



# ORDINARY COUNCIL MEETING

Wednesday 17 May, 2023

at 9:15am

Council Chambers, 56 Chanter Street, Berrigan



# Agenda

## Our Vision

*In 2032 we will be recognised as a Shire that builds on and promotes our natural assets and advantages to create employment and economic activity to attract residents, families and tourists.*

## COMMUNITY STRATEGIC PLAN

Berrigan Shire Council's Community Strategic Plan Berrigan Shire 2032 is a common framework for measuring the achievement of Berrigan Shire 2032 strategic outcomes of:

1. Sustainable natural and built landscapes
2. Good government
3. Supported and engaged communities
4. Diverse and resilient business

*The Community Strategic Plan can be found here:*

<https://www.berriganshire.nsw.gov.au/council-governance/management-plans-codes-reports>

## 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 17 May, 2023

**BUSINESS PAPER**

The Ordinary Council Meeting of the Shire of Berrigan will be held in the Council Chambers, 56 Chanter Street, Berrigan, on Wednesday 17 May, 2023 when the following business will be considered:-

**ITEMS OF BUSINESS**

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

Confidential matters of Council will not be audio recorded.

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

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

## **2 ACKNOWLEDGEMENT OF COUNTRY**

"We acknowledge the Traditional Owners whose country we are gathered on, and we pay respect to the elders, past, present, and future and extend respect to all First Nations People."

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

### **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 Tuesday 16 May, 2023 be confirmed.

5 DISCLOSURES OF INTERESTS

6 MAYORAL MINUTE(S)

Nil

7 REPORTS OF COMMITTEES

Nil

## 8 REPORTS TO COUNCIL

### 8.1 Cemetery Masterplans

<b>Author:</b>	<b>Administration Support - Governance, Isobel Egan</b>
<b>Strategic Outcome:</b>	2. Good government
<b>Strategic Objective:</b>	2.1. Berrigan Shire 2032 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting
<b>Delivery Program:</b>	2.1.1. Council operations, partnerships and coordination of resources contribute toward the implementation of Berrigan Shire 2032
<b>Council's Role:</b>	<b>Service Provider:</b> The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council
<b>Appendices:</b>	<ol style="list-style-type: none"><li>1. Barooga Cemetery Masterplan (under separate cover)</li><li>2. Berrigan Cemetery Masterplan (under separate cover)</li><li>3. Finley Cemetery Masterplan (under separate cover)</li></ol>

#### Recommendation

That Council adopt the Cemetery Masterplans attached to this report and incorporate the actions from the masterplan into its suite of integrated planning and reporting documents.

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#### Purpose

This report is provided to formally consider, and if suitable adopt, the proposed Masterplans for the Barooga, Berrigan and Finley Cemeteries.

#### Summary

Attached to this report as Appendix 1, Appendix 2 and Appendix 3 are the proposed masterplans for the Barooga, Berrigan and Finley Cemeteries respectively.

The masterplans were developed in consultation with the volunteers, funeral directors, maintenance crews and staff.

Council is asked to formally adopt these masterplans and include the items in the masterplans in its future capital works program and long-term financial plan.

#### Background

At the Strategy and Policy Workshop in April, Council was asked to review the Draft Cemetery Masterplans which had been developed in consultation with all relevant stakeholders of the Cemeteries. They were also provided with comments and amendments made by volunteers, funeral directors, maintenance crews and Council staff. No additional comments were made by Council.

Council staff then met with Thomson Hay Landscape Architects the following day to discuss comments provided by the stakeholders and make any final changes before issuing the final set of plans.

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

Council is currently developing Masterplans for its Cemeteries at Barooga, Berrigan and Finley and is considering its options for further development at Tocumwal.

### Issues and Implications

#### Policy

This will not affect the current Cemeteries Policy as the new Cemeteries Policy, adopted by the Council on 19 April 2023, incorporates for future burials in the Cemeteries with regards to the masterplans.

#### Financial

Council will need to incorporate the actions on these Masterplans into its Long-Term Financial Plan.

#### Legal / Statutory

Masterplans have been developed under the *Cemeteries and Crematoria Act 2013*

#### Community Engagement / Communication

Extending the cemeteries will increase maintenance required and as such Council will need to consider volunteer’s maintenance agreements.

#### Human Resources / Industrial Relations (If applicable)

Council may need to consider having Cemetery Maintenance Crews dedicated to maintenance of the cemeteries if the Volunteers are unable to continue.

### 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

These works can be scheduled over a period of 20 years which should allow time for Council to fund the works inside its existing budget. It may be worthwhile developing an implementation plan to cost and schedule the works.



## 2. 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	<b>Low</b>	Medium	Medium	High
E	Low	Low	Medium	Medium	High

These Masterplans were developed with compliance to the *Cemeteries and Crematoria Act 2013*. If some of these works are not done, it is likely we will not be compliant with this Act.

## 3. Community

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

Communities are very protective of their cemeteries. It is important Cemeteries are developed and maintained in a manner that reflects community expectations.

### Options

1. Council adopt the Cemeteries Masterplans – this is the recommended option
2. Council send the masterplans back to the consultants with required amendments
3. Council seek further clarification on the masterplans from the consultants
4. Council choose not to adopt masterplans for the Barooga, Berrigan and Finley Cemeteries

### Conclusions

Once adopted, Council should consider incorporating the actions for immediate attention from these masterplans into its operating plan and budget.

Berrigan Cemetery’s ashes wall/rose garden is the highest priority as there are only two places left.



## 8.2 Social Media Policy

<b>Author:</b>	<b>Deputy Chief Executive Officer, Matthew Hansen</b>
<b>Strategic Outcome:</b>	2. Good government
<b>Strategic Objective:</b>	2.1. Berrigan Shire 2032 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting
<b>Delivery Program:</b>	2.1.3. Council operations and financial management support ethical, transparent and accountable corporate governance
<b>Council's Role:</b>	<b>Service Provider:</b> The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council
<b>Appendices:</b>	1. Policy_No._77_-_Social_Media_Policy May 2023 Council Meeting.pdf 2. 04.04.2023 TikTok - NSW Government Guidance.pdf (under separate cover)

### Recommendation

That Council

1. revoke the Social Media Policy adopted on 19 October 2022, and
2. adopt the Social Media Policy attached to this report

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### Purpose

The Council is asked to adopt a revised Social Media Policy that allows for Council to act on advice from Cyber Security NSW to prohibit use of specific social media applications and services.

### Summary

Cyber Security NSW (CSNSW) has issued advice to NSW Government entities to prevent the installation of TikTok on NSW Government-owned devices and remove it from devices where it is already installed. It also advises NSW Government entities to revise its policies relating to TikTok.

This advice is not binding on the Council however Council staff recommend that Council take steps to implement this advice.

To this end, Council staff have revised its Social Media Policy and added a clause that will require Council to maintain a list of prohibited social media platforms – based on advice from CSNSW. These applications will not be permitted to be installed on Council-issued devices.

## Background

Council has adopted a Social Media Policy, based on a template developed by the Office of Local Government in partnership with Councils.

The purpose of the policy is to:

- ensure communications through social media meet legal requirements;
- increase community engagement and connect with residents;

In April 2023, Cyber Security NSW (CSNSW) issued an official Guidance Document relating to the use of the TikTok application. TikTok is a popular video sharing platform owned by the Chinese multinational company ByteDance. This document is attached as an appendix to this report.

Note – Council does not have use TikTok or have a presence on the platform.

The Guidance Document notes Federal Government’s position on TikTok – which determined that the installation of TikTok on federal government was “significant protective security risk” and required the application be removed from existing devices and prevented from installation on new devices. It also notes the NSW Government has adopted a similar position.

*prevent the installation and remove existing instances of the TikTok application on government-issued mobile devices, unless there is a legitimate business need (in which case appropriate risk mitigations will need to be implemented).*

- *ensure a risk management process is in place to identify, assess, approve and manage those cases where there is a legitimate business need for the TikTok application.*
- ***update relevant policies to provide direction on the use of TikTok.***

The Guidance Document also notes concerns about the use of TikTok on devices not owned or issued by a NSW Government entity that have access to:

- NSW Government systems; or
- official, sensitive, or classified information.

This use is known as Bring-Your-Own-Device or BYOD.

The Guidance Document “strongly recommends that, where feasible, comparable levels of assurance and risk mitigation are applied to BYOD as that of corporate devices”

Note that the NSW Government position does not apply to Councils. Councils are only “encouraged” to follow this guidance.

## Revisions

In response to the advice issued by CSNSW, Council staff have prepared a revised version of its Social Media Policy.

The revised policy included a new clause – “prohibited platforms” as below.

*Berrigan Shire Council will, on the advice of the NSW and Federal Governments, maintain a list of prohibited social medial platforms.*

*For social media platforms on this list:*

- *use by Council will not be permitted*

- *applications will not be permitted to be installed on devices issued by the Council.*
- *websites hosting this application may not be accessed on devices issued by the Council*

*Staff and Councillors must also ensure that installation and/or use of an application on this list on a personal device approved for use for Council purposes under a BYOD arrangement is compliant with the Council's BYOD Policy (to be adopted).*

The review of the Social Media Policy identified that Council's laissez-faire approach to BYOD will need to be reviewed as part of its general review of its cyber security framework. If Council continues to allow Councillors and staff to access Council data and connect to Council networks, it may need more control over those devices. This is likely to be a delicate matter and will require some careful consideration.

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

Council's Delivery Program includes the following activities

*2.1.3.5 Provide information technology and associated support for Council operations*

*4.2.1.5 Provide a broad range of Visitor Services including an accredited Visitor Information Centre, a destination website and social media*

Council's [Information Technology Strategic Plan](#) includes the following objective:

*2.1.3.6.4 Council maintains a robust data protection and security protocol*

This objective is supported through the following actions

- *Review and report potential security risks to management*
- *IT Policies and Procedures are formally documented, maintained and reviewed*

## **Issues and Implications**

### **Policy**

The review of the Social Media Policy has highlighted that Council needs a complete review of its cybersecurity framework, including its Access Control Policy, and development of a Bring Your Own Device Policy

### **Financial**

There is little to no direct financial impact on Council with the adoption of this policy.

However, if Council's data or network was compromised, there would be a significant impact. Advice from Council's insurer is that cover for cyber security incidents is getting more expensive and difficult to obtain.

### **Legal / Statutory**

Unlike most NSW Government agencies, Councils are not obliged to follow the advice of CSNSW to prohibit the use of TikTok, merely "encouraged".

**Community Engagement / Communication**

While TikTok is a popular social media application, Council does not have use the application or have a presence on the platform.

If Council was to find that use of TikTok would be a preferred method of communication and/or engagement – it would need to revise this policy to allow for what is known as “legitimate business use”

**Human Resources / Industrial Relations (If applicable)**

As discussed above, continuing to allow BYOD may require negotiation with Councillors and staff.

**Risks**

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

**1. Technology**

	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	<b>High</b>	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Council can only assume that, for the Federal and NSW Governments to issue this advice and direction, there is a genuine and serious risk related to the use of TikTok.

A prohibition on the use of TikTok and other application as advised by CSNSW is an appropriate risk mitigation measure.

**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	<b>Medium</b>	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

As discussed above, there is a risk that Council may not be able to obtain insurance cover for cyber security risk going forward.

### 3. Governance (Legal and Public Liability)

	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 cyber security breach that may have been avoided if the Council followed NSW Government advice may see Council subject to penalty.

### 4. 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

A data breach or financial loss related to a cybersecurity breach would have a significant impact on the Council’s reputation and would certainly garner unfavourable media coverage.

### Options

1. Council adopt the revised Social Media Policy attached to this report (recommended)
2. Council adopt an amended version of this policy
3. Council send the policy back to Council staff for further review and reconsider at a future meeting
4. Council retain the existing policy.

### Conclusions

The Council has been given clear advice from CSNSW which includes advice to “update relevant policies to provide direction on the use of TikTok.”

The revised policy provides a framework for Council to implement this direction and I recommend its adoption.



Policy

77

SOCIAL MEDIA

Strategic Outcome:	Good government
Policy type	Strategic
Date of Adoption:	17 May 2023
Date for Review:	18 May 2027
Responsible Officer:	Deputy Chief Executive Office
Document Control:	Replaces and revokes the Social Media Policy adopted 19 October 2022
Delivery Program Link:	2.1.3.5 Provide information technology and associated support for Council operations  4.2.1.5 Provide a broad range of Visitor Services including an accredited Visitor Information Centre, a destination website and social media

**1. POLICY STATEMENT**

Council recognises the benefits of using social media as a means for engaging our communities, marketing, promotion and disseminating time-sensitive information to the widest possible audience.

It is acknowledged that certain risks are associated with social media tools and that these risks are not limited to reputation and the legitimate interests of Council. Moreover, it is based on the notion that under law, online content is permanent and should never be considered private.

Therefore, this policy has been developed to assist staff use social media in a productive and responsible manner.

This policy should be read in conjunction with Council’s Code of Conduct.





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## Policy

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### 2. PURPOSE

The purpose of this policy is to:

- ensure communications through social media meet legal requirements;
- increase community engagement and connect with residents;
- ensure the communication team has a record of all existing accounts and their activity;
- offer responsive communication to the community;
- improve and encourage community engagement;
- guide and support Council officials responsible and productive use of social media;
- extend the reach of Council messages online by strengthening its relationships with relevant audiences;
- seek feedback and suggestions from engaged residents, ratepayers, business and visitors;
- monitor social media activity as it relates to Berrigan Shire Council; and
- assist employees to understand their responsibilities when posting social media content, including where private postings become a matter of concern to Council

### 3. SCOPE

This policy applies to the use of all social media by any employees, temporary contractors, volunteers or agency staff at Berrigan Shire Council.

This policy covers:

- the establishment and content management of Berrigan Shire Council social media accounts;
- the use of social media by Council officials on matters concerning the Council or likely to be viewed as concerning Council; and
- describes appropriate use of social media by Council Officials in a private or work capacity.

### 4. OBJECTIVE

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

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

*4.2.1 Implement the Berrigan Shire Tourism Strategy*



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## Policy

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### 5. DEFINITIONS

**Social Media** – Software tools that allow groups to generate content and engage in peer-to-peer conversations and exchange of content.

Examples include:

- Social networking sites – for example. Facebook, Instagram, LinkedIn
- Video and photo sharing websites – for example. YouTube
- Micro-blogging sites – for example. Twitter
- Weblogs, including corporate blogs, personal blogs or blogs hosted by traditional media publications
- Forums and discussion boards such as Microsoft Teams
- Online encyclopedias such as Wikipedia
- Any other web sites that allow individual users or companies to use simple publishing tools.

**Bring Your Own Device (BYOD)** – an arrangement allowing a person to use their personal device for Council purposes

**Council Official** – as defined in the Council Code of Conduct. It includes Councillors, Council employees and Council volunteers.

**Council Social Media Accounts:** – are only those social media accounts created with the express permission of the Chief Executive Officer

**Defamation** – is a communication from one person to at least one other that harms the reputation of an identifiable third person, where the communicator (the publisher) has no legal defence. The law of defamation aims to balance the right of free speech with protecting a person's reputation against harm.

**Post** – broadcast information in a public forum.



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## Policy

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### 6. POLICY IMPLEMENTATION

#### 6.1 Principles

The Berrigan Shire Council is committed to upholding and promoting the following principles of social media engagement:

- **Openness** – our social profiles are a place where anyone can share and discuss issues that are relevant to our Council and the community we represent and service
- **Relevance** – we will ensure our social media platforms are kept up to date with informative content about our Council and Community
- **Accuracy** – the content we upload onto our social media platforms will be a source of truth and we will prioritise the need to correct inaccuracies if/when they occur
- **Respect** – our social profiles are safe spaces, and inappropriate behaviour or comments will not be tolerated.

Social media is a public forum and Council officials will act accordingly. Posting on social media is the equivalent of a letter in the newspaper or a public address. Council officials are bound by the Berrigan Shire Council Code of Conduct and this policy applies to postings and use of Council social media accounts. This policy also applies to postings made by Council Officials on non-Council social media on matters concerning the Council or likely to be viewed as concerning Council.

When using Council social media, Councillors and Council employees will:

- act in accordance with the Council's Code of Conduct and not bring the Council into disrepute;
- take responsibility for their online activity;
- only use these services in accordance with this policy and Council's Communication Devices and the Internet Policy;
- not share or re-post publicly available information that may foreseeably harm or damage the reputation of Council, other entities or persons; and
- not post or cause the posting on social media Confidential and Personal information held by the Council.

#### 6.2 Personal use of social media and making public comment online

Under Council's Code of Conduct, employees must behave at all times in a way that upholds Council's values and must not behave in a way that calls into questions Council's capacity to act apolitically and impartially.



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## Policy

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Personal social media comment should ensure the poster notes the opinions are their personal opinion and not a reflection of Council's own policies or procedures. Personal criticism or attacks of Council staff, Councillors or comments that are seen to bring Council into disrepute, even on an employee's personal social media pages will not be tolerated and may result in disciplinary action.

### 6.2.1 General Principles

All Council officials are bound by the Berrigan Shire Council Code of Conduct. This includes their interactions on personal social media services.

When using personal social media accounts, Council officials will:

- take responsibility for their online activity. Social media is a public forum and Council staff must act accordingly. Council staff are bound by the Berrigan Shire Council Code of Conduct and this policy applies to postings to and uses of social media accounts;
- only use these services in accordance with this policy and Council's Communication Devices and the Internet Policy. Use of social media from Council devices and/or Council internet connections is not considered private;
- not use a personal social media account for Council purposes without the express permission of the Chief Executive Officer;
- not share or re-post publicly available information that may foreseeably harm or damage the reputation of Council, other entities or persons;
- not create or establish fictitious names or identities with the intent to avoid compliance with this policy or Council's Code of Conduct;
- ensure their postings on social media are clearly separated from their role as a Council employee;
- not present personal views in a manner to suggest that those views are endorsed or supported by the Council; and
- council employees must not use corporate email addresses, for example. "<name>@berriganshire.nsw.gov.au" to create personal accounts in sites unrelated to the Council.

### 6.2.2 Councillors

As members of the community, Councillors are entitled to use social media services to enter into public debate in their private capacity and make comment on Council affairs provided they clearly state that such public comment reflects their personal opinion and not that of the Council as a whole or a committee of Council.

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## Policy

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Comments by Councillors cannot contravene or negate a decision made by the Elected Body as a whole.

Comments made by Councillors must adhere to the Code of Conduct and the intent of this policy.

### 6.2.3 Employees

Employees will ensure their personal use of social media services does not undermine their productiveness and effectiveness at work. Employees will give their attention to the business of Council when on duty.

Employees must not use social media to communicate with other employees about Council business without express permission.

Use of personal social media accounts by employees during workplace incidents such as evacuations or accidents may cause distress to others. Posting to social media regarding such incidents may contravene privacy laws and / or Code of Conduct and may give rise to disciplinary action.

Inappropriate use of social media may lead to disciplinary action in line with the Local Government (State) Award.

### 6.3 **Establishment and Posting on Council Accounts**

In general, Council's activity on social media services will be via social media accounts established specifically for this purpose. Council social media accounts will only be established with the express permission of the Chief Executive Officer.

Only Council officials expressly authorised by the Chief Executive Officer will be permitted to add content to, and/or moderate a Council social media account and/or site. The principles expressed in this policy and that of the Council's Media Policy apply to all use of Council's social media accounts. All content posted online must therefore be appropriately authorised.

### 6.4 **Accessibility**

The Council is committed to social inclusion and provides support for people living with disability.

Where possible, content on official departmental social media accounts should also be made available in an alternative accessible format. This alternative may be represented on the Council's internet site, however given the online interaction inherent in social media, it may also be appropriate to refer individuals to telephone or face-to-face channels.



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## Policy

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### 6.5 Hours of Operation

Berrigan Shire Council's social media profiles are monitored between 8.30am and 5.00pm during Council business hours on weekdays only (except for emergencies).

Council will respond to relevant questions posed on our social media sites as per our Customer Service Charter.

### 6.6 Appropriate Content

We expect our community members and all who engage with Council through our Social Media platforms to apply a common sense approach when:

- making comments or responding to posts;
- posting information to our wall, including photos;
- commenting underneath a Berrigan Shire Council post
- tagging Berrigan Shire Council in a post or tweet

Council staff will moderate Berrigan Shire Council social media pages and any comments, links, photos or videos etc, deemed inappropriate will be managed according to the harm they may cause readers and / or the Council.

Where necessary, Council staff will hide or delete inappropriate content.

### 6.7 What is Inappropriate Content?

Inappropriate content including information that is:

- inflammatory;
- defamatory, offensive, humiliating or intimidating;
- contains profanity;
- commercial or promotional;
- spam;
- click bait;
- overtly party political;
- encouraging activities illegal in Australia;
- considered bullying and harassment;
- discriminatory
- transgressing copyright or intellectual property laws; and / or
- compromising a person's privacy or personal details (for example, a phone number).



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## Policy

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If Council's moderators deem content inappropriate we may remove that content, in which case we will keep a record of it and notify the person who posted the content, including information as to why it has been removed. If staff believe the person's content violates our social media policy we may ban or block that individual. Before a ban or block is actioned Council will aim to notify the person of the intention to take such action.

Whilst Council encourages debate on topical issues relating to its activities, the Council's social media platforms are a means to promote the Council's plans, activities and positions and is not a general platform for discussion. There are no general public right to access, nor posting of comments on Council's social media platforms.

### **6.8 Owner's Rights and Record Management**

The Council will respect the legal and moral rights of content owners when publishing third-party content on its social media accounts. Council will ensure it has consent to use the material and that appropriate credit is given to the creator in circumstances where Council utilises third party content.

Online Council statements will be held to the same legal standard as traditional media communications. The Council will ensure it meets its statutory and regulatory record keeping obligations when using its social media accounts.

Council officials responsible for maintaining social media accounts will ensure relevant procedures regarding copyright and consent and records management are followed.

### **6.9 Council Services and Committees**

Where appropriate, the Chief Executive Officer may authorise a service-specific social media platform; for example Library, Economic Development etc. This policy equally applies to these dedicated accounts.

Volunteer committees of the Council may establish dedicated social media accounts and/or sites. The committees must advise the Council of the existence of these accounts and ensure the Council is provided appropriate administrative access to that staff may monitor their content.

Accounts maintained and managed by volunteer and committees of Council remain bound by this policy and the volunteers responsible for the accounts remain bound by the Council's Code of Conduct.

Social media accounts operated by volunteer committees must include a disclaimer clearly stating the views expressed are not necessarily the views or the position of the Council. The deletion of



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## Policy

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inappropriate content is equally the responsibility of volunteer committee members as it is of Council staff, including managing the records associated with any deleted or hidden posts.

Posting on volunteer committee accounts does not fall under the banner of the Council's Media Policy and specific authorisation is not required for each individual item posted on those platforms. However, the Council reserves the right to direct a volunteer committee to remove inappropriate content or in the case of continual breach of this policy, require that it close and delete the account.

It is impractical for the Council to continually monitor activity on social media sites operated by its volunteer committees. When the Council is informed about inappropriate, offensive or otherwise objectionable material posted on these sites, it will take timely and appropriate action to rectify the issue. The primary responsibility for the active management of these sites therefore rests with the volunteer committee members.

### 6.10 Privacy

When accessing Berrigan Shire Council social media pages, the community, staff and Councillors are expected to treat the site as they would any other external internet site. They are therefore bound by the privacy principles of that site.

Berrigan Shire Council will collect and use information provided on its social media sites as per the requirements its Privacy Policy.

### 6.11 Prohibited platforms

Berrigan Shire Council will, on the advice of the NSW and Federal Governments, maintain a list of prohibited social medial platforms.

For social media platforms on this list:

- use by Council will not be permitted
- applications will not be permitted to be installed on devices issued by the Council.
- websites hosting this application may not be accessed on devices issued by the Council

Staff and Councillors must also ensure that installation and/or use of an application on this list on a personal device approved for use for Council purposes under a BYOD arrangement is compliant with the Council's BYOD Policy (to be adopted).





## Policy

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### 7. RELATED LEGISLATION, POLICIES AND STRATEGIES

#### 7.1 Legislation

- [Local Government Act 1993](#)
- [State Records Act 1998](#)
- [Privacy and Personal Information Protection Act 1998](#)
- [Government Information \(Public Access\) Act 2009](#)
- [Defamation Act 2005](#)
- [Copyright Act 1968](#) (Cth)
- [Online Safety Act 2021](#) (Cth)
- [Local Government \(State\) Award](#)
- [NSW Government Social Media Guidelines](#)

#### 7.2 Council policies and guidelines

- [Code of Conduct](#)
- Customer Service Charter (under development)
- [Media Policy](#)
- [Communication Devices and the Internet Policy](#)
- [Public Internet Usage Policy](#)
- Records Management Policy (under development)
- [Community Strategic Plan](#)
- [Delivery Program](#)
- [Discrimination, Workplace Bullying and Harassment Policy](#)
- [Active Aging and Disability Inclusion Strategy and Action Plan](#)

### 8. RECORDS MANAGEMENT

The Berrigan Shire Council will record all information posted to its social media channels and use that information for administering those channels including:

- record keeping
- considering and / or addressing any comments made.

No attempt will be made to further identify social media subscribers except where requested or authorised by law.

Social media posts and responses will be recorded where they:

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## Policy

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1. are high risk, commercial or highly valuable to the Council;
2. communicate decisions, give advice or commit to an action or outcome;
3. are about sensitive or contentious issues;
4. generate great interest from the public or media;
5. contain information not communicated elsewhere; and / or
6. have a long-term retention period or are identified as State archives.

Social media posts and associated comments that fit any of the above criteria will remain open (available publicly) for 2 years after the date of publishing.

Records that will be kept using Council's social media management platform include:

- all posts
- all comments
- all direct messages
- analytics generated by the platform
- analytics, case notes and responses from social media management platforms.

The following records will be kept for the periods of time outlined below:

- Councillor social media activity (during the Councillor's term of office)
- Replies to comments that involved complex answers (retention periods vary according to the State Records Act)
- Any posts that have been deleted, the reason for them being deleted and a copy of the policies and / or procedures that support the comment / post deletion (retention periods vary according to the State Records Act)

Records will not be kept on the social media management platform include but are not limited to:

- Marketing and promotional posts
- Customer service interaction
- General inquiries from customers and any responses (these will be moved to the Customer Request database to ensure recording); and / or
- Community consultation where a report is generated summarising the results.

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).



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## Policy

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### 9. REVIEW AND EVALUATION

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

### 10. DOCUMENT AVAILABILITY

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

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

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

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

*Berrigan Shire Council*  
56 Chanter Street  
BERRIGAN NSW 2712

Ph: 03 5888 5100

Email: [mail@berriganshire.nsw.gov.au](mailto:mail@berriganshire.nsw.gov.au)



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## Policy

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### 11. VERSION CONTROL

Version Number	Date	Summary	Responsible Officer
1.0	19/08/2015	New Policy	Matt Hansen
2.0		Minor Update	Matt Hansen
3.0	15/03/2017	Minor Updates	Matt Hansen
4.0	20/07/2022	Complete Review to include Voller Case Findings and to come in line with current legislation	Karina Ewer
4.1	19/10/2022	Removal of sentence at clause 6.5 requiring closing of comments out of hours	Karina Ewer
4.2	17/05/2023	Inclusion of clause 6.11 – prohibited platforms	Matt Hansen

### APPENDICES

Nil

### 8.3 Tocumwal Sewer Treatment Plant\_New Drying Beds

<b>Author:</b>	<b>Director Infrastructure, Rohit Srivastava</b>
<b>Strategic Outcome:</b>	1. Sustainable natural and built landscapes
<b>Strategic Objective:</b>	1.3. Connect and protect our communities
<b>Delivery Program:</b>	1.3.2. Manage and landfill, recycling and waste disposal
<b>Council's Role:</b>	<b>Asset Owner:</b> 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
<b>Appendices:</b>	Nil

#### Recommendation

That Council award the Tender, Tocumwal Sewer Treatment Plant\_New Drying Beds to Deniliquin Irrigation Pty Ltd for a total Contract value of \$256,000 (excluding GST)

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#### Purpose

The purpose of the report is to get Council consent and approval to award the Tender to a preferred contractor.

#### Summary

Council advertised tender for construction of Tocumwal Sewer Treatment Plant - New Drying Beds on 15 March 2023 with an initial closing date as 12 April 2023. It was further extended till 26 April 2023 due to requests for further information sent by contractors.

Council received four submissions towards the tender.

Council officers have evaluated the tender and recommend to award the tender to Deniliquin Irrigation Pty Ltd for a total Contract value of \$256,000 (excluding GST) against Council's budget of \$440,000.

#### Background

The existing sewage drying beds need upgrade works as they are struggling to meet demands from the population growth. Tocumwal is expected to have a significant growth pressure in the near future. The new drying beds will cater for the anticipated growth and are crucial for providing infrastructure that meets the demand of present as well as cater for the growth and does not become a hinderance (for growth).

The four submissions were evaluated by Council officers, the panel included:

- Two Design Engineers
- Water & Sustainability Overseer
- Director Infrastructure

A snapshot of evaluation is presented below. Tenderer 3 (Deniliquin Irrigation Pty Ltd) is the highest scoring tenderer.

Criteria	Highest Possible Score	Weighting (W)	Tenderer - 1		Tenderer - 2		Tenderer - 3		Tenderer - 4	
			Score (S)	Aggregate Score (W) * (S)	Score (S)	Aggregate Score (W) * (S)	Score (S)	Aggregate Score (W) * (S)	Score (S)	Aggregate Score (W) * (S)
Price	4	5	1	5	1.82	9.1	4	20	3.03	15.15
Compliance with Specification	4	5	4	20	4	20	4	20	4	20
Track Record	4	3	4	12	4	12	4	12	4	12
Quality Systems	4	2	4	8	4	8	4	8	4	8
Availability of Appropriate Skills & Resources	4	2	4	8	4	8	3.75	7.5	4	8
Work Health & Safety Considerations	4	3	4	12	3.5	10.5	4	12	4	12
<b>TOTAL</b>				<b>65</b>		<b>67.6</b>		<b>79.5</b>		<b>75.15</b>

Deniliquin Irrigation Pty Ltd has recently successfully completed Seppelts Levee bank at Seppelts Road, Barooga and the watermain project at Hennessy Street, Tocumwal. Council officers are satisfied with their quality of works and recommend the existing tender be awarded to them for a value of \$256,000 (excluding GST).

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

The works were identified under Integrated Water Cycle Management Scoping Study.

### Issues and Implications

The project will enable management of sewage with the growth anticipated in Tocumwal.

### Financial

There are no financial implications. The tendered price is well within the Council budget.

### Legal / Statutory

It is our responsibility and duty to treat sludge in a manner which is sustainable to our environment.

### Community Engagement / Communication

Not required.

### Human Resources / Industrial Relations (If applicable)

The project will be managed by Council's internal staff.

## Risks

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

### 1. Financial

	Consequence				
Lik	1	2	3	4	5
A	M	Hi	Hi	Ver	Ver
B	M	M	Hi	Hig	Ver
C	L	M	Hi	Hig	Hig
D	L	L	M	Me	Hig
E	L	L	M	Me	Hig

The tender price is well within the Council budget.

### 2. Reputation

	Consequence				
Lik	1	2	3	4	5

A	M	Hi	Hi	Ver	Ver	
B	M	M	Hi	Hig	Ver	
C	L	M	Hi	Hig	Hig	
D	L	L	M	Me	Hig	
E	L	L	M	Me	Hig	

Positive impact on reputation of Council by getting the works done on the Department of Planning & Environment.

**Options**

1. Cancel the tender
2. Award the tender to the preferred Tenderer 3 (Deniliquin Irrigation Pty Ltd)

**Conclusions**

That Council award the Tender, Tocumwal Sewer Treatment Plant\_New Drying Beds to:

- Deniliquin Irrigation Pty Ltd for a total Contract value of \$256,000 (excluding GST)



## 8.4 Mayor and Councillor allowances - 2023-24

<b>Author:</b>	<b>Chief Executive Officer, Karina Ewer</b>
<b>Strategic Outcome:</b>	2. Good government
<b>Strategic Objective:</b>	2.1. Berrigan Shire 2032 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting
<b>Delivery Program:</b>	2.1.2. Meet legislative requirements for Council elections, local government and integrated planning and reporting
<b>Council's Role:</b>	<b>Service Provider:</b> The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council
<b>Appendices:</b>	<ol style="list-style-type: none"><li>1. 27.04.2023 Local Government Remuneration Tribunal 2023 determination.pdf (under separate cover)</li><li>2. BSC Submission - Remuneration Tribunal.docx (under separate cover)</li></ol>

### Recommendation

That the Council

1. adopt the following Mayoral and Councillor allowances effective from 1 July 2023
  - (a) Councillor allowance \$13,030
  - (b) Mayoral allowance \$28,430
2. write to the Minister of Local Government urging the NSW Government to undertake a comprehensive review of the framework for Mayor and Councillor remuneration in line with the advice from the Local Government Remuneration Tribunal.

### Purpose

This report provides the Council with the Annual Determination of Mayor and Councillor Remuneration for 2023/24, issued by the Local Government Remuneration Tribunal. It also provides an opportunity for Council to determine Councillor and Mayor remuneration for the incoming year.

### Background

#### Determination

The Local Government Remuneration Tribunal is required to annually determine minimum and maximum remuneration levels for the various categories of Councils within New South Wales.

The Local Government Remuneration Tribunal is also required to review the range of Council categories and category applicable to each Council every three years.

The Tribunal has determined a 3% increase in the cap for Mayoral and Councillor fees for 2023/24, effective from 1 July 2022. This is significantly less than inflation as measured by the CPI, which for

the March 2023 quarter was measured at 7.0% It is also less than included in the Council's proposed 2023/24 operating budget which estimated a 3.7% increase.

A copy of the Tribunal's report is attached as an appendix to this report

The table below shows the determination for Councils classified as "Rural", including Berrigan Shire Council.

Councillor Fee		Mayoral Fee (additional)	
<u>Minimum</u>	<u>Maximum</u>	<u>Minimum</u>	<u>Maximum</u>
\$9,850	\$13,030	\$10,490	\$28,340

This provides Councillors with an additional \$380 per year and the Mayor with an additional \$830 per year.

From a staff perspective, this is grossly inadequate.

It has been the practice of this Council to take up the entire increase and set Councillor remuneration at the maximum allowable, in the interests of recognising the commitment in time made by Councillors and to continue to attract a wide and diverse group of Councillors. However, the Council is not obliged to take up this increase and can set its remuneration anywhere inside the bands provided.

#### Other matters addressed by the Tribunal

Berrigan made a submission to the Remuneration Tribunal which is also attached as an appendix to this report.

This submission was noted in the determination as per the below

*The matters raised generally in submissions of **Berrigan**, Cowra, Inner West, Kur-ring-gai, Singleton and Temora Councils are outside of the scope of the Tribunal statutory functions, but **in the view of the Tribunal are worthy of further consideration**. These matters relate to the current remuneration principles and structures that apply to mayors and councillors in NSW and the potential impacts of these constraints. These are discussed further below*

Resulting in part from Berrigan's submission, the Tribunal has noted that it may be "time for fresh thinking" regarding Councillor remuneration and "in the Tribunal's view, there would be merit in a comprehensive review of the framework for mayor and councillor remuneration."

While lodging submissions does take up scarce staff resources, there is evidence in this case that Council's submission did make a difference.

The Tribunal has also created a new remuneration category – Rural Large. Rural councils with a resident population greater than 10,000 now fall into that category. While this excludes Berrigan, it does include Federation and Murray River. As a result, Councillors in those areas will be paid an additional \$3,650 per year and the Mayors paid an additional \$9,495.

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

N/A

## Issues and Implications

The implications for Council remains the attraction and retention of high quality Councillors, or indeed convincing anyone to run for Council. For the amount of time taken to undertake Councillor's duty, and for the increasing complexity and personal risks (as per the Parramatta Council finding that can now mean Councillors bear the same personal risks any other Corporate Body would for the purposes of the Work Health and Safety Act) Councillors are expected to take on, this increase is clearly insufficient compensation.

It will be important for Council to continue to advocate for Councillors' remuneration to reflect the scope of the work required in a fair and honest way that shows clearly the value of that work and personal risk.

### Policy

N/A

### Financial

As the increase is less than budgeted, there is no financial impact for the next financial year at least.

### Legal / Statutory

N/A

### Community Engagement / Communication

N/A

### Human Resources / Industrial Relations (If applicable)

N/A

## Risks

No risks were considered for this report. The only real risk is not being able to attract enough people to run for Council, or to stay with it, given the poor remuneration provided.

## Options

1. Accept the full increase as offered, but continue to campaign for a better outcome for Councillors
2. Accept only the minimum increase, acknowledging this will make it increasingly difficult to attract candidates in the future.
3. Set a different increase in between the ranges allowed.

## Conclusions

The increase offered to Councillors is considerably less than we had hoped and budgeted for. It is less than is expected for staff and certainly well under CPI. That the Tribunal have acknowledged it may be time for a full rethink of Councillor remuneration is promising but will require commitment from Councillors to ensure it remains on the agenda and does not get left for another 12 months before Councillor remuneration is considered again.



## 8.5 Council Annual Calendar

<b>Author:</b>	<b>Chief Executive Officer, Karina Ewer</b>
<b>Strategic Outcome:</b>	2. Good government
<b>Strategic Objective:</b>	2.1. Berrigan Shire 2032 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting
<b>Delivery Program:</b>	2.1.3. Council operations and financial management support ethical, transparent and accountable corporate governance
<b>Council's Role:</b>	<b>Service Provider:</b> The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council
<b>Appendices:</b>	1. Council Meeting Calendar 2023-2024 (under separate cover)

### Recommendation

That Council adopt the Council Annual Calendar as presented, noting it will be updated every six months.

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### Report

At Council's self-assessment meeting in December 2022, Council asked that staff create an Annual Calendar so that Councillors would have a better understanding of the core documents that would be provided to them at each meeting for adoption.

As there are numerous unforeseen issues that come up for Council from month to month, only those matters that are either definite due to a previous motion or set around matters like Integrated Planning and Reporting have been included.

At the time of writing the original Calendar, Council's Audit Risk and Improvement Committee had not set their workplan for the year. I have added those reports to the attached calendar.

Please note, this calendar only expresses those matters that are known to Council staff and those that have legislated deadlines etc.

A full review of the Calendar will continue every six months in order for Council to continue planning up to 18 months ahead.

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## 8.6 CEO Annual Performance Review

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	2. Good government
Strategic Objective:	2.1. Berrigan Shire 2032 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting
Delivery Program:	2.1.3. Council operations and financial management support ethical, transparent and accountable corporate governance
Council's Role:	<b>Service Provider:</b> The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council
Appendices:	<ol style="list-style-type: none"><li>1. Guidelines-for-the-appointment-and-oversight-of-general-managers (under separate cover)</li><li>2. 360 Degree Feedback Draft Document (under separate cover)</li></ol>

### Recommendation

That Council elect the following members to the CEO Performance Review Panel:

- Mayor Matthew Hannan;
- Deputy Mayor Carly Marriott;
- Cr XXX; and
- Cr XXX

With a view to finalising the CEO Performance Review at the June / July Ordinary Council meeting

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### Report

The *Local Government Act 1993* and my standard contract, requires Council to review my performance as the CEO at least annually. As my commencement date is in June, I think it best to undertake the review prior to the end of the financial year. This aligns with the financial year at any rate, and during the next financial year all performance management will be moving in line with the financial year.

Moving performance appraisals in this way will allow for better delivery outcomes for Council as all Council staff will be aligned to the Integrated Planning and Reporting Process.

I have attached the 2022 *Guidelines for the Appointment and Oversight of General Managers* as (**Appendix 1**) issued by the Office of Local Government to assist Council in deciding how they wish to undertake this process. At the finalisation of the last process, Council made it clear they did not intend undertaking such an intensive process every year. If however, Council would like to arrange

an independent third party to manage the process then I am happy to get quotes from various agencies including LGNSW as they also offer the service.

Page 11 to 13 of the document steps out how the process should be run. The document recommends a Performance Review Panel, with the Mayor, Deputy Mayor, a Councillor nominated by the Council and a Councillor nominated by me. Council could of course choose to be the Performance Review Panel as a whole.

If the Performance Review Panel would like to include a 360-degree process, I have included a question set I use for Council's Directors for their annual review (**Attachment 2**). The survey was managed in Survey Monkey so is free.

The 360 Degree review was provided to a number of staff, four peers, four contractors and at least two Councillors to answer. It has proved useful for them to at least see how others view them. The question set is based on behaviours and not on the achievements of their agreed Key Performance Indicators for each year.

The Panel may choose to use this, use one they develop themselves, or not use a 360 Degree feedback platform as part of their assessment process.

This report is provided to assist with Council deciding how they would like to undertake my annual review. I am happy to assist with any set up needed but obviously need to be removed from the actual review.

I will provide the Panel with my contract, Position Description, the Local Government Capability Framework and responses to my Performance Agreement as at the end of the financial year.

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## 8.7 Barooga Pedestrian and Traffic Management Concerns

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	4. Diverse and resilient business
Strategic Objective:	4.3. Connect local, regional and national road and rail infrastructure and networks
Delivery Program:	4.3.1. Develop and promote Berrigan Shire regional transport and freight infrastructure
Council's Role:	<b>Service Provider:</b> The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council
Appendices:	<ol style="list-style-type: none"><li>1. Barooga Pedestrian and Traffic Management Letter (under separate cover)</li><li>2. Berrigan Shire Council Pedestrian Cross Delegation (under separate cover)</li></ol>

### Recommendation

That Council:

1. engage a suitably qualified consultant to assess appropriate design and placement of pedestrian crossings for Vermont Street, Golf Course Road and between the Botanical Gardens and where the new EV Stations will be installed; **and**
2. engage a suitably qualified consultant to assess the appropriate speed limits and present recommendations to the Traffic Committee for consideration for:
  - a. Lawson Drive
  - b. Banker Street
  - c. Snell Road
  - d. Hughes Street
  - e. Golf Course Road
  - f. Takari Street
  - g. Burkinshaw Street
  - h. Nangunia Street
  - i. Vermont Street
  - j. Golf Course Roadin Barooga; **OR**
3. engage a suitably qualified consultant to assess the need for and appropriate options for speed management devices for:
  - Lawson Drive
  - Banker Street



- Snell Road
- Hughes Street
- Golf Course Road
- Takari Street
- Burkinshaw Street
- Nangunia Street
- Vermont Street
- Golf Course Road

in Barooga; and

4. engage a consultant to review and update our Pedestrian Access and Mobility Plans for all townships, noting the need for Council to fund the outcomes through annual budgets, Operational and Delivery Plans.

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## Report

The report is provided to allow Council to consider the requests of the Barooga Advancement Group (BAG) regarding pedestrian and traffic issues specifically related to the Barooga township. The letter to Council is provided as Appendix 1 to this report.

The BAG has requested the following two major projects:

1. To formally commission an independent pedestrian and traffic management review of the entire township of Barooga that identifies options for addressing current concerns and future requirements of the town; and
2. That Council review and update the Barooga Pedestrian Access and Mobility Plan.

I will address each separately below.

## Independent Pedestrian and Traffic Management Review of the entire Barooga Township

Whilst I understand the sentiment, I do not support the request in its entirety. I am not sure that every street in Barooga needs assessment and much of what is being asked for can either be handled internally under new, recently provided delegations to Council, or through the Traffic Committee.

### Pedestrian Crossings

In March 2023, all Councils were provided temporary delegation from Transport for NSW to implement and upgrade pedestrian crossings under the *Roads Act 1993* and authorisation under the *Road Transport Act 2013*, to facilitate more efficient and localised decision making for minor pedestrian and streetscape improvements. The changes give Councils and alternative approval pathway that is in addition to the existing Local Traffic Committee.

Subject to the conditions set out in the new delegation, Council are now able to design and implement the following:

- Works to enable alfresco dining on a road (where there is no change to the number of continuous travel lanes);
- Continuous footpaths;
- Converting existing pedestrian (zebra) crossing to raised pedestrian (wombat) crossings;
- Mid-block treatments to manage vehicle speed including road humps, road cushions, chicanes and slow points;
- Pedestrian crossings
- Pedestrian refuges
- No Stopping controls at intersections
- Kerb buildouts to reduce intersection crossing distance of manage vehicle speed (where there is no change to the number of continuous travel lanes)
- Kerb modification for footpath improvements or tree planting (where there is no change to the number of continuous travel lanes)
- Associated changes to kerbside parking necessary to implement the proposal and to offset any parking impacts.

It is therefore recommended that Council engage a suitably qualified person to design pedestrian safety mechanisms (crossings etc) for the following areas as requested by BAG:

1. Vermont Street shopping strip
2. Golf Course Road (particularly where the walking track crosses the road and at the points along that road where golf carts cross)
3. Barooga Botanical Gardens (where the EV Chargers will be installed)

Once the designs are in, staff can have them costed and presented to Council for budget approval. Council should note, we will also be responsible for their maintenance and management into the future. This is an increase in current service level.

### **Speed Management**

I am not sure from the letter if BAG would like reduced speed limits in the streets noted, or are looking for the implementation of speed management devices, such as road humps, road cushions, chicanes and slow points.

If it is the former (speed reduction application) it will need traffic count information provided to the Traffic Committee for their consideration before slower speed signs can be installed.

If it is the latter (speed management devices), then as per the above, Council is able to manage these under the new delegation. If this is the preference, then when Council engages the person to design the pedestrian crossings, they could also ask for assessment and design of suitable speed management devices in the following streets:

- Lawson Drive
- Banker Street
- Snell Road

- Hughes Street
- Golf Course Road
- Takari Street
- Burkinshaw Street
- Nangunia Street
- Vermont Street
- Golf Course Road

Once the speed assessments and designs are in, staff can have them costed and presented to Council for budget approval. This is an increase in current service level.

### **Barooga Pedestrian Access and Mobility Plan**

I would agree these are all in urgent need of a full review of the *Barooga Pedestrian Access and Mobility Plan* (PAMP) however, I would suggest all townships need a review. Although the plans were reviewed, they were not adopted in 2020, they remain both essentially unchanged from the 2006 versions and have never been funded by Council for delivery.

Further, PAMPs have been essentially abandoned by Council as Councillors are often reluctant to pursue the half cost scheme as per Council's Half-Cost Scheme's Policy.

PAMPs are required by Transport for NSW to allow them to consider providing grant funding to Councils, however this is generally tied funding with Councils required to contribute at least 50% of the costs.

The Section 217 of the *Roads Act 1993* allows for Councils to recover up to half the cost of providing infrastructure like kerbs, gutters and footpaths from the adjacent landowners via a contributory charge. As these pieces of infrastructure add to Council's assets and require maintenance and management for their lifetime, where a half-cost scheme is not applied the entire costs must be borne by Council, making the financial position of Council increasingly difficult if rates are not raised according to the increase in asset construction and maintenance requirements.

Again, committing to review and funding of PAMPs increases Council's service delivery levels and will have effect on the Long Term Financial Plan as described above.

### **Conclusion**

I have not put this report into the standard form report as it is a preliminary consideration for Council. Should Council decide to proceed with the PAMPs, and other assessments and reviews, then the full risk considerations for each matter will be brought to Council at that time, along with the relevant financial impacts on Council's budget and Long Term Financial Plan position.

It should be noted that the current budget build has not considered the cost of consultants for these projects nor any of the costs of implementation of the possible works. All consultant fees and possible works will therefore be extra to the 2023-2024 budget and risk putting Council in further deficit for the financial year.

## 8.8 Emergency Services Levy Increase

<b>Author:</b>	<b>Mayor, Matthew Hannan</b>
<b>Strategic Outcome:</b>	2. Good government
<b>Strategic Objective:</b>	2.1. Berrigan Shire 2032 objectives and strategic actions facilitate the effective governance by Council of Council operations and reporting
<b>Delivery Program:</b>	2.1.3. Council operations and financial management support ethical, transparent and accountable corporate governance
<b>Council's Role:</b>	<b>Part Funder:</b> The Council either provides funding to another body to meet part of the cost of that body providing a function/service activity, or receives funding from another body (usually a government agency) to meet part of the cost of the Council delivering it.
<b>Appendices:</b>	1. CMA Media Release - Local Government March to the Wall -1 May.pdf

### Recommendation

That Council

1. note the incoming government has, in its first major decision regarding local government, chosen to act without consultation with local government and without providing notice;
2. note that as a consequence of the unannounced 73% increase in the State Emergency Service budget, and an increase in the Fire and Rescue NSW budget, Council's 3.7% rate increase to provide essential community services and infrastructure has been completely wiped out; and
3. advise the community that the State Government's decision will lead to a reduction in important local services and the possible cancellation of necessary infrastructure projects;
4. immediately publish the prepared media release; and
5. write to the Treasurer, Minister for Emergency Services, the Minister for Local Government and our Local State Member, voicing Council's frustration at the lack of understanding these matters have on local communities; and
6. writes to the Chair of the Independent Pricing and Regulatory Tribunal (IPART) advising that Council's forced ESL contribution is manifestly disproportionate to the 2023/24 rate cape, which has resulted in additional financial stress to Council;
7. coordinate with LGNSW, RAMJO and CMA on any campaigns those organisations may put in place to force the NSW Government to reverse this decision to impose a hidden tax on all NSW residents;
8. call on the NSW Government to take immediate action to:
  - i. restore the ESL subsidy for the 2023/24 financial year;

- 
- ii. urgently introduce legislation to decouple the ESL from the rate peg to enable Councils to recover the full cost; and
  - iii. develop a fairer, more transparent and financially sustainable method of funding critically important emergency services without the need for local government involvement which essentially hides this tax from the community.
- 

## Report

This report is to provide Council with an update on the effect of the considerable increase in the Emergency Services Levy (ESL), along with the withdrawal of the rebate provided previously. I am therefore, calling on Councillors to support representation to the NSW Government in response to the highly damaging increase in the ESL imposed on all Councils without warning for the 2023/24 financial year.

The ESL is a cost imposed on Councils and insurance policy holders to fund the Emergency Services budget in NSW. The majority is paid as part of insurance premiums, with a further 11.7 percent funded by Councils and 14.6% by the NSW Government. The ESL represents cost shifting at its worst, as it is imposed on Councils without any mechanisms for Councils to recover costs.

In April 2019, the NSW Government made a decision to radically increase levies charged to local Councils and insurance companies that fund fire and emergency services in NSW. The stratospheric increase was to make up for the NSW Government's unfunded workers' compensation liability for emergency services workers struck down by a range of cancers that are resultant of their exposure to a range of dangerous materials.

After a campaign by the local government sector, the NSW Government agreed to a "one off" grant for 2019/20 to fund this additional impost on Council and to give Councils the opportunity to adjust. As part of its response to COVID-19, the NSW Government extended this "one-off" grant for a further three years.

The levy increase this year for the State's 128 Councils amounts to almost \$77 million, with the total cost imposed on the local government sector increasing from \$143 million in the current financial year to \$219 million next year. This represents a 53.1% increase, completely dwarfing the IPART baseline rate peg of 3.7% for 2023/24, and Council's rate increase of same.

Independent Pricing and Regulatory Tribunal (IPART) approved rate rises are intended to compensate for the impacts of inflation and increases in Council costs. Instead, the rate increase for this Council and many others will be entirely diverted to the significantly higher ESL payment this year.

It is staggering to be in the same position four years later facing exactly the same situation – a last minute cash grab from the NSW Government without notice or consultation with local government.

Council received confirmation on 26 April 2023 that the Department of Emergency Services would no longer be providing the rebate for the fees charged to Local Councils for the provision of Emergency Services. This confirmation was received therefore, well after the cut off date for Councils to seek an additional increase in rates revenue from IPART.

This year, an increase of 50% has been applied to the Emergency Services Levy, increasing Council’s fee to \$320,216. As the rebate will no longer be provided, this represents a \$106,071 increase in costs to Council for the provision of a service we have no control over.

I note Karina’s initial email dated 26 April 2023 advised the impost would be approximately \$70,000 to \$80,000. That estimate was based on the information at hand which considered previous increase rates. The reality was far more dramatic and concerning.

For ease of comparison, Council’s payments over the past few years are provided below.

Revenue NSW Levy	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
NSW Rural Fire Service	115,246	144,945	206,904	151,067	201,696	201,832
NSW State Emergency Service	11,630	13,478	16,833	12,821	23,525	40,827
Fire & Rescue NSW	50,790	55,721	62,220	57,666	65,849	77,557
<b>Assessment Notice</b>	<b>177,666</b>	<b>214,144</b>	<b>285,957</b>	<b>221,554</b>	<b>291,070</b>	<b>320,216</b>
NSW Govt Annual “one off” grant		(28,956)	(71,813)	(7,409)	(76,925)	
<b>Amount payable by Council</b>	<b>177,666</b>	<b>185,188</b>	<b>214,144</b>	<b>214,145</b>	<b>214,145</b>	<b>320,216</b>

To understand the increases of the ESL over the same period I have provided the information below:

	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Increase (\$)		\$7,522	\$28,956	\$0	\$1	\$106,071
Increase (%)		4%	16%	0%	0%	50%

For Council, this represents an 80% increase in the costs to Council for the Emergency Services Levy over a 6-year period. This at a time when Council’s rate revenue has risen by only 11.6%

For 2023/24, Council is now being asked to find an additional \$106,071 to fund State Government services. The 3.7% rate peg means the increase in ordinary rates revenue for Council this year to \$211,115. Over 50% of the additional revenue raised in 2023/24 won’t be spent on maintaining local services and local infrastructure. Instead, it will be handed over to the NSW Government to fund a NSW Government service.

This is a hidden tax that reaches into the pocket of every NSW ratepayer and takes money they expect to be spent on local services and pumps it towards a NSW Government responsibility.

Given the ongoing fight regarding accounting for the “Red Fleet” assets, this decision by the incoming government would appear to be tone deaf and certainly not a decision made by a government looking for a relationship with the sector based on mutual respect.

All Councils strongly support a well-funded Emergency Services sector and the critical contribution of Emergency Services workers and volunteers (many of whom are Councillors and / or Council staff). However, it is essential these services be supported through an equitable, transparent, accountable and sustainable funding model.

Local Government NSW have secured an urgent meeting with the Treasurer and the Local Government Minister to present the implications for individual Councils and the entire sector. If

necessary, LGNSW will follow with a strong media campaign and will work with partners such as Country Mayors Association to bring about widespread community awareness. I ask Council to be a partner in these activities.

Local Government NSW has raised the serious concerns of the local government sector with the NSW Government and is seeking the support of Councils across NSW in amplifying this advocacy.

On 1 May 2023, Country Mayors Association sent out the Media Release attached as an appendix to this report.

I ask Council to issue its own media release to alert our community to this outrageous exercise in cost shifting from the NSW Government. I also ask that the Council write letters to the Treasurer, Minister for Local Government, Minister for Emergency Services and Local, outlining the impost to this Council and our community.

As a direct result of this cost shifting exercise, the increased costs represented by managing the ePlanning Portal, significant rises in material costs, contractor costs and other resource costs, the Chief Executive Officer has flagged with me the need to consider seeking a special rates variation if Council wishes to maintain current service levels. Alternatively, Council may need to consider what projects are removed from the Operational Plan to cover the increase in costs now and into the future.

Having said that, the CEO has assured me that her team will continue with our service reviews to ensure our services are efficient, effective and well targeted, in the hope of balancing our budget.

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# Media Release

## Country Mayors Association Inc of NEW SOUTH WALES



**Chairperson:** Cr Jamie Chaffey  
Gunnedah Shire Council, PO Box 63, Gunnedah NSW 2380  
**ABN:** 80 183 655 793  
**Contact:** (02) 6740 2100  
**Email:** jamiechaffey@infogunnedah.com.au

1 May 2023

### LOCAL GOVERNMENT MARCHED TO THE WALL

NSW Fire and Rescue, Rural Fire Services and State Emergency Services provide critical volunteer services to communities throughout Regional NSW, at times our lives depend on their service. The recent decision by the new NSW Government will make it much harder, and in some Regional, Rural and Remote local government areas impossible for Councils to provide essential services in the communities these volunteers call home.

The change of government has brought about a new attitude in supporting Local Government, the incoming Minns government, now have the keys to treasury and have chosen to enforce one of the highest financial burdens on Local Government ever seen. More than \$77 million dollars will be this year's increase to the State emergency services levy. This increase comes as Councils across the State are locking in their financial budgets for the coming year and forecasting the next ten years financial position.

Mayor of Kyogle Shire Council, Kylie Thomas said ' since 2019 the emergency services levy (ESL) for Kyogle have increased from \$287,000 to an estimated \$485,000, this is a cumulative increase of 68% over the last 5 years. This Emergency Services contribution total's 6% of our total permissible income for 23/24, therefore it will use up 1/3 of our 4.1% rate peg, which we only just acquired an increase on.

Even though we greatly value the NSW government services of SES, RFS and Fire and Rescue the way this contribution is tied up in our revenue is impacting how we budget our services moving forward. The Government needs to review how this is set up and put it outside of permissible rate income and also continue to subsidize the increases of the Emergency Services delivery", Mayor Thomas said.

Chairman of CMA Jamie Chaffey said "During the recent State election campaign, Country Mayors Association (CMA) submitted a policy platform calling on all political parties to commit to policy reform that will see the ESL being removed from local government and funded by other means, like a property tax. CMA was unsuccessful in our attempts to gain support for the change and this recent announcement clarifies why.



The shifting of financial responsibilities from State to Local Government without commensurate compensation, cost-shifting, is nothing new. Local government is now also being forced to show the assets of local Rural Fire Services on our books, although they are technically owned by the State government, so the depreciation becomes the responsibility of local government and is therefore further reducing the funds available to provide essential community services”, Chairman Chaffey said.

Many sleepless nights are ahead for Mayors, Councilors, General Managers and those responsible for making financial recommendations to Councils as our industry is forced to choose from limited options like; provide a lower standard of services to our communities, go cap in hand and request a significant special rate variation from IPART, sell off assets or head to the wall and become insolvent.

“The CMA stands firm in our pursuit of equity of service provision for the residents of our communities. We stand united with our members to advocate for residents who choose to call country NSW home. We will continue to work with both State and Commonwealth governments to achieve the best quality of life and provision of services for our residents, and we look forward to a prosperous future, Chairman Chaffey said.”

For further information, contact

Chairman CMA - Cr Jamie Chaffey on 0467 402 412  
Mayor Kyogle Shire Council - Cr Kylie Thomas on 0428 919 496

## 8.9 Development Determinations for Month of April 2023

Author:	Administration Support - Building & Planning, Melissa Kennedy
Strategic Outcome:	1. Sustainable natural and built landscapes
Strategic Objective:	1.1. Support sustainable use of our natural resources and built landscapes
Delivery Program:	1.1.1. Coordinate strategic land-use planning
Council's Role:	<b>Service Provider:</b> The full cost (apart from fees for cost recover, 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 APRIL 2023

APPLICATION	DESCRIPTION	PROPERTY LOCATION	APPLICANT	OWNER	STATUS	VALUE	DAYS TAKEN		
108/22/DA/D2	HIGHWAY SERVICE CENTRE	NEWELL HIGHWAY, TOCUMWAL NSW 2714 (Lot297//DP720267)	SLR CONSULTING AUSTRALIA PTY LTD	AUSTRALASIA MINERAL & ENERGY PTY LTD	Approved 13-04-2023	\$ 4774000.00	<b>Active</b>	<b>Total</b>	0 274
54/23/DA/D9	6 LOT SUBDIVISION	66 MORRIS DRIVE, TOCUMWAL NSW 2714 (Lot2//DP270154)	OVENS & MURRAY LAND SURVEY	MS LJ MANGION	Approved 21-04-2023	\$ 0.00	<b>Active</b>	<b>Total</b>	122 122
60/23/DA/D1	REPLACEMENT DWELLING	SEPPELTS ROAD, BAROOGA NSW 3644 (Lot4//DP659936)	DAVID MURPHY	SPUD NOMINEES PTY LTD	Approved 20-04-2023	\$ 844200.00	<b>Active</b>	<b>Total</b>	120 120
89/23/DA/D5	RESIDENTIAL STORAGE SHED	3 BROWNE STREET, TOCUMWAL NSW 2714 (Lot9/37/DP758981)	DAVID CLARK	MR DC AND MRS LJ CLARK	Approved 12-04-2023	\$ 19500.00	<b>Active</b>	<b>Total</b>	34 34
95/23/DA/D5	RESIDENTIAL STORAGE SHED	36 WILLIAM STREET, BERRIGAN NSW 2712 (Lot18/32/DP3353)	JASON KANE	MR JP KANE	Approved 12-04-2023	\$ 50000.00	<b>Active</b>	<b>Total</b>	24 24
97/23/DA/D1	BV DWELLING & ATTACHED GARAGE	21 HAMILTON STREET, FINLEY NSW 2713 (Lot5//DP1262202)	STEPHANIE PRICE	MR TJ AND MRS SK PRICE	Approved 11-04-2023	\$ 704000.00	<b>Active</b>	<b>Total</b>	18 18
98/23/DA/D5	RESIDENTIAL STORAGE SHED	97 BRUTON STREET, TOCUMWAL NSW 2714 (Lot30//DP1089280)	MATTHEW MILLER	MR CF AND MRS KL MACDERMID	Approved 12-04-2023	\$ 9000.00	<b>Active</b>	<b>Total</b>	18 18
99/23/DA/D5	RESIDENTIAL STORAGE SHED	39 COBRAM STREET, TOCUMWAL NSW 2714 (Lot21//DP592230)	FD BUILDS	MR MR GATEHOUSE AND MS KB NORRIS	Approved 21-04-2023	\$ 30902.00	<b>Active</b>	<b>Total</b>	25 25
100/23/DA/DM	TREE REMOVAL	29-35 KELLY STREET, TOCUMWAL NSW 2714 (Lot136//DP752296)	SIGRUN ROUND	MRS S ROUND	Approved 12-04-2023	\$ 0.00	<b>Active</b>	<b>Total</b>	15 15
101/23/DA/D5	RESIDENTIAL STORAGE SHED	74 COBRAM STREET, BERRIGAN NSW 2712 (Lot6//DP521710)	BORDER BACKHOE SERVICES PTY LTD	MR SM MORGAN AND MS BN MOHR	Approved 05-04-2023	\$ 20000.00	<b>Active</b>	<b>Total</b>	12 12

102/23/DA/DM	MANUFACTURED HOME	122-124 FINLEY STREET, FINLEY NSW 2713 (Lot179//DP752283)	TURNING POINT PROPERTY & PROJECTS	MR TA AND MRS MA THOMSON	Approved 20-04-2023	\$ 194128.00	Active 20	Total 20
103/23/DA/D5	RESIDENTIAL STORAGE SHED	28-30 CHANTER STREET, BERRIGAN NSW 2712 (Lot6/X/DP3041)	BARNBRIDGE PTY LTD	ST BARNBRIDGE PTY LTD	Approved 05-04-2023	\$ 30000.00	Active 8	Total 8
104/23/DA/D5	RESIDENTIAL STORAGE SHED	60 MARIAN DRIVE, TOCUMWAL NSW 2714 (Lot1//DP1180527)	MEGAN KEITH	MR DG AND MRS MN KEITH	Approved 21-04-2023	\$ 46000.00	Active 18	Total 18
105/23/DA/D5	CARPORT	49 KAMAROOKA STREET, BAROOGA NSW 3644 (Lot1//DP236533)	TIM ROHAN	MR TG AND MRS NM ROHAN	Approved 26-04-2023	\$ 4000.00	Active 18	Total 18
107/23/DA/D5	PERGOLA	15-17 GOLF COURSE ROAD, BAROOGA NSW 3644 (Lot2//DP532437)	RIVER GUMS MOTOR INN	MR PA AND MRS WJ HARVIE	Approved 12-04-2023	\$ 9600.00	Active 5	Total 5
32/23/CD/PC	INGROUND FIBREGLASS SWIMMING POOL	23 HAMILTON STREET, FINLEY NSW 2713 (Lot6//DP1262202)	Murray River Certifiers	MR TJ GRAY AND MS SJ CONGRAM	Approved 12-04-2023	\$ 40000.00	Active 0	Total 0
33/23/CD/PC	INGROUND FIBREGLASS SWIMMING POOL	60 MURRAY STREET, TOCUMWAL NSW 2714 (Lot2//DP548025)	MURRAY RIVER CERTIFIERS	MR RJ SURGEON	Approved 26-04-2023	\$ 62885.00	Active 0	Total 0
34/23/CD/PC	INGROUND FIBREGLASS SWIMMING POOL	119 NGAWA ROAD, BAROOGA NSW 3644 (Lot72//DP752280)	MURRAY RIVER CERTIFIERS	MR FA & MRS DL MACHEDA	Approved 26-04-2023	\$ 110000.00	Active 0	Total 0
35/23/CD/PC	DETACHED STUDIO	159 MCCULLOCHS ROAD, TOCUMWAL NSW 2714 (Lot62//DP1110603)	MURRAY RIVER CERTIFIERS	EJ AND FM HATTY PTY LTD	Approved 26-04-2023	\$ 108761.00	Active 0	Total 0

Key Performance Indicator – Development Assessment:

	Berrigan Shire Council (Apr 2023)	NSW (Apr 2023)
Average time taken to determine a Development Application <sup>1</sup>	48.7	110 <sup>2</sup>

<sup>1</sup> The average determination day figure is calculated by dividing the total number of days taken to determine all applications by the total number of determined applications. Determination days are measured as gross days – the total number of days lapsed between the lodgement and the determination of the application. Determination days includes the time taken for applicants to respond to requests for information from consent authorities.

<sup>2</sup> Source: <https://www.planningportal.nsw.gov.au/eplanningreport> accessed 10 May 2023

**APPLICATIONS PENDING DETERMINATION AS AT 30/04/2023**

Application No.	Date Lodged	Description	Property Location
208/21/DA/D3	26-05-2021	INSTALLATION OF 68KL UNDERGROUND LP GAS TANK	94-104 DENILQUIN ROAD, TOCUMWAL NSW 2714 (Lot117//DP752296)
24/22/DA/D9	03-09-2021	10 LOT SUBDIVISION	LAWSON DRIVE, BAROOGA NSW 3644 (Lot9//DP1150036)
21/23/DA/D9	16-08-2022	19 LOT SUBDIVISION	29-37 SHORT STREET, TOCUMWAL NSW 2714 (LotB//DP403751)
31/23/DA/D9	09-09-2022	7 LOT SUBDIVISION	BRUTON STREET, TOCUMWAL NSW 2714 (Lot6//DP1275427)
50/23/DA/DM	18-10-2022	SHIPPING CONTAINERS	24-30 VERMONT STREET, BAROOGA NSW 3644 (Lot5/5//DP758057)
51/23/DA/DM	26-10-2022	STRAWBERRY FIELDS FESTIVAL 2023-2027	467 TUPPAL ROAD, TOCUMWAL NSW 2714 (Lot4//DP752296)
57/23/DA/DM	27-10-2022	MUSEUM SHED	300-320 MURRAY STREET, FINLEY NSW 2713 (Lot7005//DP1019585)
76/23/DA/D9	21-12-2022	9 LOT SUBDIVISION	4 WIRRAWAY COURT, TOCUMWAL NSW 2714 (Lot50//DP1246486)
79/23/DA/D3	09-01-2023	INDUSTRIAL SHED	172 JERILDERIE STREET, BERRIGAN NSW 2712 (Lot1/6//DP758097)
81/23/DA/D5	02-02-2023	RESIDENTIAL STORAGE SHED	28 HUTSONS ROAD, TOCUMWAL NSW 2714 (Lot2//DP1263147)
96/23/DA/D6	08-03-2023	ADDITIONS TO DWELLING	1 TOWNBEACH ROAD, TOCUMWAL NSW 2714 (Lot21//DP1048417)
108/23/DA/D5	11-04-2023	CARPORT	9 ARRAMAGONG STREET, BAROOGA NSW 3644 (Lot1//DP258208)
109/23/DA/D7	11-04-2023	INGROUND FIBREGLASS SWIMMING POOL	27 KAMAROOKA STREET, BAROOGA NSW 3644 (Lot9//DP248812)
110/23/DA/DM	12-04-2023	AMENITIES BUILDING	18-38 BURKINSHAW STREET, BAROOGA NSW 3644 (Lot260//DP1138087)
112/23/DA/D9	13-04-2023	2 LOT SUBDIVISION	7 BUSHLANDS ROAD, TOCUMWAL NSW 2714 (Lot31//DP1058006)
113/23/DA/D9	14-04-2023	6 LOT SUBDIVISION	145 BURMA ROAD, TOCUMWAL NSW 2714 (Lot1//DP808187)
114/23/DA/D5	24-04-2023	RESIDENTIAL STORAGE SHED	31 HADLEY STREET, TOCUMWAL NSW 2714 (Lot13//DP1250358)
115/23/DA/D5	26-04-2023	RESIDENTIAL STORAGE SHED	138 DENISON STREET, FINLEY NSW 2713 (Lot2//DP24073)
116/23/DA/D5	27-04-2023	RESIDENTIAL STORAGE SHED	88 BRUTON STREET, TOCUMWAL NSW 2714 (Lot2//DP1250358)

**TIME TAKEN FOR ASSESSMENT OF APPLICATIONS LODGED AND PENDING DETERMINATION**

**Development Applications Pending Determination**

*Less than 40 days*

8

*41 – 99 days*

4

*100+ days*

7

**Total Number of Development Applications Pending Determination**

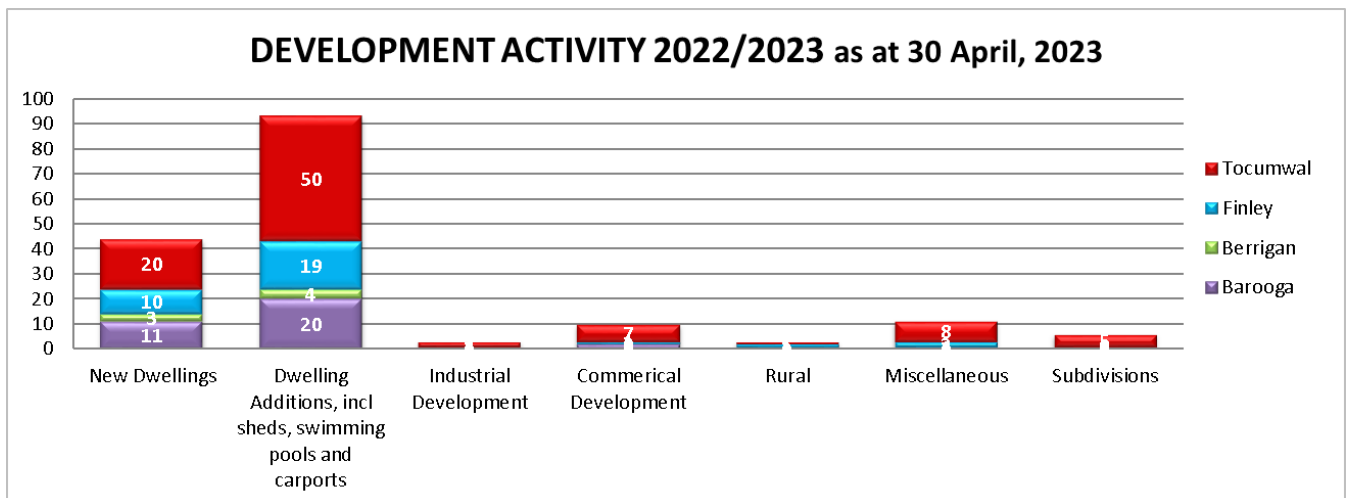
19

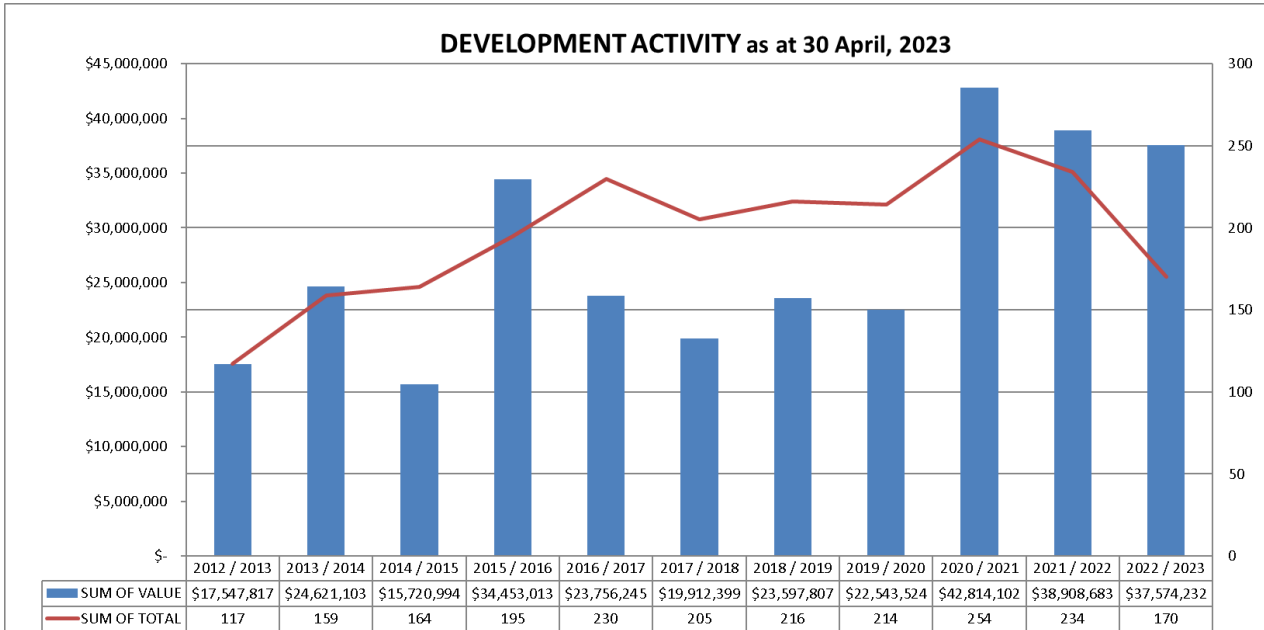
**TOTAL APPLICATIONS DETERMINED / ISSUED (including modifications)**

	This Month (Apr)	Year to Date	This Month's Value (Apr)	Year to Date Value
<i>Development Applications (DA)</i>	15	133	\$6,735,330	\$32,150,300
<i>Construction Certificates (CC)</i>	6	106	\$557,800	\$24,671,233
<i>Complying Development Certificates (CDC)</i>	4	37	\$321,646	\$5,423,932
<i>Local Activity (s.68)</i>	2	65	0	0

**OTHER CERTIFICATES ISSUED FOR APRIL 2023**

	s10.7(2) Planning Certificate		s10.7(5) Certificate		735A Certificate		s9.34 Certificate		s6.24 Building Certificate		Swimming Pool Certificate	
	APR	Year Total	APR	Year Total	APR	Year Total	APR	Year Total	APR	Year Total	APR	Year Total
BAROOGA	9	62	0	2	0	2	0	0	0	1	2	4
BERRIGAN	8	53	0	2	1	7	0	3	0	1	0	1
FINLEY	12	112	1	4	0	3	0	3	0	0	0	0
TOCUMWAL	8	144	0	6	0	5	1	5	0	0	0	4
<b>TOTAL</b>	<b>37</b>	<b>371</b>	<b>1</b>	<b>14</b>	<b>1</b>	<b>17</b>	<b>1</b>	<b>11</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>9</b>





## 8.10 Council Action Items (Late Covering Report)

Author: Chief Executive Officer, Karina Ewer

Strategic Outcome:

Strategic Objective:

Delivery Program:

Council's Role:

Report not available at time of publishing the agenda, but will be provided prior to the meeting.

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 Tocumwal Sewer Treatment Plant\_New Drying Beds

This matter is considered to be confidential under Section 10A(2) - (d)(ii) 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 competitor of the council.

#### 10.2 Finley Saleyards - Call for Proposals

This matter is considered to be confidential under Section 10A(2) - (c) and (d)(i) 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 and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

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 21 June 2023 from 9:15am in the Council Chambers, 56 Chanter Street, Berrigan.

There being no further business the Mayor, closed the meeting at [type time](#).