



ORDINARY COUNCIL MEETING

Wednesday 22 January, 2025

at 4:30pm

Council Chambers, 56 Chanter Street, Berrigan



Agenda

Our Vision

Our diverse population and productive natural landscape fuel a vibrant economy and a harmonious and thriving community.

COMMUNITY STRATEGIC PLAN

Berrigan Shire Council's Community Strategic Plan Berrigan Shire 2040 is a common framework for measuring the achievement of Berrigan Shire 2040 strategic outcomes of:

CO. Our Community

EC. Our Economy

EN. Our Environment

IN. Our Infrastructure

CL. Our Civic Leadership

The Community Strategic Plan can be found here: [Community Strategic Plan 2040](#)

RISK MANAGEMENT POLICY & FRAMEWORK

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

Risk Management is everyone's responsibility. It is an activity that begins at the highest level and is applied consistently through all levels of Council. All workers are required to integrate risk management procedures and practices into their daily activities and must be competent and accountable for adequately managing risk within their area of responsibility.

The Risk Management Policy & Framework can be found here:

[Risk Management Policy and Framework](#)



Ordinary Council Meeting
Wednesday 22 January, 2025

BUSINESS PAPER


The Ordinary Council Meeting of the Shire of Berrigan will be held in the Council Chambers, 56 Chanter Street, Berrigan, on Wednesday 22 January, 2025 when the following business will be considered:-

ITEMS OF BUSINESS

1	OPENING OF MEETING	6
2	ACKNOWLEDGEMENT OF COUNTRY	6
3	APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE OR ATTENDANCE VIA AUDIO-VISUAL LINK BY COUNCILLORS.....	6
3.1	Apologies/Leave of Absence	6
3.2	Applications for Leave of Absence	6
3.3	Attendance Via Audio-Visual Link	6
4	CONFIRMATION OF PREVIOUS MINUTES	7
5	DISCLOSURES OF INTERESTS.....	7
6	MAYORAL MINUTE(S).....	7
	Nil	
7	REPORTS OF COMMITTEES.....	8
7.1	Audit risk and improvement committee minutes - 3 December 2024	8
8	REPORTS TO COUNCIL.....	10
8.1	Oath - Affirmation of Office Cr Dennis	10
8.2	Consultation draft - amendments to the Code of Meeting Practice.....	13

8.3	Correspondence - November 2024 to January 2025	16
8.4	Councillor requests - November and December 2024.....	19
8.5	Integrated Planning and Reporting and Budget Timelines.....	23
8.6	November 2024 By Election Matters	24
8.7	Southern Riverina Drought Resilience Plan - Next Steps.....	33
8.8	ClubGRANTS - Sporties Barooga.....	35
8.9	Designated Persons Returns of Interest - 2024-2025	38
8.10	Development Determinations for Month of Dec 2024	40
8.11	Actions from previous meetings	44
8.14	National General Assembly	57
8.15	USA Delegation and ICMA Conference	60
8.16	Sustainability Report - Update	62
8.17	Small Business Grants Pilot project.....	65
8.18	2025 - 2029 Economic Development Strategy.....	70
8.19	Councillors Expenses and Facilities Policy.....	73
8.20	Code of Meeting Practice.....	100
8.21	National WAAAF Memorial Creek Walk	156
8.22	Albury Wodonga Hospital Advocacy	163
8.23	Advocacy Plan	178
9	NOTICES OF MOTION/QUESTIONS WITH NOTICE.....	182
	Nil	
10	CONFIDENTIAL MATTERS.....	183
11	MOTIONS WITHOUT NOTICE / QUESTIONS WITHOUT NOTICE	184
12	COUNCILLOR REPORTS	184
12.1	Mayor’s Report	184
12.2	Verbal Reports from Delegates	184
13	CONCLUSION OF MEETING.....	184

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



KARINA EWER
CHIEF EXECUTIVE OFFICER



1 OPENING OF MEETING

In the spirit of open, accessible and transparent government, Berrigan Shire Council's meetings are 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 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.

A 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.

2 ACKNOWLEDGEMENT OF COUNTRY

"Berrigan Shire Council acknowledges the Traditional Custodians of the lands on which we live and thrive. We pay our respects to their elders; past, present and emerging. The peoples of these great Nations, their spirits and ancestors will always remain with our waterways and lands."

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

3.1 Apologies/Leave of Absence

Nil

3.2 Applications for Leave of Absence

3.3 Attendance Via Audio-Visual Link

Nil



4 CONFIRMATION OF PREVIOUS MINUTES

Recommendation: That the minutes of the Ordinary Council Meeting held in the Council Chambers Wednesday 4 December, 2024 be confirmed.

5 DISCLOSURES OF INTERESTS

6 MAYORAL MINUTE(S)

Nil



7 REPORTS OF COMMITTEES

7.1 Audit risk and improvement committee minutes - 3 December 2024

Author:	Deputy Chief Executive Officer, Matthew Hansen
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	1. ARIC meeting minutes - 3 December 2024 (under separate cover)

Recommendation

That the council receive and note the minutes of the audit, risk and improvement committee held on 3 December 2024.

Background

The minutes of the audit risk and improvement committee meeting held on 3 December 2024 are attached to this report.

The meeting made the following recommendations to the council.

- **ARIC 08/2024** – The Committee requested that a report to Council (with a copy to ARIC when available) be prepared providing details of the expenses incurred relating to the acquisition of the Magiq financial software. Such expense details to include all costs to date (including software and IT infrastructure etc costs and additional human resources costs) as well as potential future costs.
- **ARIC 09/2024** – The Audit, Risk and Improvement Committee Meeting endorsed the draft Schedule of Responsibilities as a 'working draft' and requested that an annual, achievable ARIC work plan be developed from this schedule for consideration at the next ARIC meeting.
- **ARIC 10/2024** – The Audit, Risk and Improvement Committee endorsed the format of the Strategic Internal Audit Plan (SIAP) and requested that the risk management approach contained in the SIAP be used to determine the first proposed internal audit review. It was also requested that the Council give consideration to a 2025/26 budget allocation for the provision of internal audit services to conduct an internal audit review during the 2025/26 financial year.



8 REPORTS TO COUNCIL

8.1 Oath - Affirmation of Office Cr Dennis

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	Nil

Recommendation

That the Chief Executive Officer receive the Oath / Affirmation of Office for Cr Dennis

Report

As per section 233A of the *Local Government Act 1993*, all Councillors are required to take an oath or make an affirmation of office.

As Cr Dennis was elected through by election, she has not yet taken her oath / affirmation and must do so at the first meeting after being elected.

An oath or affirmation should be taken as the first item of business at the meeting.

The Chief Executive Officer must ensure a record is kept of the taking of an oath or affirmation, either through a signed statement or through the minutes of the meeting.

If a Councillor is unable to attend the first meeting of the newly elected Council, he or she may take an oath or affirmation of office at another location before the Chief Executive Officer.

The oath or affirmation of office must also be taken before an Australian legal practitioner or Justice of the Peace.

Where an oath or affirmation of office is taken outside a Council meeting a Council staff member should be present.

A Councillor who fails, without reasonable excuse, to take the oath or affirmation of office is not entitled to attend Council meetings until they do so and will be taken to be absent without leave.

If a Councillor is absent without leave for three consecutive ordinary Council meetings, their office is automatically declared vacant.



The prescribed wording for the oath or affirmation is set out below:

Oath

I [**name of Councillor**] swear that I will undertake the duties of the office of councillor in the best interests of the people of the Berrigan Shire Council area and the Berrigan Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgement.

Affirmation

I [**name of Councillor**] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of the Berrigan Shire area and the Berrigan Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgement.



8.2 Consultation draft - amendments to the Code of Meeting Practice

Author:	Deputy Chief Executive Officer, Matthew Hansen
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	<ol style="list-style-type: none">1. Consultation draft - A model code of meeting practice (under separate cover)2. Amended model code of meeting practice - consultation draft (under separate cover)

This report is for information only.

Report

In late December, the Office of Local Government (OLG) released a consultation draft for an amended model code of meeting practice.

The proposed amended model code and the consultation paper are both attached to this report.

OLG state the reforms are designed to deliver the following outcomes:

- promoting transparency, integrity and public participation,
- promoting the dignity of the council chamber,
- depoliticising the role of the general manager (CEO) and
- simplifying the Model Meeting Code.

The proposed reforms are strongly supported by the Minister for Local Government, The Hon. Ron Hoenig MP who claims the changes "are part of the government's commitment to restoring public trust in local government which has been eroded by years of neglect and a cultural shift towards secrecy over public service."

Proposed amendments

The consultation draft breaks down the proposed amendments into five categories.

Promoting transparency, integrity and public participation

The proposed model code will prohibit pre-meeting briefings. The NSW government expect any material provided to councillors affecting, impacting or informing their deliberations or decisions to be provided in a council meeting or committee meeting.



Information provided in a closed meeting of council is to be made public after it ceases to be confidential. This will require a regular review of closed council reports to determine if the information in those reports remains confidential.

Recordings of meetings will need to be published on council's website for the balance of the election term, and no less than 12 months in an election year.

Planning decisions must not be made without a staff report and recommendations. The council must give a reason when departing from this recommendation.

Promoting the dignity of the council chamber

The proposed model code will grant the Mayor the authority to call extraordinary meetings without a request and existing restrictions on mayoral minutes will be removed.

Councillors will be expected to stand when the Mayor enters the chamber. They will also be required to stand when addressing the council.

Modes of address will be **mandated** with the Mayor to be addressed as 'Mr Mayor' or 'Madam Mayor'. Council officers must be called by their official designation or as Mr/Ms [Surname].

The Mayor will be able to expel councillors from the meeting, and subsequent meetings, if they fail to apologise for acts of disorder.

Time limits on councillor speeches will be removed, to allow councillors to be heard on important community issues.

The rights of councillors to attend meetings via audio-visual link will be restricted. Attendance via audio-visual link will only be allowed for reasons of ill-health or unforeseen caring responsibilities. Work or other commitments will be not seen as valid reasons not to attend in person. Council staff will be prohibited from attending via audio-visual link.

Depoliticising the role of the general manager (CEO)

Under the proposed model code of conduct, the CEO would no longer be required to prepare reports for notices of motion or mayoral minutes with financial implications. These will be matters for the council to determine.

The council, and not the CEO, will determine which staff will attend meetings on the basis they are best placed to know what support they require from staff. The Mayor, and not the CEO, will rule on whether council staff must respond to questions with notice. The CEO will still determine which staff member will answer the question.

Simplifying the model meeting code

The rules around public forums will be removed. Councils will be free to determine their own rules for public forums.

The rules around dealing with urgent business will be simplified. The provisions around foreshadowed motions will be removed.

Restricting councils from holding briefing sessions

Along with the proposed amendments to the model code, the NSW government will amend the Local Government (General) Regulation 2021 to prohibit councils holding briefing sessions.



The amendments will establish the appropriate ways councillors are to make decisions and receive information based on the following principles:

- Decision making by councillors must be through a resolution adopted at a council or committee meeting.
- Information is to be provided to councillors through clear and established channels:
 - information may be provided to councillors by staff in response to a request for information or action made through the councillor request system,
 - general information to assist councillors' understanding of sector wide issues (e.g. legislative changes), should be received from the general manager (and other external sources),
 - training materials to meet learning and development requirements come through established training programs,
 - information to enable councillors to understand the function, service delivery standards, strengths, weaknesses, threats, and opportunities of council operations should be provided in periodic workshop format (e.g. an annual strategic planning workshop), and
 - information requiring a specific decision or resolution of council is to be provided by the general manager as a part of a report prepared for the business papers of a council or committee meeting.
- The distribution of information in a meeting or format that is not consistent with the above pathways (e.g. through briefing sessions), is not permitted.
- The mayor will not be subject to these restrictions and may receive information in order to undertake their functions under the Act.

Submissions

OLG are seeking submissions regarding the proposed amendments to the code. Submissions close on 28 February 2024.

The council may, if it wishes, make a submission. Individual councillors, staff and members of the public may also make submissions.

If the council wishes to make a submission, the CEO will develop a submission for consideration by council at the February council meeting.



8.3 Correspondence - November 2024 to January 2025

- Author:** Chief Executive Officer, Karina Ewer
- Strategic Outcome:** CL. Our Civic Leadership
- Strategic Objective:** CL-B. Our community is informed and engaged in decision-making
- Delivery Program:** CL.4. Strengthen community engagement and participation in decision-making.
- Council's Role:** **Service Provider:** The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
- Appendices:** 1. All Incoming (under separate cover)

This report is for information only.

Report

The report is intended to ensure our work, such as advocacy, of the Mayor and CEO is transparent to the Council and the community.

No report was provided to the December Ordinary Council meeting as it was only two weeks after the November Ordinary meeting. As such, this report covers the period from the November Council meeting to current.

All correspondence is grouped into one attachment (incoming and outgoing) to ensure appendices are manageable.

Incoming

DATE	FROM	TO	TOPIC	RESPONDED DATE
12 November 2024	Adrian Schirner, Lord Mayor Brisbane	Mayor Julia	15 th Asia Pacific Communities Summit & Mayors Forum	N/A
20 November 2024	Steve Cox, CEO, Destination NSW	Mayor Julia	The Visitor Economy: Providing Social and Economic Benefit to your Local Government Area	N/A
4 December 2024	David Reynolds, CE, LGNSW	Karina Ewer	EPA Letter Regards Battery Boxes	N/A



DATE	FROM	TO	TOPIC	RESPONDED DATE
6 December 2025	Mark Davey EGM, RFDS, via Country Mayors Association	Karina Ewer	RFDS's ability to continue serving rural airstrips	N/A
11 December 2024	Amy Crawford, CEO,ALGA	Mayor Julia	Motion submitted to 2024 National General Assembly of Local Government	N/A
13 December 2024	Richard Colbran PhD, CEO Rural Doctors Network	Cr Rick Firman OAM, Chair, Country Mayors Assoc of NSW	Rural Doctors Network	N/A
16 December 2024	The Hon Courtney Houssos MLC	Mayor Julia	Draft Parking Fines Regulation	N/A
17 December 2024	Matt Collins, Principal Barooga Public School	Karina Ewer	Thank you for book for Presentation Day	N/A
17 December 2024	The Hon Sussan Ley	Mayor Julia	Funding for critical enabling infrastructure to support housing supply	N/A
17 December 2024	The Hon Ron Hoenig	Media Release	Model Meeting Code changes	N/A
18 December 2024	The Hon Ron Hoenig	Mayor Julia and Karina Ewer	Model Code of Meeting Practice proposed amendments	N/A
18 December 2024	Tony Chappel, CEO, NSW EPA	David Reynolds, CEO LGNSW	Battery Recycling Boxes update	N/A
9 January 2025	Helen Dalton MP	Councillors	Murray-Darling Basin Plan reform	N/A

OUTGOING

DATE	FROM	TO	REGARDS	TYPE
Nil				



8.4 Councillor requests - November and December 2024

Author:	Customer Communications Coordinator, Kayleigh Nolen
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	Nil

This report is for information only.

Report

This report provides the council with an update on action against requests made by councillors as required by the councillor access to information and staff interaction policy.



Works Request Number	Logged Date	Closed Date	Fault/request Type	Service Details	Progress Comments	Resolution Comments	Requested by
8925	04/11/2024	19/11/2024	Tree inspection	Inspect an unhealthy tree adjacent to a sewer plant	Inspection required, tree report to be conducted.	No Works required, placed on six monthly checks. Due to stormwater pump station location.	Cr Stringer
8864	21/10/2024	-	Signage	Update on status of the Edwards Car Park sign	Men's shed has been contacted to make up sign, when this is done, council will put up	-	Cr Healy
8859	21/10/2024	14/11/2024	Slashing Required	Also, now while there is no crop in the paddock behind the second dam, could the bush/shrub tree growth that was sprayed some time ago could that be checked to ensure it is not encroaching into the farmer land again.		Cr Paine to catch up with me when free, advised that this area has native grasses and bushes and cannot be sprayed, area is checked for weeds and sprays.	Cr Paine
8857	21/10/2024	14/11/2024	Slashing Required	How often 'or" does council have a scheduled plan to mow the area of the town retention dams on the Riverina Highway?		CR Paine to catch up with staff when available.	Cr Paine
8755	25/09/2024	-	Damages	The sandbags have moved at Tocumwal jetty, and they are catching boats	Monitoring and waiting for water levels to drop	-	Cr Stringer



9032	03/12/2024	03/12/2024	Parks & Garden	<p>-Ensure all toilets are unlocked, operational and checked to be working properly before the carols.</p> <p>-Spraying the carols area to suppress mosquitoes.</p> <p>-Keeping the toilets open to allow for topping up toilet paper etc by organisers.</p>	-	Arrangements made with organisers.	Mayor Julia Cornwell McKean
9036	04/12/2024	05/12/2024	Roads	Steel plate on Chanter St near CWA Hall needs urgent removal.	-	Steel plate removed 05/12/2024.	Cr Paine
9037	04/12/2024	09/12/2024	Town Maintenance	Obscene graffiti on play equipment at Apex Park needs removal.	-	Works completed by town maintenance.	Cr Paine
9034	04/12/2024	05/12/2024	Stormwater	<p>Request from landholder claiming a neighbouring property has cut drains from their property and are sending excessive amount of water down back Barooga Rd and eroding the road.</p> <p>Please inspect while the water is still running so it can be seen what damage is being done.</p>	-	<p>Staff inspected the full length of Back Barooga Rd, found no evidence of cut drains. Water on road in the usual spots. Erosion areas were quite good.</p>	Cr Brooker



9132	06/01/2025	06/01/2025	Water	<p>Request for information regarding murky outside water in Finley.</p> <p>It is impacting the grass, and the animals aren't drinking it as much.</p> <p>Pleased arrange some communication with the public.</p>	looking into options to pump water straight from MIL channel to Holding dam. reduce turbidity levels.	<p>Advised Cr Hannan of Finley Lake high water turbidity levels.</p> <p>Released Facebook post noting the issue.</p>	Cr Hannan
9055	10/12/2024	15/01/2025	Ranger	<p>Requesting update on removal of the burnt-out caravan on Berrigan Cobram road rest area near the quarry?</p>	-	Works completed	Cr Paine
9059	10/12/2024	-	Building & Planning	<p>Possible issue with power at the Barooga Botanical Gardens.</p>	-	<p>Maintenance budget is insufficient to complete works this FY but staff will have four of the seven toilets function for Australia Day</p>	Mayor Julia Cornwell McKean
9172	13/01/2025	-	Roads	<p>Vandalism of community signs on the southern entrance to Finley</p>	-	-	Cr Ngatoko
8995	27/11/2024	28/11/2024	Building & Planning	<p>Door handle broken on Foodshare building at Finley Showgrounds,</p>	<p>MV Locksmiths will be attending the site to repair the handle and lock. 2/12/24</p>	<p>Door handle has been vandalized, and the safety mechanism has kicked in, snapping the spring. Door repaired to make usable, MV Locksmiths will be attending the site to repair the handle and lock. 2/12/24</p>	Cr Ngatoko



8.5 Integrated Planning and Reporting and Budget Timelines

Author:	Executive Assistant, Keelan McDonald
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.1. Improve Council processes to make doing business with Council easier.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	Nil

Recommendation

That Council receive and note this report.

Report

The following timeline is a draft for 2025/26 Integrated Planning and Reporting Framework and budget alignment.

19 Feb 2025	Councillor education session
March 2025	Management group workshop
March 2025	Community Engagement
March/April 2025	Councillor education session
16 April 2025	Draft Delivery Program /Operational Plan (DP-OP) deadline
7 May 2025	Councillor education session to present draft DP-OP
21 May 2025	Council Meeting
<i>Council to consider Delivery Program, Operational Plan, FY26 Budget + Resourcing Strategy</i>	
22 May-19 Jun 2025	Public exhibition
<i>The Delivery Program-Operational Plan are required to go on 28 days public exhibition.</i>	
18 June 2025	Council meeting
XX June 2025	Extraordinary Council Meeting

The timing for public exhibition and adoption don't align. Legislative requirements dictate 28 days of public exhibition. Council will need to consider holding an extraordinary Meeting in late June for formal adoption.

Noting both the CEO and Mayor will be at the National General Assembly w/c 23 June 2025.



8.6 November 2024 By Election Matters

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council Strategic Partner: The Council partners with other agencies, stakeholders, community groups etc in the delivery of a Council provided service or activity that aligns with Councils Strategic outcomes or Delivery Program.
Appendices:	<ol style="list-style-type: none">1. Berrigan Shire Council - ECNSW LG2024 - Cost2. Upcoming Berrigan Shire Council by election meeting notes3. LGBY24 Council Estimate_Berrigan Shire Council (under separate cover)4. CEO Response Cost estimate for by-election

Recommendation

That Council write to the Chairperson of the NSW Electoral Commission and the NSW Electoral Commissioner expressing their concerns regarding the cost to, and imposition on, Council relating to the November 2024 by-election.

Report

The purpose of this report is to outline to council the difference between what council were told would be involved in assisting with the by election and the actual outcomes. I feel this report is important as a public record regarding the significant costs of elections pushed to councils. These are statutory requirements that should be paid by the NSW Electoral Commission but the costs are devolved to councils, diverting resources, including financial resources, away from service delivery to our community. This is therefore one of many cost shifting mechanisms used by state and federal government that hide the true costs of services to communities.

On 11 September 2024, I met with NSW Electoral Commission who declared us helping with the by election and taking on a number of the administrative roles would save council significant money in the delivery of the by election. The below outlines the promises and what occurred in reality.



At the meeting it was stated that:

1. If Council assisted with the administrative functions of the by election, we would save significantly on the original election estimate previously provided. The original agreed cost is included at appendix 1 of this report.
2. If we undertook the administrative work outlined, we would not require the Returning Officer (RO) until the Thursday prior to the election. This did not occur and in fact the RO and their assistant commenced full time work in the office approximately 4 weeks prior to the election.
3. We were requested to provide one office for the use of the RO and in which to store the electoral material (more on this matter below).
4. As our office is alarmed, we were not required to have security guards on site for the duration of the election material. This was as promised.
5. Council staff were required to receive nominations. This required staff to be trained in the receipt of nominations. One staff member in the end provided this service with one person nominated as “back up”. They were receiving nominations even though the RO was on site much of the time. We agreed to accept nominations from Monday to Thursday between 9am and 4pm. This was honoured.
6. We were asked to run pre-poll from the Council office to alleviate the cost of running pre-poll in Tocumwal. More on this later in the report.

Timeline of Events and Outcomes

The following outlines the processes undertaken to meet the requirements of the By Election as they changed and grew.

12 September 2024

Meeting with NSW Electoral Commission staff to agree what work council could and could not undertake to assist with the delivery of the by election.

13 September 2024

Confirmation of discussion sent from NSW Electoral Commission (appendix 2)

21 September 2024

Notified the NSW Electoral Commission would require the Tocumwal War Memorial Hall for Saturday 16 November 2024 from 9am to 6pm to allow for pre-poll outside of the hours offered in Berrigan Shire Council offices.

24 September 2024

Agreed not to charge for the hire of Council offices or Tocumwal War Memorial Hall as they would only be charged back to us in the final invoice.

9 October 2024

Candidate Information Session held at Tocumwal Library. Cost was essentially my time. I was there for approximately 1 hour plus travel time. (est \$400)



11 October 2024

Eight pallets of election materials delivered with 2 hours notice. A number of staff dropped everything to move the pool car and load the materials into the cage where the pool car is normally kept. (est cost \$200 – hour's worth of work)

14 October 2024

Signed lease for Tocumwal War Memorial Hall. Noted the lease was from 15 November 2024 to 22 November 2024. I was told this was so they did not have to do two leases (one for 16 November 2024 – see above – and one for the election day).

RO Commenced full time work in council office.

15 November 2024

Signed hire agreement for lease of Murray Room for pre-poll period with NSW Electoral Commission (no fee).

21 November 2024

Received the cost estimate from NSW Electoral Commission for this by election with apologies it was very late. The estimate is included at appendix 3.

22 November 2024

I made complaint about the cost quoted and noted it has saved council very little, if any money having staff attend to much of the administrative work. That response is included at appendix 4.

That afternoon I received a call from the NSW Electoral Commission stating the information provided was not really an estimate, rather what the price would be and that it was not negotiable. They made complaint that they were tasked with recovering the costs of running elections as they were not provided funding through the NSW state government to run them. I did say that was not my issue. The person said they would look into my complaints. To date I have not had further response on these matters.

Other Requirements

Council staff were required to attend training to ensure they could receive nominations and manage the pre-polling booth. Three staff members attended these two different training sessions. Keelan undertook the bulk of the work however with the other two staff members providing back up when she could not be, or was not, available.

Keelan sat in the pre-poll area for the full week prior to the election date (total time 35hours).

The estimated time for the training, plus the time taken to manage the Returning Officer's requests, assist with receiving information, talking with potential candidates and managing the pre-poll area is a total of approximately 90hrs. Cost estimate of staff time therefore is \$18,000.



Total Cost of By Election

Cost of Election from NSWEC	\$113,261
Staff time to support election	\$18,600
Lock changes:	\$800
Forgone rent of premises:	\$600
Total:	\$133,261

Given the initial election quote was for \$130,690, Council saved no money by assisting with the by election. In the future, should another by election take place, I would suggest it better Council do not participate in the running of a by election.



2024 Local Government Election - Cost Estimate
as at 30th January 2023
Berrigan Shire Council

Projects / Deliverables	Amount
<i>Ballot Papers</i>	1,237
<i>Call Centre</i>	2,113
<i>Counting and Results - Centralised</i>	-
<i>Counting and Results - Declaration Voting</i>	934
<i>Event Staffing</i>	92,315
<i>Information Technology</i>	2,072
<i>Logistics</i>	4,343
<i>Postal Voting Services</i>	2,081
<i>Venues</i>	9,233
<i>Voter Awareness</i>	3,670
<i>Financial Services</i>	812
<i>Constitutional Referendum</i>	-
<i>Council Poll</i>	-
TOTAL (excluding GST)	118,809
GST	11,881
TOTAL (including GST)	130,690

Note

This estimate is based on the Council election being fully contested

Shared resources will be utilised where practical



From: [Poppy Dreki](#)
To: [Karina Ewer - MBA, MCDR, MAHRI, GAICD](#)
Cc: [Steve Robb](#)
Subject: Upcoming Berrigan Shire Council by election [DLM= Unclassified]
Date: Friday, 13 September 2024 4:18:44 PM

You don't often get email from poppy.drekis@elections.nsw.gov.au. [Learn why this is important](#)

Good afternoon Karina

Thank you for meeting with Steve and myself on Wednesday to discuss how we will proceed with the conduct of the Berrigan by election to be held on Saturday 23 November 2024.

Council will be able to assist with:

- Providing an RO office in Berrigan Council chambers, a separate meeting room is available, with swipe card access.
Council can limit the access to the room during the period room is being used by the Returning Officer.
- Council chambers has an alarm system.
- Council staff will assist with the nomination process. Nominations open Monday 14 October and close at 12 noon Wednesday 23 October 2024.
Council staff will deposit nomination cheques received with Australia Post.
- Pre-poll voting will not commence on Saturday 16th November 2024 as Council is not open.
Pre-poll voting will commence from Monday 18 November until Friday 22 November within Council operating hours 9 - 4 pm Monday to Friday.
- Council chambers will be accessible to the Returning Officer on election day from approximately 7:00 am up until 9 pm on Saturday 23 November 2024.

NSWEC will:

1. Deliver election material directly to Council to store.
2. NSWEC will provide training for Council staff undertaking both the nomination processes and pre-poll processes.
3. NSWEC will provide a calendar to Council with the days the Returning Officer will be in person at Council Chambers.
As discussed, it is intended that the Returning Officer would work on a part time basis.
4. NSWEC can provide artwork for posters (community notice boards), templates for any newspaper advertising, and other artefacts as required.

Follow up actions:

1. Council to provide the name of staff member/s that will assist with accepting nominations.
2. Council to provide the name of staff member/s that will assist with pre-poll voting.



Please do not hesitate to contact myself or Steve if you wish to discuss any matter further.

Kind regards

**Poppy Drekiş | Election Taskforce Team Lead
NSW Electoral Commission**

231 Elizabeth Street | Sydney NSW 2000 | GPO Box 832 | Sydney NSW 2001
Direct: (+61 2) 9290 5497 | **SWITCH:** (+61 2) 9290 5999 | **ENQUIRIES:** 1300 135 736
E: Poppy.Drekis@elections.nsw.gov.au | **W:** www.elections.nsw.gov.au



CONFIDENTIALITY NOTICE

This message is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender. Views expressed in this message are those of the individual sender and are not necessarily the views of the NSW Electoral Commission or the Electoral Commissioner.



From: [Karina Ewer - MBA, MCDR, MAHRI, GAICD](#)
To: [Steve Robb](#)
Bcc: [Matt Hansen](#); [Keelan McDonald](#)
Subject: RE: Cost estimate for by-election [DLM= Sensitive]
Date: Friday, 22 November 2024 9:11:00 AM
Attachments: [image002.png](#)
[Berrigan Shire Council - ECNSW LG2024 - Executed.pdf](#)
[LGBY24 Council Estimate - Berrigan Shire Council.pdf](#)

Steve

I am not happy with the estimate provided. If it had been provided earlier, I would have said to run the entire thing yourselves. The original agreement (for a full election) is attached and was offered at a total cost of \$130,690.

When we met you indicated that by us doing some work, it would save us a significant amount of money.

To date the following is what has occurred:

- We were told the RO would need one office at our building. We changed the lock on that room to allow for the required provision.
- The RO has since required three offices at our building, all requiring locks changing and another storage room which we have provided at a nearby hall, again needing locks changed. The RO and his assistant have repeatedly complained about the facilities we have provided and I got a complaint from your office about the situation at the hall. The hall was having the roof replaced but the access to the store room via the rear entrance did not interfere with that work. Your employees tried to direct our contractors to get more convenient access, which has not gone down well, considering the work was scheduled long before all these demands were placed on us.
- We were told we would need to run pre-poll at the office and we agreed to that. Then, days before the election period started, we were told the Tocumwal site would need to run as well because of the number of electors in the shire. No offer to remove the Berrigan office from the pre-poll. So I feel I have supplied a staff member (who has significant other work to do) for no reason at all but she is completely sidelined, sitting in the pre-poll area to ensure someone is there when voters are coming in.
- We received a HUGE amount of election material at the office. I was unaware of the amount coming (or in fact that it was coming at all) until the delivery company called to ask where to deliver it (literally that morning). My staff had to drop everything to unload the pallets and find a place to store the material.

To say I am disappointed that what we have ended up having to do to is nothing like the discussions we had is a small understatement. For all the work we have undertaken, we have "saved" is \$17,429. That however is incorrect. I would estimate (and I will do the calculations for a public report to council) that this by election has in fact cost us more than the full election would have given the staff needed to assist and the changes to multiple locks in our office area. Rough estimate, I would guess the total cost of this by election is the same as if we had run the full election at minimum and let you do it for us.

I am asking you reconsider your estimate and consider the considerable cost and impost placed on council to assist. I can guarantee, should council need a by election in the future, we will not be as accommodating as we were this time.



Karina Ewer - MBA, MCDR, MAHRI, GAICD
Chief Executive Officer

Berrigan Shire Council | 56 Chanter Street, Berrigan NSW 2712

P: 03 5888 5100 **M:** 0456 802 006

E: KarinaE@berriganshire.nsw.gov.au

W: www.berriganshire.nsw.gov.au



TEAMWORK.RELIABILITY.HONESTY.SERVICE.

Disclaimer:- this e-mail and attached files may contain information that is confidential and/or subject to legal privilege. If you receive this e-mail and are not the addressee please delete and notify sender immediately. Views expressed in this message are those of the individual sender and not necessarily the views of Berrigan Shire Council.

From: Steve Robb <Steve.Robb@elections.nsw.gov.au>



Sent: Thursday, November 21, 2024 12:17 PM
To: Karina Ewer - MBA, MCDR, MAHRI, GAICD <KarinaE@berriganshire.nsw.gov.au>
Subject: Cost estimate for by-election [DLM= Sensitive]

Hi Karina,

Attached is a cost estimate for the conduct of Saturday's by-election. Apologies for the delay in getting this to you, but the current volume of elections & by-elections have made it difficult to get access to the key people.

Apologies, I sent the estimate for LGE24 which I had to recall.

Regards,

**Steve Robb | Director Customer Service & Relationship Management
NSW Electoral Commission**

231 Elizabeth Street | Sydney NSW 2000 | GPO Box 832 | Sydney NSW 2001
T: (+61 2) 9290 5431 | **M:** (+61) 0406 998 723 | **SWITCH:** (+61 2) 9290 5999 | **ENQUIRIES:** 1300 135 736
E: Steve.Robb@elections.nsw.gov.au | **W:** www.elections.nsw.gov.au



CONFIDENTIALITY NOTICE

This message is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender. Views expressed in this message are those of the individual sender and are not necessarily the views of the NSW Electoral Commission or the Electoral Commissioner.



8.7 Southern Riverina Drought Resilience Plan - Next Steps

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	EN. Our Environment
Strategic Objective:	EN-B. We work together to reduce our shire's carbon footprint EN-A. Our environment and natural habitats are protected, and biodiversity thrives
Delivery Program:	EN.3. Mitigate the impacts of climate change through renewable energy and water conservation measures and encourage sustainable living EN.1. Protect and enhance biodiversity, including our natural environment, waterways, native flora and fauna
Council's Role:	Strategic Partner: The Council partners with other agencies, stakeholders, community groups etc in the delivery of a Council provided service or activity that aligns with Councils Strategic outcomes or Delivery Program. Facilitator: A step further from advocacy where the Council may try to bring parties together to work out a solution to an issue affecting the Council area
Appendices:	Nil

Recommendation

That Council receive and note this report.

Report

In February 2023 I was successful in gaining \$560,000 to develop and implement a Regional Drought Resilience Plan on behalf of four Council areas: Berrigan Shire, Edward River, Federation and Murray River Councils (the conglomerate).

The previous Council endorsed the Southern Riverina Drought Resilience Plan (SRDRP) so it could be submitted to the Department of Regional NSW (the Department) and then the Commonwealth Government for approval.

8.10 Southern Riverina Drought Resilience Plan

Resolved OCM 161/24

Moved: Deputy Mayor Carly Marriott

Seconded: Cr John Taylor

That Council adopt the Southern Riverina Drought Resilience Plan noting CSIRO and community feedback and how that has been included in the finalised document.

CARRIED

Cr Marriott – Understand the purpose of the resilience plan and that we were funded for this work. However, I feel like this is a double up of work. There is no break through information from this report.



To that end, in December 2024, I received notification SRDRP had been approved by the Commonwealth. To get to this point has been a significant effort involving substantial community engagement across the four local government areas. The approved plan is included at Appendix 1.

A Project Control Group (PCG) including the four Councils and the Department oversaw SRDRP's Development. I chaired that group throughout the process. The SRDRP's development cost \$210,000, including the travel by consultants to undertake the community engagement and write and finalise the plan and was fully funded through the program.

The next step for the conglomerate is to commence the implementation process, for which we are to be provided \$350,000. There is no requirement for any of the councils to co-fund this project.

To access this funding as quickly as possible, during the Christmas break, I was required by the to submit an application to Smarty Grants to access the second part of the funding. To do so, I sought the approval of the relevant GMs (noting there are two new GMs since the project commenced).

The PCG will meet early in 2025 (at the time of writing a date had not been set) to plan the implementation work to be undertaken. Please note the feedback from ex Cr Marriott has been considered and the first part of the project we believe, is to consolidate the range of work already undertaken.

It is therefore proposed the following activities form the SRDRP:

Activity 1 (Theme 1 of the SRDRP) – requires consolidation of the different drought resilience responses already developed throughout the region. The PCG will look to hold workshops and meetings with the agricultural industry in particular, but also those industries that rely on the ag industry, to consider their priorities in drought resilience. This work will together provide the information required to develop a Regional Economic Diversification Strategy (which leads to activity 2).

Activity 2 (Theme 3 of the SRDRP) – proposes to deliver the highest priority outcome identified in the Regional Economic Diversification Strategy. At this time, we do not know what that activity will be as we need to be informed by the community engaged in the process.

The development of the Regional Economic Diversification Strategy and any activities to be funded from that plan are to be completed by 28 November 2025.

I am currently working with the department to finalise the application process to commence the work noted above.



8.8 ClubGRANTS - Sporties Barooga

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-C. A community where collaborative efforts enhance development and service delivery
Delivery Program:	CL.5. Build partnerships with state agencies, businesses, and non-profits
Council's Role:	Facilitator: A step further from advocacy where the Council may try to bring parties together to work out a solution to an issue affecting the Council area
Appendices:	1. ClubGRANTS Guidelines (under separate cover)

Recommendation

That Council receive and note this report.

Report

ClubGRANTS were established in 1998 to ensure registered clubs in NSW with profits over \$1 million contributed to local community services, programs and projects. Generally, their contributions can be financial or in-kind support.

The ClubGRANTS Guidelines are included at appendix 1.

Grants are made under three categories as outlined below:

Category 1

Category 1 expenditure is allocated by clubs to projects and / or services that contribute to the welfare and broader social fabric of the community, including:

- community welfare and social services,
- community development,
- community health services, and / or
- employment assistance activities.

Category 2

Category 2 expenditure is allocated by clubs to community development and support activities and projects not listed under category 1, and / or club's core activities. For example, sport, returned servicemen's league or veteran welfare, golf courses and bowling greens etc. This also includes wages paid to staff to carry out maintenance.



Category 3

Category 3 funding, or infrastructure grants, are administered by the Office of Responsible Gambling.

Local Committees

A local committee must be established in areas where Category 1 ClubGRANTS liability for all participating clubs exceeds \$30,000 expenditure.

Berrigan Shire falls into this threshold and council is therefore responsible for arranging and managing committee meetings etc.

Recent Developments

Barooga Sporties have alerted council staff to recent rejections of grants they were traditionally able to be applied. One is a new restriction on providing financial support to local athletes to attend state and national championships. This restriction has been confirmed by Club Tocumwal. Both are making representations that, particularly in rural and regional areas, this is an important use for ClubGRANTS as it provides access to sporting engagement that would otherwise be financially out of reach for many families.

The second matter is more concerning for council and the community. Sporties has traditionally assisted council with maintaining the Barooga Recreation Reserve to the value of approximately \$35,000 per year (in-kind support). In-kind support has included maintenance of grassed areas, including mowing, irrigating, fertilising etc. This year, for the first time, the claim has been rejected, stating the reserve is the responsibility of council and therefore ineligible for funding. The rejection has come through the grants portal and so is in writing.

We believe the change in stance may have come down to the interpretation of the guidelines which states:

As a general rule, it is important that funding preference is not given to projects or services that can be readily assisted by an existing government funding program.

On Thursday, 19 December 2024, Sporties board moved to maintain its level of support to the Barooga Recreation Reserve. The board however did reduce its community support (cash and in-kind) budget from \$250,000 to \$150,000. Of that budget, \$50,000 is in-kind support meaning the Barooga Recreation Reserve will now account for 70% of Sporties in-kind support to the community. Unfortunately, this means several community organisations may see the support traditionally supplied by Sporties removed during the 2025 calendar year. Barooga Recreation Reserve is not provided any cash funding from Sporties.

Sporties believe they can still satisfy ClubGRANT requirements in relation to the contributions they make to the Barooga Aquatic and Recreations Centre (BARC) and Sporties Bowling Club remain sustainable in the future. We will continue to work with Sporties, through the Memorandum of Understanding (MOU) we hold with them and Moira Shire regarding the management and maintenance of the BARC indoor pool.

Whilst it is wonderful Sporties are continuing to support the Barooga Recreation Reserve, Council should be aware this may not be possible into the future. The MOU we hold directly with Sporties to and separate to the BARC pool MOU, has provided a valuable platform for Council and Sporties to work together, including the provision of access to recycled water which Sporties use to water their golf course. That project was completed during last financial year and has seen savings for Sporties in water usage costs. Those savings have offset the loss BARC continues to make to some extent.



The bi-monthly MOU meetings held with Sporties will continue into the future as they have proved valuable in delivering significant events and support to the community by leveraging the work each of us is doing.



8.9 Designated Persons Returns of Interest - 2024-2025

Author:	Compliance Information Management Officer, Chanalee Nicosia
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Regulator: The Council has legislated roles in a range of areas which it is required to fund from its own funds (apart from fees for cost recovery), government grants etc)
Appendices:	Nil

Recommendation

That Council receive and note the tabling of Pecuniary Interest Returns received from Councillors and designated officers for the period 1 July 2024 to 30 June 2025

Report

Tabled at this meeting are Designated Persons Returns of Interests as required and in accordance with Clause 4.21 of the [Berrigan Shire Council Code of Conduct](#) duly completed by:

Councillors: Julia Cornwell McKean
Renee Paine
Matthew Hannan
Katie Ngatoko
Catherine Healy
John Stringer
Renee Brooker
Sharon Dennis

Designated Officers:	Karina Ewer	(Chief Executive Officer)
	Matthew Hansen	(Deputy Chief Executive Officer)
	Gary George	(Director Infrastructure)
	Andrew Fletcher	(Director, Strategic Planning and Development)
	Tahlia Fry	(Director Corporate Services)
	Darron Freund	(Operations Manager - Transport)
	Noureen Wajid	(Town Planner)
	Christopher Koschel	(Building Surveyor)
	Michelle Koopman	(Enterprise Risk Manager)



Genevieve Taylor	(Finance Manager)
Harin Perera	(IT Project Manager)
Ramesh Shrestha	(Asset and Engineering Manager)
Vageesh Nonavinakere	(Manager Sustainability)
Sarah Griffith	(Building and Planning Manager)
Josh Allan	(Building Compliance Maintenance Officer)
Matthew Wooden	(Biosecurity and Compliance Officer)
Michael Foley	(Building Surveyor Contractor)
Brendan Toll	(Noxious Weeds and Public Safety Officer)

Matthew Wooden (Biosecurity and Compliance Officer) has submitted his Disclosure of Interests but missed the required timeframe.

Note that in line with [Information Access Guideline 1](#) issued by the NSW Information and Privacy Commission, redacted versions of these returns will be hosted on the [Council website](#).



8.10 Development Determinations for Month of Dec 2024

Author:	Administration Support - Building & Planning, Kelly Milich
Strategic Outcome:	CO. Our Community
Strategic Objective:	CO-A. We're healthy and well with equitable access to services
Delivery Program:	CO.1. Deliver initiatives, facilities and services to advance health and wellbeing priorities
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	Nil

Recommendation

That Council receive and note this report.

Report

APPLICATIONS DETERMINED FOR DECEMBER 2024

Application	Proposal	Property	Status	Work Value
52/25/DA/D1	Dwelling	12 Anthony Avenue, Tocumwal	Approved	\$453,300
49/25/DA/D5	Residential Shed	46 Falkiner Street, Tocumwal	Approved	\$7,000
50/23/DA/DM	Shipping Containers	24-30 Vermont Street, Barooga	Approved	\$0.00

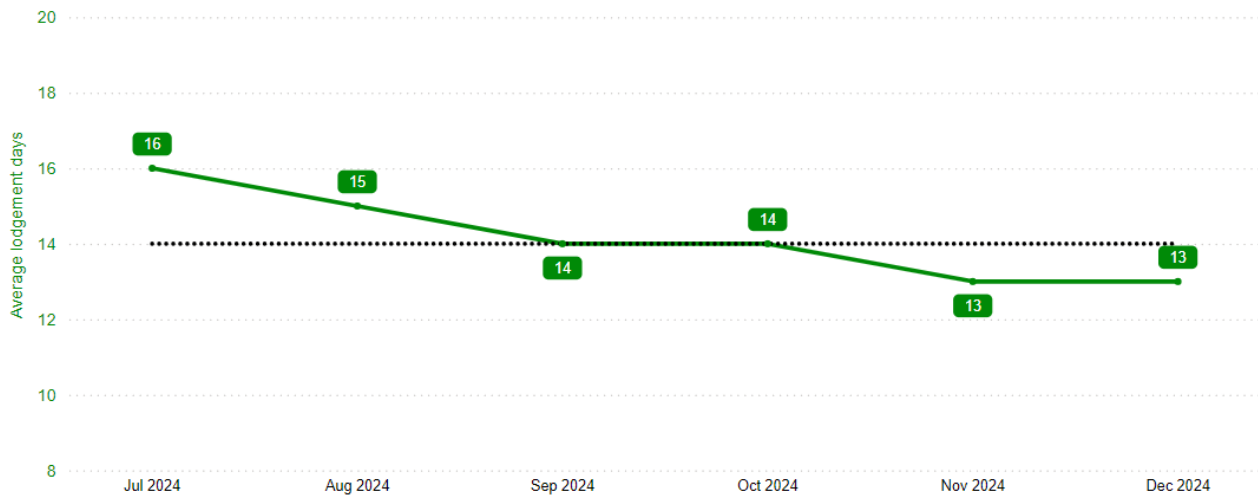
Key Performance Indicator – Development Assessment:

Average Lodgement Days - Berrigan	21
Average Assessment Days - Berrigan	45



Cumulative average lodgement days

— Average lodgement days 14-day expectation^



- The calendar days include weekends and public holidays in the day count.

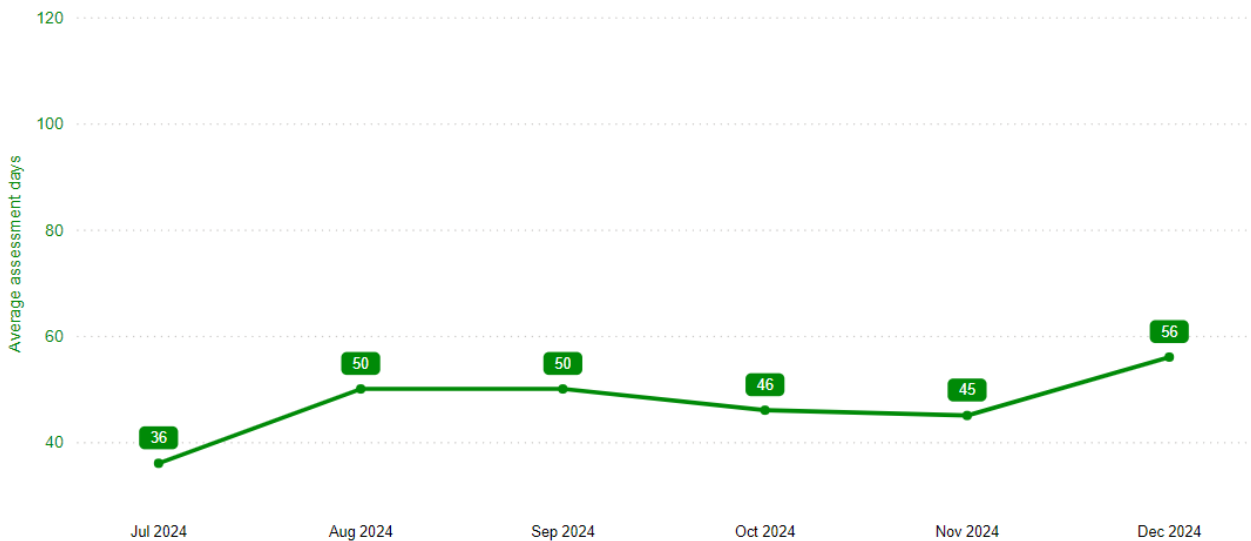
State Government collects data through the NSW Planning Portal to produce a 'council league table', an interactive digital dashboard, used to monitor the lodgement and determination of development applications. The *Statement of Expectations Order 2021* focuses on housing deliverability. It was updated on 1 July 2024, to outline the Minister's expectation of lodging a development application within an average of 14 days, from the date of submission.

Development applications in December 2024 had an average lodgement time of 13 days, which is within the ministerial direction.

Note: the council league table data is based on statutory timeframes in the EP&A Act and Regulations which do not omit any time during the Christmas period. While staff could not process development applications lodged between 21/12/2024 and 5/1/2025 due to Council's 2 week office closure, they were able to achieve the 14 day lodgement requirement.



Cumulative average assessment days



The 1 July 2024 Order outlines the Minister’s expectation of determining a development application as soon as practical or an average of 115 days, from lodgement; whichever is the lesser of Council’s previous financial year average.

Development applications in December 2024 had an average assessment timeframe (and were determined) within 102 days.

The Planning & Development team are aware of the 40 day statutory timeframe requirement in the EP&A Act and Regulations for determining a development application. They continue to discuss ways of working, in order for them to achieve this statutory requirement, in particular for the smaller applications (EG for a new dwelling or a shed).

APPLICATIONS PENDING DETERMINATION AS AT 31/12/2024

Application No.	Date Lodged	Description	Property Location
49/25/DA/D5	04-12-2024	RESIDENTIAL SHED	46 FALKINER STREET, TOCUMWAL NSW 2714 (Lot22//DP632731)
50/25/DA/DM	09-12-2024	GOLF CART SHED	42 BAROOGA ROAD, TOCUMWAL NSW 2714 (Lot228//DP752296)
45/25/ACT/ZF	09-12-2024	WATER METER CONNECTION & RELOCATION OF LOW PRESSURE SEWER CONNECTION	48 SUGDEN STREET, TOCUMWAL NSW 2714 (Lot12/3//DP6464)
58/25/CC/C1	11-12-2024	CIVIL WORKS	3109 MULWALA-BAROOGA ROAD, BAROOGA NSW 3644 (Lot6//DP1027384)
51/25/DA/D9	11-12-2024	SUBDIVISION	134 GOLF COURSE ROAD, BAROOGA NSW 3644 (Lot3//DP134521)



52/25/DA/D1	12-12-2024	BV DWELLING & ATTACHED GARAGE	12 ANTHONY AVENUE, TOCUMWAL NSW 2714 (Lot19//DP1068277)
53/25/DA/D1	12-12-2024	TRANSPORTABLE DWELLING	74 RACECOURSE ROAD, BERRIGAN NSW 2712 (Lot73//DP854762)
46/25/ACT/ZF	18-12-2024	WATER METER CONNECTION	59 MORRIS DRIVE, TOCUMWAL NSW 2714 (Lot30//DP270154)
47/25/ACT/ZF	18-12-2024	WATER METERS & PLUMBING WORKS	6 BANKER STREET, BAROOGA NSW 3644 (Lot4//DP1299566)
54/25/DA/D9	18-12-2024	SUBDIVISION LOT CONSOLIDATION	52 NGAWE ROAD, BAROOGA NSW 3644 (Lot2//DP306291)
55/25/DA/D1	18-12-2024	BV DWELLING & ATTACHED GARAGE	34 OLD ADCOCKS ROAD, TOCUMWAL NSW 2714 (LotE//DP108419)
48/25/ACT/ZG	19-12-2024	PLUMBING TO SHED	9 BROWNE STREET, TOCUMWAL NSW 2714 (Lot82//DP839786)
49/25/ACT/ZF	19-12-2024	WATER METER CONNECTION	43 MORRIS DRIVE, TOCUMWAL NSW 2714 (Lot34//DP270154)
50/25/ACT/ZF	19-12-2024	LOW PRESSURE SEWER	(NO NAME) (NO TYPE), NSW (Lot22//DP286078)
51/25/ACT/ZF	19-12-2024	WATER METER CONNECTION & LOW PRESSURE SEWER ESTABLISHMENT	7 BUSHLANDS ROAD, TOCUMWAL NSW 2714 (Lot31//DP1058006)
52/25/ACT/ZF	20-12-2024	WATER METER CONNECTION	2-6 VERMONT STREET, BAROOGA NSW 3644 (Lot12//DP1011568)

OTHER CERTIFICATES ISSUED FOR DECEMBER 2024

	s10.7(2) Planning Certificate		s10.7(5) Certificate		735A Certificate		s9.34 Certificate		s6.24 Building Certificate		Swimming Pool Certificate	
	DEC	Year Total	DEC	Year Total	DEC	Year Total	DEC	Year Total	DEC	Year Total	DEC	Year Total
BAROOGA	7	34	0	2	0	0	0	0	0	0	1	5
BERRIGAN	1	29	0	0	0	1	0	0	0	0	0	0
FINLEY	6	40	0	2	0	1	0	1	0	0	0	0
TOCUMWAL	9	71	1	4	0	0	0	0	0	0	0	0
TOTAL	23	174	1	8	0	2	0	1	0	0	1	7



8.11 Actions from previous meetings

Author:	Deputy Chief Executive Officer, Matthew Hansen
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	<ol style="list-style-type: none">1. Completed Council Actions 13.11.2024 - 15.01.2025 (under separate cover)2. Outstanding Council Actions - 15.01.2025 (under separate cover)

Recommendation

That Council receive and note this report.

Report

Attached as appendices to this report are the following reports on actions undertaken by council staff to implement the decisions from previous council meetings, including the expected timeframe for implementation.

- Outstanding actions as of 15 January 2025
 - Completed Council Actions from 13 November 2024 to 15 January 2025
-



8.12 Finance - Accounts November

Author:	Finance Manager, Genevieve Taylor
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	1. Berrigan_Monthly_Report_November_2024.pdf (under separate cover)

Recommendation

That Council:

- a) receive the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 30 November 2024,
- b) confirm the accounts paid as per Warrant No. 11/24 totaling \$4,523,504.89 and note the report on investments attached.

Purpose

This report is designed to inform Council of its cash and investments as at 30 November 2024 and for council to authorise expenditure for the month ending 30 November 2024.

Report:

- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 30 November 2024 is certified by the Finance Manager.
- b) The Finance Team Leader certifies that the Cash Book of the Council was reconciled with the Bank Statements as at 30 November 2024.
- c) The Finance Team Leader certifies the Accounts, including the Petty Cash Book made up to 30 November 2024, totaling \$4,523,504.89 and will be submitted for confirmation of payment as per Warrant No. 11/24.
- d) The Finance Team Leader certifies that all Investments have been placed in accordance with:
 - i. [Council's Investment Policy](#),



- ii. [Section 625 of the Local Government Act 1993 \(as amended\)](#),
 - iii. [the Minister’s Amended Investment Order gazetted 11 January 2011](#),
 - iv. [clause 212 of the Local Government \(General\) Regulations 2021](#), and
 - v. Third Party Investment requirements of the Office of Local Government Circular 06-70
- e) Council’s cash and investment portfolio increased by \$218,323.76 since October. However, funds have decreased by \$634,931.29 compared to the same period last year.

Statement of Bank Balances as at 30 NOVEMBER 2024

Bank Account Reconciliation

Cash book balance as at 30 NOVEMBER 2024	\$ 7,929,119.79
Receipts for NOVEMBER 2024	\$ 2,741,828.65
Term Deposits Credited Back	<u>\$ 2,000,000.00</u>
	<u>\$ 12,670,948.44</u>
Less Payments Statement No 11/24	
Bank Transfers	\$ -
Electronic Funds Transfer (EFT) Payroll	\$ 792,811.86
Electronic Funds Transfer (EFT) Creditors	\$ 1,680,431.43
Term Deposits Invested	\$ 2,000,000.00
Loan repayments, bank charges, etc	\$ 50,261.60
Total Payments for NOVEMBER 2024	<u>\$ 4,523,504.89</u>
Cash Book Balance as at 30 NOVEMBER 2024	<u>\$ 8,147,443.55</u>
Bank Statements as at 30 NOVEMBER 2024	\$ 8,147,443.55
Plus Outstanding Deposits	\$ -
Less Outstanding Cheques/Payments	\$ -
Reconciliation Balance as at 30 NOVEMBER 2024	<u>\$ 8,147,443.55</u>

INVESTMENT REGISTER

INSTITUTION	FUND	DEPOSIT NO.	TERM (days)	RATE	MATURITY DATE	INSTITUTION TOTAL	S&P RATING
Bendigo Bank	WATER	142/18	181	5.00%	26/03/2025	\$ 2,000,000.00	BBB+
Bendigo Bank	WATER	166/24	365	5.05%	18/11/2025	\$ 2,000,000.00	BBB+
Defence Bank Limited	WATER	138/18	365	5.25%	11/01/2025	\$ 2,090,003.47	BBB
NAB	SEWER	159/24	83	4.90%	19/12/2024	\$ 2,000,000.00	AA-
NAB	GENERAL	160/24	153	5.07%	27/02/2025	\$ 2,000,000.00	AA-
NAB	GENERAL	161/24	214	5.07%	29/04/2025	\$ 2,000,000.00	AA-
NAB	WATER	162/24	242	5.04%	27/05/2025	\$ 2,000,000.00	AA-
NAB	WATER	163/24	334	4.95%	27/08/2025	\$ 2,000,000.00	AA-
NAB	GENERAL	156/24	368	5.25%	10/06/2025	\$ 2,000,000.00	AA-
NAB	SEWER	157/24	365	5.30%	30/07/2025	\$ 2,000,000.00	AA-
WESTPAC	GENERAL	163/24	94	4.91%	13/01/2025	\$ 1,000,000.00	AA-
WESTPAC	GENERAL	150/23	365	4.82%	30/09/2025	\$ 2,000,000.00	AA-
WESTPAC	SEWER	144/19	552	4.95%	1/10/2025	\$ 2,000,000.00	AA-
WETSPAC	GENERAL	164/24	397	4.99%	12/11/2025	\$ 2,000,000.00	AA-
WETSPAC	GENERAL	165/24	551	4.85%	15/04/2026	\$ 2,000,000.00	AA-
WETSPAC	SEWER	158/24	729	4.95%	30/07/2026	\$ 2,000,000.00	AA-
						<u>\$ 31,090,003.47</u>	

Total Funds Held at 30 NOVEMBER 2024

\$39,237,447.02

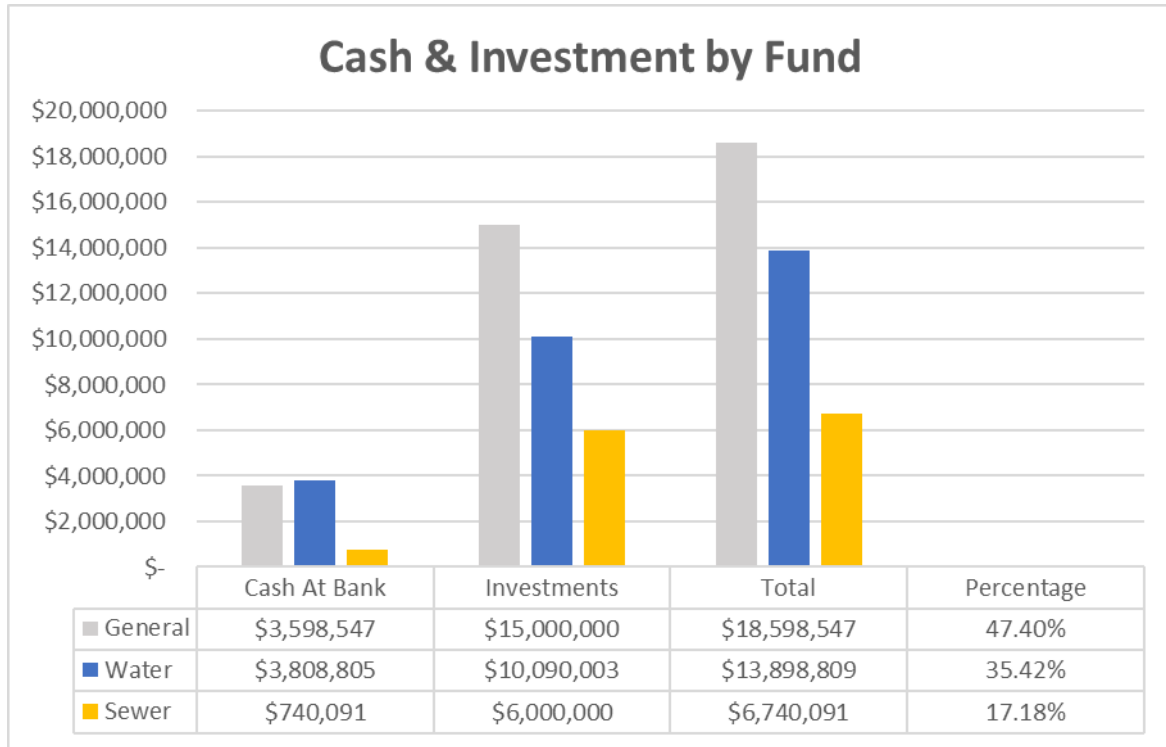
Genevieve Taylor - Finance Manager

*The Council also receives an additional 0.25% commission

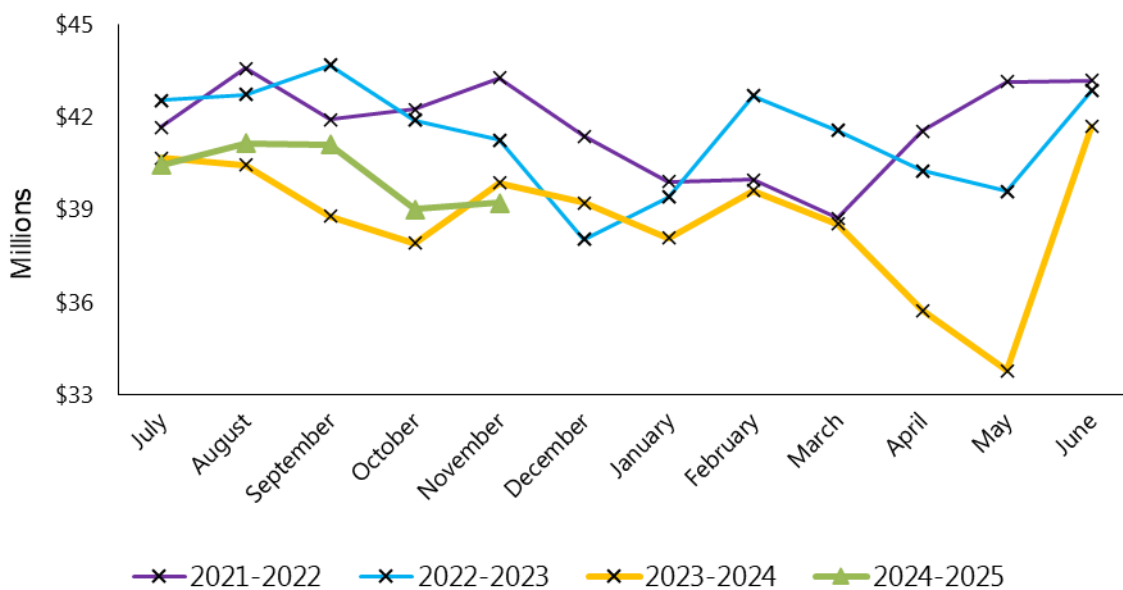
**The Council also receives an additional 0.20% commission



Total Funds held between General, Water and Sewer are as follows:

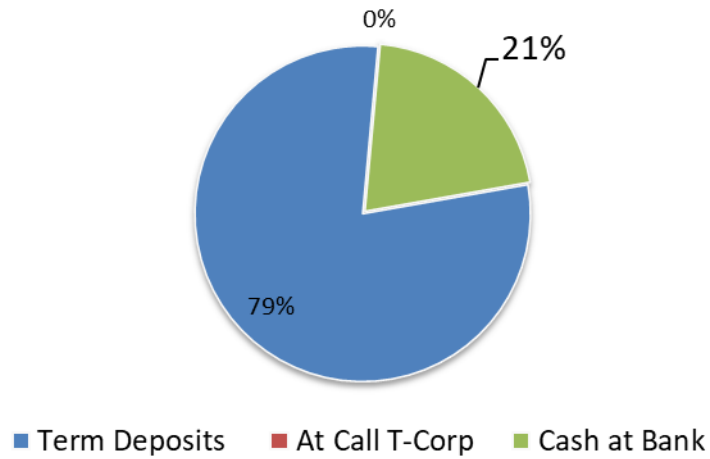


Total Cash and Investments

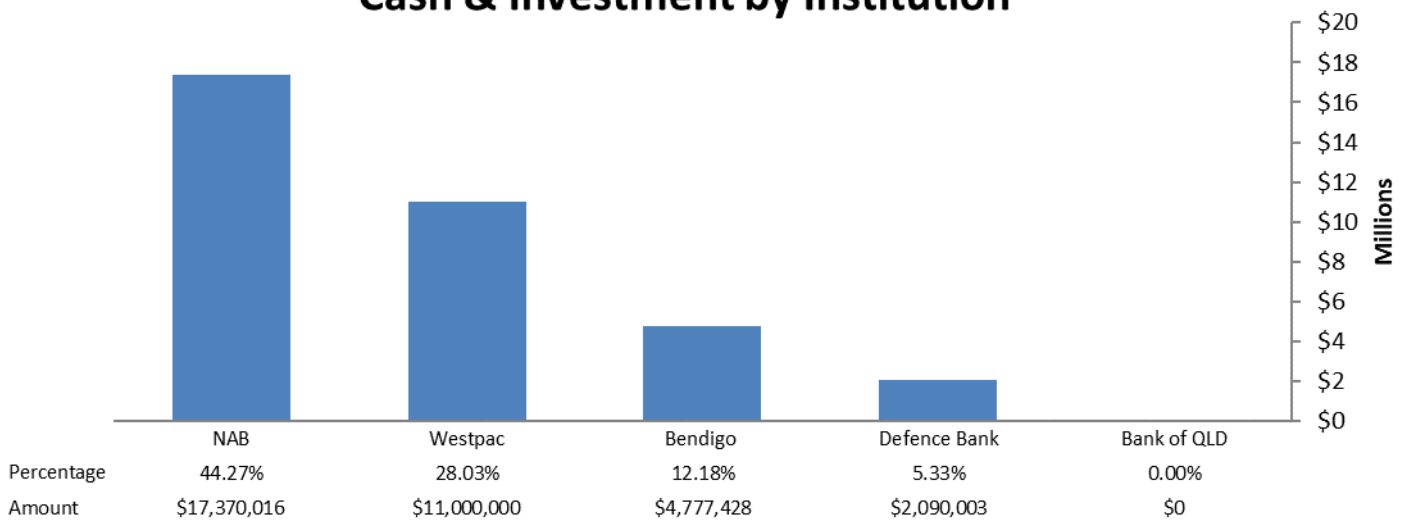




Cash & Investment by Type

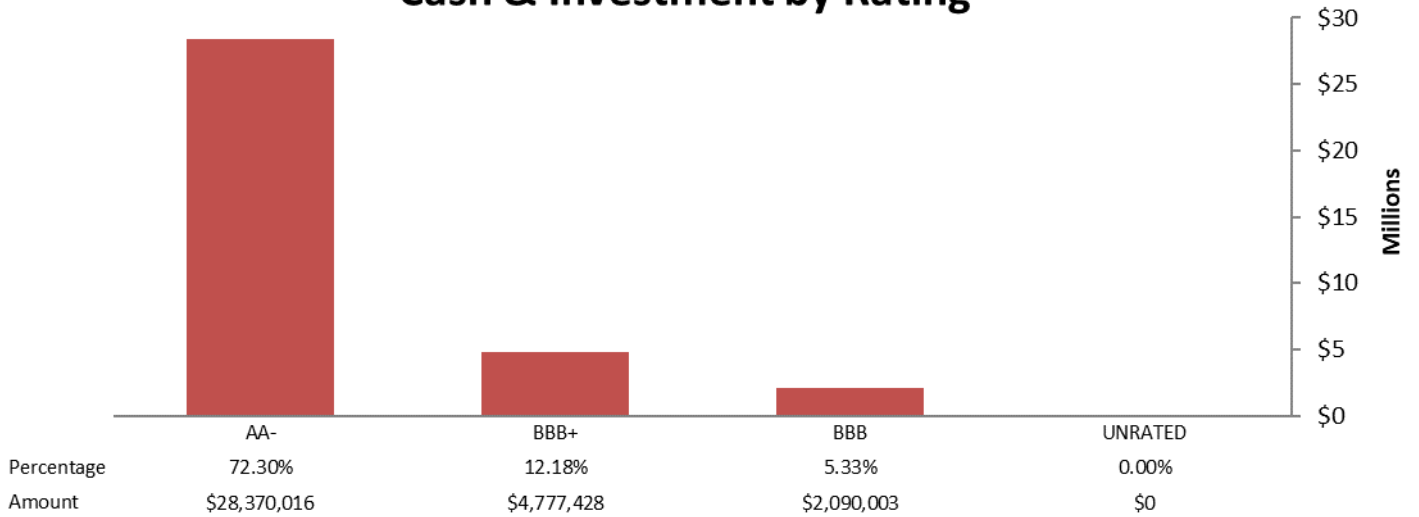


Cash & Investment by Institution





Cash & Investment by Rating



Term Deposits Credited Back

Prior Financial Institution	Term (Days)	Amount	Interest Rate	Maturity Date
BOQ	731	\$ 2,000,000.00	4.60%	18/11/2024

Term Deposits Invested / Reinvested

Current Financial Institution	Term (Days)	Amount	Interest Rate	Maturity Date
BENDIGO BANK	365	\$2,000,000.00	5.05%	18/11/2025

*The Council also receives an additional 0.25% commission
 **The Council also receives an additional 0.20% commission



Outstanding Borrowings:

The Council has outstanding borrowings of \$5,542,807 as of 30 November 2024. This includes both external borrowings (\$3,114,438) and internal borrowings from Council's Sewer Fund (\$2,428,369). Council has not yet drawn down on any new borrowings in the 24/25FY.

Please see below Council's current borrowings:

Institution	Fund Borrowing	Purpose	Loan Amount	Interest Rate	Opening Balance @ 1.07.2024	Principal	Interest	Closing Balance @ 30.11.2024
NAB	General	LIRS Drainage Loan	\$1,630,000	4.26%	\$115,312	\$115,312	\$1,396	\$0
ANZ	General	LCLI Lewis Cr/Fin Park Loan	\$1,000,000	2.32%	\$619,208	\$40,894	\$5,828	\$578,315
NAB	Water	LCLI Barooga WTP	\$4,000,000	1.48%	\$2,699,290	\$163,167	\$16,244	\$2,536,123
Sewer Fund	General	General Fund	\$1,000,000	1.48%	\$715,269	\$40,722	\$4,411	\$674,547
Sewer Fund	Water	Finley WTP	\$2,600,000	1.48%	\$1,859,700	\$105,878	\$11,468	\$1,753,822
		TOTALS	\$10,230,000		\$6,008,779	\$465,973	\$39,590	\$5,542,807



8.13 Finance - Accounts December

Author:	Finance Manager, Genevieve Taylor
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	1. Berrigan_Monthly_Report_December_2024.pdf (under separate cover)

Recommendation

That Council:

- a) receive the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 December 2024,
- b) confirm the accounts paid as per Warrant No. 12/24 totaling \$4,761,956.19 and note the report on investments attached.

Purpose

This report is designed to inform Council of its cash and investments as at 31 December 2024 and for council to authorise expenditure for the month ending 31 December 2024.

Report:

- a) A Financial Statement covering all funds of the Council indicating the Bank Balances as at 31 December 2024 is certified by the Finance Manager.
- b) The Finance Team Leader certifies that the Cash Book of the Council was reconciled with the Bank Statements as at 31 December 2024.
- c) The Finance Team Leader certifies the Accounts, including the Petty Cash Book made up to 31 December 2024, totaling \$4,761,956.19 and will be submitted for confirmation of payment as per Warrant No. 12/24.
- d) The Finance Team Leader certifies that all Investments have been placed in accordance with:
 - i. [Council's Investment Policy](#),



- ii. [Section 625 of the Local Government Act 1993 \(as amended\)](#),
 - iii. [the Minister’s Amended Investment Order gazetted 11 January 2011](#),
 - iv. [clause 212 of the Local Government \(General\) Regulations 2021](#), and
 - v. Third Party Investment requirements of the Office of Local Government Circular 06-70
- e) Council’s cash and investment portfolio decreased by \$600,938.06 since November. However, funds have decreased by \$601,573.05 compared to the same period last year.

Statement of Bank Balances as at 31 DECEMBER 2024

Bank Account Reconciliation

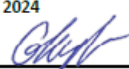
Cash book balance as at 31 DECEMBER 2024	\$ 8,147,443.55
Receipts for DECEMBER 2024	\$ 2,161,018.13
Term Deposits Credited Back	\$ 2,000,000.00
	<u>\$ 12,308,461.68</u>
<i>Less Payments Statement No 12/24</i>	
Bank Transfers	\$ -
Electronic Funds Transfer (EFT) Payroll	\$ 984,018.98
Electronic Funds Transfer (EFT) Creditors	\$ 1,723,944.21
Term Deposits Invested	\$ 2,000,000.00
Loan repayments, bank charges, etc	\$ 53,993.00
Total Payments for DECEMBER 2024	\$ 4,761,956.19
Cash Book Balance as at 31 DECEMBER 2024	<u>\$ 7,546,505.49</u>
<i>Bank Statements as at 31 DECEMBER 2024</i>	
Plus Outstanding Deposits	\$ 7,150,826.35
Less Outstanding Cheques/Payments	-\$ 395,679.14
Reconciliation Balance as at 31 DECEMBER 2024	<u>\$ 7,546,505.49</u>

INVESTMENT REGISTER

INSTITUTION	FUND	DEPOSIT NO.	TERM (days)	RATE	MATURITY DATE	INSTITUTION TOTAL	S&P RATING
AMP Bank	SEWER	167/24	365	5.10%	19/12/2025	\$ 2,000,000.00	AA-
Bendigo Bank	WATER	142/18	181	5.00%	26/03/2025	\$ 2,000,000.00	BBB+
Bendigo Bank	WATER	166/24	365	5.05%	18/11/2025	\$ 2,000,000.00	BBB+
Defence Bank Limited	WATER	138/18	365	5.25%	11/01/2025	\$ 2,090,003.47	BBB
NAB	GENERAL	160/24	153	5.07%	27/02/2025	\$ 2,000,000.00	AA-
NAB	GENERAL	161/24	214	5.07%	29/04/2025	\$ 2,000,000.00	AA-
NAB	WATER	162/24	242	5.04%	27/05/2025	\$ 2,000,000.00	AA-
NAB	WATER	163/24	334	4.95%	27/08/2025	\$ 2,000,000.00	AA-
NAB	GENERAL	156/24	368	5.25%	10/06/2025	\$ 2,000,000.00	AA-
NAB	SEWER	157/24	365	5.30%	30/07/2025	\$ 2,000,000.00	AA-
WESTPAC	GENERAL	163/24	94	4.91%	13/01/2025	\$ 1,000,000.00	AA-
WESTPAC	GENERAL	150/23	365	4.82%	30/09/2025	\$ 2,000,000.00	AA-
WESTPAC	SEWER	144/19	552	4.95%	1/10/2025	\$ 2,000,000.00	AA-
WETSPAC	GENERAL	164/24	397	4.99%	12/11/2025	\$ 2,000,000.00	AA-
WETSPAC	GENERAL	165/24	551	4.85%	15/04/2026	\$ 2,000,000.00	AA-
WETSPAC	SEWER	158/24	729	4.95%	30/07/2026	\$ 2,000,000.00	AA-
						<u>\$ 31,090,003.47</u>	

Total Funds Held at 31 DECEMBER 2024

\$38,636,508.96

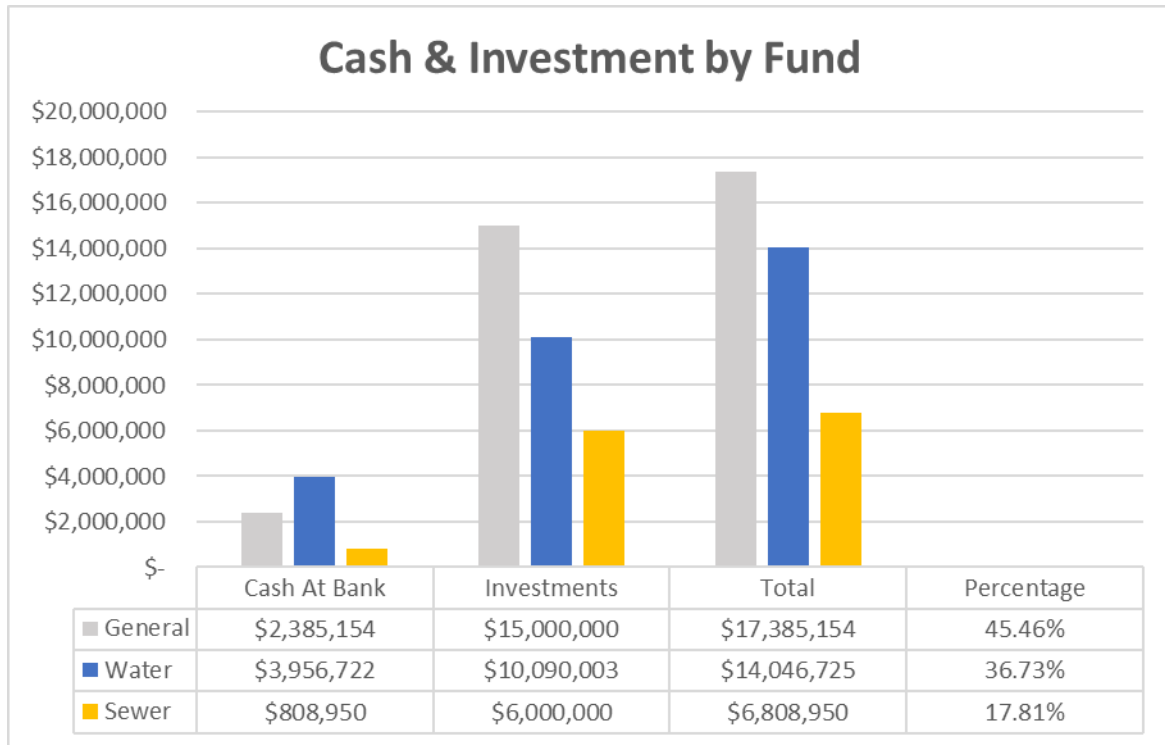

Genevieve Taylor - Finance Manager

*The Council also receives an additional 0.25% commission

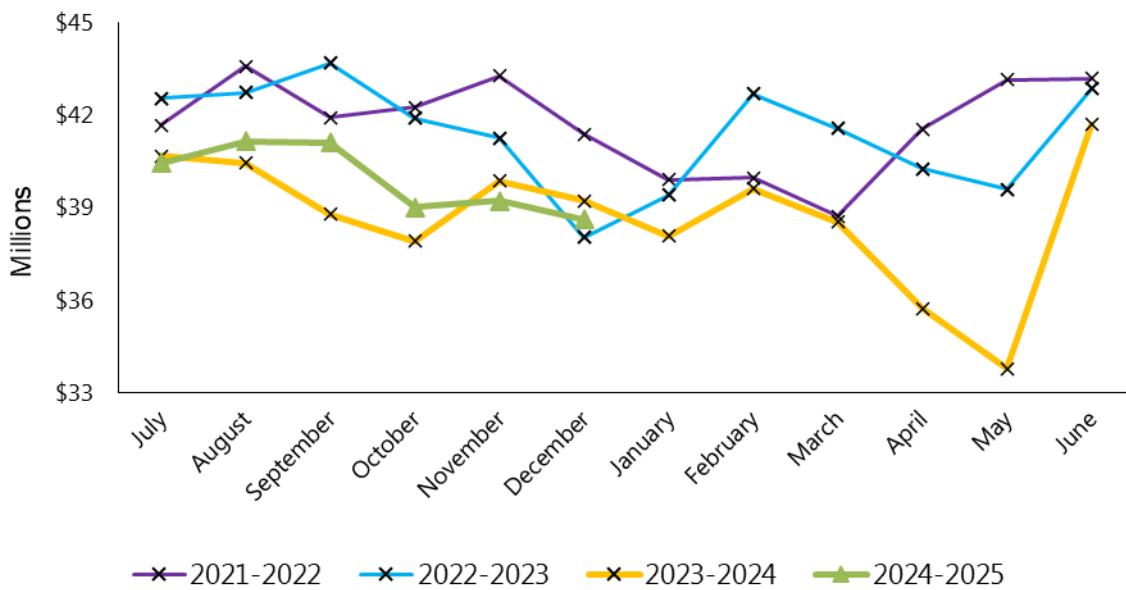
**The Council also receives an additional 0.20% commission



Total Funds held between General, Water and Sewer are as follows:

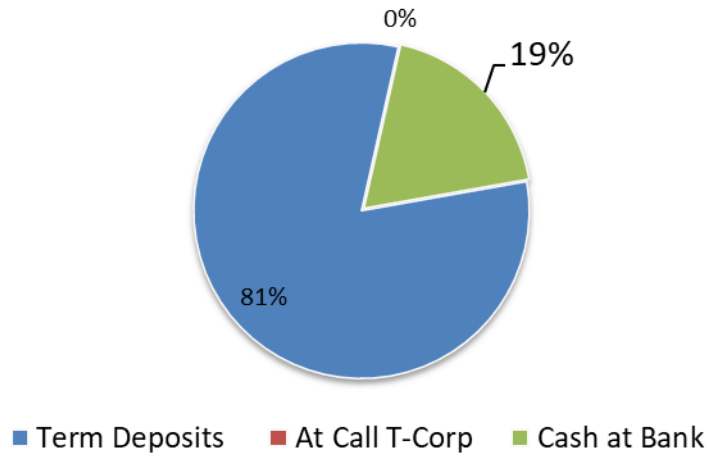


Total Cash and Investments

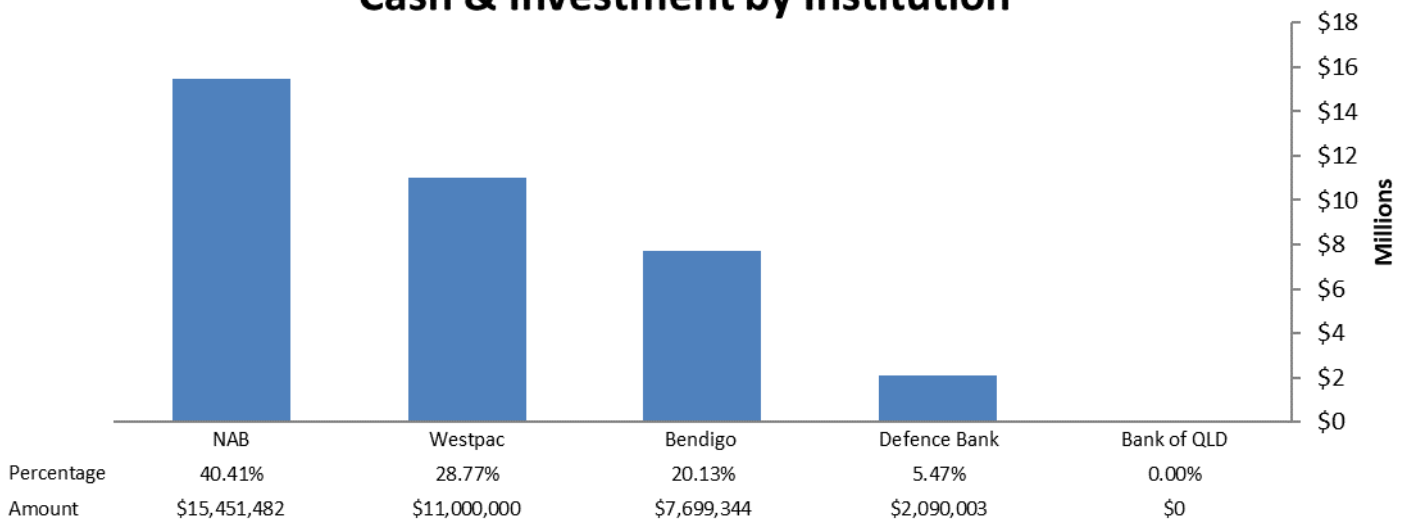




Cash & Investment by Type

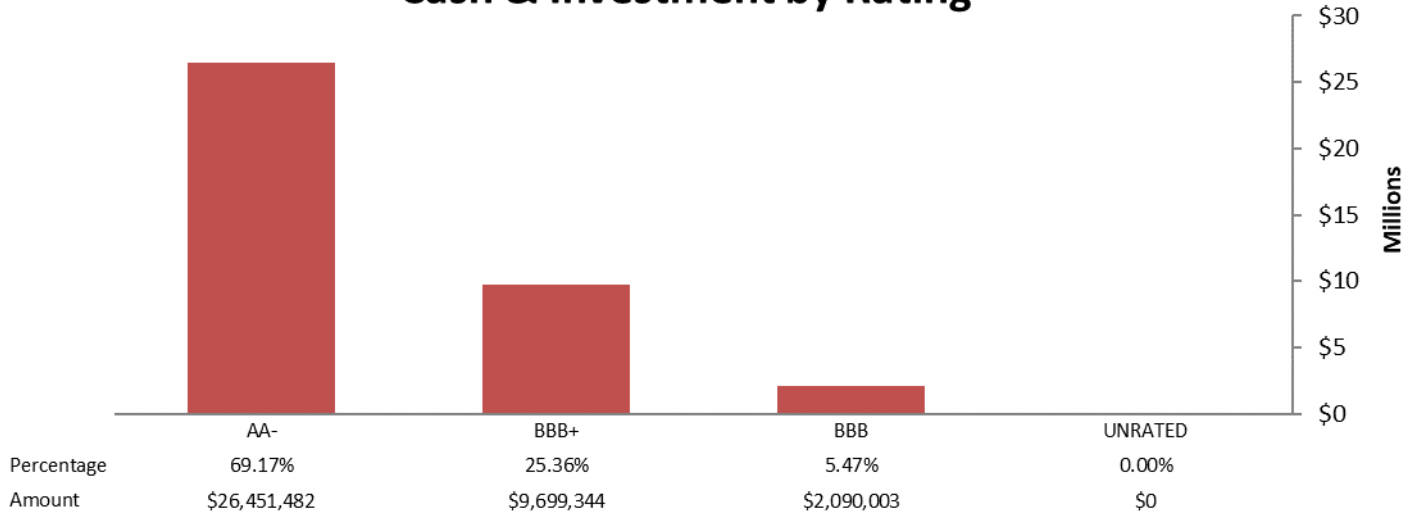


Cash & Investment by Institution





Cash & Investment by Rating



Term Deposits Credited Back

Prior Financial Institution	Term (Days)	Amount	Interest Rate	Maturity Date
NAB	83	\$ 2,000,000.00	4.90%	18/11/2024

Term Deposits Invested / Reinvested

Current Financial Institution	Term (Days)	Amount	Interest Rate	Maturity Date
AMP BANK	365	\$2,000,000.00	5.10%	18/11/2025

*The Council also receives an additional 0.25% commission

**The Council also receives an additional 0.20% commission



Outstanding Borrowings:

The Council has outstanding borrowings of \$5,472,506 as of 31 December 2024. This includes both external borrowings (\$3,073,456) and internal borrowings from Council's Sewer Fund (\$2,399,050). Council has not yet drawn down on any new borrowings in the 24/25FY.

Please see below Council's current borrowings:

Institution	Fund Borrowing	Purpose	Loan Amount	Interest Rate	Opening Balance @ 1.07.2024	Principal	Interest	Closing Balance @ 31.12.2024
NAB	General	LIRS Drainage Loan	\$1,630,000	4.26%	\$115,312	\$115,312	\$1,396	\$0
ANZ	General	LCLI Lewis Cr/Fin Park Loan	\$1,000,000	2.32%	\$619,208	\$49,120	\$6,946	\$570,088
NAB	Water	LCLI Barooga WTP	\$4,000,000	1.48%	\$2,699,290	\$195,922	\$19,372	\$2,503,368
Sewer Fund	General	General Fund	\$1,000,000	1.48%	\$715,269	\$48,867	\$5,293	\$666,403
Sewer Fund	Water	Finley WTP	\$2,600,000	1.48%	\$1,859,700	\$127,053	\$13,762	\$1,732,647
		TOTALS	\$10,230,000		\$6,008,779	\$536,274	\$46,769	\$5,472,506



8.14 National General Assembly

- Author:** Chief Executive Officer, Karina Ewer
- Strategic Outcome:** CL. Our Civic Leadership
- Strategic Objective:** CL-C. A community where collaborative efforts enhance development and service delivery
- Delivery Program:** CL.7. Actively participate in regional bodies to advance shared action for our region
- Council's Role:** **Advocate:** The Council may advocate to another government or other organisation for certain things to happen, this could range from a single event (such as writing to a Minister) through to an ongoing campaign
- Appendices:**
1. 2025-NGA-Discussion-Paper (under separate cover)
 2. DRAFT Berrigan Shire Council - NGA Motions 2025 (under separate cover)

Recommendation

That Council

1. approve the Mayor, Cr XXX and the Chief Executive Officer to attend the Australian Local Government Association National General Assembly from 25 to 27 June 2025 in Canberra, and
2. adopt each of the motions outlined below:
 - a. The National General Assembly calls upon the Australian Government to formalize structured and ongoing engagement with local government through the inclusion of an Australian Local Government Association (ALGA) representative as a permanent participant in National Cabinet meetings and associated subcommittees. Additionally, the Assembly urges the establishment of a Local Government Advisory Council as a dedicated forum to strengthen co-operation on shared national priorities.
 - b. The National General Assembly calls upon the Australian Government to increase Financial Assistance Grants (FAGs) to local governments to at least 1% of Commonwealth taxation revenue, establish a dedicated Local Government Sustainability Fund to support councils facing acute financial challenges and implement reforms to ensure equitable and transparent distribution of federal funding. Additionally, the Assembly urges the adoption of a formal partnership agreement between federal, state and local governments to address cost shifting and enhance financial sustainability.
 - c. The National General Assembly calls upon the Australian Government to establish a Sustainable Roads and Community Infrastructure Fund, providing long term, indexed funding to address local road maintenance and infrastructure gaps. The fund should include specific allocations for capacity building programs to enhance councils' infrastructure management and integrate long term financial planning. The Assembly further urges the Australian Government to develop a Local Infrastructure Partnership



to align council projects with national priorities such as decarbonisation, disaster resilience and regional development.

Report

The Australian Local Government Association (ALGA) advocates on behalf of Australia's 537 Local Councils for funding and policy outcomes that support local governments to deliver better results for their communities.

Each year ALGA hosts the National General Assembly (NGA) in Canberra where councils discuss current and emerging issues and advocate to the Federal Government regarding the priorities facing the local government sector.

The cost of attendance at the is approximately \$1,500 per person. *Council's Councillor Expenses and Facilities Policy* provides for the Mayor, CEO and one other Councillor nominated by Council to attend the NGA.

The motions passed at NGA inform ALGA's strategic direction and national advocacy objectives. It is therefore important each Council submits motions if they feel strongly about any matter being faced by their community as the themes are often similar throughout the nation and this assists ALGA to represent Councils more fully.

This year's NGA will be held in Canberra from 25 – 27 June 2025.

This year's event theme is "National Priorities Need Local Solutions" and aims to explore opportunities for councils to work with the next Federal Government to deliver local solutions to help the federal government delivery on their vision for the nation.

Motions must:

- be relevant to the work of local government nationally,
- not be focused on a specific jurisdiction, location or region – unless the project or issue has national implications,
- consistent with the themes of the NGA,
- compliment or build the policy objectives of ALGA and your state or territory local government association,
- be submitted by a council which is a financial member of their state or territory local government association,
- propose a clear action and outcome ie call on the Australian Government to act on something,
- not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.
- address issues that will directly improve the capacity of local government to deliver services and infrastructure for the benefit of all Australian communities.
- not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another and



- be supported by sufficient evidence to support the outcome being sought and demonstrate the relevance and significance of the matter to local government nationally.

The discussion paper outlining the theme of the NGA and the questions under which motions may be made, is included at **Appendix 1**.

Draft motions for adoption are included at **Appendix 2** for council consideration.

Motions are due Monday 31 March 2025.



8.15 USA Delegation and ICMA Conference

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	No Role: The Council chooses not to have a role in relation to a particular service or activity
Appendices:	<ol style="list-style-type: none">1. USA Delegation and ICMA Conference (under separate cover)2. Councillors-and-overseas-travel-14June24 (under separate cover)

Recommendation

That Council support the CEO to attend the USA Delegation and ICMA Conference by allowing the time of the trip to be seen as work time (i.e. not require the CEO to take leave from the period 20 October to 30 October 2025).

Report

This report seeks to gain Council's approval for me to attend the LG Professionals Delegation to the USA and attendance at the International City Managers Association (ICMA) Conference in Tampa, Florida.

I had hoped to attend the USA Delegation and ICMA Conference in 2024, however it clashed with our election dates.

For transparency, I am not asking Council to pay the costs of the delegation, nor the airfares. I have already paid the \$9,500 required to attend the trip and will book flights in the near future. Again, these will not be charged to council.

I have attached both the email and information from the LG Professionals website at appendix 1 for council's information. The 2025 Program will be provided to me later during 2025 when visits to relevant local government authorities in Florida are confirmed, and the ICMA conference details are finalised.

I am asking that Council do not request me to take holidays to attend the delegation and conference. The cost to Council therefore will be neutral, other than if council would like to appoint a person to act as CEO whilst I am in Florida.

Council's current Training and Development Policy is silent on the matter of study and study leave, though the review of the Workforce Development Plan will include consideration of training and



development and therefore study and study leave requirements to be more in line with custom and practice today. Currently, where staff are studying for subjects relevant to their employment, I am providing them time during working hours where appropriate, to complete some components of their course work, particularly where that is related to the work they do. I also provide for leave to undertake exams etc when appropriate. I can however provide an interim Study Leave Policy for council's review if council feels this is more appropriate.

For your reference, I have included the Ministerial Circular related to Overseas Travel. I am aware this relates more to councillors undertaking overseas travel on behalf of council, however I believe the reporting requirements will be valid for this trip for me for the 2025-26 financial year. I will also provide council a report on returning from the travel.

I received confirmation of my PhD candidature on 22 November 2024. My research will focus on local government and the effect of the federal system on communities. I will also therefore apply to the university I am studying with to provide between \$500 and \$1,000 towards this trip. The amount will depend on how much I am eligible for as I have \$3,000 provided to complete the PhD which is meant to pay primarily for things such as editing, travel for interviews with participants etc.



8.16 Sustainability Report - Update

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	Nil

Recommendation

Council's direction is sought.

Report

At Council's 20 November 2024 Ordinary meeting, Council moved the following in relation to the development of the Sustainability Report.

8.28 Berrigan Shire Council Sustainability Report

Resolved OCM 262/24

Moved: Cr Matthew Hannan

Seconded: Cr John Stringer

That Council

1. approve the period of 23 December to 22 January inclusive for the CEO to work exclusively on the Sustainability Report and
2. Matthew Hansen (Deputy CEO) to act as CEO for the period of 6 January to 21 January.

CARRIED

During the Christmas break I did work but was unable to focus on the Sustainability Report. I did however manage to achieve developing the following documents during the period Monday 23 December 2024 through to Thursday 2 January 2025.

- prepared project scope for the Digital Museum Project,
- made application for a Heritage Grant for the Digital Museum Project,
- prepared first draft of a Business Case for Renal Dialysis in Berrigan Shire,
- Southern Riverina Drought Resilience Plan – notification of Commonwealth approval received 23 December 2024. Arranged Project Control Group meeting early January 2025 etc. Report included in this meeting's agenda,



- Regional Connectivity Project – arranged all RAMJO meeting with Telstra Group Co-ordinator for the Riverina District in Wagga Wagga on 26 February 2025,
- prepared Regional Connectivity Project report for RAMJO Board meeting,
- developed the Advocacy Plan for presentation to this meeting,
- prepared the ClubGRANTS report for this meeting with information from Sporties,
- prepared the Albury Wodonga Hospital report for this meeting,
- prepared motions for the National General Assembly and report for this meeting and
- prepared the report regarding by election costs for this meeting.

Sustained work on the Sustainability Report commenced Friday 3 January 2025.

Each Chapter of the Sustainability Report is noted below along with its completion level:

- **Chapter 1** –examines council’s operating environment, including a discussion of the Australian federal system, state government controls and grant funding impacts on council sustainability. Complete.
- **Chapter 2** –considers Berrigan Shire’s economy, demographics and the challenges and opportunities those present. Complete.
- **Chapter 3** – which discusses the expected growth across the shire and the economies of each township. This chapter is provided to inform council decision making regarding infrastructure investment and service deployment. Complete
- **Chapter 4** – reviews council’s assets across various classes, past management and future planning in consideration of the previous chapters – approximately 50% complete. This is the most intense chapter as it has taken considerable investigation to understand how council has got to the position it is in with each of the assets in question.
- **Chapter 5** – addresses council’s financial position, income, expenses and the impact of cost shifting. This chapter is intended to highlight the limited resources and constraints council faces, including a discussion regarding fiscal illusion, service value versus cost, service planning, administrative intensity and future service delivery management considerations. This chapter is approximately 80% complete.
- **Chapter 6** – examines each of council’s service deliverables, their current costs and their importance to the community. It will consider mandatory and discretionary services and the potential impacts of any changes made to service levels. This chapter has not commenced in the writing sense though a great deal of the initial work has been completed by the directors and I during the end of 2024.
- **Chapter 7** – will focus on council’s governance and its role in managing service outputs, meeting community expectations etc. No work has yet commenced on this chapter. I do not think it will be a long chapter though.
- **Chapter 8** – will provide council with recommendations as to what might be done with the information provided in the report. This chapter is being developed as the rest of the document is developed, but is only about 20% complete at this time as most of the recommendations are only shelled out, with no consideration of options etc.



It should also be remembered that what is written is first pass draft quality. There will be spelling and grammatical errors as it has been written as the research is being undertaken. Development has also been extremely disjointed. I will therefore also need time to complete production of a polished version for publication.

The November report presented to Council requested I be able to focus on the development of this document so it could be presented to the February 2025 Ordinary Council meeting. I stand by the request to continue to work on this document as my primary focus until that time. It should be noted some small amounts of work on the following will probably be required during this time:

- Regional Connectivity Project and
- Southern Riverina Drought Resilience Plan implementation

It is also possible the application for the Country Universities Centres project will be announced during this time so some work may be required in that area.

Other work will be provided to Matt Hansen to complete if Council determines he is to continue as the Acting CEO in my technical absence.

If Council agree to the above a suggested motion is provided below for consideration:

That Council direct the CEO to complete the Sustainability Report for presentation to the 19 February 2025 Ordinary Council meeting. Deputy CEO, Matt Hansen will continue as Acting CEO during this time.

It should be noted I am available for decisions and am in contact with Matt daily regarding any crucial decisions I need to be involved in or aware of.



8.17 Small Business Grants Pilot project

Author:	Manager Economic Development & Tourism, Merran Socha
Strategic Outcome:	EC. Our Economy
Strategic Objective:	EC-A. An economy characterised by growth, diversification, and a skilled workforce
Delivery Program:	EC.1. Encourage and support projects that diversify the economic base and provide local jobs
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	Nil

Recommendation

That Council implements a pilot program for small business grants to replace the Berrigan Shire 2025 Business Awards.

Purpose

The purpose of this report is to detail the proposed pilot program for the Small Business Grants project.

Summary

In response to business and industry feedback the Council will replace the 2025 Business Awards with a pilot program offering small business grants that could help a business with a specific goal of project. The grants could be suitable for:

Business Startup: Provide seed funding for a new business to cover some initial costs such as purchasing equipment, renting space, or developing a product.

Expansion: Helping a small business to grow by funding marketing efforts.

Innovation and Technology: Supporting businesses that aim to develop new products, improve existing services, or adopt innovative technologies.

Education: Helping business to further the knowledge base of their employees.

Job Creation: Encouraging business to hire more employees.

Eligibility Criteria:

- The business must be based within the Berrigan Shire Council boundaries.
- A Small Business for the purpose of this grant is defined as having less than 10 FTE.
- The applicant must have an annual revenue of less than \$5m



Timing

- For the purpose of the pilot program, the fund will open on 15 February 2025 and applications will be assessed monthly.
- The grant will be open until all funds are expended or until 30 June 2025, whichever comes first.

Conditions

- Total Funds allocated to the pilot project is \$20,000. The maximum funds available per application is \$4,000. Smaller amounts will be given priority.
- Applications can only be made through the online application form on the BSC website.
- All eligible applications will be assessed by an external committee.
- One application per business per financial year
- Successful applicants will be required to complete an online acquittal form and submit receipts.

Assessment will be based on the following:

- Merits of proposal and how it aligns with the stated purpose of the grant program.
- Budget and Quotes
 - is the applicant contributing funds and have quotes been provided?
 - is there flow on economic impacts in terms of procurement?
- Employment
 - Does the proposal have the potential to generate employment?
- Does the proposal support the delivery of one or more of the Community Strategic Plan objectives?

Background

In 2024 officers of Council undertook a survey of past participants in the BSC Business Awards Program. The aim of the survey was to determine the value or benefit of the program to participating businesses and to assess where change should be made to improve the awards. The message was clear, that whilst the evening function for the award presentations was a good night out, there was very little value or significance placed on the award beyond the initial presentation. The awards process is run over 5 months with considerable time invested by staff over that time and concentrated efforts by at least three staff members in the weeks leading up to the final event. It was concluded to pilot a small business grants program, reallocating funds to the pilot program from the allocation for the Business Awards. The pilot will run for five months and will be assessed for benefit and value in July 2025.



Relevance to Community Strategic Plan and Other Strategies /Masterplans / Studies

The Community Strategic Plan has a section dedicated to Our Economy. The proposed pilot program for small business grants has been developed so that the Council can support business growth and diversification.

Issues and Implications

The project is a pilot program, and it is possible that the budget allocation could be exhausted within the first round of funding.

If the program is successful there could be 25/26 budget implications as the funding for the Business Awards is biannual.

As a pilot program there is obviously some unknowns but with the emphasis on this being a pilot it is hoped that we can identify any issues in a timely manner.

Financial

The \$20,000 that is allocated to the 2025 Business Awards will be reallocated to the Small Business Grants pilot program.

Community Engagement / Communication

The implementation of the pilot program will be promoted to business groups and the broader community via social media and media releases to local newspapers and radio outlets. Businesses will also be informed via an EDM to our internal database and through local Chambers of Commerce and community groups.

Human Resources / Industrial Relations (If applicable)

The pilot program will require staff time to administer and communicate the program. It is anticipated that this requirement will less time that was required to administer and deliver the Business Awards.

Risks

The following risks have been assessed as per the Council’s [Risk Management Framework](#):

1. Financial management

	Consequence				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

It is likely that a participant could misappropriate funds and/or not follow grant guidelines.



2. Community/reputation

	Consequence				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Some people in the business community may oppose the change that we are proposing.

3. Governance

	Consequence				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

A robust grants management framework is required to ensure the program meets council objectives. After research, council staff have adopted a framework very similar to those in use in other councils for some time.

4. Positive

	Consequence				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

The Council is focusing on funding business development rather than low value awards.

Options

1. Continue with the Business Awards as previously held – this option has been well researched and is not supported by business and industry.
2. Remove all options
3. Implement the pilot small business grants program.



8.18 2025 - 2029 Economic Development Strategy

Author:	Manager Economic Development & Tourism, Merran Socha
Strategic Outcome:	EC. Our Economy
Strategic Objective:	EC-A. An economy characterised by growth, diversification, and a skilled workforce
Delivery Program:	EC.1. Encourage and support projects that diversify the economic base and provide local jobs
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	1. 2025-2029 Economic Development Strategy (under separate cover)

Recommendation

That Council endorse the draft 2025 – 2029 Economic Development Strategy

Purpose

Summary

The Strategy document outlines its strategic alignment with local, regional and state plans, reviews the previous Economic Development Strategy 2017 - 2021 and takes an in depth look at where we now with an overview of relevant statistics, a comprehensive list of major employers and an analysis of business enablers and our competitive advantages.

There are four strategic priorities that have been identified for economic development and the action plan details activities to be undertaken under each priority. The priorities are:

- Business growth,
- Workforce development and education,
- Infrastructure and investment and
- Tourism

Background

The economic development strategy establishes a roadmap for fostering economic growth and building a more resilient and competitive local economy. The Council prioritised a Strategy for the Visitor Economy 2022 - 2026 as a response to industry recovery post COVID-19 lockdowns.



The development and endorsement of a new economic development strategy was deferred to align with the new Council term.

Relevance to Community Strategic Plan and Other Strategies /Masterplans / Studies

EC Our Economy is one of the five themes and strategic objectives of The Community Strategic Plan. The aim of the 2025 – 2029 Economic Development Strategy is to support the community vision of an economy characterised by growth, diversification and a skilled workforce.

Issues and Implications

The 2025 – 2029 Economic Development Strategy has been written acknowledging the limited resources that are available to deliver an action plan.

Financial

The strategy actions are not fully funded and will need to be considered in future budgets.

Community Engagement / Communication

The strategy has been developed in consultation with local business and industry engaging through one-on-one meetings and an online survey over an extended period.

Human Resources / Industrial Relations (If applicable)

Implementation of the strategy is heavily reliant on staff time for advocacy, network development, communication and accessing funding opportunities.

Risks

The following risks have been assessed as per the Council’s [Risk Management Framework](#):

1. Reputation

	Consequence				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

The strategy scope is limited by resources available, and the document could be viewed by the community as modest and lacking vision.

2. Financial

	Consequence				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High



C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

A budget allocation may not be available to undertake all actions identified in the strategy.

Options

1. Endorse the strategy as presented and annually address the budget allocations required to implement the strategy.
2. Make changes and/or delete some action items from the strategy to reduce budget implications.

Conclusions

The 2025 – 2029 draft Economic Development Strategy includes actions that will help to implement the community vision for economic development and should be adopted as presented.



8.19 Councillors Expenses and Facilities Policy

Author:	Deputy Chief Executive Officer, Matthew Hansen
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	<ol style="list-style-type: none">1. Proposed Councillors Expenses and Facilities Policy - 22 January 20252. Community submissions - Have you Say - Councillors Expenses and Facilities - Redacted (under separate cover)

Recommendation

That Council

1. revoke the Councillor Expenses and Facilities Policy adopted 15 June 2022, and adopt the Councillor Expenses and Facilities Policy attached as an appendix to this report.

Purpose

This policy proposes a councillor expenses and facilities policy for adoption following public exhibition.

Summary

The councillors' expenses and facilities policy sets out the specific facilities and expenses provided to the councillors to meet their civic responsibilities. The policy must be reviewed within 12 months of the ordinary election.

The policy must comply with the *Local Government Act 1993* and the guidelines issued by the Office of Local Government (OLG) in 2009.

Council considered a draft policy at its ordinary meeting on 4 December 2024. Council resolved to amend the policy to allow for reimbursement of childcare expenses where the care is provided by a relative, with conditions.

The revised policy was placed on public exhibition for 28 days and can now be considered.



Background

At its ordinary meeting held on 4 December 2024, council considered a draft Councillor's Expenses and Facilities Policy that had earlier been on public exhibition.

At this meeting, council resolved to amend the policy to allow for reimbursement of costs for care provided by family members. Given the nature of the amendment, council also resolved to place the policy back on public exhibition for a further 28 days to allow for further submissions.

The original policy stated:

Childcare expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative

The revised policy states:

Childcare expenses may be claimed for children up to and including the age of 16 years.

Where childcare is provided by a relative, evidence of a formal, commercial arrangement must be provided. Childcare provided by a member of the same household – i.e., a relative living at the same residence as the councillor – is not eligible for reimbursement. Childcare provided by the child's birth parent, adopted parent or step-parent is not eligible for reimbursement.

Relevance to Community Strategic Plan and Other Strategies /Masterplans / Studies

- Delivery Plan
- Operational Plan

Issues and Implications

The major implication to be considered is how to balance two competing obligations:

- the equity and inclusion obligation of council to ensure participation by councillors with carer responsibilities.
- the governance and integrity obligation of council to ensure councillors are not using their position for personal benefit, or the benefit of their families.

Council may also need to consider the lack of formal childcare options in Berrigan Shire meaning the use of family members is sometimes the only available option.

Policy

Council's adopted [code of conduct](#) provides guidance to council officials regarding use of council resources.

Financial

Council has budgeted for the cost of reimbursing reasonable childcare expenses as allowed for in this policy. The revised policy provision is not expected to significantly increase this cost and may even reduce the cost.

Legal / Statutory

The council must, pursuant to s252(i) of the *Local Government Act 1993*, within five months after the end of each year, adopt a Policy concerning the payment of expenses incurred or to be incurred by,



and the provision of facilities to, the Mayor, the Deputy Mayor and other Councillors in relation to discharging the functions of civic office.

Council must also take into consideration the relevant guidelines issued by the Office of Local Government under [s23A of the Local Government Act 1993](#). These guidelines can be found at <https://www.olg.nsw.gov.au/wp-content/uploads/Guidelines-for-the-payment-of-expenses-and-the-provision-of-facilities-for-Mayors-and-Councillors-in-NSW-2009.pdf>

The guidelines include the following statement:

Councils are strongly encouraged to make provision for the reimbursement of the reasonable cost of care arrangements, including childcare expenses and the care of elderly, disabled and/or sick immediate family members of councillors, to allow councillors to undertake their council business obligations. This is in accordance with the principles of participation, access and equity outlined earlier in these guidelines. This is considered by the Division of Local Government to be a legitimate expense and councillors claiming the care expense should not be subject to criticism for doing so.

The model policy provided by OLG includes a clause not allowing reimbursement of childcare expenses provided by a relative. However, this is only recommended practice and **not** a prohibition. The CEO has received confirmation from OLG the proposed arrangements are permitted if council resolves to allow them.

Community Engagement / Communication

Council placed its revised Councillor Expenses and Facilities Policy on public exhibition for 28 days and called for public submissions.

A notice calling for submissions was placed on council's website and in the bulletin board page of the Cobram Courier and Southern Riverina News.

Submissions closed on 7 January 2025. Council received 9 submissions; all opposing reimbursement of childcare provided by relatives. These submissions, with the names redacted, are attached as an appendix to this report.

Some of these submissions opposed reimbursement of childcare expenses for councillors in general, not just reimbursement for care provided by a relative. Of course, council is obliged to consider the principles in the guidelines issued by (OLG) which strongly encourage support for councillors with carer obligations.

The other submissions opposed the idea of council paying family members to undertake what they consider to be basic familial obligations.

There was also concern about this arrangement being available for councillors and not for employees.

Human Resources / Industrial Relations

NIL



Risks

The following risks have been assessed as per the Council's [Risk Management Framework](#):

1. Governance

Likelihood	Consequence				
	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

There is a risk an unscrupulous councillor could use this clause to benefit themselves or a family member by charging for care either not provided or not at a reasonable cost.

This can be reasonably mitigated by requiring evidence of a formal arrangement for family-provided childcare, including receipts.

The revised policy also ensures council is not paying for childcare by relatives with legal or customary obligations to provide care – i.e., the child's parents and/or other family members sharing a residence with the councillor.

2. Reputational

Likelihood	Consequence				
	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

There is a risk the public may see the revised childcare arrangements as improper or unethical. There were some concerns raised in the submissions indicating this.

Overall, the proposed amendments look to address these concerns – noting it is the implementation of those amendments may also be of concern to the public.

Options

1. The council can adopt the revised Councillors' Expenses and Facilities Policy attached to this report, including the clause allowing for reimbursement of childcare expenses provided by relatives.
2. The council can adopt the proposed Councillors' Expenses and Facility considered at the ordinary meeting of 4 December 2024. This policy does not allow for reimbursement of childcare expenses provided by relatives.



3. Council can make further amendments or request staff make further amendments for consideration.
-



Policy

33

COUNCILLOR EXPENSES AND FACILITIES

Strategic Outcome:	CL. Our Civic Leadership	
Policy type	Strategic	
Date of Adoption:	3 August 2024	Minute Number:
Date for Review:	3 August 2028	
Responsible Officer:	Chief Executive Officer	
Document Control:	Replaces the Councillor Expenses and Facilities Policy adopted on 15 June 2022.	
Delivery Program Link:	CL.2 Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.	

1. POLICY STATEMENT

The provision of expenses and facilities enables councillors to fulfil their civic duties as the elected representatives of Berrigan Shire Council.

The community is entitled to know the extent of expenses paid to councillors, as well as the facilities provided.

Council staff are empowered to question or refuse a request for payment from a councillor when it does not accord with this policy.

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to councillors to help them undertake their civic duties.

It ensures accountability and transparency and seeks to align councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

Expenses and facilities provided by this policy are in addition to fees paid to councillors.

2. PURPOSE

The purpose of this policy is to clearly state the facilities and support available to councillors to assist them in fulfilling their civic duties.



Policy

The aims of this policy are to:

- enable the reasonable and appropriate reimbursement of expenses incurred by councillors while undertaking their civic duties,
- enable facilities of a reasonable and appropriate standard to be provided to councillors to support them in undertaking their civic duties,
- ensure accountability and transparency in reimbursement of expenses and provision of facilities to councillors,
- ensure facilities and expenses provided to councillors meet community expectations,
- support a diversity of representation and
- fulfil the council's statutory responsibilities.

3. SCOPE

The policy applies to all councillors and if appropriate any council administrators appointed by the Minister for Local Government.

The policy does not apply to the receipt or expenditure of councillors or mayoral annual fees. The minimum and maximum fees a council may pay each councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council annually adopts its annual fees within this set range.

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

4. OBJECTIVE

This policy is developed to assist the council with the Delivery Program Objective CL.2:

Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.

5. DEFINITIONS

- Accompanying person:** means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a councillor.
- Appropriate refreshments:** means food and beverages, **excluding alcohol**, provided by council to support councillors undertaking official business.
- Act:** means the *Local Government Act 1993* (NSW).



Policy

Code of Conduct:	means the Code of Conduct adopted by council or the Model Code if none is adopted.
Councillor:	means a person elected or appointed to civic office as a member of the governing body of council who is not suspended, including the mayor.
Chief Executive Officer:	means the chief executive officer of council and includes their delegate or authorised representative.
Incidental personal use:	means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct.
Long distance intrastate travel:	means travel to other parts of NSW of more than three hours duration by private vehicle.
Maximum limit	means the maximum limit for an expense or facility provided in the text and summarised in Appendix 1.
Official business	means functions the mayor or councillors are required or invited to attend, to fulfil their legislated role and responsibilities for council, or result in a direct benefit for council and/or for the local government area, and includes: <ul style="list-style-type: none">• meetings of council and committees of the whole,• meetings of committees facilitated by council,• civic receptions hosted or sponsored by council and• meetings, functions, workshops and other events to which attendance by a councillor has been requested or approved by council.
Professional development	means a seminar, conference, training course or other development opportunity relevant to the role of a councillor or the mayor.
RAMJO	means the Riverina and Murray Joint Organisation.
RAMJO region	the local government areas included in the Riverina and Murray Joint Organisation.
Regulation	means the <i>Local Government (General) Regulation 2021</i> (NSW).



Policy

Year means the financial year, that is the 12-month period commencing on 1 July each year.

6. POLICY IMPLEMENTATION

6.1 Principles

Council commits to the following principles:

- **Proper conduct:** councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions.
- **Reasonable expenses:** providing for councillors to be reimbursed for expenses reasonably incurred as part of their role as councillor.
- **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a councillor.
- **Equity:** there must be equitable access to expenses and facilities for all councillors.
- **Appropriate use of resources:** providing clear direction on the appropriate use of council resources in accordance with legal requirements and community expectations.
- **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to councillors.

6.2 Private or political benefit

Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

Private use of council equipment and facilities by councillors may occur from time to time. For example, telephoning home to advise a council meeting will run later than expected.

Such incidental private use does not require a compensatory payment back to council.

Councillors should avoid obtaining any greater private benefit from council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of council facilities does occur, councillors must reimburse the council.

Campaigns for re-election are considered a political benefit. The following are examples of what is considered a political interest during a re-election campaign:

- production of election material,
- use of council resources and equipment for campaigning,



Policy

- use of official council letterhead, publications, websites or services for political benefit and
- fundraising activities of political parties or individuals, including political fundraising events.

6.3 General expenses

All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.

Expenses not explicitly addressed in this policy will not be paid or reimbursed.

6.4 Specific expenses

6.4.1 General travel arrangements and expenses

All travel by councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.

The mode and method of transportation to be used shall be agreed with the council, or the mayor and the chief executive officer prior to the travel taking place, and where possible, Councillors should attempt to travel with other representatives from the council to minimise costs.

Each councillor may be reimbursed up to a total of \$2,000 per year, and the mayor may be reimbursed up to a total of \$4,000 per year, for travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within the RAMJO region. This includes reimbursement:

- for public transport fares,
- for the use of a private vehicle or hire car,
- for parking costs for Council and other meetings,
- for tolls,
- by Cabcharge card or equivalent and
- for documented ride-share programs, such as Uber, where tax invoices can be issued.

6.4.2 Motor vehicles

Where possible, a council vehicle will be made available to councillors traveling to events within 200km of the Shire.

Where this is not possible, allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the Local Government (State) Award.

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



Policy

Councillors seeking to be reimbursed for use of a private vehicle must provide a claim form recording the date, distance and purpose of travel being claimed.

6.4.3 Interstate and long-distance intrastate travel expenses

Given Berrigan Shire's location, travel to Victoria and the Australian Capital Territory will not be considered interstate travel for the purposes of this policy.

Total interstate, and long-distance intrastate travel expenses for all councillors will be capped at a maximum of \$5,000 per year. This amount will be set aside in council's annual budget.

Councillors seeking approval for any interstate and long-distance intrastate travel must obtain the approval of the council via resolution prior to travel. If this is not possible then the approval should be given jointly by the mayor and the chief executive officer. If the mayor requires approval to travel outside of council meetings it should be given jointly by the deputy mayor and the chief executive officer.

For interstate and long-distance intrastate journeys by air, the class of air travel is to be economy class.

Bookings for approved air travel are to be made through the chief executive officer's office.

For air travel that is reimbursed as council business, councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

6.4.4 Overseas travel

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

All overseas travel will be approved by a meeting of the full council prior to a councillor undertaking a trip. Travel will be approved on an individual trip basis. Retrospective re-imburement of overseas travel expenses not previously authorised will not be permitted.

Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full Council meeting prior to travel.

The case should include:

- objectives to be achieved in travel, including an explanation of how the travel aligns with current council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the councillor's civic duties,
- who is to take part in the travel,
- duration and itinerary of travel,



Policy

- a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s and
- strategies to avoid corruption risks as identified by the NSW Independent Commission against Corruption.

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

For international travel, the class of air travel is to be economy.

6.4.5 Travel expenses not paid by the council

Council will not pay any traffic or parking fines for any councillor, whether on Council business or otherwise.

Council will not pay or reimburse any administrative charges for road toll accounts.

6.4.6 Extending travel arrangements

Councillors wishing to extend their stay in a destination they have visited for council purposes, or to travel to an alternative location, will require the prior approval of the council or the mayor and the chief executive officer.

In such instances councillors should recognise the council's responsibility for their travel ends when the business activity ends and not when they return home. Any additional costs incurred after the business activity, including meal costs and accommodation, are not reimbursable expenses.

6.4.7 Accommodation and meals

Council will reimburse costs for accommodation and meals while councillors are undertaking prior approved travel or professional development outside the RAMJO region.

In circumstances where it would introduce undue risk for a councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the chief executive officer. This includes where a meeting finishes later than 9.00pm or starts earlier than 7.00am and the councillor lives more than 50 kilometres from the meeting location.

The daily limits for accommodation and meal expenses are detailed in Appendix A of this policy.

Councillors will not be reimbursed for alcoholic beverages.

6.4.8 Refreshments for Council-related meetings



Policy

Appropriate refreshments will be available for council meetings, council committee meetings, councillor briefings, approved meetings and engagements, and official council functions as approved by the chief executive officer.

As an indicative guide for the standard of refreshments to be provided at council related meetings, the chief executive officer must be mindful of Appendix A of this policy.

As per council's Drug and Alcohol Free Workplace Policy, the consumption of alcohol will only be permitted at a Council function or meeting where specifically approved by a resolution of council.

Consumption of alcohol by councillors will not be paid for by council unless specifically approved by a resolution of council.

6.4.9 Professional development

Council will set aside \$5,000 per councillor annually in its budget to facilitate professional development of councillors through programs, training, education courses and membership of professional bodies. This will be informed by the Councillor Induction and Professional Development Policy. With the express permission of the councillors involved, the chief executive officer may reallocate unspent professional development allowance between councillors.

In the first year of a new council term, Council will provide a comprehensive induction program for all councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.

Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the councillor's civic duties, the councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.

Approval for professional development activities is subject to a prior written request to the chief executive officer outlining the:

- details of the proposed professional development,
- relevance to council priorities and business and
- relevance to the exercise of the councillor's civic duties.

In assessing a councillor request for a professional development activity, the chief executive officer must consider the factors set out above, as well as the cost of the professional development in relation to the councillor's remaining budget.

6.4.10 Conferences and seminars



Policy

Council is committed to ensuring its councillors are up to date with contemporary issues facing council and the community, and local government in NSW.

Council will set aside a total amount of \$5,000 annually in its budget to facilitate councillor attendance at conferences and seminars. This allocation is for all councillors. The chief executive officer will ensure access to expenses relating to conferences and seminars is distributed equitably.

Approval to attend a conference or seminar is subject to a written request to the chief executive officer. In assessing a councillor request, the chief executive officer must consider factors including the:

- relevance of the topics and presenters to current council priorities and business and the exercise of the councillor's civic duties and
- cost of the conference or seminar in relation to the total remaining budget.

Travel to a conference or seminar outside the local area must be approved by the council as per section 6.4.3 above. Where approved, council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the chief executive officer.

Council will also meet the reasonable cost of meals when they are not included in the conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to section 6.4.7 above.

This policy provides approval for attendance and travel for the following conferences:

Local Government New South Wales Annual Conference

- Mayor
- Deputy Mayor
- Chief Executive Officer
- One other Councillor nominated by council.

Australian Local Government Association National General Assembly

- Mayor
- Chief Executive Officer
- One other councillor nominated by council

National Roads Congress

- Director Infrastructure
- One councillor nominated by the council.



Policy

6.4.11 Corporate workshop

The council will hold annually a Corporate Workshop. The purpose of the Corporate Workshop is to provide an opportunity for councillors and management to collaborate on the Council's strategic direction and propose and discuss specific projects and activities.

Where the Council conducts this Corporate Workshop at a location more than 100km from Berrigan Shire, it shall provide accommodation on the evening before and each day of attendance, or as appropriate within these guidelines.

6.4.12 Non-Council functions

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

- the function is relevant to the council's interests,
- the councillor receives an official invitation to attend a function organised by a community or business group operating within Berrigan Shire, or
- the event will provide councillors with a briefing on issues facing the local community.

The direct cost of attending such functions can be reimbursed as part of the councillor's normal monthly return.

No payment will be reimbursed for any component of a ticket additional to the service cost of the function, such as a donation to a political party or candidate's electoral fund, a raffle ticket, or some other private benefit.

When councillors' spouses/partners are invited guests within the local government area or a neighbouring local government area and the mayor or council is invited to host a table at a dinner or similar event, for fundraising, community or charitable purposes, attendance costs for councillors and their spouses/partners will be paid by council. Individual councillor requests for specific events must be approved by the mayor and chief executive officer (or the deputy mayor in the mayor's absence).

6.4.13 Spouse or accompanying person expenses

Generally, spouse and accompanying person expenses at conferences, will not be reimbursed.

However, there may be limited instances where certain costs incurred by the councillor on behalf of their spouse, partner or accompanying person are properly those of the councillor in the performance of his or her functions (hence they are properly incurred by, and reimbursable to the councillor). An example of this is an accompanying person providing carer support to the councillor.



Policy

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

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

6.4.14 Information and Communications Technology (ICT) expenses

Council will provide each councillor with facilities to allow them to undertake their civic duties.

Should a councillor not wish to make use of these facilities, the council will reimburse the actual out-of-pocket ITC expense for the councillor up to a cap of \$1,000 per annum per councillor.

The council will not reimburse councillors for the use of their home or business internet connection on council business.

6.4.15 Special requirement and carer expenses

Council encourages wide participation and interest in civic office. It will seek to ensure council premises and associated facilities are accessible, including provision for sight or hearing-impaired councillors and those with other disabilities.

Transportation provisions outlined in this policy will also assist councillors who may be unable to drive a vehicle.

In addition to the provisions above, the chief executive officer may authorise the provision of reasonable additional facilities and expenses to allow a Councillor with a disability to perform their civic duties.

Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of carer's expenses up to a maximum of \$4,000 per annum for attendance at official business, plus reasonable travel from the principal place of residence.

Childcare expenses may be claimed for children up to and including the age of 16 years.

Where childcare is provided by a relative, evidence of a formal, commercial arrangement must be provided. Childcare provided by a member of the same household – i.e., a relative living at the same residence as the councillor – is not eligible for reimbursement. Childcare provided by the child's natural parent, adopted parent or step-parent is not eligible for reimbursement.



Policy

In the event of caring for an adult person, councillors will need to provide suitable evidence to the chief executive officer that reimbursement is applicable. This may take the form of advice from a medical practitioner.

6.4.16 Home office expenses

Council will provide all required stationery and print any documents required for the performance of a councillor's civic duties. As such the council will not reimburse the costs of a councillor operating a home office.

6.5 Insurances

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

All insurances are to be subject to any limitations or conditions set out in the council's policy. Council shall pay the insurance policy excess in respect of any claim accepted by council's insurers, whether defended or not.

Public Liability/Professional Indemnity - Public Liability and professional indemnity insurances apply in relation to claims arising out of the councillor's (alleged) negligent performance of civic duties or exercise of their functions as councillors.

Councillors' and Officers' Liability - This policy covers councillors against claims made against them for any alleged wrongful acts in the course of their duties. Wrongful Act is taken to mean any act, error, misstatement, misleading statement, misleading conduct, omission, neglect or breach of duty made, committed, attempted or allegedly made, committed or attempted by the insured person.

Personal Accident - Councillors are covered, within specified limits, for any personal injury obtained while engaged in or on any activity related to their official council. This cover also extends to journey insurance, covering councillors travelling for council business including interstate or overseas travel.

Motor Vehicle - Berrigan Shire Council has an insurance policy to cover loss or damage to council fleet vehicles. Councillors using these vehicles are covered by the policy. Council's motor vehicle insurance does not cover loss or damage of non-council vehicles used on council business.

6.6 Legal assistance

Council may, if requested, indemnify or reimburse the reasonable legal expenses of a councillor:

- defending an action arising from the performance in good faith of a function under the Act provided the outcome of the legal proceedings is favourable to the councillor,



Policy

- defending an action in defamation, provided the statements complained of were made in good faith while exercising a function under the Act and the outcome of the legal proceedings is favourable to the councillor, and / or
- for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act, and the matter has proceeded past any initial assessment phase to a formal investigation or review, and the investigative or review body makes a finding substantially favourable to the councillor.

In the case of a Code of Conduct complaint made against a councillor, legal costs will only be made available where the matter has been referred by the chief executive officer to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the councillor.

Legal expenses incurred in relation to proceedings arising out of the performance by a councillor of their functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something a councillor has done during their term in office. For example, expenses arising from an investigation as to whether a councillor acted corruptly would not be covered by this section.

Council will not meet the legal costs:

- of legal proceedings initiated by a councillor under any circumstances,
- of a councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation and/or
- for legal proceedings that do not involve a councillor performing their role as a councillor.

Reimbursement of expenses for reasonable legal expenses must have council approval by way of a resolution at a council meeting prior to costs being incurred.

6.7 Facilities

6.7.1 General facilities

Council will provide the following facilities to councillors to assist them to effectively discharge their civic duties:

- personal protective equipment for use during site visits and
- a name badge which may be worn at official functions, indicating the wearer holds the office of a councillor and/or mayor or deputy mayor.

Councillors may book meeting rooms for official business at the council administration office or the Berrigan Shire Library Service libraries at no charge. Rooms may be booked through the chief executive officer's Executive Assistant.



Policy

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

6.7.2 Information and Communication Technology

The Council will make available for each councillor for use on official council business:

- a mobile telephone of a standard equivalent to those provided to council staff members, and
- a laptop computer.

The mobile telephone will be provided with a sim card and data plan sufficient to allow each councillor to undertake their civic duties. Other ancillary devices such as cases, keyboards, mouses etc. will be provided as required.

Council will provide technical support for councillors using these devices during normal working hours. Such support will be limited to use of the devices for official council business only. Support can be requested via the Director Corporate Services.

Usage of ICT equipment supplied by council is in accordance with council's Information and Communications Technology (ICT) policies, including:

- Communication Devices and the Internet Policy,
- Social Media Policy and
- Access Control Policy.

6.7.3 Stationery

Council will provide the following stationery to councillors each year:

- a diary of a type and standard prescribed by the chief executive officer. The standard will be equivalent to diaries supplied to council staff members and
- business cards.

6.7.4 Administrative support

Council will provide administrative support to councillors to assist them with their civic duties only. Administrative support will be provided by the chief executive officer's Executive Assistant or by another members of council's administrative staff as arranged by the chief executive officer or their delegate.

As per Section 6.2 above, council staff are expected to assist councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.



Policy

6.7.5 Vehicles

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

6.7.6 Employee Assistance Program (EAP)

Councillors are provided with access to council's EAP. The EAP is a program designed to provide independent and confidential counselling support with an external provider, for those experiencing difficulties in their lives. The EAP is free of charge for access to three sessions in a calendar year.

6.8 **Mayoral facilities**

6.8.1 Vehicle

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

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

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

The mayor must keep a logbook setting out the date, distance and purpose of all travel. This must include any travel for private benefit. The logbook must be submitted to council monthly.

6.9 **Superannuation**

6.9.1 Council contribution

The Council will make superannuation contributions for councillors as per Section 254B of the Act.

6.9.2 "Salary" Sacrifice

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

To establish this facility, a councillor must submit a written request to the chief executive officer, using similar wording to that of a normal employee deduction request. The request cannot be retrospective.

6.10 **Recognition of service**



Policy

Councillors with qualifying service will be recognised with an appropriate function and/or gift as per the council's Recognition of Service Policy

6.11 Processes

6.11.1 Approval, payment and reimbursement

Expenses should only be incurred by councillors in accordance with the provisions of this policy.

Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.

Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred:

- local travel relating to the conduct of official business, and / or
- carer costs.

Final approval for payments made under this policy will be granted by the chief executive officer or their delegate.

6.11.2 Direct payment

Council may approve and directly pay expenses. Requests for direct payment must be submitted to the Finance Manager for assessment against this policy using the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

6.11.3 Reimbursement

All claims for reimbursement of expenses incurred must be made on the prescribed form, supported by appropriate receipts and/or tax invoices and be submitted to the Finance Manager

6.11.4 Corporate cards

Council may provide a corporate card for councillors attending approved conferences, seminars or professional development.

The maximum value of a prepaid debit card is \$100 per day of the conference, seminar or professional development to a maximum of \$500. This will be made available via apple or android pay.

Requests for a "virtual" corporate card can be made through the chief executive officer's executive assistant.



Policy

The corporate card will be automatically destroyed at the convening of the approved event. Councillors must upload all receipts and fully reconcile all expenses against the corporate card within 7 days of returning home. This must be done online via the online portal established by the card provider.

6.11.5 Notification

If a claim is approved, council will make payment directly or reimburse the councillor through accounts payable.

If a claim is refused, council will inform the councillor in writing that the claim has been refused and the reason for the refusal.

6.11.6 Reimbursement to Council

If council has incurred an expense on behalf of a councillor that exceeds a maximum limit, exceeds reasonable incidental private use, or is not provided for in this policy:

- council will invoice the councillor for the expense and
- the councillor will reimburse council for that expense within 14 days of the invoice date.

If the councillor cannot reimburse council within 14 days of the invoice date, they are to submit a written explanation to the chief executive officer. The chief executive officer may elect to deduct the amount from the councillor's allowance.

Unless otherwise specified in this policy, councillors must provide all claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

6.11.7 Disputes

If a councillor disputes a determination under this policy, the councillor should discuss the matter with the chief executive officer.

If the councillor and the chief executive officer cannot resolve the dispute, the councillor may submit a notice of motion to a council meeting seeking to have the dispute resolved.

6.11.8 Return or retention of facilities

All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a councillor or mayor ceasing to hold office or at the cessation of their civic duties.

Should a councillor desire to keep any equipment allocated by council, then this policy enables the councillor to make application to the chief executive officer to purchase any such equipment. The



Policy

chief executive officer will determine an agreed fair market price or written down value for the item of equipment.

The prices for all equipment purchased by councillors under this clause will be recorded in council's annual report.

6.11.9 Reporting

Council will report on the provision of expenses and facilities to councillors as required in the Act and Regulations.

Detailed reports on the provision of expenses and facilities to councillors will be publicly tabled at a council meeting every six months and published in full on council's website. These reports will include expenditure summarised by individual councillor and as a total for all councillors.

6.11.10 Breaches

Suspected breaches of this policy are to be reported to the chief executive officer.

Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

6.11.11 Audit

The Council will request the Audit Risk and Improvement Committee include a review of expenses and facilities provided to councillors in their audit work plan at least once each term of council.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *Local Government Act 1993*
- Local Government (General) Regulation 2021
- Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2009
- Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities
- Local Government Circular 05-08 legal assistance for Councillors and Council Employees.
- [Guidance for councillors on corruption risks associated with overseas travel](#). Independent Commission against Corruption, June 2024.

7.2 Council policies and guidelines

- Governance Framework
-



Policy

- Code of Conduct
- Councillor Induction and Professional Development Policy
- Councillor Access to Information and Interaction with Staff Policy
- Private use of Motor Vehicles Policy
- Drug and Alcohol-free Workplace Policy
- Employee Assistance Policy
- Communication Devices and the Internet Policy
- Social Media Policy
- Access Control Policy
- Recognition of Service Policy
- Fraud Control Policy
- Clothing and Protective Equipment Policy

8. RECORDS MANAGEMENT

Recording of all information relating to this 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).

9. REVIEW AND EVALUATION

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



Policy

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	18 January 2017	New Policy document	Deputy Chief Executive Officer
2.0	15 June 2022	Review by incoming Council	Deputy Chief Executive Officer
3.0	11 November 2024	Review by incoming Council	Deputy Chief Executive Officer



Policy

APPENDICES

APPENDIX A - MONETARY LIMITS FOR REIMBURSEMENT

Section Name	Expense Type	At Cost	Limit Amount	Comment
Conferences *Including Travel and accommodation	Registration Costs	Actual	Costs of conferences will be detailed in 6 monthly Conference reports presented to Council	<i>All conference attendance approved by mayor and deputy mayor. Conference report to be provided to Council for noting.</i>
Travel	Air travel Rail travel Taxi Bus Parking	Actual	Within reason	<i>Travel arrangements must be approved by the chief executive officer. See Details for travel arrangements also General travel arrangements</i>
Accommodation	Actual up to daily limit	Actual up to daily limit	1. \$350 per night 2. \$300 per night 3. \$200 per night	1. <i>State Capital Cities and Canberra</i> 2. <i>Regional Cities (e.g., Orange, Bathurst, Wollongong, Coffs Harbour).</i> 3. <i>Country.</i>
Meals	Actual up to daily limit	Actual up to daily limit	1. \$150 per day 2. \$100 per day 3. \$100 per day	1. <i>State Capital Cities and Canberra</i> 2. <i>Regional Cities (e.g., Orange, Bathurst, Wollongong, Coffs Harbour).</i> 3. <i>Country</i> <i>Alcohol with a meal is a private expense unless specifically authorised by council resolution.</i>
Accompanying person expenses	Carer or spouse acting as carer	Actual	Reimbursement request to be approved by the Chief Executive Officer.	<i>See Care and Other Related Expenses</i>
Attendance at non-Council functions	Cost of service provided	Actual	None	<i>No payment shall be reimbursed for any component of a ticket which is additional to the service cost of the function, such as a donation to a political party or candidate's electoral fund, or some other private benefit.</i>
Care and Other Related Expenses	Personal care or childcare expenses up to four hours	Actual	\$150 daily \$4,000 annually	<i>See Special Requirement and Carer Expenses</i>
Spouse and Partner Expenses	spouse/partner expenses		None/some limited instances	<i>See Spouse and Partner Expenses</i>



Policy

Section Name	Expense Type	At Cost	Limit Amount	Comment
Professional development	Offered by Council for the development of skills and provision of information appropriate to the role of Councillor		\$5,000 per year per Councillor	<i>With the express permission of the councillors involved The chief executive officer may re-allocate unspent professional development allowance between councillors.</i>
Out of Pocket Expenses	Minor expenses incurred when on Council business.	Actual up to daily limit.	\$100 per day	<i>Expenses in this category may include:</i> <ul style="list-style-type: none"> • Reasonable telephone, facsimile or internet usage • Newspapers • Tolls • Reasonable refreshments <i>Meals not included in registration fees for conference.</i>
Use of Private Motor Vehicle	Payment	Per km allowance as defined in Clause 16(x) of the Local Government (State) Award 2020.	Under 2.5 litre 0. 68p.km. Over 2.5 litre 0. 78p.km.	<i>See Payment of Kilometres Clause</i>
Legal assistance for mayor and councillors	Cost of Service provided	As determined by Council Resolution	Determined by Council	<i>See Legal Expenses and Obligations</i>
Employee Assistance Program	Cost of Service Provided	Actual	Three sessions per calendar year	<i>As per Council's Employee Assistance Policy</i>
Laptop Computer	Cost of Service Provided	Monthly data allowance	One per term	<i>To support Councillor needs to cover normal Council business use. Ancillary devices such as cases, keyboards, mouses etc. will be provided as required.</i>
Mobile telephone	Cost of Service Provided	Monthly data allowance Monthly call allowance	One per term	<i>To support Councillor needs to cover normal Council business use.</i>
Use of Private Mobile Phone	Cost of service provided	At cost	\$1,000 per year	<i>Covers use of call costs on private mobile phone for normal Council business.</i>



8.20 Code of Meeting Practice

Author:	Deputy Chief Executive Officer, Matthew Hansen
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-A. The community is serviced in an effective, financially sustainable and responsible manner
Delivery Program:	CL.2. Manage people, assets, resources, and risks responsibly to support the Council's ongoing viability and maximise value for money for ratepayers.
Council's Role:	Service Provider: The full cost (apart from fees for cost recovery, grants etc) of a service or activity is met by Council
Appendices:	1. Code of Meeting Practice - Draft for January 2025 Council meeting

Recommendation

That Council

1. Revoke the Berrigan Shire Council Code of Meeting Practice adopted 16 February 2022,
2. Adopt the Code of Meeting Practise attached with this report

Purpose

The report proposes council adopt a revised model code of meeting practice.

Summary

Council is required to revise its model code of meeting practice within 12 months of a council election. Council adopted a draft code at its meeting in November and placed it on public exhibition for 28 days.

No submissions were received and the council may now adopt and implement the proposed code.

Background

Under section 360 of the *Local Government Act 1993* (the Act), councils must adopt a code of meeting practice (the code) that incorporates the mandatory provisions of the *Model Code of Meeting Practice for Local Councils in NSW* (model code) prescribed by Part 10 of the *Local Government (General) Regulation 2021* within 12 months of the election.

The requirements of the Code of Meeting Practice apply to **all** meetings of the council and committees of council, where all members are councillors. In the case of Berrigan Shire Council, the Code will apply to ordinary and extraordinary meetings of the council only.

Council must adopt its own code within 12 months of the election.



At its ordinary meeting held on 20 November 2024, council adopted a draft code of meeting practice. The draft code was placed on public exhibition for a period of 28 days. Council did not receive any submissions during this period, or subsequently.

Note: the NSW Government has indicated its intent to amend the Model Code of Meeting Practice in 2025. When these amendments are made, council will again need to review and amend this code.

Relevance to Community Strategic Plan and Other Strategies /Masterplans / Studies

The model code of meeting practice assists council address the Civic Leadership strategic outcome.

Issues and Implications

Policy

- Councillor Access to Information and Interaction with Staff Policy

Financial

Implementation of the code of meeting practice has no direct financial impact on the council going forward, however Council spent \$212,000 in 2024/25 to ensure it could live stream its council meetings in line with the obligations of the model code.

Legal / Statutory

Adoption of a code of meeting practice consistent with the model code is mandatory, as per the guidelines issued by the OLG under s23A of the Act.

Council is obliged to review its code within 12 months of a general election, in this case by September 2025.

Community Engagement / Communication

Council placed the draft code on public exhibition for a period of 28 days. Council did not receive any submissions during this period, or subsequently.

The requirement to record and live stream council meetings will make it difficult to move council meetings to other venues in Berrigan Shire.

Human Resources / Industrial Relations (If applicable)

The code of meeting practice reflects the CEOs role as the nexus between the elected council and council staff.



Risks

The following risks have been assessed as per the Council's [Risk Management Framework](#):

1. Financial

Likelihood	Consequence				
	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

There is little ongoing financial outlay associated with adoption of the code of meeting practice.

2. Governance (legal)

Likelihood	Consequence				
	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Non-adoption of a code of meeting practice and/or failure to review the code within 12 months of the election would be a breach of the Local Government Act and may see Ministerial intervention. This is unlikely, however.

Options

1. Council can adopt the model code of meeting practice attached to this report (recommended)
2. Council can amend the code of the meeting practice and place it back on public exhibition.
3. Council postpone amendment of the code until later in 2025.



CODE OF MEETING PRACTICE

Adopted 16 October 2024



Contents

1	INTRODUCTION.....	3
2	MEETING PRINCIPLES	4
3	BEFORE THE MEETING.....	5
4	PUBLIC FORUMS	11
5	COMING TOGETHER	12
6	THE CHAIRPERSON	18
7	MODES OF ADDRESS	20
8	ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS.....	21
9	CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS	22
10	RULES OF DEBATE	25
11	VOTING	29
12	COMMITTEE OF THE WHOLE.....	31
13	DEALING WITH ITEMS BY EXCEPTION	32
14	CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC	33
15	KEEPING ORDER AT MEETINGS.....	38
16	CONFLICTS OF INTEREST	41
17	DECISIONS OF THE COUNCIL	42
18	TIME LIMITS ON COUNCIL MEETINGS	44
19	AFTER THE MEETING	45
20	COUNCIL COMMITTEES	47
21	IRREGULARITIES	51
22	DEFINITIONS	52



1 INTRODUCTION

The Berrigan Shire Code of Meeting Practice (the Code) is prescribed under section 360 of the Local Government Act 1993 (the Act) and the Local Government (General) Regulation 2021 (the Regulation).

It is based on the Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) released by the Office of Local Government.

This Code applies to all meetings of Council and committees of Council of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

- Note:** Items in the Model Meeting Code that the Council has not adopted have been marked accordingly – in the interests of transparency and to retain consistent numbering with the Model Meeting Code
- Optional items that have not been adopted by the Council are shown in **RED**
 - Items relating to Joint Organisations and not applicable to the Council are shown in **BLUE**



2 MEETING PRINCIPLES

2.1 Council and committee meetings should be:

Transparent: Decisions are made in a way that is open and accountable.

Informed: Decisions are made based on relevant, quality information.

Inclusive: Decisions respect the diverse needs and interests of the local community.

Principled: Decisions are informed by the principles prescribed under Chapter 3 of the Act.

Trusted: The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.

Respectful: Councillors, staff and meeting attendees treat each other with respect.

Effective: Meetings are well organised, effectively run and skilfully chaired.

Orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.



3 BEFORE THE MEETING

Timing of ordinary council meetings

3.1 NOT ADOPTED

- 3.2 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.

Extraordinary meetings

- 3.3 If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

Note: Clause 3.3 reflects section 366 of the Act.

Notice to the public of council meetings

- 3.4 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

Note: Clause 3.4 reflects section 9(1) of the Act.

- 3.5 For the purposes of clause 3.4, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

- 3.7 The Chief Executive Officer must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

Note: Clause 3.7 reflects section 367(1) of the Act.

- 3.8 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

Note: Clause 3.8 reflects section 367(3) of the Act.



Notice to councillors of extraordinary meetings

- 3.9 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

Note: Clause 3.9 reflects section 367(2) of the Act.

Giving notice of business to be considered at council meetings

- 3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted seven (7) days before the meeting is to be held.
- 3.11 A councillor may, in writing to the Chief Executive Officer, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.12 If the Chief Executive Officer considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the Chief Executive Officer may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council. Notices of motion are required to be with the Chief Executive Officer a minimum of 14 days prior to an Ordinary Council meeting.
- 3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the Chief Executive Officer must either:
- (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or
 - (b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

Questions with notice

- 3.14 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the Chief Executive Officer about the performance or operations of the council.
- 3.15 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the Chief Executive Officer or a member of staff of the council, or a question that implies wrongdoing by the Chief Executive Officer or a member of staff of the council.



- 3.16 The Chief Executive Officer or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

Agenda and business papers for ordinary meetings

- 3.17 The Chief Executive Officer must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.18 The Chief Executive Officer must ensure that the agenda for an ordinary meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.10.
- 3.19 Nothing in clause 3.18 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.
- 3.20 The Chief Executive Officer must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the Chief Executive Officer, the business is, or the implementation of the business would be, unlawful. The Chief Executive Officer must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- 3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the Chief Executive Officer, is likely to take place when the meeting is closed to the public, the Chief Executive Officer must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
 - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.21 reflects section 9(2A)(a) of the Act.

- 3.22 The Chief Executive Officer must ensure that the details of any item of business which, in the opinion of the Chief Executive Officer, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public, and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Statement of ethical obligations



- 3.23 Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

DRAFT



Availability of the agenda and business papers to the public

3.24 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

Note: Clause 3.24 reflects section 9(2) and (4) of the Act.

3.25 Clause 3.23 does not apply to the business papers for items of business that the Chief Executive Officer has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.25 reflects section 9(2A)(b) of the Act.

3.26 For the purposes of clause 3.24, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.26 reflects section 9(3) of the Act.

3.27 A copy of an agenda, or of an associated business paper made available under clause 3.24, may in addition be given or made available in electronic form.

Note: Clause 3.26 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

3.28 The Chief Executive Officer must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.

3.29 Despite clause 3.28, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:

- (a) a motion is passed to have the business considered at the meeting, and
- (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

3.30 A motion moved under clause 3.29(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.

3.31 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.29(a) can speak to the motion before it is put.

3.32 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.29(b) on whether a matter is of great urgency.



Pre-meeting briefing sessions

3.33 – 3.38 NOT ADOPTED

DRAFT



4 PUBLIC FORUMS

NOT ADOPTED

DRAFT



5 COMING TOGETHER

Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

- 5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting.

5.3 NOT APPLICABLE

- 5.4 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.

- 5.5 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.

- 5.6 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.

- 5.7 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Note: Clause 5.7 reflects section 234(1)(d) of the Act.

- 5.8 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the Chief Executive Officer at least two (2) days' notice of their intention to attend.

The quorum for a meeting

- 5.9 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

Note: Clause 5.9 reflects section 368(1) of the Act.



5.10 Clause 5.9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

Note: Clause 5.10 reflects section 368(2) of the Act.

5.11 A meeting of the council must be adjourned if a quorum is not present:

- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
- (b) within half an hour after the time designated for the holding of the meeting, or
- (c) at any time during the meeting.

5.12 In either case, the meeting must be adjourned to a time, date and place fixed:

- (a) by the chairperson, or
- (b) in the chairperson's absence, by the majority of the councillors present, or
- (c) failing that, by the Chief Executive Officer.

5.13 The Chief Executive Officer must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.

5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or bushfire), the mayor may, in consultation with the Chief Executive Officer and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.

5.15 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.3.



Meetings held by audio-visual link

- 5.16 A meeting of the council or a committee of the council may be held by audio-visual link where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the Chief Executive Officer and, as far as is practicable, with each councillor.
- 5.17 Where the mayor determines under clause 5.16 that a meeting is to be held by audio-visual link, the Chief Executive Officer must:
- (a) give written notice to all councillors that the meeting is to be held by audio-visual link, and
 - (b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
 - (c) cause a notice to be published on the council's website and in such other manner the Chief Executive Officer is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.
- 5.18 This code applies to a meeting held by audio-visual link under clause 5.16 in the same way it would if the meeting was held in person.

Note: Where a council holds a meeting by audio-visual link under clause 5.16, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.

Attendance by councillors at meetings by audio-visual link

- 5.19 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee.
- 5.20 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the Chief Executive Officer prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.
- 5.21 Councillors may request approval to attend more than one meeting by audio-visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.20.
- 5.22 The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.



- 5.23 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.24 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by the chair of the meeting.
- 5.25 If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.
- 5.26 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link. However, the council and committees of the council are under no obligation to approve a councillor's request to attend a meeting by audio-visual link where the technical capacity does not exist to allow the councillor to attend the meeting by these means.
- 5.27 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.
- 5.28 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.
- 5.29 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.
- 5.30 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

Entitlement of the public to attend council meetings

- 5.31 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

Note: Clause 5.31 reflects section 10(1) of the Act.



- 5.32 Clause 5.31 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.
- 5.33 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:
- (a) by a resolution of the meeting, or
 - (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note: Clause 5.33 reflects section 10(2) of the Act.

Webcasting of meetings

- 5.34 All meetings of the council and committees of the council are to be webcast on the council's website.
- 5.35 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:
- (a) the meeting is being recorded and made publicly available on the council's website, and
 - (b) persons attending the meeting should refrain from making any defamatory statements.
- 5.36 The recording of a meeting is to be made publicly available on the council's website:
- (a) at the same time as the meeting is taking place, or
 - (b) as soon as practicable after the meeting
- 5.37 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting.
- 5.38 Clauses 5.36 and 5.37 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.
- Note: Clauses 5.34 – 5.38 reflect section 236 of the Regulation.
- 5.39 Recordings of meetings may be disposed of in accordance with the State Records Act 1998.



Attendance of the Chief Executive Officer and other staff at meetings

- 5.40 The Chief Executive Officer is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

Note: Clause 5.40 reflects section 376(1) of the Act.

- 5.41 The Chief Executive Officer is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

Note: Clause 5.41 reflects section 376(2) of the Act.

- 5.42 The Chief Executive Officer may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the Chief Executive Officer or the terms of employment of the Chief Executive Officer.

Note: Clause 5.42 reflects section 376(3) of the Act.

- 5.43 The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the Chief Executive Officer.

- 5.44 The Chief Executive Officer and other council staff may attend meetings of the council and committees of the council by audio-visual-link. Attendance by council staff at meetings by audio-visual link (other than as member of the public) shall be with the approval of the Chief Executive Officer.



6 THE CHAIRPERSON

The chairperson at meetings

- 6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

Note: Clause 6.1 reflects section 369(1) of the Act.

- 6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

Note: Clause 6.2 reflects section 369(2) of the Act.

Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.

- 6.4 The election of a chairperson must be conducted:

- (a) by the Chief Executive Officer or, in their absence, an employee of the council designated by the Chief Executive Officer to conduct the election, or
- (b) by the person who called the meeting or a person acting on their behalf if neither the Chief Executive Officer nor a designated employee is present at the meeting, or if there is no Chief Executive Officer or designated employee.

- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.

- 6.6 For the purposes of clause 6.5, the person conducting the election must:

- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
- (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.

- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the council:

- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and



- (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

DRAFT



7 MODES OF ADDRESS

- 7.1 If the chairperson is the mayor, they are to be addressed as 'Mayor [first name]'
- 7.2 Where the chairperson is not the mayor, they are to be addressed as either "Chair [first name]" or "Chair".
- 7.3 A councillor is to be addressed as 'Councillor [surname]'.
- 7.4 A council officer is to be addressed by their official designation or as [first name].

DRAFT



8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

8.1 At a meeting of the council, the general order of business is as fixed by resolution of the council.

8.2 **NOT ADOPTED**

8.3 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

Note: Part 13 of this Code allows Council to deal with items of business by exception.

8.4 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.3 may speak to the motion before it is put.

DRAFT



9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by clause 3.10, and
 - (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the council, or
 - (b) is the election of a chairperson to preside at the meeting, or
 - (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
 - (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
- (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

Mayoral minutes

- 9.6 Subject to clause 9.9, if the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.
- 9.7 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.



- 9.8 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.
- 9.9 A mayoral minute must not be used to put without notice matters that are routine and not urgent or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the Chief Executive Officer on the availability of funds for implementing the recommendation if adopted.

Staff reports

- 9.11 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

Reports of committees of council

- 9.12 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.
- 9.13 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

Questions

- 9.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14.
- 9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.16 A councillor may, through the Chief Executive Officer, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the Chief Executive Officer at the direction of the Chief Executive Officer.
- 9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.



- 9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

DRAFT



10 RULES OF DEBATE

Motions to be seconded

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
 - (b) the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson's duties with respect to motions

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8 Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been lost.

Motions requiring the expenditure of funds

- 10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the Chief Executive Officer on the availability of funds for implementing the motion if adopted.



Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Foreshadowed motions

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.



Limitations on the number and duration of speeches

- 10.20 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
 - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

Participation by non-voting representatives in joint organisation board meetings



10.31 NOT APPLICABLE.

DRAFT



11 VOTING

Voting entitlements of councillors

11.1 Each councillor is entitled to one (1) vote.

Note: Clause 11.1 reflects section 370(1) of the Act.

11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

Note: Clause 11.2 reflects section 370(2) of the Act.

11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

11.4 NOT APPLICABLE

Voting at council meetings

11.5 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.

11.6 If a councillor who has voted against a motion put at a council meeting so requests, the Chief Executive Officer must ensure that the councillor's dissenting vote is recorded in the council's minutes.

11.7 The decision of the chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.

11.8 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The Chief Executive Officer must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.

11.9 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.5 of this code.

11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

11.11 NOT ADOPTED

Voting on planning decisions

11.12 The Chief Executive Officer must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.



- 11.13 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.14 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.15 Clauses 11.12–11.14 apply also to meetings that are closed to the public.

Note: Clauses 11.12–11.15 reflect section 375A of the Act.

DRAFT



12 COMMITTEE OF THE WHOLE

- 12.1 The council may resolve itself into a committee to consider any matter before the council.

Note: Clause 12.1 reflects section 373 of the Act.

- 12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.

Note: Clauses 10.20–10.30 limit the number and duration of speeches.

- 12.3 The Chief Executive Officer or, in the absence of the Chief Executive Officer, an employee of the council designated by the Chief Executive Officer, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.

- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.



13 DEALING WITH ITEMS BY EXCEPTION

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.3.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.



14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:

- (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 ground 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 the council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade



secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the council or committee is involved, and
- (b) are clearly identified in the advice, and
- (c) are fully discussed in that advice.

Note: Clause 14.4 reflects section 10B(2) of the Act.

14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
 - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the council or committee.

Note: Clause 14.6 reflects section 10B(4) of the Act.

14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:

- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
- (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:



- (i) should not be deferred (because of the urgency of the matter), and
- (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by members of the public

14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.

14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received no later than two (2) days prior to the council's next ordinary council meeting to be considered.

14.12 The Chief Executive Officer (or their delegate) may refuse an application made under clause 14.11. The Chief Executive Officer or their delegate must give reasons in writing for a decision to refuse an application.

14.13 Allow no more than two (2) speakers to be permitted to make representations to Council on any one topic.

14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the Chief Executive Officer or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the Chief Executive Officer or their delegate is to determine who will make representations to the council.

14.15 The Chief Executive Officer (or their delegate) is to determine the order of speakers.

14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than two (2) speakers to make representations in such order as determined by the chairperson.

14.17 Each speaker will be allowed three (3) minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so.



If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Expulsion of non-councillors from meetings closed to the public

14.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.

14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Obligations of councillors attending meetings by audio-visual link

14.20 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Information to be disclosed in resolutions closing meetings to the public

14.21 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:

- (a) the relevant provision of section 10A(2) of the Act,
- (b) the matter that is to be discussed during the closed part of the meeting,
- (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.20 reflects section 10D of the Act.



Resolutions passed at closed meetings to be made public

- 14.22 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.23 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 14.21 during a part of the meeting that is webcast.

DRAFT



15 KEEPING ORDER AT MEETINGS

Points of order

- 15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

- 15.4 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.



Acts of disorder

- 15.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
- (a) contravenes the Act or any regulation in force under the Act or this code, or
 - (b) assaults or threatens to assault another councillor or person present at the meeting, or
 - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
 - (d) insults or makes personal reflections on or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
 - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.

Note: Clause 15.11 reflects section 182 of the Regulation

- 15.12 The chairperson may require a councillor:
- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a) or (b), or
 - (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
 - (c) to retract and apologise without reservation for an act of disorder referred to in clauses 15.11(d) and (e).

Note: Clause 15.12 reflects section 233 of the Regulation

How disorder at a meeting may be dealt with

- 15.13 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

Expulsion from meetings

- 15.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.

15.15 NOT ADOPTED

- 15.16 Clause 15.14 does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.



- 15.17 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

Note: Clause 15.17 reflects section 233(2) of the Regulation

- 15.18 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.
- 15.19 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 15.20 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

How disorder by councillors attending meetings by audio-visual link may be dealt with

- 15.21 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.
- 15.22 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.23 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.24 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.25 Any person who contravenes or attempts to contravene clause 15.22, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.26 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.



16 CONFLICTS OF INTEREST

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.
- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

DRAFT



17 DECISIONS OF THE COUNCIL

Council decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

Note: Clause 17.1 reflects section 371 of the Act.

- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.10.

Note: Clause 17.3 reflects section 372(1) of the Act.

- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: Clause 17.4 reflects section 372(2) of the Act.

- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10.

Note: Clause 17.5 reflects section 372(3) of the Act.

- 17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: Clause 17.6 reflects section 372(4) of the Act.

- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.7 reflects section 372(5) of the Act.

- 17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

Note: Clause 17.8 reflects section 372(7) of the Act.

- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.

- 17.10 NOT ADOPTED.



- 17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

Note: Clause 17.11 reflects section 372(6) of the Act.

- 17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:

- (a) a notice of motion signed by three councillors is submitted to the chairperson, and
- (b) a motion to have the motion considered at the meeting is passed, and
- (c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

- 17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.

- 17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).

Recommitting resolutions to correct an error

- 17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:

- (a) to correct any error, ambiguity or imprecision in the council's resolution, or
- (b) to confirm the voting on the resolution.

- 17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.

- 17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.

- 17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.

- 17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.

- 17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.



18 TIME LIMITS ON COUNCIL MEETINGS

- 18.1 Meetings of the council are to conclude no later than:
- (a) meetings starting at 9:00am – 1:00pm
 - (b) meetings starting at 4:30pm – 7:30pm.
- 18.2 If the business of the meeting is unfinished at the time specified in clause 18.1, the council may, by resolution, extend the time of the meeting.
- 18.3 If the business of the meeting is unfinished at time specified in clause 18.1 and the council does not resolve to extend the meeting, the chairperson must either:
- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
 - (b) adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.4 Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the Chief Executive Officer must:
- (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
 - (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the Chief Executive Officer is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.



19 AFTER THE MEETING

Minutes of meetings

19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

Note: Clause 19.1 reflects section 375(1) of the Act.

19.2 At a minimum, the Chief Executive Officer must ensure that the following matters are recorded in the council's minutes:

- (a) details of each motion moved at a council meeting and of any amendments moved to it,
- (b) the names of the mover and seconder of the motion or amendment,
- (c) whether the motion or amendment was passed or lost, and
- (d) such other matters specifically required under this code.

19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

Note: Clause 19.3 reflects section 375(2) of the Act.

19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

Note: Clause 19.5 reflects section 375(2) of the Act.

19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 19.8 reflects section 11(1) of the Act.

19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.



Note: Clause 19.9 reflects section 11(2) of the Act.

- 19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 19.10 reflects section 11(3) of the Act.

- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the council

- 19.12 The Chief Executive Officer is to implement, without undue delay, lawful decisions of the council.

Note: Clause 19.12 reflects section 335(b) of the Act.

DRAFT



20 COUNCIL COMMITTEES

Application of this Part

20.1 This Part only applies to committees of the council whose members are all councillors.

Council committees whose members are all councillors

20.2 The council may, by resolution, establish such committees as it considers necessary.

20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.

20.4 The quorum for a meeting of a committee of the council is to be:

- (a) such number of members as the council decides, or
- (b) if the council has not decided a number – a majority of the members of the committee.

Functions of committees

20.5 The council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

Notice of committee meetings

20.6 The Chief Executive Officer must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:

- (a) the time, date and place of the meeting, and
- (b) the business proposed to be considered at the meeting.

20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

20.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:

- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
- (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

20.9 Clause 20.8 does not apply if all of the members of the council are members of the committee.

Non-members entitled to attend committee meetings



- 20.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:
- (a) to give notice of business for inclusion in the agenda for the meeting, or
 - (b) to move or second a motion at the meeting, or
 - (c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

- 20.11 The chairperson of each committee of the council must be:
- (a) the mayor, or
 - (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
 - (c) if the council does not elect such a member, a member of the committee elected by the committee.
- 20.12 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.
- 20.13 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.
- 20.14 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

- 20.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.
- 20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.15.
- 20.17 NOT APPLICABLE
- 20.18 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).



Closure of committee meetings to the public

- 20.19 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.
- 20.20 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.21 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.20 during a part of the meeting that is webcast.

Disorder in committee meetings

- 20.22 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

Minutes of council committee meetings

- 20.23 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- (a) details of each motion moved at a meeting and of any amendments moved to it,
 - (b) the names of the mover and seconder of the motion or amendment,
 - (c) whether the motion or amendment was passed or lost, and
 - (d) such other matters specifically required under this code.
- 20.24 **NOT ADOPTED**
- 20.25 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.



- 20.29 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

DRAFT



21 IRREGULARITIES

21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:

- (a) a vacancy in a civic office, or
- (b) a failure to give notice of the meeting to any councillor or committee member, or
- (c) any defect in the election or appointment of a councillor or committee member, or
- (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
- (e) a failure to comply with this code.

Note: Clause 21.1 reflects section 374 of the Act.

DRAFT



22 DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
Audio-visual link	Means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act



performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June

DRAFT



8.21 National WAAAF Memorial Creek Walk

Author:	Deputy Chief Executive Officer, Matthew Hansen
Strategic Outcome:	CO. Our Community
Strategic Objective:	CO-B. We have a vibrant, inclusive, and creative community life
Delivery Program:	CO.4. Respect, promote and celebrate our heritage, identity, diversity, and culture
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	<ol style="list-style-type: none">1. Report - 06.12.2024 -Tocumwal WAAAF Creek Walk name (under separate cover)2. Submission - Sivonne Binks - WAAAF Walk3. Submissions - WAAAF Creek Walk (under separate cover)4. Public Submissions (under separate cover)

Recommendation

The direction of the council is sought.

Purpose

This report puts forward for consideration a request from the Tocumwal Rotary Club to rename the Tocumwal WAAAF Creek Walk to the National WAAAF Memorial Creek Walk.

Summary

Council sought feedback on the Tocumwal Rotary Club's proposal to rename the Tocumwal WAAAF Creek Walk via public submission.

Council received 8 submissions, 4 in favour of the proposal and 4 against the proposal.

Council may, if it chooses, resolve to change the name.

Background

Council was approached by Tocumwal Rotary Club to consider renaming the Tocumwal WAAAF Creek Walk to the National WAAAF Memorial Creek Walk.

Council considered a report on this proposal at its ordinary meeting on 6 December 2024 (attached as an appendix to this report) and resolved the following

That Council, regarding the proposed name change of the Tocumwal WAAAF Creek Walk to the National WAAAF Memorial Creek Walk

1. *engage with the Tocumwal community on the proposed name change, and*



2. *provide a report with the results of the engagement to a future meeting, for consideration.*

CARRIED

Council called for submissions regarding this proposal via its website, social media and the Bulletin Board page in the Southern Riverina News and the Cobram Courier. Council also sought feedback directly from the artist who created the memorial artwork and designed the interpretive signs. Submissions closed on 11 January 2024.

Relevance to Community Strategic Plan and Other Strategies /Masterplans / Studies

- [Tocumwal WAAAF Creek Walk Concept Plan](#)

Issues and Implications

Policy

Council's [Naming of Community Facilities and Public Places policy](#) should inform decision making on this matter.

The general principle around the policy is below:

When naming or renaming roads, streets and public places the Council will take into account the following principles:

- *portray the appropriate physical, historical, or cultural character of the area/place concerned,*
- *consistency with the overall interest, values, and expectation of the Berrigan Shire community.*
- *consideration of existing indigenous place names and the area's indigenous heritage and*
- *consistency with the relevant legislation and Geographical Naming Board principles.*

The proposal is consistent with this principle.

Financial

There is no direct cost related to the renaming of the walk.

Over time, council may wish to update signage and tourism collateral. This could be done immediately, over time or at the end of the useful life of the documentation/signage. The cost is not expected to be significant.

Council would use the renaming as an opportunity to work on branding for the attraction. This would come at an additional cost. If council wished to pursue this option, staff would need to come back with a proposal.

Legal / Statutory

The name "Tocumwal WAAAF Creek Walk" does not appear to be a formal name established by the Geographical Naming Board of NSW and there does not appear to be a requirement for council to seek GNB approval for a new name. However, council can pursue this path if they wish.



Advice obtained from the Department of Veterans Affairs and the Australian War Memorial indicates there is no legal requirement to seek approval from any organisation to dedicate a memorial as the "National Memorial".

If council does approve the name change, it should update the various war memorial registers including:

- Australian War Memorial Places of Pride - <https://placesofpride.awm.gov.au/>
- NSW War Memorials Register - <https://www.warmemorialsregister.nsw.gov.au/>
- Monument Australia - <https://monumentaaustralia.org.au/>

Community Engagement / Communication

As per council's resolution at its December 2024 meeting, staff called for submissions from the public regarding the proposed renaming.

This included a notice on the "Have Your Say" page on council's website, as well as two social media posts and inclusion on the council's Bulletin Board page in the Southern Riverina News and Cobram Courier. Submissions closed 11 January 2024.

Council received 8 submissions, 4 in favour of the proposal and 4 against the proposal. These submissions are attached as an appendix.

The comments supporting the proposal considered the name change was a way to suitably honour the service of WAAAF personnel and may encourage visitation. Comments opposing the name change were concerned about the specific "Tocumwal" nature of the memorial being subsumed in the broader national context.

The artist responsible for the design of the memorial and the interpretive signs was also invited to make a submission. Her submission is attached to this report below.

The artist noted that the walk is not "that the walk is not currently referred to in any existing signage or information as the "Tocumwal WAAAF Creek Walk." The walk is simply called the "WAAAF Creek Walk."

She notes:

Existing signage describes it as:

- *WAAAF Creek Walk: A memorial to the women of the Women's Auxiliary Australian Air Force*
- *Inspired by the airwomen stationed at Tocumwal during the Second World War, this memorial honours every airwoman that served in the Women's Auxiliary Australian Air Force.*
- *The WAAAF Creek Walk commemorates the historic contribution of more than 27,000 young airwomen who served in the Women's Auxiliary Australian Air Force during WWII.*

In conclusion, she states:

I am not sure that a name change is required, but it would seem to have minimal negative impact if done clearly.

The WAAAF Creek Walk indeed holds national significance. This memorial celebrates and honours a story that is barely told anywhere else. Most Australians do not know this story, and



without the walk, they may not have the chance to learn about the extraordinary contributions of the Women’s Auxiliary Australian Air Force.

Human Resources / Industrial Relations (If applicable)

N/A

Risks

The following risks have been assessed as per the Council’s [Risk Management Framework](#):

1. Financial

	Consequence				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

There is no direct expense associated with the renaming. However, if council wished to use the renaming to rebrand the walk and market it as an attraction it would need to allocate funding for that purpose.

2. Reputational

	Consequence				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

There is some local attachment or affection for the existing name in Tocumwal. Consultation also showed some concern with potentially losing the local nature of the memorial.

On the other hand, Tocumwal Rotary Club – council’s long-standing partner in the development of the memorial – supports the change of name and this might carry some weight.

Positive

	Consequence				
Likelihood	1	2	3	4	5



A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

The renaming of the walk as the “National” memorial could be the springboard to its development as a key local attraction. There is potential for increased recognition for Tocumwal and the role of the WAAAF in World War II, both locally and by visitors.

Options

1. Council can rename the memorial and update the relevant registers.

A suitable resolution would be:

That council:

1. *rename the Tocumwal WAAAF Creek Walk, the National WAAAF Memorial Creek Walk, and*
 2. *update all relevant registers and database with the new name.*
2. Council could retain the existing name.

Conclusions

The direction of the council is sought.



Community Input Submission January 2025

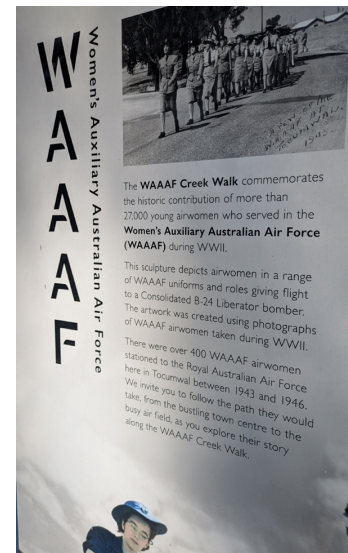
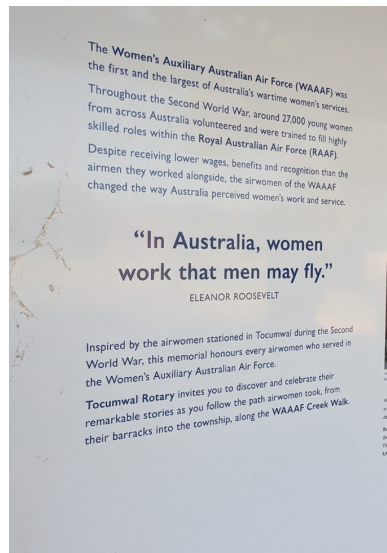
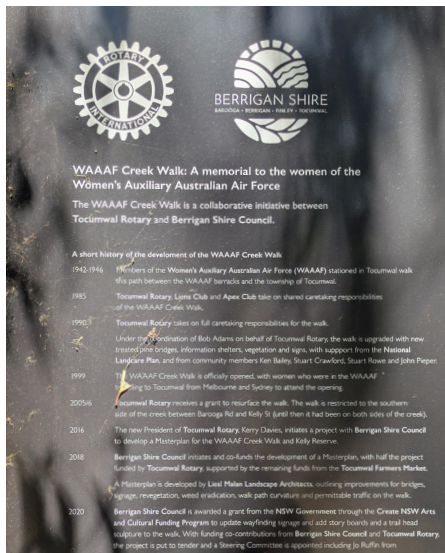


Proposal to rename the “Tocumwal WAAAF Creek Walk” to the “National WAAAF Memorial Creek Walk”

As the designer of the WAAAF Creek Walk, I appreciate the opportunity to provide feedback on this proposal. Firstly, I believe it is important to note that the walk is not currently referred to in any existing signage or information as the “Tocumwal WAAAF Creek Walk.” The walk is simply called the “WAAAF Creek Walk.”

Existing signage describes it as:

- “WAAAF Creek Walk: A memorial to the women of the Women’s Auxiliary Australian Air Force”
- “Inspired by the airwomen stationed at Tocumwal during the Second World War, this memorial honours every airwoman that served in the Women’s Auxiliary Australian Air Force.”
- “The WAAAF Creek Walk commemorates the historic contribution of more than 27,000 young airwomen who served in the Women’s Auxiliary Australian Air Force during WWII.”



Proposed name

The content of the walk indeed tells the story of the WAAAF on a national level, not solely focused on Tocumwal. Therefore, the proposed renaming could align with the scope of the walk’s current narrative.

My understanding is that there have been no objections, or formal application processes, from various organisations to identify the walk as a monument of national significance, so Council is free to refer to and market the walk however it chooses.

However - I would suggest considering a slight variation to the proposed name: **“National Memorial WAAAF Creek Walk”** rather than **“National WAAAF Memorial Creek Walk.”**

This adjustment does not break up the walk’s existing identity as the “WAAAF Creek Walk” - which has been in use for many years and is on every piece of signage - but does incorporate the desired national recognition into the name.



Practical considerations for a name change:

- There are over 30 information panels and wayfinding signage posts that currently say 'WAAAF Creek Walk'.
- To minimise disruption and costs, the most practical way to implement the change could be to focus on the two prominent signs at each end of the walk. These signs were installed after the project by a different supplier, and do not align with the branding design of the rest of the walk. As they are stand-alone signs, they would be easy to update and could incorporate the updated name at both ends of the walk.



- Additionally, the two acknowledgement panels in the shelters at either end of the walk outline the title of the walk and its development timeline. Updating these panels would be a simple way to integrate the name change without needing to change every panel.



Further Considerations:

If the intent of this renaming is to enhance the walk's prominence and attract greater tourism and funding opportunities, I would recommend also addressing ongoing issues of cleaning, maintenance, and pathway improvements, as outlined in the 2018 *WAAAF Creek Walk Masterplan*. Ensuring the walk is well-maintained would support its role as a memorial of national significance and as an enjoyable tourism attraction.

Conclusion:

I am not sure that a name change is required, but it would seem to have minimal negative impact if done clearly.

The *WAAAF Creek Walk* indeed holds national significance. This memorial celebrates and honours a story that is barely told anywhere else. Most Australians do not know this story, and without the walk, they may not have the chance to learn about the extraordinary contributions of the Women's Auxiliary Australian Air Force.

I am deeply grateful that Berrigan Shire Council and Tocumwal Rotary entrusted me, as both a historian and a designer, to delve into the hidden history of the WAAAF at a national scale and bring it to life for future generations. Tocumwal should be proud of this unique memorial, and I fully support any community-led efforts to bring more focus to this story.



Sivonne Binks
+61 403 794 808
hello@sivonne.com



8.22 Albury Wodonga Hospital Advocacy

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	CO. Our Community
Strategic Objective:	CO-A. We're healthy and well with equitable access to services
Delivery Program:	CO.1. Deliver initiatives, facilities and services to advance health and wellbeing priorities
Council's Role:	Advocate: The Council may advocate to another government or other organisation for certain things to happen, this could range from a single event (such as writing to a Minister) through to an ongoing campaign
Appendices:	<ol style="list-style-type: none">1. Greenfield Hospital Advocacy Meeting Minutes (under separate cover) ⇒2. VicHealth - Health Services Plan Media Release ↓3. Vic Health Service Plan Final Report (under separate cover) ⇒4. HSP Policy and Guidelines (under separate cover) ⇒5. Council Agenda paper re Hospital advocacy all councils (under separate cover) ⇒6. Media Release Wodonga Council ↓7. Letter to Premiers - Two Cities One Community - Fully Funded New Single Site Hospital for the Albury Wodonga Region (under separate cover) ⇒

Recommendation

Council direction is sought.

Purpose

The purpose of this report is to provide Council with an update relating to the meetings and subsequent advocacy and direction of the Albury Wodonga Hospital matter.

Summary

The Albury Wodonga Hospital redevelopment is a complex matter with the impacts on communities such as ours largely unassessed.

There has been a significant change in direction with regards to the advocacy for the development since the original NSW local government announcements. Albury City Council is now actively working with Wodonga City Council to assert the need for a new single site hospital, rather than redevelop



the existing site in Albury as stage 1 of the single site outcome expressed in the 2021 Clinical Services Plan.

The costs of development of a greenfield site also do not appear to have been developed with both the NSW and Victorian state governments continuing to resist increasing their allocated budgets to accommodate a greenfield development.

Background

In response to a request taken by Albury City Council to the Riverina and Murray Joint Organisation Board (RAMJO) on 8 November 2024, a report was presented to Council at the November Ordinary meeting outlining the request of Albury and the outcomes of the RAMJO Board meeting.

Council asked the matter be adjourned to the December Ordinary meeting where Council moved:

8.4	Albury Wodonga Health Advocacy
Resolved	OCM 271/24
Moved:	Cr Matthew Hannan
Seconded:	Cr Katie Ngatokoa
That Council supports the ongoing advocacy of Albury City and Wodonga Council for the implementation of all recommendations and outputs of Albury Wodonga Health's 2021 Clinical Services Plan.	
CARRIED	

Since that time Deputy Mayor Renee Paine and Acting CEO, Matt Hansen attended a meeting in Wodonga on 2 December 2024 regarding the possibility of a greenfield hospital site. I was not available for that meeting and Mayor Julia has declared a conflict of interest in this relation to matter.

The minutes of the meeting are included at Appendix 1 of this report. It appears the topic of a greenfield site was not the matter raised for discussion. Representatives from Albury Wodonga Health made representations, without notice, to the attending councils regarding the composition of the Hume Local Health Service Network which was at that time being considered by the Victorian Government. The outcomes of that review were confirmed on 10 January 2025 and included in the discussion below.

For ease of reference the below is an update on each of the action items from that meeting.

1. Immediate Governance / Advocacy

Mayors to consider their Council position in existing resolutions and confirm or consider a future resolution on the following:

Action 1

1. *For December 2024 meeting (by end of week) RE Boundaries requesting Regional Boundary change – current Hume Region be split into two and that Albury Wodonga Health (AWH) run the Ovens Murray Local Health Service Network as the Health Community of Interest emanating from Albury Wodonga Region*



2. *Immediately request an urgent meeting of the 17 Mayors with the Victorian and NSW Premiers*
3. *Immediately provide Media release and socials – noting the mayors have met and expressed concern around formation of local health service networks, concern about maintaining local decision making and the impact these decisions may have on providing an effective health service in the Albury Wodonga Region.*

For Council's information I have included at Appendix 2, the media release from Victoria Health regarding the Health Services Plan and at Appendix 3, the Health Services Plan as noted in that media release and the action item above.

I have also attached the existing Health Service Partnership Policy and Guidelines which has been in place since 2021 at Appendix 4. The current members of the Hume Health Service Partnership and the associated Hume Rural Health Alliance are:

- Goulburn Valley Health
- Alexandra District Health
- Kilmore and District Hospital
- Kyabram and District Health Services
- NCN Health
- Seymour Health
- Yea and District Memorial Hospital
- Albury Wodonga Health
- Beechworth Health Services
- Corryong Health
- Tallangatta Health Service
- Northeast Health Wangaratta
- Alpine Health
- Benalla Health
- Mansfield District Hospital
- Yarrawonga Health

GV Health is nominated as the lead agency for these two organisations. However, as there are two Group A health services in the Hume region, the role of lead agency has been a point of contention for Albury Wodonga Health. Effectively, GV Health has been administering the partnership, is responsible for governance and is responsible for employees of the organisation. The decisions taken and strategies adopted by the partnership and alliance are focussed on servicing the Hume region as a whole.

Both the current model and the new one suggested by VicHealth in the recently published Health Services Plan, appear similar to the NSW model of Local Health Districts but and does not seem to consider any loss of local decision making as a result, rather seeks to achieve the stated aim of "improv[ing] equity and access to healthcare..." That is, all the health services are to retain their governance structure including their own boards. These changes were confirmed on 10 January 2025 as noted above.

From the meeting outcomes noted above, it appears Albury Wodonga Health is proposing to lead an Ovens Murray Health Network and to garner support from Councils on this position. Technically, this structure does not recognise the role Albury Wodonga has in servicing communities such as ours in the central Murray region. I have not been able to ascertain if Albury Wodonga potentially moving away from the Vic Health model suggested, which would see them as part of the Hume Local Health Service Network (LHSN) would have impacts, or have the potential to have, impacts on our community. The Hume LHSN includes:



- Albury Wodonga Health
- Alexandra District Health
- Alpine Health
- Beechworth Health Service
- Benalla Health
- Corryong Health
- Euroa Health
- Goulburn Valley Health
- Kyabram District Health
- Mansfield District Hospital
- NCN Health (Cobram)
- Northeast Health Wangaratta
- Seymour Health
- Tallangatta Health Service
- Yarrawonga Health
- Yea and District Memorial Hospital

(Population served (2026): 291,898 (Victoria) + 93,452 (NSW)

Page 88 of the Health Services Plan)

Currently many health services are offered to our community through Victoria access Shepparton, with acute care for matters such as cancer response, and heart issues referred to Albury. It is noted at the meeting allegations of Shepparton making “decisions” for Albury Wodonga were made. This does not seem to be the intent of the LHSNs, rather sharing of resources and services to ensure wider access.

Should Albury Wodonga be successful in their advocacy to remove themselves from the suggested health network which aligns it geographically with an area that aligns with Berrigan Shire usage experience, I am unable to determine if that has any potential to change the ways in which patients in our community engage with the Victorian system. It is clear from the above that the Vic model currently considers the affects it may have on its NSW patients, including our shire.

At the hearing into Rural and Regional Health attended on 13 December 2024 by Mayor Julia and I, councils in NSW who are dealing with two Local Health Network providers are finding patients are not referred to the facilities of neighbouring LHNs, even if those services are closer for the patient. This is a concerning matter if the LHSN suggested is divided up as suggested by the Albury Wodonga meeting.

Action 2

1. *For 2025 Council meeting (x17) to consolidate existing position of interim short-term position plus long-term outcome in one consistent resolution.*

The paper for presentation to all councils was agreed to be developed by Trevor Ierino, CEO, Indigo Shire. That paper is attached at Appendix 5 for council’s information and includes the proposed motion all councils are being asked to adopt without alteration.

I note the assertion of the fear that Albury Wodonga Hospital would be managed by Goulburn Valley Health. As can be seen from the above, I do not believe the Victorian Health Services Plan intimates in any way this is an intended outcome of the Victorian plan. I cannot find in these documents where that assertion has been founded. As I understand it, no governance structure has been determined at this time, nor does the announcement confirming the establishment of the LSHNs allude to any new governance structure.

All other information, excluding the tri-party agreement information relevant to Indigo Shire, remains pertinent to council’s considerations. I therefore did not see reason to redevelop the report, rather present it in its fullness for council’s information and consideration.



It is important to note however, that council do have a Memorandum of Understanding signed with Indigo, Moira, Federation and Berrigan Shire Councils that provides we will work to support each other on matters that affect our council areas as significant rural cross border communities.

2. Long Term

- a. *Preserve the existing dollar investment, and commitment of \$588 million request the additional amount required to achieve the outcomes of the 2021 Clinical Services Plan and*
- b. *Request additional investment of Victorian and NSW Governments and the Federal Government for a new single site Albury Wodonga Regional Hospital.*

I believe our current motion covers the above outcomes of the meeting minutes.

3. Short Term – mitigate the clinical risk

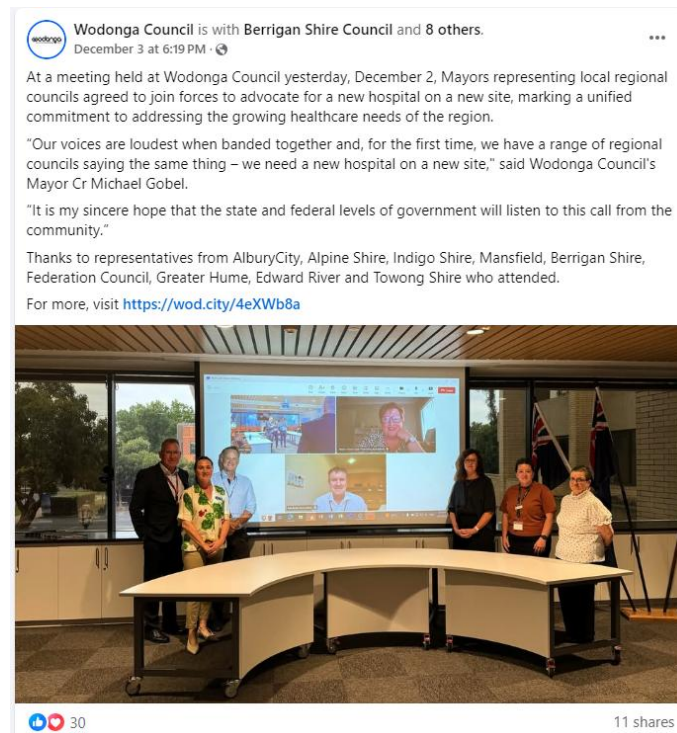
- a. *Request the Victorian Government to plan and execute the plan to address the interim need for the region that bridges us to the future required health services including but not limited to:*
 - i. *additional beds (like modular wards) now that have operational staffing,*
 - ii. *additional theatres now funded to operate effectively and*
 - iii. *capital and operational funding to meet the above short-term needs.*

I believe Mayor Julia and my appearance at the Regional, Rural and Remote Health inquiry on 13 December 2024, which stemmed from our submission to the inquiry, supports the above. During that session we were able to clearly articulate the inequities inherent in the current arrangement for all rural and remote health care and that more is needed to be done to what is now decades old systemic issues being faced by our communities.

4. Update on relevant action items

- a. *Distribute meeting actions AM Tuesday 3/12*
Complete (attached appendix 1)
- b. *Draft media and socials to share across 16 Councils*

I have not seen draft socials etc at this time nor draft media releases. These have however been distributed by Wodonga Council and are included at Appendix 6 and below. I have not therefore provided any socials or media releases as those documents at the time of writing, have not been shared.



Of concern is the statement made in the Wodonga media release about the resolution to split the LHSN in two. This has not been ratified at each council and can therefore only be a recommendation from the meeting to councils to consider. It is a matter of governance. Our council is however listed as attendees and by inference, that it agrees with this position.

I am not currently aware of social media nor media releases from Albury City Council.

- c. *Draft letter and seek 17 Mayor's signatures RE requesting meeting with Premiers.*

A letter attached as Appendix 7 has already been sent to both Premiers. Again, it intimates Berrigan Shire Council are in agreement with all assertions made in the letter, which does request a meeting with the Premier.

No request for the 17 signatures has been received by me at the time of writing.

- f. *Draft a report for consideration in 2025 with a consistent resolution to reiterate common ground in resolution about new hospital on a single site*

Attached as per the above and for consideration at this meeting.

Other Considerations

There has been some debate amongst general managers with the following email from the general manager at Snowy Valleys Council supported by a few who are asking for answers to the questions posed prior to providing their council's unconditional support of the proposed motion.

The content replicated in full below:

Whilst I was a lone voice last week I was somewhat disappointed that my comments were totally disregarded. I also feel that the comments of the representative of Albury Wodonga Health in relation to the single site hospital were either given little weight or taken out of context.



Comments made by Albury Wodonga Health were that:

1. They were supportive of a single site hospital on a greenfield site by [sic] very concerned with the potential time delays of 7 – 10 years minimum.
2. They believed that the establishment of **Stage 1** of a single site hospital on the Albury campus was a viable option with a potential 4 year completion horizon.
3. AWH need additional beds and theatres as soon as possible and can't wait for a 7 – 10 year horizon.

My concerns (and that of the Mayor) continue to be as follows:

1. What is proposed for the significant infrastructure at the Albury Site including the Cancer Centre and Hilltops accommodation (which most Councils in the region have made significant financial contributions to)?
2. Have any realistic costs been done on a greenfield site option?
3. Once a realistic cost of a new site has been determined is this achievable given the financial position of both State Governments and the Australian Government?
4. Is there a chance that further procrastination will see the existing funding diverted to another shovel ready project?
5. Having had a family member at the Albury Hospital in the last 6 weeks including the Cancer Centre I am not convinced that the existing site cant [sic] be creatively redeveloped to service the needs of the region. A same site redevelopment seems to have been successful at Wagga Wagga.

At the time of writing these questions have not had a response.

Relevance to Community Strategic Plan and Other Strategies /Masterplans / Studies

Community Strategic Plan





Since writing this report, the Victorian government has confirmed the LHSNs as noted above. Wodonga City Council put out the following social media post directly following the announcement.



Wodonga Council

January 10 at 3:45 PM · 🌐



"Cross Border Region Advocacy Succeeds: Albury Wodonga Health Recognised as Largest in Region; New Hospital Advocacy Continues"

Wodonga Council welcomes Local Health Service Network announcement, highlighting the success of local councils' advocacy and looking forward to continued work on new site, new hospital.

Today, the Victorian Department of Health announced the Local Health Service Networks, confirming the Health Services that will form the Hume Local Health Service Network.

Wodonga Council's Mayor Cr Michael Gobel welcomed the announcement.

"We congratulate the government for listening to the eleven local governments, in their advocacy for the multiple local health services to become part of a sub-regional health network for the Ovens Murray region," he said.

"It's positive to see this structure reflects the existing Hume Health Service Partnership and the historical rural health regions of the Goulburn and Ovens Murray areas, highlighting the significance of the two sub regions.

"We are also pleased to see Albury Wodonga Health recognised as the largest health service in Hume and acknowledged as the major cross border health service."

The Department of Health states that Albury Wodonga Health will lead in providing the most complex care for the Ovens Murray sub-region of Hume as well as the areas it services in New South Wales.

In response to this, Cr Gobel has advised that he is seeking clarity on the Department's statement regarding the provision of complex health care, and what that means for decision making and service delivery.

According to Cr Gobel, while Wodonga Council welcomes the announcement, the question regarding Albury Wodonga's advocacy for a new hospital on a new site remains.

"In recognising the scale of our region's health service, we are reminded of the importance of ensuring our infrastructure is adequate," said Cr Gobel.

"We will continue to advocate for the strongest outcome for our community's health and wellbeing."

For more on today's announcement, visit <https://www.premier.vic.gov.au/building-better-stronger...>

[#Wodonga](#) [#WodongaCouncil](#) [#healthcare](#)

The post seems to suggest Wodonga Council at least are now happy with the outcomes of the LSHN so I am not sure if they require the motions discussed in this report. Albury City Council has made no comment at this time that I am aware of.



Issues and Implications

This is an advocacy choice for Berrigan Shire Council. It should however align with the outcomes we are currently pursuing to ensure the Finley hospital is redeveloped and that Tocumwal receives a fully manned ambulance station, to meet the growing demands of our community and that of Tocumwal Council's position on this matter will affect the outcomes of the Advocacy Plan also included in this meeting.

Policy

N/A

Financial

No councils are currently being asked to provide funding to support this advocacy, nor any facilities. The only financial burden for council currently is the time of both the Deputy Mayor and CEO to engage with this matter.

Legal / Statutory

N/A

Community Engagement / Communication

I do not believe we have at any point engaged with our community on this matter. It may be of value to council to consider asking the community's thought on the Albury Wodonga Hospital and to consider their concerns, if any.

Human Resources / Industrial Relations (If applicable)

Deputy Mayor and CEO

Risks

The following risks have been assessed as per the Council's [Risk Management Framework](#):

1. Community (LHSN dissection)

Likelihood	Consequence				
	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Although the possible dissection of the proposed Hume LHSN cannot be known, indeed if it will even come to pass, the experience of hearing the lived experience of NSW councils who have and are dealing with more than one LHD, suggests detrimental outcomes for our community are possible and the risk assessment has been based on that information. In some NSW local government areas, the



lack of access to the closest facilities and health services for the patient has lead to demonstrations and a much heightened community angst regarding equitable access to services.

2. Community (AWH single site hospital) – Positive consequences

	Consequence				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

The 2021 Clinical Services Plan does indicate a single site hospital as being the preferred option for delivery of health services to the Albury Wodonga Health catchment. The meeting with AWH noted throughout this report suggests the redevelopment of the current site in Albury is stage one of achieving that goal. I do not know enough about the intricacies of that site however to comment on whether the current site is suitable or not for a single site service. Delays in agreement on green or brownfield sites however are delaying the redevelopment plans of NSW Health at this time.

3. Governance

	Consequence				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Although the lack of adherence to governance to date from the Albury City and Wodonga Councils in response to this matter have not caused financial, reputational or compliance breaches, the fact they are moving forward rapidly without the express consent of a number of councils suggests governance matters will continue to be breached in the future. It will therefore be extremely important that council are clear as to what advocacy they are willing to support and if there is anything they wish to be removed from in the communications with community etc.

Options

1. Retain the current broad motion that allows the CEO and Deputy Mayor to engage with the Albury Wodonga Health matter according to the wishes of council.
2. Adopt verbatim the suggested motion provided in attachment 4.
3. Adopt the suggested motion with changes to make explicitly clear what Berrigan Shire Council will and will not support within the broader advocacy being undertaken.



Conclusions

The Albury Wodonga Hospital redevelopment is a complex matter with the impacts on communities such as ours largely unassessed.

There has been a significant change in direction with regards to the advocacy for the development since the recent NSW local government direction with Albury City Council now actively working with Wodonga City Council to assert the need for a new single site hospital, rather than redevelop the existing site in Albury as stage 1 of the single site outcome expressed in the 2021 Clinical Services Plan.



Health Services Plan

Find out more about the recommendations from the Expert Advisory Committee for a more connected system.



In July 2023, the Victorian Department of Health commissioned an Expert Advisory Committee (the Committee) to examine the design and governance of Victoria's health services system. Over 10 months they explored many of the challenges experienced by patients, communities and our health workforce within the system.

The Committee have now developed the Health Services Plan, which provides a number of recommendations for a more connected system that delivers the right care, at the right time, in the right place, for all Victorians. The Plan is outlined through 3 key pillars of reform:

- Establishing Local Health Service Networks (Networks) – geographic groupings responsible for planning and managing care so that it meets the population health needs of their communities.
- Formalised relationships between each Network and a women's, a children's and a major tertiary hospital, ensuring every Victorian has seamless access to specialist care and expertise when they need it.
- A Victorian Role Delineation Framework, which will support collaboration across the system through setting out the roles and responsibilities of every health service site, aligned to their size and capability.

The Government will accept 21 recommendations in full, and accept in principle 5 recommendations:

- Recommendation 4.6 - Likely amendments to groupings and boundaries based on further consultation with the sector. The Government will provide guidance to health service boards on principles to underpin Local Health Service Network groupings. Health services will then be able to propose groupings for their region for approval by Government.
- Recommendation 6.1 - The department will undertake further work to consider this while ensuring no reduction in service provision.
- Recommendation 7.2 - Hospitals will not be forced to consolidate to form LHSNs.
- Recommendation 8.1 - The department will continue to support those health services that wish to consolidate. The Government does not accept the



recommendation on forced consolidation of health services.

- Recommendation 9.2 - Further work is needed to understand the impact of these reforms across healthcare the Commonwealth is responsible for.

The Government does not accept recommendation 7.1 relating to directed consolidations of health services outlined in the report.

Further work will now be undertaken on the accepted recommendations.



Health Services Plan - Final Report of the Expert Advisory Committee
PDF | 1.55 MB

Details

Date published

08 Aug 2024

Author

Expert Advisory Committee

Reviewed 08 August 2024



Archive

Page URL: <https://www.wodonga.vic.gov.au/Newsroom/Archive>

Regional councils unite in push for new hospital on new site in Albury Wodonga

3 Dec, 2024



Mayors representing local councils in the Albury Wodonga Health catchment zone have joined forces to advocate for a new hospital on a new site, marking a unified and unprecedented commitment to addressing the growing healthcare needs of the region.

The meeting, held at Wodonga Council and chaired by Wodonga Council's Mayor Cr Michael Gobel, was the first meeting of the councils since the recent local government elections in New South Wales and Victoria.

The participating councils included Wodonga Council, AlburyCity, Alpine Shire, Indigo Shire, Mansfield, Berrigan Shire, Federation Council, Greater Hume, Edward River and Towong Shire.

Cr Gobel emphasised the significance of the meeting in aligning the councils around a common vision for the region's healthcare future.

"The recent local government elections in both states made clear that the hospital is a priority for communities on both sides of the Border and its surrounds," he said.

"Residents of our communities have made it clear – they want a new hospital and a well-resourced and fully integrated cross border health service that will sufficiently cater to our growing population.

"Our voices are loudest when banded together and, for the first time, we have a range of regional councils saying the same thing – we need a new hospital on a new site.

"It is my sincere hope that the state and federal levels of government will listen to this call from the community."

At the conclusion of the meeting, a series of actions were agreed upon to ensure progress continued.

A key outcome was to request an urgent meeting between the Mayors of the councils present at Monday's meeting and the New South Wales and Victorian Premiers.

An agreement was also made to draft a joint resolution for each council to consider. This resolution will call for the current health region to be split into two Local Health Service Networks (LHSNs); Ovens Murray and Goulburn Valley, with Albury Wodonga Health the designated LHSN for Ovens Murray.

This is in contrast to the Health Services Plan released by the Victorian Government in August of this year, which proposed reconfiguring the regional healthcare services into five networks, with Albury Wodonga considered part of a larger Hume network.

AlburyCity Mayor, Cr Kevin Mack, endorsed the alignment of participating councils in strongly advocating for a new hospital on a new site to meet the region's healthcare needs.

"Albury is very excited to be working with all our councils and communities to enable advocacy for a greenfield single-site hospital for our region," said Mayor Mack.

"This opportunity cannot be over-emphasised as it represents a unified position for our region and puts the community first, as they have clearly stated that a greenfield single-site hospital development is their priority.



"We are so much stronger together and we need to push as hard as we can for what is needed now and into the future – sustainable long-term healthcare solutions for our growing community."

Looking ahead, a more comprehensive report will be tabled for consideration at the councils' 2025 meetings, reaffirming their united call for a new hospital on a new site.

The councils also pledged to maintain their advocacy for the necessary funding for a new hospital and to achieve the objectives outlined in the Albury Wodonga Health 2021 Clinical Services Plan.

While Cr Gobel acknowledged the progress made, he stressed the urgency of addressing the immediate pressures on the region's existing healthcare services.

"In the interim, we will continue to call on the Victorian government to provide additional resources to ensure our current hospital can adequately service the needs of our community", he said.

"This includes funding for additional beds, modular wards and theatres."

This collaborative effort by these councils underscores their commitment to securing the best health outcomes for their residents.

"The Albury Wodonga Health Clinical Services Plan 2021 forecasted population growth of nearly 30,000 people by 2040 and a doubling of emergency department presentations to 150,000," said Cr Gobel.

"It is abundantly clear to those who use the region's health service that it is under enormous pressure.

"I thank my fellow Mayors for joining us in calling for what our community needs - a new hospital on a new site."

CONNECT WITH US



CONTACT US

Wodonga Council
104 Hovell St
Wodonga 3690

Tel: [02 6022 9300](tel:0260229300)

Email: media@wodonga.vic.gov.au www.wodonga.vic.gov.au



8.23 Advocacy Plan

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	CL. Our Civic Leadership
Strategic Objective:	CL-B. Our community is informed and engaged in decision-making CL-C. A community where collaborative efforts enhance development and service delivery
Delivery Program:	CL.4. Strengthen community engagement and participation in decision-making. CL.5. Build partnerships with state agencies, businesses, and non-profits CL.6. Secure funding and resources for projects and services CL.7. Actively participate in regional bodies to advance shared action for our region
Council's Role:	Advocate: The Council may advocate to another government or other organisation for certain things to happen, this could range from a single event (such as writing to a Minister) through to an ongoing campaign
Appendices:	1. Berrigan Advocacy Document_LR (under separate cover) 2. Draft Advocacy Plan 2024-2025 (under separate cover)

Recommendation

That Council adopt the words provided for the Advocacy Strategy and direct staff to develop a branded document for presentation to council at a future meeting.

Purpose

The purpose of this report is to update council's Advocacy Document, which was developed in 2022, is updated to reflect Berrigan Shire's current advocacy work and provide a strategic framework for that advocacy.

Summary

Council's original Advocacy Document is included at **appendix 1** for reference.

Background

Advocacy is crucial for local governments in Australia as it ensures the unique needs and challenges of our communities are heard and addressed at higher levels of government. Through effective advocacy, local councils can secure necessary funding, influence policy decisions and drive legislative changes that benefit our areas. Advocacy is particularly important in rural and regional areas such as



Berrigan Shire, where local governments often face distinct issues such as infrastructure deficits, limited access and services and economic vulnerabilities.

By advocating for our community, Berrigan Shire Council can highlight these specific needs, ensuring that state and federal policies are inclusive and equitable. Advocacy also empowers local councils to collaborate with other stakeholders, fostering partnerships that can lead to innovative solutions and improved services delivery. Ultimately, strong advocacy efforts help build resilient, sustainable communities by ensuring that local voices are integral to the decision-making processes that shape their futures.

The advocacy strategy provided at appendix 2 is designed to ensure a targeted and focussed approach to advocacy for the next year. The document will be reviewed annually to ensure it is always up to date.

Relevance to Community Strategic Plan and Other Strategies /Masterplans / Studies

Community Strategic Plan

- CO.1 Deliver initiatives, facilities and services to advance health and wellbeing priorities.
- EC.4 Advocate for accessible education, training and employment pathways.
- EC.8 Foster a diverse, adaptive and innovative agriculture industry.
- IN.3 Strive to delivery best practice waste, water, sewerage and stormwater.
- IN.4 Advocate for better internet and telecommunications infrastructure services
- CL.2 Manage people, assets, resources and risks responsibly to support Council's ongoing viability and maximise value for money for ratepayers.

Others

See document

Issues and Implications

An advocacy strategy provides a framework and direction to ensure advocacy is targeted and agreed.

Policy

N/A

Financial

There are some costs associated with advocacy such as time, information request fees etc. Council has provided a \$1,000 budget to provide for incidental expenses associated with advocacy.

Legal / Statutory

N/A

Community Engagement / Communication

Community engagement and communication will form part of our advocacy strategy as and when required.



Human Resources / Industrial Relations (If applicable)

N/A

Risks

The following risks have been assessed as per the Council’s [Risk Management Framework](#):

1. Community

	Consequence				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Though some members of the community may not agree with the work and effort that goes into advocacy, most would agree it is important council represents the wishes of the community to higher tiers of government and accesses funding required for projects such as those described in the advocacy document, which council could not afford through its own resources.

2. Positive

	Consequence				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Council has been quite successful in its advocacy in the past. The ability to deliver large, regionally significant projects is not possible without advocacy and brings considerable benefits to the community.

Options

1. Adopt the Advocacy Strategy as presented
2. Adopt and altered Advocacy Strategy
3. Do not have an advocacy strategy.

Conclusions

Focussed and deliberate advocacy provides better long-term outcomes for the community. Ensuring advocacy aligns with the Community Strategic plan further advances the work council does in



representing its community to higher levels of government. In turn this ensures, decision making can be undertaken at the level closest to the community.



9 NOTICES OF MOTION/QUESTIONS WITH NOTICE

Nil



10 CONFIDENTIAL MATTERS

Recommendation

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

10.1 Chanter St Underground Power Project Update

This matter is considered to be confidential under Section 10A(2) - (c) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

10.2 Tocumwal Aviation Museum - land and building

This matter is considered to be confidential under Section 10A(2) - (c) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

10.3 Berrigan Caravan Park Lease

This matter is considered to be confidential under Section 10A(2) - (c) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.



11 MOTIONS WITHOUT NOTICE / QUESTIONS WITHOUT NOTICE

12 COUNCILLOR REPORTS

12.1 Mayor's Report

12.2 Verbal Reports from Delegates

13 CONCLUSION OF MEETING

The next Ordinary Council Meeting will be held on Wednesday 19 February 2025 from 9:00am in the Council Chambers, 56 Chanter Street, Berrigan.

There being no further business the Mayor, Mayor Julia Cornwell McKean closed the meeting at [type time](#).