to the CCTV Program and the third-party release or distribution of data, recordings, photographs and documentation provided by Council is strictly prohibited without obtaining Council's written consent

6.6 Retention

The retention of, and access to, recorded data will only be for the purpose provided in this policy.



Policy

Council generally retains recorded data for a period of 30 days; however, retention of data is based on several variables which may result in shorter or longer retention periods. If in the rare circumstances of a technical failure and current recorded images are unattainable, all reasonable efforts to repair will be made. No backups or secondary copies are retained.

Appropriate security measures are taken to ensure data held by Council is secure and restricted to authorised Council officers only and must be in accordance with Councils CCTV Standard Operating Procedures.

6.7 Access

6.7.1 Public access

All requests for access to data held by Council must be made by way of application in accordance with the requirements set out in the *Government Information (Public Access) Act 2009* and the Council's Access to Information Policy.

An application for access to information will be appropriately assessed in accordance with this policy and relevant laws.

6.7.2 Police and law enforcement

Access and release of data held by Council will only be granted to a law enforcement agency for a lawful and permitted purpose and in accordance with the terms of this policy.

Where the Council has reported loss or damage to its own property, the Chief Executive Officer or delegate may authorise release of data relating to the matter to the relevant law enforcement agency.

In all other instances prior to any data or information being released, law enforcement agencies will be required to clearly identify the data required and the rationale for the requested release.

Any law enforcement agency that obtains data or information from the CCTV Program is responsible for ensuring they comply with any relevant laws including the *Privacy and Personal Information Protection Act 1998*.

6.8 Accountability and privacy

Council staff will ensure its CCTV schemes are open and accountable and operate with due regard for privacy and civil rights of individuals and the community, including:

- the recording and retention of images is undertaken lawfully;
- the purpose for which the information is being obtained is known;
- the information is not used for any purpose other than that stated;
- people are made aware they may be subject to CCTV surveillance; and



Policy

- the owners of the scheme are known and accountable for its operation.

Cameras will not be used to purposely monitor private property that may be captured within the view of a camera's view. Notwithstanding this, any data or information collected from the CCTV Program will be recorded and may be provided to a law enforcement agency for a lawful and permitted purpose.

6.9 Complaints

Complaints in relation to Council's establishment, management or operation of CCTV may be made through Council's existing customer contact processes. Complaints, except for those specified below, will be managed in accordance with Council's complaint management procedures.

Complaints in relation to Council's handling of a person's personal information will be managed in accordance with Council's Privacy Management Plan. Complaints of this nature may also be made to the NSW Information and Privacy Commissioner.

6.10 Review

Council staff will review its CCTV systems every four (4) years to assess compliance with this Policy and any associated procedures. The review will examine such matters as:

- Assessment of the scheme and any technological problems;
- Processes used to receive, access and process footage requests;
- Complaints received and responses provided;
- Compliance with relevant legislation, regulations and Australian Standards; and
- Whether the systems and processes utilised remain good practice

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *Local Government Act 1993*
- *Privacy and Personal Information Protection Act 1998*
- *Workforce Surveillance Act 2005*
- *Government Information (Public Access) Act 2009*
- *Security Industry Act 1997*
- Privacy and Personal Information Protection Regulation 2005
- NSW Government policy statement and guidelines for the establishment and implementation of closed circuit television (CCTV) in public places (2014)



Policy

7.2 Council policies and guidelines

- Governance Policy
- Code of Conduct
- Privacy Management Plan
- Community Engagement and Participation Framework
- Records Management Policy
- Access to Information Policy

8. RECORDS MANAGEMENT

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

9. REVIEW

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

10. DOCUMENT AVAILABILITY

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

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

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

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

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56 Chanter Street
BERRIGAN NSW 2712

Ph: 03 5888 5100

Email: mail@berriganshire.nsw.gov.au



Policy

11. VERSION CONTROL

Version Number	Date	Summary	Responsible Officer
1.0	17.08.2022	New Policy document	Deputy Chief Executive Officer

APPENDICES

Nil

DRAFT

8.10 Salary Packaging Policy

250 **Resolved** Cr Marriott and Cr Cornwell McKean that the Council:

1. adopt the Salary Packaging Policy set out below:.



Policy

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SALARY PACKAGING

Strategic Outcome:	Good government		
Policy type	Strategic		
Date of Adoption:	17 August 2022	Minute Number:	
Date for Review:	17 August 2026		
Responsible Officer:	Finance Manager		
Document Control:	Rep;		
Delivery Program Link:	Delivery Program Objective 2.1.3.1		

1. POLICY STATEMENT

Berrigan Shire Council is committed to offering employees flexible remuneration programs, including salary packaging that allows them to best maximise their net salary.

This policy details the salary packaging benefits available to Berrigan Shire Council employees and the requirements for entering salary packaging arrangements

2. PURPOSE

The purpose of this policy is to provide a framework to allow and regulate salary packaging to Council employees employed under the Local Government (State) Award 2020 or a contract as per [section 338 of the Local Government Act 1993](#)

3. SCOPE

All full-time and part-time employees, excepting staff on probation, employed under:

- the Local Government (State) Award 2020 or successor Awards, and
- a contract as per s338 of the *Local Government Act 1993*,

4. OBJECTIVE

This policy is developed to assist the Council with the Delivery Program Objective 2.1.3.1

Coordinate Council investments, financial management, financial operations and processing.



Policy

5. DEFINITIONS

Fringe Benefits Tax:	A tax imposed on employees receiving extra benefits in addition to their wages
Probation:	A period of time at the start of a permanent full-time or part-time employment relationship that gives the employer the opportunity to assess whether their new employee is capable, reliable and suitable for the job
Superable Salary:	An annual base salary, plus certain allowances and payments that are generally paid to an employee while on annual or long service leave, plus loading for shift work

6. POLICY IMPLEMENTATION

6.1 Eligibility

Where salary packaging is made available to employees of Berrigan Shire Council the following information and guidelines will provide the framework in which such arrangements will operate:

There is no compulsion for any employee to participate in salary packaging. It is entirely voluntary

Salary packaging may only be made available to eligible employees. An eligible employee is:

- a full or part time permanent employee of Berrigan Shire Council employed under the Local Government (State) Award 2020, or subsequent Awards
- Chief Executive Officer, Directors and other Senior Staff where individual contracts provide for access to salary packaging

Employees on probation are **not** eligible for salary packaging.

Packaging will only be available on normal salary and wages and standard allowances that are paid each and every pay period. Overtime will **not** form part of any salary package

Packaging of benefits is to be carried out at no cost to Council (i.e., the employee will bear any management fees and / or Fringe Benefits Tax implications etc. associated with the salary packaging arrangement)

6.2 Obligations

6.2.1 Employees

Employees will:



Policy

- obtain independent financial advice prior to commencing salary packaging
- sign an agreement setting out components to be salary packaged and acknowledging Council is not responsible or liable for salary packaging decisions made by the employee and/or their financial advisor
- be able to select from an approved menu of items to be included in salary packaging
- provide Council with declarations relevant to components requested to be packaged

6.2.2 Management

The Chief Executive Officer and/or Finance Manager will:

- circulate and maintain a policy on salary packaging at Berrigan Shire Council
- approve and release from time to time an updated menu of items which can be accessed under salary packaging

6.3 **Operation**

Except as otherwise agreed, the employee may request in writing to change the items to be salary packaged once per year and Council shall not unreasonably refuse such request

The value of the items included in the package shall be treated as approved items for superannuation purposes and shall not reduce the employee's superable salary

The value of the items included to be packaged shall be agreed between Council and the employee and shall include fringe benefits tax where applicable

Items of the package shall be paid by Council to or on behalf of the employee on an arrears basis at regular periods agreed by Council and the employee

Allowable input tax credits (ITC) will be passed on to the employee while any workers' compensation premium or any other salary-related savings will be retained by Council

7. **RELATED LEGISLATION, POLICIES AND STRATEGIES**

7.1 **Legislation**

- *Local Government Act 1993*
- *Fair Work Act (Cth) 2009*
- Local Government (State) Award 2020

7.2 **Council policies and guidelines**

- Code of Conduct
-



Policy

- Risk Management Policy and Framework
- Salary Policy
- Procurement and Disposal Policy
- Expenses and Facilities Guidelines for Staff.

8. RECORDS MANAGEMENT

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

9. REVIEW AND EVALUATION

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

10. DOCUMENT AVAILABILITY

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

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Policy

11. VERSION CONTROL

Version Number	Date	Summary	Responsible Officer
1.0	17.08.2022	New Policy	Finance Manager

APPENDICES

Salary Packaging Menu (under development)

DRAFT

8.11 Works Within Road Reserve Policy

251 Resolved Cr Marriott and Cr Cornwell McKean that the Council:

1. Revoke the Road Opening Policy adopted on 21 July, 2004 and;
2. Adopt the Works Within Road Reserves Policy as set out below:



Policy

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WORKS WITHIN ROAD RESERVES

Strategic Outcome:	Sustainable natural and built landscapes		
Policy type	Administrative		
Date of Adoption:	17 August 2022	Minute Number:	
Date for Review:	19 August 2026		
Responsible Officer:	Director Infrastructure		
Document Control:	Replaces Road Opening Policy adopted 21 July 2004		
Delivery Program Link:	1.3.1 Coordinate flood levee, local road, sewer and stormwater asset management and planning		

1. POLICY STATEMENT

Under [Section 138 of the Roads Act 1993](#), works undertaken in, on and over Berrigan Shire Council roads – including the footpath and nature strip – require the consent of the Council.

2. PURPOSE

This policy provides advice and direction to Council staff and the public regarding works undertaken on roads controlled by Berrigan Shire Council. This is to ensure that assets within road reserves are protected and reinstated to their original state after works have been carried out in the road reserve.

3. SCOPE

This policy applies to:

- works within the road reserve, including nature strips, footpaths, kerb and gutter, roads and other paved areas for service and drainage connections, and
- vehicle crossings across kerb and gutter, nature strips and footpaths
- road closures for works to be undertaken

NOTE: Other statutory service authorities such as Telstra, NBN, gas and electricity providers are exempt under legislation to apply for road opening permits from Local Government authorities



Policy

4. OBJECTIVE

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

1.3.1 Coordinate flood levee, local road, sewer and stormwater asset management and planning

5. POLICY IMPLEMENTATION

5.1 What works require a Permit?

A consent is required for all works – on, within or over a road. examples include:

- a. Excavate or break surface of a road
- b. Erect a structure over a road
- c. Removing or interfering with a structure on a road
- d. Planting or removing a tree or other vegetation
- e. Boring under a road
- f. Installing pipes, cables etc. on a road reserve
- g. Constructing a driveway crossing or a footpath
- h. Works undertaken involving the use of the footpath (i.e., cranes and scaffolding on the footpath)

5.2 Application

All works within Council road reserves, including in nature strips, footpaths, kerb and gutter, roads and other paved areas for service and drainage connections, and in nature strips for vehicle crossings require Council approval in advance.

An application must be made via the Council's online planning portal and a Council Permit obtained at least 5 working days prior to work commencing, except in emergency situations.

5.3 Applicant's responsibilities

5.3.1 Other services

Before proceeding with a road opening, the appropriate service authorities shall be consulted regarding the location of their services. Covering, interfering with or damaging their services will require reinstatement with the cost charged to the applicant.

5.3.2 Trees

For any excavation within 2 metres of a tree trunk, the permit holder shall contact the Council and comply with all precautions and requirements stipulated for protection of each tree. Work will be carried out so that minimum possible damage is caused to plant and tree growth.



Policy

Any trees badly damaged must be replaced with the consent of Council at the permit holder's expense. Debris and rubbish from clearing of vegetation must be removed promptly from the road reserve. Roots of 50mm or greater are not to be cut.

5.3.3 Traffic control

The applicant shall make adequate provision for the safety of all traffic using the road or pedestrians using the footway as set out below:

- a) All works in Council road reserves are to be satisfactorily barricaded, signed, lit and made safe to the public by the permit holder at their expense and to the satisfaction of the Director Infrastructure and Asset and Engineering Manager until such time as the works are satisfactorily completed. The permit holder is responsible for maintaining any backfilled opening or pavement prior to and up until the permanent reinstatement of the road, footpath, kerb, nature strip etc.
- b) Not more than one-half the useable road pavement width shall be closed to traffic at any one time. In all cases where traffic is diverted onto the carriageway normally used by opposing traffic, the permit holder shall supply adequate advance warning signs and sufficient traffic control signs or barriers to allow safe movement of traffic.
- c) All signs and barricades to be installed in accordance with Australian Standards 1742.3 2002 Traffic Control Devices for Works on Roads and the Roads and Traffic Authority, NSW, Traffic Control at Worksites Manual.

All works affecting road formation, channel and pavements are to be carried out between the hours of 8:00am and 5:00pm.

No trench in a road pavement shall be left open at night without the permission of the Director Infrastructure. Works not completed within one (1) day must be protected with adequate barriers and appropriate lights.

5.3.4 Liability

The applicant shall accept the liability in connection with works covered by the permit and will indemnify the Council against all actions, claims and demands made by any person for injuries or damages suffered by them by reason of the works.

Prior to the issue of the approval permit, the applicant shall provide Council evidence of their current public liability policy for a minimum amount of \$20,000,000 with an approved insurance company.

5.3.5 Works as executed



Policy

Works "as executed" drawings showing the actual location and level of the installed conduit or pipe shall be submitted to Council by the permit holder within seven (7) days of the completion date of works.

5.4 Works

5.4.1 Notice

A minimum of 48 hours' notice to be given to Council when inspections are required for all excavation works prior to backfill and after completion of works.

5.4.2 Type of opening

Council will specify whether the works constituting a service or drainage connection are to be bored or open cut, the alignment of the connection, the depth at which the connection is to be placed and the method of reinstatement, including material to be used.

Road crossings on sealed roads shall be thrust bored. (Permission by the Council's Director Infrastructure to open a trench may be given in exceptional circumstances.) The boring shall be beneath the existing pavement and shoulders, with a minimum cover of 900mm unless otherwise specified on the permit. This cover shall be maintained for the full width of the road reserve.

Boring by water jetting is not permitted.

5.4.3 Standard of work

All works, including reinstatement works, must be completed to the Council's satisfaction

Should the permit holder fail to meet Council's requirements, Council will undertake the following rectification actions:

- a) If any of the work does not comply with the requirements of the permit conditions, a written notice will be served upon the permit holder, the permit holder shall within seven (7) days pull down, take up and reconstruct any part of the works which in the opinion of the Council are unsatisfactory.
- b) For works found to be unsafe on inspection by the Council, a written notice will be served upon the permit holder to immediately undertake works to rectify the problem and make the site safe. The rectifications shall be completed within 24 hours of the notice being served
- c) Should the above not be complied with, the Council will undertake works to rectify the problem. The person named on the permit will be responsible for all rectification costs incurred.

5.4.4 Irrigation crossing



Policy

Irrigation culvert crossings shall be constructed to the following standards

- a) The pipe is to be reinforced concrete pipe, rubber ring jointed and minimum diameter of 375mm.
- b) The pipe is to extend from fence to fence for the full width of the road reserve. Headwalls to be provided at each end of the culvert.
- c) Minimum cover to top of pipe shall be not less than 450mm below the table drain and not less than 900mm below the road pavement surface. Council does not accept any responsibility for damage caused to the pipe by works carried out on their behalf following its installation.
- d) A plan showing the proposed culvert's location and design levels is to be submitted to the Council prior to the issue of the road opening permit
- e) Council staff will specify a minimum pipe class capable of carrying the proposed load as per Standards.

5.4.5 Time to complete

The applicant's work shall be completed within thirty (30) days of the issue of the Permit after which the Permit shall lapse. Permits relating to the installation of driveways for new houses must be completed within 30 days from "lock-up" stage.

6. RELATED LEGISLATION, POLICIES AND STRATEGIES

6.1 Legislation

- *Local Government Act 1993*
- *Roads Act 1993*
- Local Government (General) Regulation 2021
- Roads Regulation 2018
- Australian Standards 1742.3 2002 Traffic Control Devices for Works on Roads
- Roads and Traffic Authority, NSW, Traffic Control at Worksites Manual

6.2 Council policies and guidelines

- Governance Policy
- Code of Conduct

7. RECORDS MANAGEMENT



Policy

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

8. REVIEW AND EVALUATION

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

9. DOCUMENT AVAILABILITY

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

This policy will be available for inspection at Council's principal office during ordinary business hours as per the requirements of section 18 (c) of the *Government Information (Public Access) Act 2009* and section 167 of the *Local Government Act 2020*.

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

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Ph: 03 5888 5100

Email: mail@berriganshire.nsw.gov.au

10. VERSION CONTROL

Version Number	Date	Summary	Responsible Officer
1.0	21.07.2004	New Policy document	Director Technical Services
1.1	20.07.2022	Minor review (detail)	Director Infrastructure

8.12 Records Management Policy

- 252 **Resolved** Cr McNaught and Cr Paine that the Council adopt the Records Management Policy as set out below:



Policy

110

RECORDS MANAGEMENT

Strategic Outcome:	Good government		
Policy type	Statutory		
Date of Adoption:	17 August 2022	Minute Number:	
Date for Review:	19 August 2026		
Responsible Officer:	Director Corporate Services		
Document Control:	New policy		
Delivery Program Link:	2.1.2 Meet legislative requirements for Council elections, local government and integrated planning and reporting		

1. POLICY STATEMENT

Under the *State Records Act 1998* public offices such as Berrigan Shire Council are required to establish and maintain a records management program in conformity with standards and codes of best practice approved by the State Records Authority.

Berrigan Shire Council is committed to meeting its responsibilities under the *State Records Act 1998* and to implementing best practice in its information management practices and procedures.

2. PURPOSE

The purpose of this policy is to:

- establish a framework for the implementation of a records management program in conformity with standards and codes of best practice;
- ensure effective information management and retrieval across Council and highlight the responsibilities of Council staff regarding compliance with the *State Records Act 1998*;
- ensure the preservation of Council's 'corporate memory' through sound recordkeeping practices and the accurate capture of information to meet legal, evidential and accountability requirements; and
- ensure Council's Records Management Program provides timely and comprehensive information to meet operational business needs, accountability requirements and community expectations



Policy

3. SCOPE

This policy applies to the Chief Executive Officer, the Mayor, Councillors, contractors, volunteers, delegates and all staff of Berrigan Shire Council.

This policy applies to all Council business records including electronic and physical records. It includes records which are created, collected, processed, used, sentenced, stored and disposed of in the conduct of official Council business.

4. OBJECTIVE

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

- 2.1.2 *Meet legislative requirements for Council elections, local government and integrated planning and reporting*

5. DEFINITIONS

Records Management: The discipline and organisational functions of managing records to meet operational business needs, accountability requirements and community expectations.

Access: Right, opportunity, means of finding, using or retrieving information.

Archives: Those records that are appraised as having continuing value.

Business Activities: Broad term covering all functions, processes, activities and transactions of an organisation and its workers.

Classification: Systematic application of codes and their descriptions that are applied to documents upon registration to determine the level of security (access) to documents.

Disposal: A range of processes associated with appraising documents and files for retention, deletion or destruction in or from recordkeeping systems, and the transfer or custody or ownership of records.

Magiq: Magiq is Council's official electronic record keeping system.

EDRMS: Electronic Document Records Management System is an electronic document and records management system. It is an automated software application designed to facilitate the creation, management, use, storage and disposal of a range of both physical and digital documents and records in an integrated way.



Policy

Ephemeral Record:	Records of little value that only need to be kept for a limited or short period of time. Records that are ephemeral have no continuing value to the public office and, generally, are only needed for a few hours or a few days.
File:	A collection of documents, which can be paper based or electronic.
Metadata:	Is data that describes records, people and business activities in a suitable amount of detail to ensure better information accessibility; improved records management, and greater accountability in business operations.
Record:	Information created, received, and maintained as evidence and information by an organisation or person, in pursuance of legal obligations or in the transaction of business.
Recordkeeping:	Making and maintaining complete, accurate and reliable evidence of business transactions in the form of recorded information.
State Archive:	A State record that the State Records Authority of New South Wales has control of under the <i>State Records Act 1998</i> (NSW).
State Record:	Any record made, received and kept by any person in the course of the exercise of official functions in a public office or for any purpose of a public office, or for use of a public office.

6. POLICY IMPLEMENTATION

6.1 Creation of Records

Councillors, Delegated Committees and Council staff of Berrigan Shire Council should ensure they create full and accurate records of all decisions and actions made in the course of their official business. For example, if business is transacted by telephone, file notes of the key points in the conversation should be documented. Official meetings should include the taking of minutes.

6.2 Capture of Records

All business records, documents and files **must be registered into Council ED RMS** in a timely manner.

It is the responsibility of the sender of internal and outgoing correspondence to capture the records into the recordkeeping system.

Incoming emails are to be captured by the first listed Council recipient.



Policy

Mail that is received physically and items taken over the front counter are to be scanned and registered by Customer Service Staff.

Records of Council business that are created or received by Councillors (with the exception of those sent by Council) must be forwarded to the Chief Executive Officer's Executive Assistant (CEOEA) to capture in EDRMS. If records are of a sensitive or confidential nature, the Councillor should alert the CEOEA to this fact so appropriate security classifications may be applied.

6.3 Ephemeral Records

Ephemeral records may be destroyed once reference to them ceases. Examples of ephemeral records include unofficial drafts, rough notes, unsolicited advertising materials and catalogues, etc.

6.4 Records of a Confidential Nature

On some occasions Council workers may be required to keep matters discussed relating to Council business confidential. Confidential conversations / correspondence must still be recorded and registered in Magiq if they refer to Council business.

There are security classifications that can be used to ensure these records have limited access, but these records may still need to be produced under relevant legislation, e.g., subpoena or the *Government Information (Public Access) Act 2009*. With security controls in place records are likely to be less at risk than if they were not in the Council's EDRMS.

6.5 Records Security and Access

Records must only be retrieved and used for authorised purposes in accordance with relevant legislation and access policies. Records must be kept secure from unauthorised access, unauthorised release, alteration and unlawful destruction.

Records considered as internal, sensitive or confidential must not be provided to external parties unless appropriately authorised.

All records must be stored in a secure location, with access provided to authorised persons only.

All physical records must be handled and stored with care to prevent deterioration, damage or loss.

The location of physical records must be documented and kept up-to-date.

Records that are required to be retained but are no longer active, in current use, may be transferred to State Archives.



Policy

6.6 Records Retention and Disposal at Berrigan Shire

All records kept by Berrigan Shire Council will undergo appraisal before being disposed of in accordance with the General Retention and Disposal Authority: Local Government Records, produced by the State Records Authority of New South Wales and approved under section 21(2)(c) of the *State Records Act 1998*.

Administrative records such as financial and personnel records are covered under the General Retention and Disposal authority: administrative records (GA39) compiled by NSW State Archives. NSW State Archives recommends disposal actions are assigned to records in all formats on creation to ensure they are managed appropriately. The Records Management Procedures contains information on how this is achieved.

No records of NSW State Archives may be disposed of unless in accordance with these retention and disposal authorities or Normal Administrative Practice. NSW State Archives has defined how Normal Administrative Practice will be applied in the Records Management Procedures. Any sentencing of records must be supervised by the Public Officer and the Records Administrator. Approval and signed authorisation for retention, destruction or transfer of records must be sought from the appropriate Program managers before any disposal takes place.

Disposal and destruction of records will be systematic, accountable, authorised and legally appropriate.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *State Records Act 1998 (NSW)*
- *Evidence Act 1995 – Evidence Amendment Act 2008*
- *Privacy and Personal Information Protection Act 1998*
- *Government Information (Public Access) Act 2009*
- *Health Records and Information Privacy Act 2002*
- *Local Government Act 1993*
- General Retention and Disposal Authority: Local Government Records (GA39)

7.2 Council policies and guidelines

- Governance Policy
- Code of Conduct
- Access to Information Policy
- Privacy Management Plan



Policy

8. RECORDS MANAGEMENT

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

9. REVIEW AND EVALUATION

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

10. DOCUMENT AVAILABILITY

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

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11. VERSION CONTROL

Version Number	Date	Summary	Responsible Officer
1.0	17.08.2022	New Policy document	Director Corporate Services

APPENDICES

Nil

8.13 Liquid Trade Waste Regulation Policy

253 **Resolved** Cr McNaught and Cr Paine that the Council:

1. Adopt for public exhibition and comment for 28-days, the Liquid Trade Waste Regulation Policy attached as **"Appendix 8.13-A"**

The Council adjourned for morning tea at 10:32am.

The Council reconvened at 10:48am. Tahlia Fry (Finance Manager) was in attendance when the meeting reconvened.

8.14 Revotes 2022/23

254 **Resolved** Cr Marriott and Cr Reynoldson that the Council vote the items recommended in this report be budgeted for again in 2022/23.

8.15 Development Determinations for Month of July 2022

255 **Resolved** Cr Marriott and Cr McNaught that the Council note the Development Determinations for the Month of July 2022.

8.16 T06-22-23 Demolition and Construction of Barooga Recreational Reserve: Netball Courts

256 **Resolved** Cr Cornwell McKean and Cr Paine that the Council:

1. award Tender No. T06-22-23, Demolition and Reconstruction of Barooga Recreational Reserve: Netball Courts to Tenderer-2 – Miller Pipe Civil Pty Ltd for the value of \$270,403.99 (inc. G.S.T.)
2. delegate to CEO and Mayor to sign and seal contract documents, once prepared.

Tahlia Fry left the Council Chamber at 11:09am.

8.17 Albury Waste Management and Cleanaway MRF Tour

257 **Resolved** Cr Marriott and Cr Taylor that the Council:

1. note the report.

2. encourage as many elected members as possible to participate in such educational tours in future.

8.18 Playground Management Policy

258 Resolved Cr Paine and Cr Taylor that the Council:

1. revoke the Playground Maintenance Policy adopted on 21 June 2017; and
2. adopt the Playground Management Policy as set out below:



Policy

61

PLAYGROUND MANAGEMENT

Strategic Outcome:	Supported and engaged communities		
Policy type	Administrative		
Date of Adoption:	17 August 2022	Minute Number:	
Date for Review:	17 August 2026		
Responsible Officer:	Enterprise and Risk Manager		
Document Control:	Replaces Playground Maintenance Policy adopted 21/06/2017		
Delivery Program Link:	3.1.1 Build communities that are home to more families and young people.		

1. POLICY STATEMENT

Berrigan Shire Council recognises 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, as well as ensuring playgrounds are accessible, relevant and cater to community needs.

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 responsible for inspecting and maintaining them. |

4. OBJECTIVE

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

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

3.1.1 Build communities that are home to more families and young people

3.1.3 Strengthen the inclusiveness and accessibility of our community



Policy

5. DEFINITIONS

Playground	An area designed for children's play, including the site, natural features, build 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.
Workers	As per the <i>Work Health and Safety Act 2011</i> , the term workers includes paid employees, volunteers, contractors, work experience students.

6. POLICY IMPLEMENTATION

6.1 Determining new playgrounds for Berrigan Shire

Decisions to install new playgrounds may be based on a number of factors including:

- demand;
- current use of existing playgrounds;
- formal requests; and / or
- close proximity of other facilities.

Funding and the design of new playgrounds will be in accordance with Council's Delivery Program and Resourcing Strategy. Any opportunities to obtain funding from other sources will be pursued.

Any new proposed playgrounds will be assessed for meeting the objectives of Council's Community Strategic Plan, and Children and Families Strategy, site suitability, accessibility and inclusivity, and 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 purpose of the assessment is to gather as much data as possible to make an informed decision around the risks associated with a playground and the site of a playground, and to determine what, if any, additional control measures are required. 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 who 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; and



Policy

- 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.

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

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *Civil Liability Act 2002*
- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulations 2017*
- AS ISO 31000:2018 Risk management – Guidelines
- AS/NZS 4486 Playgrounds and playground equipment
- AS 4685.1 Playground equipment and surfacing

7.2 Council policies and guidelines

- Risk Management Policy and Framework
- Statewide Mutual Best Practice Manual – Playgrounds
- Facility Risk Rating Register

7.3 Council Strategies

- Children, Young People, and their Families Strategy
- Active Ageing and Disability Inclusion Plan
- Recreation Reserve and Town Landscape Master Plans

8. RECORDS MANAGEMENT

Recording of all information relating to this policy including inspection and maintenance programs will be maintained in accordance with Australian Standard playground requirements.

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



Policy

9. REVIEW AND EVALUATION

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

10. DOCUMENT AVAILABILITY

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

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

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

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11. VERSION CONTROL

Version Number	Date	Summary	Responsible Officer
1.0		New Policy document	Enterprise Risk Manager
1.1	21.06.2017	Minor review	Enterprise Risk Manager
1.2	17.08.2022	Minor review- inclusion of accessibility and inclusivity	Enterprise Risk Manager

APPENDICES

Nil

8.19 Signs as Remote Supervision Policy

259 **Resolved** Cr Taylor and Cr Paine that the Council:

1. revoke the Signs as Remote Supervision Policy adopted on 19 April 2017; and
2. adopt the Signs as Remote Supervision Policy as set out below:



Policy

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SIGNS AS REMOTE SUPERVISION

Strategic Outcome:	Good government		
Policy type	Administrative		
Date of Adoption:	17 August 2022	Minute Number:	
Date for Review:	19 August 2026		
Responsible Officer:	Enterprise and Risk Manager		
Document Control:	Replaces Signs as Remote Supervision Policy adopted 19 April 2017		
Delivery Program Link:	2.1.3 Council operations and financial management support ethical, transparent, and accountable corporate governance		

1. POLICY STATEMENT

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

Council's goal is to eliminate risk wherever possible, however this is not always practicable and in many reserves and facilities under Council's control, it is often appropriate for the Council to utilise signage as a risk mitigation measure.

2. PURPOSE

The purpose of this policy is to clearly outline the methodology used in assessing facilities for signs as remote supervision. This systematic process will determine the type of sign to be erected, the information to be included, the location and number of signs required, and follow up inspection and maintenance programs.

3. SCOPE

This policy applies to:

- identified public facilities where, due to their nature, access is open and uncontrolled;
- staff involved in the assessment of facilities to determine the need for signage; and
- staff involved in the ongoing inspection and maintenance of signage.



Policy

4. OBJECTIVE

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

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

5. DEFINITIONS

Facility refers to a parcel of land that may include reserves, parks, beaches, pools and where applicable waterways, either owned, operated or under the care and control of Council.

Facility Visitation Rating (FVR) is a calculation based on the data collected during the evaluation process. The data collected includes the amount of development of the facility, the population use of the facility and the frequency of use of the facility ($FVR = (Development \times Population) + Frequency$). The FVR is the resulting numerical value used to determine the most appropriate sign for the facility.

Frequency of use is defined as the number of times the facility is used by patrons on a regular basis.

General warning symbols are depicted by a yellow diamond with a black border. Inside the yellow diamond is a black figure/image depicting the activity/hazard that is being warned against.

Level of Development refers to the amount of improvement that has taken place at a facility, or the existence of natural features within or about the facility. Development and improvement includes the infrastructure Council has provided for use by the public, such as carparks, tables, barbeque equipment, swings, pools, tennis courts, etc. Natural features include creeks, cliffs, etc.

Population use is defined as the average number of people who use a facility at any given point in time during organised or impromptu events.

Prohibition symbols are depicted by a red circle with a red diagonal slash across the front on a white background. Inside the red circle is a black pivotal image depicting behaviour or activity Council has prohibited.



Policy

6. POLICY IMPLEMENTATION

6.1 Determining appropriate signs for Council facilities

In determining appropriate signs for facilities, the Council will apply best practice principles sourced through Statewide Mutual using the following process:

1. Establish a full and complete inventory of all applicable Council facilities that require signage as a remote form of risk mitigation.
2. Determine Council's level of development within each facility, including naturally occurring features.
3. Ascertain the population use for each facility.
4. Predict or obtain the frequency of use of the facility.
5. Using the FVR formula, calculate the FVR.
6. Identify the hazards associated with the facility, and using Council's risk management framework, assess and rate the risks.
7. Select and produce the most appropriate sign for the facility and determine its location.

6.2 FVR Register

The FVR Register lists all the identified facilities where signage as remote supervision is required.

The register details the process to be used to determine the FVR, and then individually identifies each facility, the results of the assessment, the signage to be used and the location of the signage.

6.3 Sign maintenance and inspection

Council has in place a regular inspection and maintenance regime for facility signage which is included as part of the overall public facility inspection program.

Ongoing maintenance of signs as remote supervision will be carried out as part of scheduled maintenance and recurrent expenditure programs for signage as allocated in the Council's annual budget, and at the discretion of the responsible manager.

Changes to standards or best practice guidelines on which this policy and the signs' design are based will automatically warrant the replacement of signs. Existing signs will be used until they reach the end of their useful life or circumstances within the facility change to the extent replacement is warranted.



Policy

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *Civil Liability Act 2002*
- AS ISO 31000:2018 Risk management – Guidelines
- AS 2342-1992 Development, testing and implementation of information and safety symbols and symbolic signs

7.2 Council policies and guidelines

- Statewide Mutual "Signs as Remote Supervision" Best Practice Guidelines
- Risk management Policy and Framework
- Claims Management Policy
- Claims Management Procedures
- Incident Investigation Procedures

8. RECORDS MANAGEMENT

All records relating to the sign evaluation and determination process, sign inspection and maintenance programs will be maintained as part of Council's records management system.

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

9. REVIEW AND EVALUATION

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

10. DOCUMENT AVAILABILITY

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

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

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Policy

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11. VERSION CONTROL

Version Number	Date	Summary	Responsible Officer
1.0		New Policy document	Enterprise Risk Manager
1.1	17.08.2022	Minor review - formatting	Enterprise Risk Manager

APPENDICES

Nil

8.20 Asbestos Policy

260 **Resolved** Cr Reynoldson and Cr McNaught that the Council:

1. revoke the Asbestos Policy adopted on 20 July 2016; and
2. adopt the Asbestos Policy as set out below:



Policy

85

ASBESTOS

Strategic Outcome:	Good government		
Policy type	Administrative		
Date of Adoption:	17 August 2022	Minute Number:	
Date for Review:	19 August 2026		
Responsible Officer:	Enterprise and Risk Manager		
Document Control:	Replaces Asbestos Policy adopted 20/07/2016, and refers to the Model Asbestos Policy for NSW Councils developed by the Heads of Asbestos Coordination Authorities		
Delivery Program Link:	2.1.3 Council operations and financial management support ethical, transparent, and accountable corporate governance		

1. POLICY STATEMENT

This policy is developed to support Council's commitment to asbestos identification, education and management, and should be read in conjunction with the *Model Asbestos Policy for NSW Councils*, and relevant legislation, guidelines and codes of practice.]

2. PURPOSE

The purpose of this policy is to provide a summary of Council's commitment to asbestos management and direct staff and the public to the *Model Asbestos Policy for NSW Councils*.

3. SCOPE

This policy applies:

- to all workers of the Berrigan Shire Council including volunteers and contractors.
- councillors and residents of the Berrigan Shire Council

4. OBJECTIVE

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

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



Policy

5. DEFINITIONS

As per the *Model Asbestos Policy for NSW Councils*.

6. POLICY IMPLEMENTATION

6.1 Asbestos identification

Information on common places where asbestos is likely to be found in residential, commercial and industrial premises with materials from prior to 2004 on the premises is provided in the *Model Asbestos Policy for NSW Councils*.

Council has identified the presence of asbestos in all of its buildings where asbestos is likely to be present and has an established register.

Where there is doubt, staff and residents are advised to obtain an asbestos inspection by a person competent in the identification and assessment of asbestos.

Further information is included in the *Model Asbestos Policy for NSW Councils*.

6.2 Asbestos education and training

As required by the *Work Health and Safety Act 2011* and *Work Health and Safety Regulations 2017*, Council will:

- provide any information, training, instruction or supervision necessary to protect all persons at the workplace from risks to their health and safety arising from work carried out as part of the conduct of council business
- ensure workers who council reasonably believes may be involved in asbestos removal work, or the carrying out of asbestos-related work in the workplace, are trained in the identification, safe handling and suitable control measures for asbestos and asbestos containing material.

In addition, Council will provide information regarding the possible presence of asbestos to residents as part of planning approvals.

Further information is included in the *Model Asbestos Policy for NSW Councils*.

6.3 Asbestos management



Policy

The many facets of asbestos management are included in the *Model Asbestos Policy for NSW Councils*, to which Berrigan Shire Council complies.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulations 2017*
- *Workplace Injury Management and Workers Compensation Act 1998*
- *Protection of the Environment Operations (Waste) Regulations 2014*
- AS ISO 31000:2018 Risk management – Guidelines

7.2 Council policies and guidelines

- *Model Asbestos Policy for NSW Councils*
- Work Health and Safety Policy
- Clothing and Protective Equipment Policy
- Risk Management Policy and Framework

8. RECORDS MANAGEMENT

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

9. REVIEW AND EVALUATION

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

10. DOCUMENT AVAILABILITY

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

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Policy

Access to the policy in digital format is free and is available on Council's website

<https://www.berriganshire.nsw.gov.au/>

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

Berrigan Shire Council

56 Chanter Street

BERRIGAN NSW 2712

Ph: 03 5888 5100

Email: mail@berriganshire.nsw.gov.au

11. VERSION CONTROL

Version Number	Date	Summary	Responsible Officer
1.0		New Policy document	Enterprise Risk Manager
1.1	17.08.2022	Minor review – new template	Enterprise Risk Manager

APPENDICES

Model Asbestos Policy for NSW Councils

8.21 Australasian Waste and Recycling Expo

- 261 **Resolved** Cr Paine and Cr McNaught that the Council register the Mayor and Deputy Mayor to attend the Australasian Waste and Recycling Expo from 24-25 August 2022

8.22 Rural Fire Service Assets - Update

- 262 **Resolved** Cr Cornwell McKean and Cr McNaught that the Council receive and note this report.

8.23 June Quarter Operational Plan 2021/22

- 263 **Resolved** Cr Marriott and Cr Taylor that the Council note and adopt the appended June Quarter Review of the Council's Annual Operational Plan 2021/22 ("Appendix 8.23-A")

8.24 Guidelines and Model Policy on the Lobbying of Councillors

- 264 **Resolved** Cr Cornwell McKean and Cr McNaught that Councillors provide feedback to the CEO regarding the introduction of Guidelines and a model policy on the lobbying of Councillors.

8.25 CEO Annual Leave Request

- 265 **Resolved** Cr Taylor and Cr Paine that Council approve the CEO's leave from 23 to 27 September 2022 inclusive.

9. NOTICES OF MOTION / QUESTIONS WITH NOTICE

Nil

10. CONFIDENTIAL MATTERS

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
- (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.
- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

10.1 Trade Waste Discharge – Barooga WTP – Purchase of Land

This item is classified CONFIDENTIAL under section 10A(2) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

It is not in the public interest to reveal the information provided by the consultant.

266 Resolved Cr Marriott and Cr Paine 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*.

10.1 Trade Waste Discharge – Barooga WTP – Purchase of Land

Council closed its meeting at 11:39am.

Open Council resumed at 11:58am.

RESOLUTIONS FROM THE CLOSED COUNCIL MEETING

While the meeting was closed the Councillors passed a confidential resolution for item 10.1 Trade Waste Discharge – Barooga WTP – Purchase of Land

11. MOTIONS WITHOUT NOTICE / QUESTIONS WITHOUT NOTICE

Cr Carly Marriott

- Baldwin Buses request state of Adcocks Road, Tocumwal
- Country Passenger Transport Infrastructure grant funding
- Cost of Barooga netball shelters

Cr John Taylor

- Murray Street drainage
- Local Preference Policy
 - staff are working on Procurement Policy as a whole
- Finley Golf Club improved amenities
 - Jo Ruffin to assist Board with information

Cr Renee Paine

- Chanter Street speed limit

Cr Roger Reynoldson

- Finley Saleyards update

The Council adjourned its meeting for lunch at 12:23pm.

The Council reconvened at 1:17pm.

Cr Julia Cornwell McKean

- Barooga Tennis Club funding
- Fire Hazard to Minister – any response?
 - CEO will follow up and advise Cr Cornwell McKean

Cr Sarah McNaught

- Nil

Matthew Hannan (Mayor)

- Corporate Workshop 6-7 October 2022
- RMS land contact
- Revotes \$20k sand/gravel walking track in Tongs Street
- Community events funding
- Mowbray Farms – potential packing shed – logistics solution

Rohit Srivastava (Director Infrastructure)

- Nil

Matthew Hansen (Deputy Chief Executive Officer)

- Nil

Karina Ewer (Chief Executive Officer)

- Polypipe project – thank BSC team
- Staff Awards & Recognition
- 4 Council MOU 8 September
- Town Beach – surveyor delayed due to water levels
- Japanese Encephalitis

Joanne Ruffin (Director Strategic Planning & Development)

- Unsolicited approach for Corellas
- presentation to Strategic and Policy Workshop 5 October 2022 for a hour session

12. COUNCILLOR REPORTS

12.1 Mayors Report

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

- 22/7 State Resilience workshop via Zoom
- 27/7 Waste Management Tour with Councillors

Matthew Hansen left the Council Chamber at 1:21pm.

- 27/7 Kerbside Collection Contract meeting - update
- 28/7 Meeting with Tocumwal with associates regarding PGA tour
- 28/7 Moira Business Awards in Yarrawonga
- 1/8 Chamber Presidents meeting – workshop with stakeholders
- 9/8 met with Local Government NSW CEO and President

Matthew Hansen returned to the Council Chamber at 1:24pm.

- 9/8 LEP Community Consultation in Finley
- 10/8 Meeting with Murray Darling Basin Authority CEO
- 10/8 Audit Meeting regarding RFS Assets

- 11/8 RAMJO Strategic Meeting
- 12/8 RAMJO Board Meeting
- 15/8 MP Greg Warren – future of Joint Organisations

269 **Resolved** Cr Taylor and Cr Marriott that the Mayor’s Report be received.

12.2 Verbal Reports from Delegates

Cr Carly Marriott

- Southern Riverina Wellbeing collective meeting (apology)
 - Suicide support group / coordinator of programs
 - Stronger Country Communities funding
- Recycling plant
- Murray Darling Basin Association meeting

Cr John Taylor

- LEP Community Consultation

Cr Renee Paine

- Nil

Cr Roger Reynoldson

- Nil

Cr Julia Cornwell McKean

- 9/8 Barooga Advancement Group meeting
 - traffic Committee awaiting response
 - Carols by Candlelight planning
 - AGM scheduled for 13 September
- 17/8 Barooga Advancement Group extraordinary meeting
- 10/8 Sporties meeting

Cr Sarah McNaught

- Nil

13. CONCLUSION OF MEETING

There being no further business, the meeting closed at 1:52pm.