



ORDINARY COUNCIL MEETING

Wednesday 20 September, 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 20 September, 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 20 September, 2023 when the following business will be considered:-

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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.

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

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

3.1 Apologies/Leave of Absence

Nil

3.2 Applications for Leave of Absence

3.3 Attendance Via Audio-Visual Link

Nil



4 CONFIRMATION OF PREVIOUS MINUTES

Recommendation: That the minutes of the Ordinary Council Meeting held in the Council Chambers Wednesday 16 August, 2023 be confirmed.

Recommendation: That the minutes of the Extraordinary Council Meeting held in the Council Chambers Wednesday 13 September, 2023 be confirmed.

5 DISCLOSURES OF INTERESTS

6 MAYORAL MINUTE(S)

Nil

7 REPORTS OF COMMITTEES

Nil

8 REPORTS TO COUNCIL

8.1 Council Action List Report

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:	2.1.1. Council operations, partnerships and coordination of resources contribute toward the implementation of Berrigan Shire 2032
Council's Role:	Service Provider: 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">1. Completed Council Action Items - 16.08.2023 - 15.09.2032. Outstanding Action Items - 15.09.2023 (under separate cover)

Recommendation

That Council receive and note the Council Action List Report.

Report

The Council Action List Report, is designed to note the motion, and actions being taken to implement that decision, including the timeframe in which it is likely to be completed.

The following reports have been generated from your information:

- Outstanding Council Actions as of 10.08.2023

Completed Council Actions from 13.07.2023 – 10.08.2023

Division:		Date From:	16/08/2023
Committee:	Council	Date To:	15/09/2023
Officer:		Printed:	15 September 2023 12:09 PM
Action Sheets Report			

Meeting	Officer/Director	Section	Subject
Council 16/08/2023	Hansen, Matthew Hansen, Matthew	Action	Rural Doctors Bush Bursary
Action			
Cr Matthew Hannan requests that the Deputy Chief Executive Officer revisit the Rural Doctors Bush Bursary.			
12 Sep 2023 7:12am Hansen, Matthew			
Information report drafted for Council meeting on 20 September 2023			
12 Sep 2023 7:13am Hansen, Matthew - Completion			
Completed by Hansen, Matthew (action officer) on 12 September 2023 at 7:13:11 AM - Report drafted for Council meeting on 20 September 2023			

8.2 Local Government Chief Officers' Group Meeting 27-28 July 2023

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	2. Good government
Strategic Objective:	2.2. Strengthen strategic relationships and partnerships with community, business and government
Delivery Program:	2.2.1. Participate in networks that promote regional and cross-border collaboration, planning and service delivery
Council's Role:	Information Channel: Information about a service or activity of other bodies is channelled through, for example, brochures in Council office and other public spaces or links to third party websites
Appendices:	Nil

This report is for information only.

Report

The Local Government Chief Officers Group (LGCOG) is a group where membership is only available through nomination. I was nominated by Phil Stone and Terry Dodds. The group is current capped at 100 members. I am expected to attend 1 meeting every three months as part of my commitment to the membership.

The next meeting is 23-24 November at the City of Salisbury (South Australia). The meeting after that is on 21-23 February 2023 which will be held in Maroondah. I am looking into nominating our Council for the November 2024 meeting as I believe it will offer us a chance to showcase our area of the world with CEOs/GMs from across the country.

Normally this report would have been provided at the August Ordinary Meeting, however I went on leave immediately following this meeting, hence the lag in information provision.

It should be noted Council did not contribute financially in any way to my attendance at this meeting. I chose to pay for everything myself as I intended taking leave immediately following the event.

Matters discussed and relevant information is provided below for Council's information.

Wollongong International Cycling Event

- Presentation discussed major event management, including consideration required of support crew (such as doctors, physiotherapists, etc)
- Also discussed businesses and the effects events such as these have on them and the need to "insert" such events strategically.

Working from Home / Flexible Working Arrangements

- Discussions considered how different Councils were managing the growing need to offer flexible work arrangements and how these can be offered fairly – including outdoor workforce and the issues with accommodating their needs.

- Consideration that working at the office should not be seen as a punishment
- Discussion included, probation periods, inductions, fire wardens, first aid officers, training for managers to manage remote workforces).
- General consensus timesheets should include annotations regards working from home days
- Most have productivity agreements and disconnecting provisions in their agreements

Net Zero and Requirements for Councils

Presentation from Cairns Council about what they are doing and how it is working (or not) in the wet tropics.

- Believe strongly councils need to play a leadership role in this space but acknowledge, other than rubbish, not a lot is our “business as usual”.
- Scope 1 – emissions (Landfill gas, Wastewater gas, vehicle and machinery fuels) – account for 5% of Council emissions – but is where most are focussing
- Scope 2 emissions (Grid sourced electricity generated from coal and gas) – account for 15% of Council emissions – working to get better deals financially do not always equal lower emissions
- Scope 3 emissions (Purchased goods, waste processing, construction, leased facilities) – are 80% of Council’s emissions – is where they are choosing to focus
- Must remember FOGO in FNQ is more difficult than many areas. You get maggots in one day in the middle of summer so requires consideration of daily pick up – is that cost effective? How much are people willing to pay for the service?
- Instead focused on Local Supply Chain Assessment – included in procurement policy
- Have determined to build less, reuse more, and design lighter and smarter facilities, including when refurbishing – looking at longer lasting and reused products.
- Have recognised there is a clear nexus between community expectations of what local government is and what it actually is (and can therefore deliver)

Urban Planning

Presentation on identifying the “Cairns-ness” of Cairns and how to keep it, whilst growing a regional city.

- Discussed how to manage the settlement profile (remembering it is a narrow strip of land between the rainforests and mountains and the ocean (2 world heritage areas)
- Developed a Growth Strategy “Towards 2050”
- Discussed the ways in which they developed the strategy including consideration of “Tolerability”- what will the community “tolerate”? – What will Councillors and the Council “tolerate”? – what development will they consider that is “tolerable”?
- Hazard planning therefore included how Council could make the “intolerable” more “tolerable” – how to include those in Disaster Management Planning. These answers informed the development of their growth management strategies.

- Stakeholder groups were more than just “community consultation”- actually mapped stakeholder groups and considered the various ways they would prefer to engage with Council. Included their “Young Mayors Group”.
- Developed a Community Panel from the stakeholder groups – sitting fees were paid to encourage engagement (like and Industry Reference Group).

Resource Recovery

- Undertook Regional Waste Management Plan (not unlike what has been developed by RAMJO)
- Group recognised however that have been measuring the wrong things – have been focussing on \$/ton. Instead have commenced developing KPIs with providers to meet key targets. All contractors must now including in their applications consideration of how they will divert waste from landfill.
- Considerable community education is required.
- When considering landfill management need to consider the new waste streams that could come online in the next 10 years (Vapes, Lithium Batteries, etc) – if do not included in contracts then providers will not either and it will cost much more to manage.
- Must communicate with community the cost of managing everything that goes into each bin and how much more it costs if it is in the wrong bin.
- Landfill must be charged appropriately or there is no incentive to change habits.
- At landfill need to start separating now the future waste streams to allow for recovery at a later point in time (soft plastics if don’t have facility, lithium once recovery is worked out and becomes profitable)
- Penrith Council has an excellent fee structure that is held out as best practice. Their bin menu is a great model to consider.
- Contracts should consider how the contractor will manage those who contaminate waste streams.
- Waste to energy considerations must start thinking about now as they will become essential in the future
- Materials Recovery Facilities (MRFs) cannot be insured. (only one provider in the world at the moment and it is too expensive for most Councils to consider)

And that was day one.

Day two was focussed more on Douglas Shire (which is the northern neighbour of Cairns) and included a trip to Mossman Gorge to see Council’s water intake and discuss how they manage water intake turbidity, especially in a rapid and steep river system. It is very difficult managing the sedimentation.

We also learnt that the rainforest eats everything.

We then went to visit a land slip in a very expensive neighbourhood (last parcel of land sold for \$4M and a \$14M house is being built on it). The land slip happened as a result of 600m of rain in 6hours. The slope is 23 metres high with a 70% gradient. The engineering and process for recovery and

ensuring the site was stabilised so further land slips are less likely was really interesting. I learned about things like earth bolts and vegetation frames.

Disaster Management in the Wet Tropics

Qld does disaster management differently in that Councils are the lead agency and co-ordinates all other agencies. As Councillors are full time staff they are specifically trained in this area and have roles allocated which allows the Council staff to respond on ground and react as and where needed.

Issues are primarily with the inaccuracy of forecasts to the point Council now adds 31% to any forecast from BOM. Last time they did not, the river was rising at 1m per hour (4.25million litres of water per sec). They found the aftermath included rescuing cattle that had been washed quite far out to sea.

Main issue is that people always think “someone” will come and save them despite the warnings to leave. In those kinds of circumstances it is not possible. Not only is the water running fast, there are crocodiles in it. Helicopters cannot fly as the clouds are so low they touch the top of the trees during monsoon season. Most don’t realise their solar power will fail (Council’s solar powered cameras etc also). Also, some people received their emergency alerts two weeks after they were sent due to Telstra line failures.

Storm tides are the deadliest part of cyclones, especially if they occur on king tides etc. They have an aged care facility in a storm tide zone. It takes at least 24 hours to evacuate that facility. Must be well co-ordinated.

Remember, Council co-ordinates all of this.

Construction in the Wet Tropics

Tourist towns (at least 60% of economy) – means large population with low rates base – rates don’t cover infrastructure needs.

Distances mean logistics can be more important than doing the actual work.

Are using drones from bridge inspections (so no one needs to go near the crocs) and the video provides required evidence of state prior to disasters

June to October is the only road construction window. Difficulty is that many areas (due to world heritage listing) is that the roads are never dry – including the base – as there must be uninterrupted canopy. The bitumen therefore never sees the sun. There are potholes that have names (i.e. Harry appears each year under a particular tree because the water drips on the one spot day after day). Guardrails require weekly maintenance – the rainforest literally eats them.

Conclusion

All in all this was a very useful meeting. Having an understanding that Councils across the country have the same issues (and some not the same thankfully). Networking with CEOs from across the country also proved fruitful as I was able to access some very useful documents, ideas and thoughts that can be applied to our circumstances. I will not attend the November meeting in South Australia but would like to attend the February 2024 meeting in Maroondah.

8.3 Response to LGNSW Annual Conference Resolution

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	2. Good government
Strategic Objective:	2.2. Strengthen strategic relationships and partnerships with community, business and government
Delivery Program:	2.2.1. Participate in networks that promote regional and cross-border collaboration, planning and service delivery
Council's Role:	Advocate: The Council may advocate to another government or other organisation for certain things to happen, this could range from a single event (such as writing to a Minister) through to an ongoing campaign
Appendices:	1. Minister_Crakanthorp_in_response_Annual_Conference_Resolutions.pdf

This report is for information only.

Report

This report is to provide Council with an update on the outcome of one of the motions Berrigan Shire Council submitted to the Local Government NSW Annual Conference 2022. It should be noted Berrigan Shire Council did not send representatives to the meeting as at the time we were experiencing significant flooding risks across the Shire.

Motions

Council submitted three motions to the LGNSW Annual Conference, all were taken up under larger motions which were debated at the conference. Each motion as it was provided in the Conference materials is provided below.

Housing

38 LGNSW Board - Housing and homelessness crisis

That Local Government NSW calls upon the Australian and NSW Governments to take urgent and immediate action to address the housing availability and affordability crisis right across NSW by:

1. funding a significant increase in the supply of social housing to address current shortfalls and keep pace with population growth and demand.
2. providing social housing for people who are homeless in disaster affected communities.
3. providing finance, government land and infrastructure for the supply of affordable housing to meet increased demand across NSW.
4. developing strategies to address the critical need for secure tenure rental housing for key workers in rural and regional areas, and urgently adopting measures to address the rental affordability crisis across NSW.
5. working with local government and community housing providers to develop efficient and sustainable models to significantly increase the supply of affordable housing.
6. removing legislative and other barriers to the provision of affordable housing such as use of council land for social and affordable housing, 3D printing for housing construction and tiny homes.
7. removing barriers that prevent incentivising owners to put existing housing (including unoccupied housing) into the long term rental market.
8. providing funding and assistance for rural and regional councils to develop and implement housing strategies.
9. enabling meanwhile use of NSW Government assets (land and building) for emergency, transitional and removable housing.

This issue was also raised by Berrigan Shire, Penrith City, Kyogle, Orange City, Tweed Shire, Shoalhaven City, Leeton Shire, Lake Macquarie City, Murray River, Newcastle City, Federation, Armidale Regional, Walgett Shire, Bega Valley Shire, North Sydney, Snowy Monaro Regional councils.

Skills

49 LGNSW Board - Addressing skills shortages across NSW

1. That Local Government NSW urgently advocates for the NSW and Australian Governments to:
 - a) provide incentives to address critical local government sector skills shortages, including with scholarships, maintaining registers of skilled contractors for councils to engage, co-funding cadetships, work experience programs and reducing university and TAFE costs,
 - b) develop strategies to attract and retain staffing in NSW councils, including policies for targeted immigration in areas of skills shortage,
 - c) foster increased access to locally delivered vocational education and training,
 - d) assist councils to identify existing skill sets and on the job training that might meet requirements for recognition of prior learning for formal education and training qualifications,
 - e) assist in promoting the value of a career in local government and developing employment pathways into councils.
2. That Local Government NSW voices support for the Office for Regional Youth to continue to be funded to provide STEM programs for youth aged 12-24 to build aspiration for emerging technologies and future careers.

This issue was also raised by Berrigan Shire, Shoalhaven City, Cootamundra-Gundagai Regional, Leeton Shire, MidCoast, Bega Valley Shire councils.

74 Cowra Council - NSW Planning Portal

1. That Local Government NSW writes to the NSW Planning Minister and the Shadow Minister expressing the major concerns NSW Councils and the community are having with the NSW Planning Portal and urging the Government to make urgent changes to improve its operation for Council staff and the community.
2. That the NSW Government provide additional funds to councils who are supporting their community to submit plans.

This issue was also raised by Berrigan Shire, Tweed Shire councils.

On 8 August 2023 I received notification from LGNSW that a letter from the then Minister for Education, Mr Crakanthorp had been received. That letter is attached at Appendix 1 for your information. It should be noted Mr Crakanthorp is no longer a member of parliament.

I have been meeting with a number of Ministers and other members with regards to Country University Centres and will continue to advocate for Council on these matters.

OFFICIAL

The Hon Tim Crakanthorp MPMinister for Skills, TAFE and Tertiary Education
Minister for the Hunter

Ref: RML23/1767

Councillor Darriea Turley AM
President
Local Government NSW
GPO Box 7003
SYDNEY NSW 2001Email: Executive.Assistant@lgnsw.org.au

Dear Cr Turley

Darriea

Thank you for your letter of 11 May 2023, regarding the resolutions of the 2022 Local Government NSW Annual Conference. I note the resolutions and information you provided regarding skills shortages, the needs of local government and the communities you serve.

The NSW Government is committed to tackling skills shortages, meeting skills needs and providing opportunities for training and education leading to employment.

The government has committed to having a comprehensive review of the VET system to rebuild TAFE NSW at its heart and reskill NSW. Announcements will be made shortly. I have referred your letter to the Department of Education to ensure the points you made and your ideas are provided as input to the review consultation process.

This government has a comprehensive range of skills programs that are relevant to meeting the needs of youth, local government, and local communities. Examples of programs which may be of assistance include:

- The NSW Fee-Free Initiative provides fee-free training in qualifications relevant to skills shortages, with many directly relevant to the council workforce.
- Our Skills Brokers program is working with employers, including local councils, to recruit and train skilled workers, and upskill or reskill existing workers.
- Government support for apprenticeships and traineeships (A&Ts) and STEM pathways help young people into work.
- Under Smart and Skilled, we support fee-free A&Ts, including in qualifications such as the Certificate IV in Engineering and the Certificate III in Tourism.
- The Regional Industry Education Partnerships (RIEP) program informs students about local jobs and industries, connects them with local employers, and provides them with training opportunities and work experience.

More specifically, working with local governments, we deliver an IT Traineeship for school leavers, and the Elsa Dixon Aboriginal Employment Grant to support the recruitment and progression of Aboriginal employees, including school-based A&Ts.

I have asked my Chief of Staff to meet with you or your team over July to discuss these matters in more detail.

Sincerely

Tim Crakanthorp MP
Minister for Skills, TAFE and Tertiary Education
Minister for the Hunter

Date:

*29.6.23*52 Martin Place Sydney NSW 2000
GPO Box 5341 Sydney NSW 200102 7225 6180
nsw.gov.au/ministercrakanthorp

1

OFFICIAL



8.4 Flood Affected Works_Status

Author:	Director Infrastructure, Rohit Srivastava
Strategic Outcome:	1. Sustainable natural and built landscapes
Strategic Objective:	1.3. Connect and protect our communities
Delivery Program:	1.3.1. Coordinate flood levee, local road, sewer and stormwater asset management and planning
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	Nil

Recommendation

That Council note the report.

Report

The purpose of the report is to brief the Council on the status of the flood affected submission and works.

Background

Council at its August 2023 Ordinary Meeting resolved to award Project Management of Flood affected approved works to Shepherd Services for a maximum value of \$810,670 (excl. GST), against the submitted claim of about \$7.7million.

Council officers have been working with the Consultant to prepare a robust submission to Transport for NSW (TfNSW).

TfNSW assessor has reviewed our submission and his feedback is presented in Figure 1.



Berrigan Shire Council - AGRN 1034 - EPARW - Form 306 - Submissions 1 and 1B - TfNSW review

Robert Evans <Robert.Evans@transport.nsw.gov.au>
To: Rohit Srivastava - CPEng NZ, RPEQ, PMP, PRINCE2
Cc: Melissa Dunn; Cameron Shields; Ashley Edmiston; Jonathan Walmsley
You replied to this message on 11/09/2023 8:27 AM.

Berrigan Shire Council - AGRN 1034 - EPARW - Form 306 - Submissions 1 and 1B - TfNSW review.xlsx
2 MB

Hi Rohit,

Please find attached my review of the remaining submissions 1 & 1B. **You have put in a very thorough** and **well developed submission**, and I found the supporting information easy to access and follow against the Form 306.

The general comments I have regarding the deductions and/or rejected scope are as follows:

- **Unsealed roads**
 - We are unable to approve 50mm+ thickness of gravel, except where pre-evidence (photo or resheet records) justifies the gravel loss, or where the damage severity warrants full thickness
 - I have revised many of the MFG and HFG rates, when the sum of these quantities on a single road triggered a lower treatment type rate. The logic there is that the same efficiencies apply to both treatment types
 - In general, this type of storm/flood event impacts the unsealed network the most, so much of the scope was approved
- **Sealed roads**
 - Many damages related to existing pavement defects from google images and/or pre-evidence video supplied. In some cases these were approved if the severity of damage warranted, or they had clear evidence of
 - Many damages related to general pavement failures relating to prolonged wet weather and saturation of low quality subgrades. I have provided a few dot points below about the things we have to consider for these types of damages and are treated as a maintenance/asset liability.
 - Saturated pavements:
 - Clause 3.5.3 'Damage to pavements and subgrades that is caused by prolonged wet weather. This type of deterioration is considered to be a normal maintenance liability'.
 - TfNSW will assess these on a case-by-case basis, taking into account the nature, duration and extent of the disaster. For example, a pavement that fails quickly after being fully inundated by flood

Figure 1: Snapshot of feedback received from TfNSW

Considering, we did not have sufficient pre-disaster evidence, not all of the submitted claim has been approved. The status of the current approved claim is presented below:

Total Defects Identified	1811	
Total submission	\$7,730,897.15	
Defects approved	930	
Approved value	\$3,377,643.86	
Defects approved with revised Treatment	509	
Approved with revised Treatment	\$1,277,589.62	
Submitted value was	\$3,226,642.00	
Defects Decline	372	21%
Declined defects value	\$1,126,611.29	15% General maintenance activity
Total Approved Works	\$4,655,233.48	
% Approved	60%	

About 21% defects (370 No.) were declined as they were largely assessed due to lack of maintenance or not directly flood related. Out of about \$1.1million declined, the defects on Main Roads - MR226, MR356, MR363 and MR 564 are to a value of \$633, 476.30. Council officers will utilise Block Grant funding which we receive annually to address these defects.

Project Management Fee

The awarded project management fee was for a total submission of about \$7.7million. Considering, the approved works is 60%, a reduction of 40% is anticipated in the project management fee of the Shepherd Services (the Consultant).

A portal is being developed to monitor and track the progress of approved flood works by the Consultant. A snapshot of the same is presented in Figure 2:



(<https://sservices.maps.arcgis.com/apps/dashboards/45b83276a6c34d27b40e80c88feb335b>)

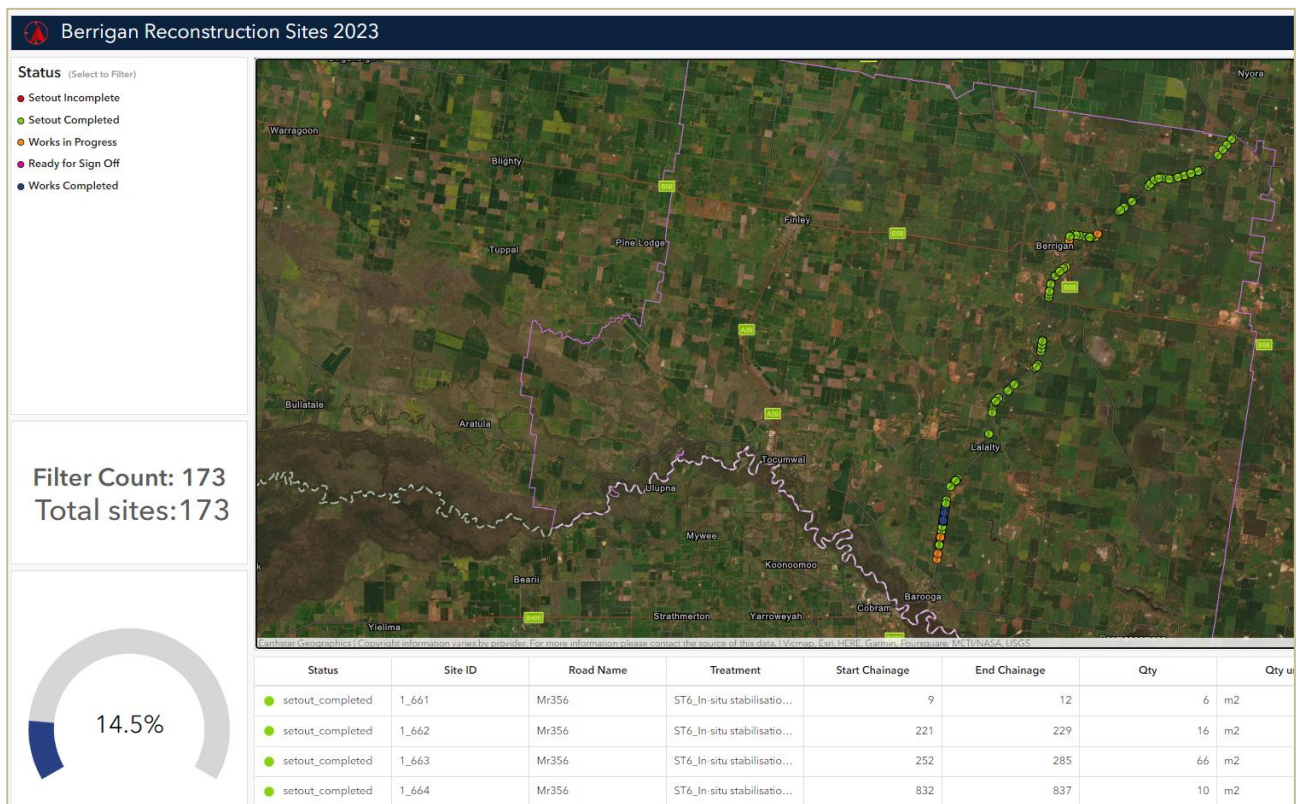


Figure 2: Portal to manage approved flood works

It is anticipated that the link to the portal would be on the Council website for information of all.

Conclusion

The report be noted by the Council.



8.5 Roads and Infrastructure Congress, 2023

Author:	Director Infrastructure, Rohit Srivastava
Strategic Outcome:	1. Sustainable natural and built landscapes
Strategic Objective:	1.3. Connect and protect our communities
Delivery Program:	1.3.1. Coordinate flood levee, local road, sewer and stormwater asset management and planning
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	1. National Roads Congress_Rohit's PPT_FINAL.pdf (under separate cover)

Recommendation

That Council note the report.

Report

The purpose of the report is to brief Council on the Australian Local Government Association (ALGA) Roads and Infrastructure Congress, 2023.

Background

Council at its July 2023 Ordinary Meeting resolved participation of Mayor and Director Infrastructure to the annual Roads and Infrastructure Congress, held at Canberra between 06-07 September 2023.

The Congress

The annual congress was attended by various elected members and technical staff of various local government across the country.

One of the key areas of interest for Berrigan Shire was on *compact roundabouts*, presented by National Transport Research Organisation (NTRO). Compact roundabouts are smaller and cheaper than regular roundabouts. Though small, they offer plenty of space for safe navigation, as their design offers the ability to easily drive up on the central island. This aspect is especially helpful for large trucks using the compact roundabout.

Council officers will discuss the opportunity of a compact roundabout with NTRO at Barooga, Golf Course Rd/Vermont intersection (as per Pic 1).



Figure 1: Golf Course Rd/Vermont Rd, Barrooga

Another presentation of the interest was on Smarter Communities – Incorporating and sharing the benefits of community batteries.

The topic discussed option of having a community battery, wherein it gets charged with the power supply when the rates are cheaper, and the battery can be used for installing EV chargers. Council will discuss and explore the option and cost-benefit of the same with Essential Energy.

As mentioned at the July Council Meeting, Director Infrastructure was allocated 30-minute time slot to present Berrigan's experience with the flood works claim. A presentation is attached under Appendix for reference. The presentation was well received by the audience.



8.6 Destination Charging Grant_Status

Author:	Director Infrastructure, Rohit Srivastava
Strategic Outcome:	3. Supported and engaged communities
Strategic Objective:	3.1. Create safe, friendly and accessible communities
Delivery Program:	3.1.1. Build communities that are home to more families and young people
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	Nil

Recommendation

That Council note the report.

Report

The purpose of the report is to brief the Council of the status of the overall project.

Background

Council at its June 2023 Ordinary Council Meeting resolved and instructed Council officers to engage with Sporties, Barooga and Tocumwal Foreshore Committee to assess if they are willing to contribute 50% of the installation cost of EV charger.

8.13 Destination Charging Grant_Status and Way Forward

Resolved OCM 137/23

Moved: Mayor Matthew Hannan

Engage with Sporties Barooga to discuss if there is an appetite to have a charger at their site, in a 50/50 partnership with Council.

To also engage with Tocumwal Foreshore Committee to discuss if there is an appetite to have a charger at their site, in a 50/50 partnership with Council.

CARRIED

Council officers discussed and presented the option to both the groups/beneficiaries, the feedback received is presented below:



Key Beneficiary	Proposal	Decision
Sporties, Barooga	50% cost share of EV installation	Yes
Tocumwal Foreshore Committee	50% cost share of EV installation	No

Council has installed an EV charger at Barooga Recreation Reserve, Sporties on 14 August 2023. The charger can be found on the public website noted below (Figure 1).

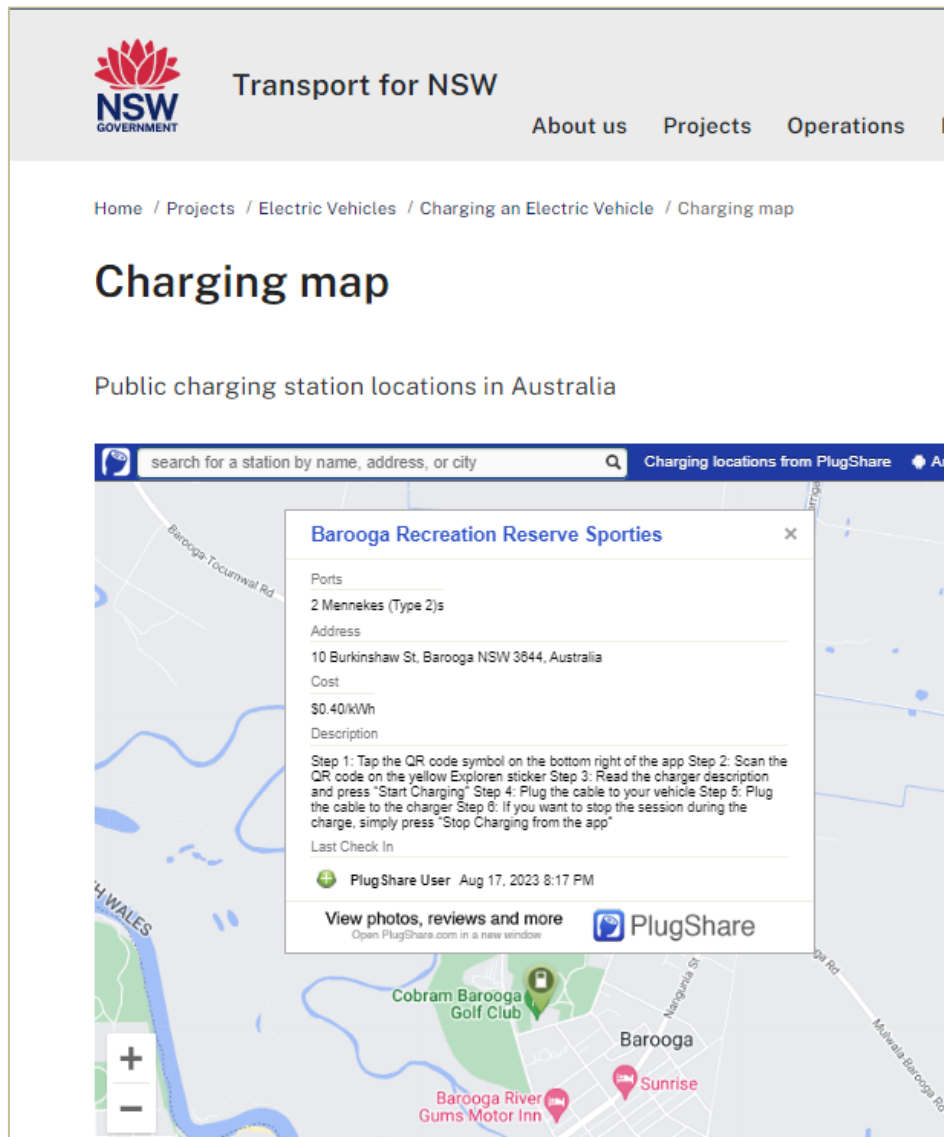


Figure 1: Transport NSW EV finder website

Council also has access to an EV Portal wherein Council officers can check status of the installed EV charger. A snapshot of the portal is presented under Figure 2.

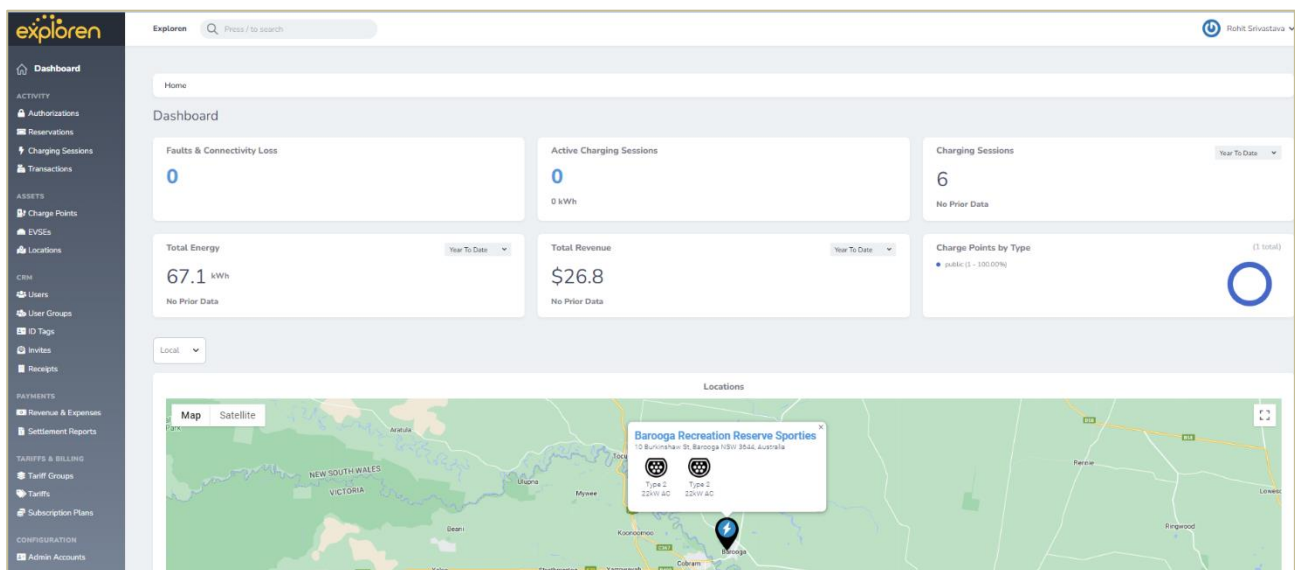


Figure 2: EV charger portal

Charging sessions: there have been a total of 6 charging sessions since its installation. These sessions have ranged from just over 2 hours to over 4 hours (Figure 3).

Charging Sessions											
Search											
ID	User	Roaming	Started at	Duration	Session Status	Selected Payment Method	Payment Status	Total kWh	Total Amount	Charge Point	
259003	—	—	2023-09-02 16:59:46 +10:00	4h 22m 25s	Finished	visa **** 1428	Paid	32.674	\$13.07	EVSE ID: 2323 (22kW AC Type 2) CP: Ocular IQ Tower - 2323 2324 - Barooga Recreation Reserve Sporties Location: Barooga Recreation Reserve Sporties	
251613	—	—	2023-08-25 11:42:34 +10:00	45m 4s	Finished	visa **** 0425	Paid	9.052	\$3.62	EVSE ID: 2323 (22kW AC Type 2) CP: Ocular IQ Tower - 2323 2324 - Barooga Recreation Reserve Sporties Location: Barooga Recreation Reserve Sporties	
245296	—	—	2023-08-17 18:17:46 +10:00	2h 8m 5s	Finished	visa **** 1000	Paid	25.281	\$10.11	EVSE ID: 2323 (22kW AC Type 2) CP: Ocular IQ Tower - 2323 2324 - Barooga Recreation Reserve Sporties Location: Barooga Recreation Reserve Sporties	
242104	—	—	2023-08-08 17:34:15 +10:00	5d 19h 53m 22s	Finished	Balance	—	0	\$0.00	EVSE ID: 2323 (22kW AC Type 2) CP: Ocular IQ Tower - 2323 2324 - Barooga Recreation Reserve Sporties Location: Barooga Recreation Reserve Sporties	
237608	—	—	2023-08-08 17:30:12 +10:00	1m 11s	Finished	Balance	Paid	0.028	\$0.01	EVSE ID: 2323 (22kW AC Type 2) CP: Ocular IQ Tower - 2323 2324 - Barooga Recreation Reserve Sporties Location: Barooga Recreation Reserve Sporties	
237606	—	—	2023-08-08 17:29:15 +10:00	34s	Finished	Balance	Paid	0.014	\$0.01	EVSE ID: 2323 (22kW AC Type 2) CP: Ocular IQ Tower - 2323 2324 - Barooga Recreation Reserve Sporties Location: Barooga Recreation Reserve Sporties	

Figure 1: Charging session duration

Total Revenue: Total revenue earned to date is \$26.80. The funds go to a company which manages the EV station. Council will get its share quarterly.

It is anticipated that the location of the EV charger will become more popular with time.

Status of the Grant: Council officers have completed and sent all the documents required to fulfil the grant criteria. Council officers also had a discussion with the Grant officers and explained the reasons why other seven approved EV chargers could not be installed.

It is anticipated that second round of Destination charging will be announced soon, and Council would have the opportunity to include the other seven sites (as more robust and reliable installation information is at hand) at that time.

8.7 Volunteer Committees - Annual Returns

Author:	Recreation Officer, Christie Watkins
Strategic Outcome:	3. Supported and engaged communities
Strategic Objective:	3.2. Support community engagements through life-long learning, culture and recreation
Delivery Program:	3.2.1. Provide opportunities for life-long learning, culture expression and recreation
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	Nil

Recommendation

That Council note the annual returns submitted by the following Volunteer Committees of Management:

- a) Barooga Advancement Group Committee of Management
- b) Barooga Recreational Reserve Committee of Management
- c) Berrigan Conservation Group and Tidy Town Committee of Management
- d) Berrigan War Memorial Hall Committee of Management
- e) Berrigan War Memorial Swimming Pool Committee of Management
- f) Finley Log Cabin and Historical Museum Committee of Management
- g) Finley recreation Reserve Committee of Management
- h) Finley School of Arts Committee of Management
- i) Finley Showgrounds and Sporting Complex Committee of Management
- j) Tocumwal Foreshore Committee of Management
- k) Tocumwal Rail Preservation Committee of Management
- l) Tocumwal Recreation Reserve Committee of Management
- m) Tocumwal Swimming Pool Committee of Management
- n) Tocumwal War Memorial Hall Committee of Management
- o) Berrigan Sportsground Committee of Management
- p) Finley War Memorial Hall Committee of Management
- q) Finley War Memorial Swimming Pool Committee of Management
- r) Retreat Hall Committee of Management
- s) Barooga Botanical Gardens Committee of Management

Report

The Council has a range of volunteer committees of management established under s355 of the *Local Government Act 1993* who provide local government services on behalf of the Council.

These volunteer committees are required to submit an annual return to the Council at the end of every financial year.

The return contains information on the membership of their committee, their income and expenditure, their assets and other information required for various reports required by Council's auditors and/or other levels of government.

Committees were given until 4 August 2023 to submit their annual returns. However, there were some Committees who required extra time.

The table below summarises the financial position of those committees who submitted their return by the due date.

Committee	Income \$	Expenditure \$	Cash and Investments \$
Barooga Advancement Group	\$13,629.85	\$7,871.34	\$20,807.19
Barooga Recreation Reserve	\$16,569.66	\$26,952.60	\$9,562.95
Berrigan Conservation & Tidy Towns	\$1,101.23	\$2,151.53	\$5,265.24
Berrigan War Memorial Hall	\$9,321.41	\$15,219.79	\$5,087.06
Berrigan War Memorial Swimming Pool	\$40,775.47	\$51,845.83	\$95,860.92
Finley Log Cabin & Historical Museum	\$15,102.84	\$30,523.00	\$41,152.54
Finley Recreation Reserve	\$46,186.72	\$44,660.03	\$11,456.82
Finley School of Arts	\$12,286.10	\$11,725.98	\$16,548.92
Finley Showgrounds	\$11,652.69	\$19,873.01	\$11,132.22
Tocumwal Foreshore Committee	\$48,911.65	\$51,057.94	\$93,662.28
Tocumwal Railway Preservation	\$3,594.09	\$2,007.80	\$1,976.50
Tocumwal Recreation Reserve	\$6,600.00	\$1,089.48	\$43,068.66
Retreat Hall	No record	No Record	\$13,650.35
Tocumwal Swimming Pool	\$74,838.33	\$58,064.79	\$101,737.40
Tocumwal War Memorial Hall	\$42,985.11	\$26,050.68	\$26,887.54
Berrigan Sportsground	\$29,122.93	\$30,009.31	\$1,489.37
Finley War Memorial Swimming Pool	\$65,559.00	\$61,085.00	\$60,016.00
Finley War Memorial Hall	\$4,950.00	\$1,830.40	\$26,707.00
Barooga Botanical Gardens	\$4,423.59	\$3,909.01	\$14,198.64

At the time of writing, Finley Railway Park Committee of Management had not submitted their return. A reminder letter has been sent to the committee.

Copies of the submitted returns are available for perusal at the Council administration office.

8.8 Barooga Advancement Committee of Management

Author:	Recreation Officer, Christie Watkins
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:	2.1.1. Council operations, partnerships and coordination of resources contribute toward the implementation of Berrigan Shire 2032
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	Nil

Recommendation

That the Council:

- Revoke existing members of the Barooga Advancement Group Committee of Management.
- Pursuant to Section 355 of the local Government Act, 1993, appoint the following persons to the Barooga Advancement Group Committee of Management

President:	Julia Cornwell McKean
Vice President:	Tony Tranter
Secretary:	Melanie Holt
Treasurer:	Victoria Jajoura
Committee:	Carly Marriott, Karen Bruce, Dennis Thatcher, Val Toohey, Val Lockman, Natalie McDonald, John Bruce, Renee Brooker, Lyn Thatcher, Kevin Haskell, Hannah Swann, Lynn Haswell

Report

Advice of Committee members has been received and could be endorsed by Council.



8.9 Finley Recreation Reserve Committee of Management

Author:	Recreation Officer, Christie Watkins
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:	2.1.1. Council operations, partnerships and coordination of resources contribute toward the implementation of Berrigan Shire 2032
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	Nil

Recommendation

That the Council

- Revoke existing members of the Finley Recreation Reserve Committee of Management.
- Pursuant to section 355 of the Local Government Act, 1993, appoint the following persons to the Finley Recreation Reserve Committee of Management.

President:	Barry Dawe
Vice President:	Michael Archer
Secretary:	Matt Whitty
Treasurer:	Paul Evans
Committee:	Matt Clarke, Shania Bentley, Lauren Keer, Jenny Philpot, Pat Kelly, Tamara Ackers, Russell Anderson, Cameron Isedale, Jono Cattell, Jenny Isedale

Report

Advice of Committee members has been received and could be endorsed by Council.

8.10 Berrigan War Memorial Hall Committee of Management

Author:	Recreation Officer, Christie Watkins
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:	2.1.1. Council operations, partnerships and coordination of resources contribute toward the implementation of Berrigan Shire 2032
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	Nil

Recommendation

That the Council

- Revoke existing members of the Berrigan War Memorial Hall Committee of Management
- Pursuant to Section 355 of the Local government Act, 1993, appoint the following persons to the Berrigan War Memorial Hall Committee of Management

President:	Nev Dalgleish
Vice President:	
Secretary:	Ian Rendell
Treasurer:	Bruce Rendell
Committee:	Marnie Steer

Report

Advice of Committee members has been received and could be endorsed by Council.

8.11 Finley School of Arts Committee of Management

Author:	Recreation Officer, Christie Watkins
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:	2.1.1. Council operations, partnerships and coordination of resources contribute toward the implementation of Berrigan Shire 2032
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	Nil

Recommendation

That the Council

- Revoke existing members of the Finley School of Arts Committee of Management.
- Pursuant to Section 355 of the Local Government Act, 1993, appoint the following persons to the Finley school of Arts Committee of Management.

President:	Ross Whittaker
Vice President:	
Secretary:	Janneice Gray
Treasurer:	Christine Lawlor
Committee:	Noel A'Vard, Ted Gray, Anne Freestone, Kelly-Anne Lawlor

Report

Advice of Committee members has been received and could be endorsed by Council.

8.12 Finley War Memorial Swimming Pool Committee of Management

Author:	Recreation Officer, Christie Watkins
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:	2.1.1. Council operations, partnerships and coordination of resources contribute toward the implementation of Berrigan Shire 2032
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	Nil

Recommendation

That the Council

- Revoke existing members of the Finley War Memorial Swimming Pool Committee of Management
- Pursuant to section 355 of the Local Government Act, 1993, appoint the following persons to the Finley War Memorial Swimming Pool Committee of Management

President:	Barry Dawe
Vice President:	Matt Muller
Secretary:	Linda Turley
Treasurer:	Phil Gregory
Committee:	Terri-Anne Anderson, Jenny Isedale, Jason O'Laughlan, Paul Burns

Report

Advice of Committee members has been received and could be endorsed by the Council.

8.13 Retreat Public Hall Committee of Management

Author:	Recreation Officer, Christie Watkins
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:	2.1.1. Council operations, partnerships and coordination of resources contribute toward the implementation of Berrigan Shire 2032
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	Nil

Recommendation

That the Council

- a) Revoke existing members of the Retreat Public Hall Committee of Management.
- b) Pursuant to Section 355 of the Local Government Act, 1993, appoint the following persons to the Retreat Public Hall Committee of Management.

President:	Steven Kydd
Vice President:	John Beer and Stephen Barnes
Secretary:	Rosemary Tilley
Treasurer:	KerryAnne Kydd
Committee:	Lorraine Beer, Dot Wright, Ruth Kydd

Report

Advice of Committee has been received and could be endorsed by Council.

8.14 Finley War Memorial Hall Committee of Management

Author:	Recreation Officer, Christie Watkins
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:	2.1.1. Council operations, partnerships and coordination of resources contribute toward the implementation of Berrigan Shire 2032
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	Nil

Recommendation

That the Council

- Revoke existing members of the Finley War Memorial Hall Committee of Management
- Pursuant to section 355 of the Local Government Act, 1993, appoint the following persons to the Finley War Memorial Hall Committee of Management.

President:	Sally Bickerton
Secretary:	Sally Bickerton
Treasurer:	Dean Russell
Committee:	Rob Hawkins, Jill Orro

Report

Advice of Committee members has been received and could be endorsed by the Council.

8.15 Barooga Recreation Reserve Committee of Management

Author:	Recreation Officer, Christie Watkins
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:	2.1.1. Council operations, partnerships and coordination of resources contribute toward the implementation of Berrigan Shire 2032
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	Nil

Recommendation

That the Council

- Revoke existing members of the Barooga Recreation Reserve Committee of Management.
- Pursuant to Section 355 of the Local Government Act, 1993, appoint the following persons to the Barooga Recreation Reserve Committee of Management.

President:	John Bruce
Vice President:	
Secretary:	Stacey Ware
Treasurer:	
Committee:	Craig Adkins, Jackie Vogel, Wayne Brooker, Gabe Florence, Ronny Franklin, Wes Sutton

Report

Advice of Committee members has been received and could be endorsed by Council.

8.16 Berrigan Conservation Group and Tidy Towns Committee of Management

Author:	Recreation Officer, Christie Watkins
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:	2.1.1. Council operations, partnerships and coordination of resources contribute toward the implementation of Berrigan Shire 2032
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	Nil

Recommendation

That the Council

- Revoke existing members of the Berrigan Conservation Group and Tidy Towns Committee of Management.
- Pursuant to section 355 of the Local Government Act, 1993, appoint the following persons to the Berrigan Conservation Group and Tidy Towns Committee of Management

President:	Mark Ryan
Secretary:	Carol Cottom
Treasurer:	Jude Lawrence
Committee:	John Lane, David Batten, Leigh Rogers, Alan Lawrence, Peter Cobb, Robin Cobb, Lenalda Loats, Catherine Healy, Emily Ryan, Peter Biddle, Katie Vandermeer, Mary Curtin, David O'Dwyer, Valerie Daly, Tracy Dunn, Beverley Scott, Carol Von Brockhusen, Cristina Von Brockhusen, Barbara Dunn, Keith Steel, Jan Steel, susan Cameron, Colin Cameron, Clara Way, Jiquette Sloane, Dianne Hardwidge, John O'Dwyer, Sue Chisholm, John Walker, Doreen walker, Wayne Kelly, Lynette Kelly, Muriel

	Rockcliffe, Carol Hovenden, Gilbert Hogarth, Chris Garth, Ray Ware, Jan Ware
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Report

Advice of Committee members has been received and could be endorsed by the Council.

8.17 Updated population forecasts

Author:	Deputy Chief Executive Officer, Matthew Hansen
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:	Information Channel: Information about a service or activity of other bodies is channelled through, for example, brochures in Council office and other public spaces or links to third party websites
Appendices:	Nil

This report is for information only.

Report

Council's demographic consultants have updated their [population forecast for Berrigan Shire](#).

The new forecast projects a Berrigan Shire population of 10,017 by 2046.

Attached as Appendix 1 is a report on the new projections, the methodology used and the assumptions underpinning the forecast model.

The updated forecast includes forecasts for three sub-areas in Berrigan Shire to identify differing rates of growth and different demographic challenges in various parts of the Shire.

These three sub-areas of the Shire are:

- Berrigan-Finley and District
- Barooga and District
- Tocumwal

These forecasts will be used to support Council's strategic decision making regarding future service requirements as well as when advocating with other levels of government and potential investors.

Key results

The key findings identified by Council's demographic consultant are below:

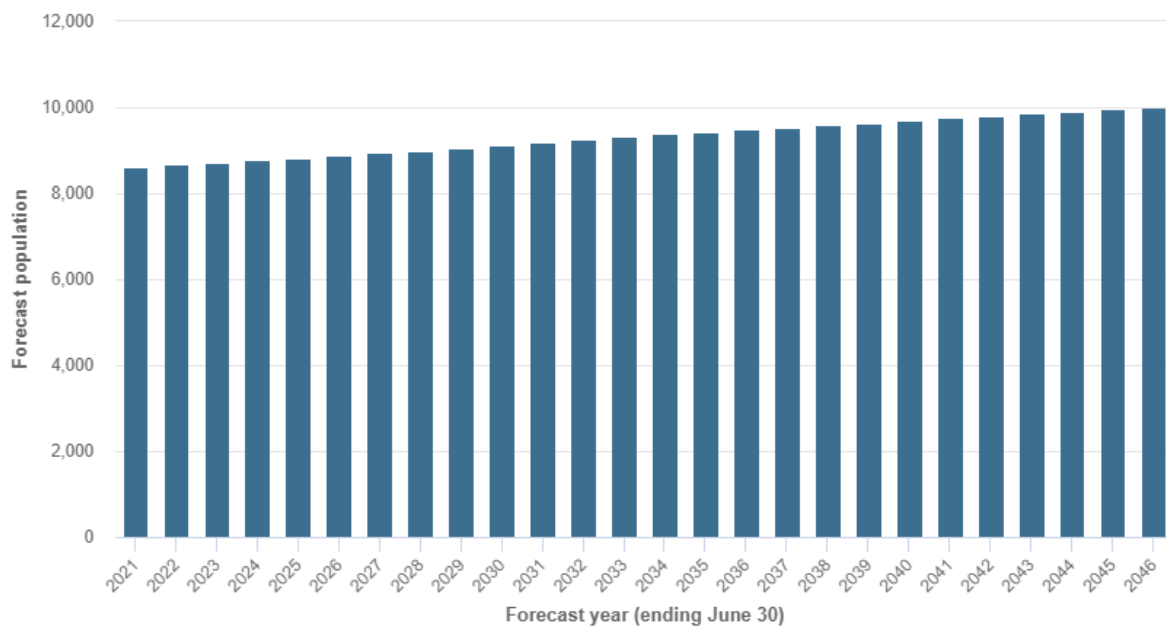
- Berrigan Shire's population is forecast to increase to **10,017 residents** by 2046.
- This represents an increase of **1,405 residents**, or approx. **56 residents** per annum over the forecast period (2021-2046). Which is an average annual growth of **0.6%**.
- The forecast area with the **largest population growth** will be Tocumwal (+718 residents). However, both southern areas of Tocumwal and Barooga & District are expected to show **sustained growth over the forecast period**, just short of 1% annually.

- Berrigan Shire's growth is primarily driven by housing development in previously undeveloped 'greenfield' areas, with **862 net additional dwellings** expected to be built.
- Independent retirement living is a popular choice of development in the Shire, which strategically accommodates the predicted **10.9% increase in population of retirement age**.

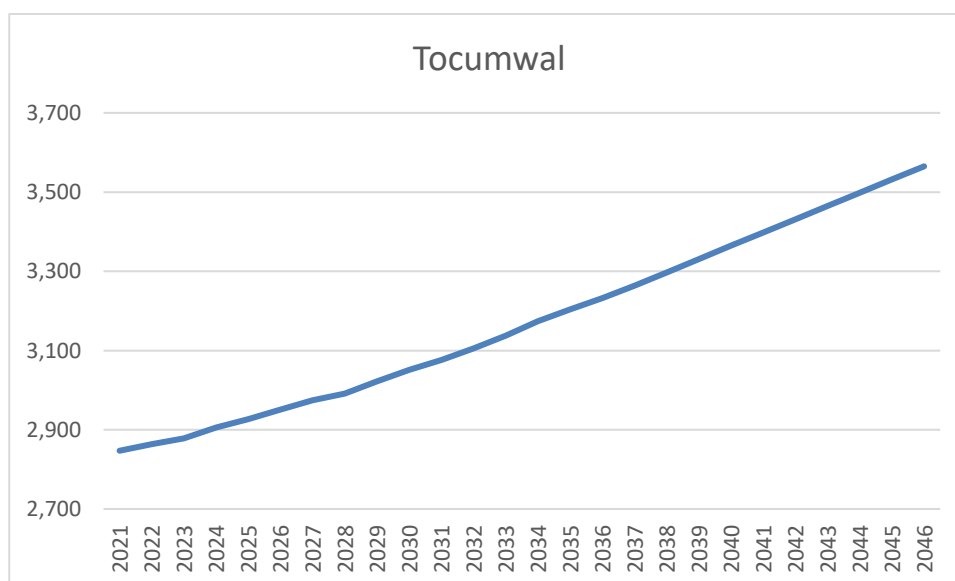
Charts

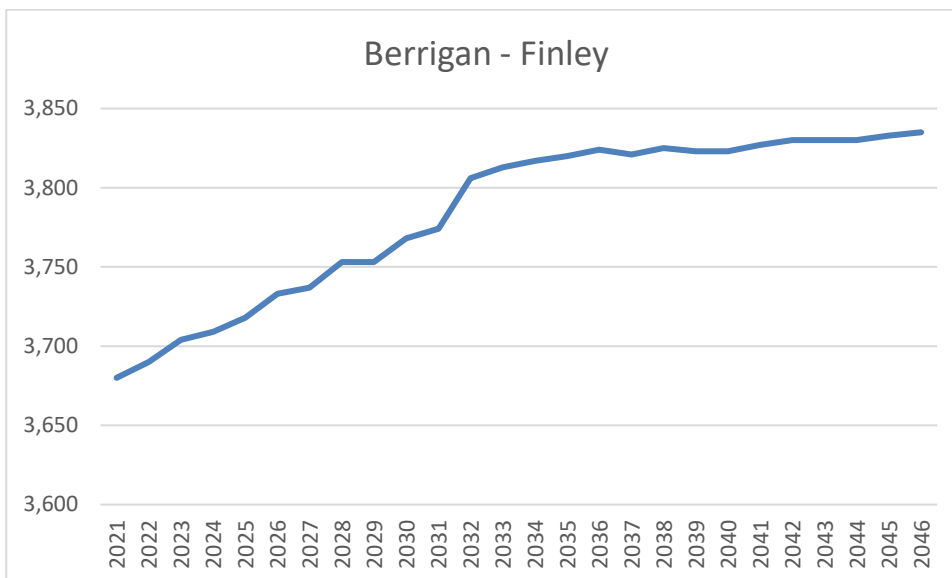
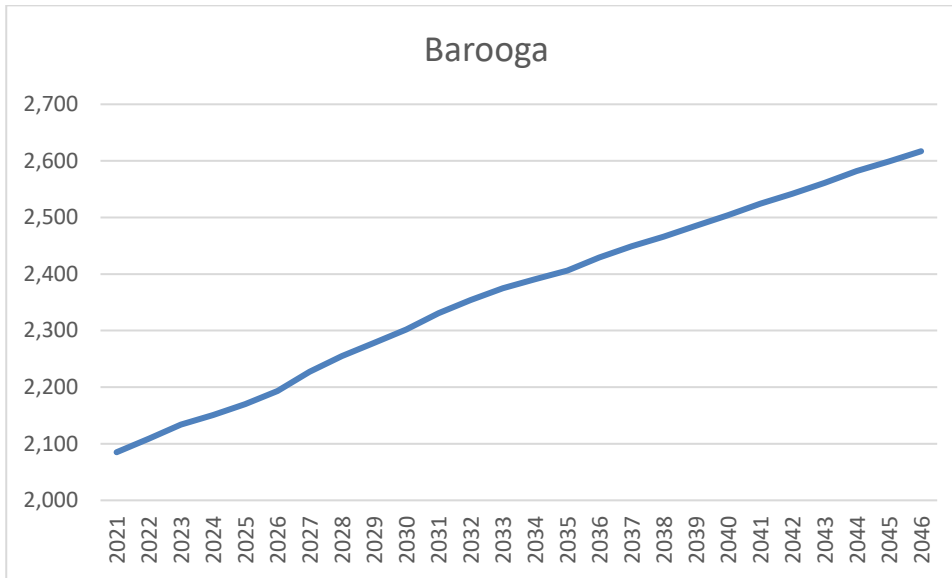
Forecast population

Berrigan Shire



Source: Population and household forecasts, 2021 to 2046, prepared by id (informed decisions), August 2023.





8.18 December Council meeting

Author:	Deputy Chief Executive Officer, Matthew Hansen
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:	2.1.2. Meet legislative requirements for Council elections, local government and integrated planning and reporting
Council's Role:	Service Provider: The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council
Appendices:	Nil

Recommendation

That the Council hold an ordinary meeting of Council on Wednesday, 13 December 2023 at 9:15am and provide public notice as required by s9(1) of the *Local Government Act 1993*

Report

The Council is requested to consider rescheduling the scheduled December Council meeting to 13 December 2023 to allow Council staff time to implement any decisions resulting from the meeting before the Christmas shutdown.

Council meetings are typically scheduled for the third Wednesday of the month – 20 December in 2023. This would only leave two days for Council staff to implement any decisions before the Christmas shutdown on Friday, 22 December. Bringing forward this meeting by a week would address this problem.

Council may consider the value of holding Strategic and Policy Workshops in December and January closer to the date.

8.19 Outdoor Dining and Footpath Trading Policy

Author:	Deputy Chief Executive Officer, Matthew Hansen
Strategic Outcome:	4. Diverse and resilient business
Strategic Objective:	4.1. Strengthen and diversify the local economy and invest in local job creation and innovation
Delivery Program:	4.1.2. Support local enterprise through local economic and industry development initiatives and projects
Council's Role:	<p>Regulator: The Council has legislated roles in a range of areas which it is required to fund from its own funds (apart from fees for cost recovery, government grants etc)</p> <p>Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs</p>
Appendices:	1. Outdoor_Dining_and_Footpath_Trading_Policy - For adoption 20 September 2023.pdf

Recommendation

That Council

1. revoke the Outdoor Dining and Footpath Trading Policy adopted on 15 May 2019, and
2. adopt the Outdoor Dining and Footpath Trading Policy attached as Appendix 1 to this report.

Purpose

Council is asked to adopt a revised version of the Outdoor Dining and Footpath Trading Policy, last reviewed in May 2019.

Summary

Council is asked to review the Outdoor Dining and Footpath Trading Policy and adopt if appropriate.

Background

The Outdoor Dining and Footpath Trading Policy provides guidance on the use of Council-controlled footpaths.

Until 2019, the policy was very prescriptive and designed to minimise Council's risk exposure. Businesses wishing to place signs and tables on the footpath were required to obtain a Council permit. These permits only allowed for very specific arrangements, often making it impossible to comply.

In 2019, Council made a radical change and looked to encourage the use of footpaths in our town centres, accepting some risk for the sake of supporting local business. The new policy was based on broad principles. If the business operator complies with those principles, then.

- no formal approval is required from the Council for use or occupation of footpaths within the designated town centre areas. Approval will be deemed to be granted;
- no application is required to be made to the Council for use or occupation of footpaths within the designated town centre areas; and
- no rent or other charge will be applied by the Council for use or occupation of footpaths within the designated town centre areas.

This revised policy has been a qualified success. While it has removed a layer of bureaucracy from business owners and reduced staff time managing a permit system, there is little evidence the policy has seen greater use of the footpath by local business.

The only significant changes to the policy are:

- reference to the Council's Street Stall Policy (reviewed by Council in 2022); and
- exclusion of food preparation from the policy. Preparing food on the footpath will require Council consent in advance.

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

Council's [Delivery Program](#) includes the following items:

1.3.1.5 Maintain the safety of Council roads and walkways

3.1.2.1 Implement Disability Inclusion Plan

4.1.1.1 Implement Berrigan Shire Economic Development Plan 2023 - 2027

Other plans and strategies Council needs to consider are:

- Disability, Inclusion and Access Plan
- Economic Development Plan
- Pedestrian Access and Mobility Plan

Issues and Implications

The overall aim of this policy is to balance three interlocking objectives:

1. Council's exposure to risk relating to footpath trading.
2. The ability of pedestrians to travel on the footpath without obstruction.
3. A vibrant and active main street trading environment for shoppers and business owners.

Policy

This policy is an attempt to balance mitigating Council's risk exposure while allowing for a vibrant main street.

As such, Council should consider this policy in the context of its Risk Management framework.

Council staff are preparing a specific Food Truck policy at present.

Financial

Council has never charged a fee for use of the footpath for trading purposes, although it is entitled to do so.

When Council issued permits, it did charge an application fee to cover staff time when assessing an application. With no applications being assessed, that fee was revoked.

If enforcing this policy was to become a regular matter for Council's enforcement team, Council may need to consider reinstating some fee for use.

Legal / Statutory

Council has the authority under Part 9, Division 1 of the [Roads Act 1993](#) to grant approval to use the road reserve for trading purposes.

Council also has authority under [section 68 of the Local Government Act 1993](#) to issue approvals for use of community land and public roads.

Council must also consider its obligations under the *Disability Discrimination Act (Cth) 1992*

Community Engagement / Communication

Given this is effectively the status quo, there has been limited community and stakeholder communication in the review process.

Council can choose to adopt as a draft and send for comment if it wishes.

Human Resources / Industrial Relations (If applicable)

In adopting this policy, Council is committing to enforcing it. Council has struggled to dedicate staff resources to this task in the past.

Risks

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

1. 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

The policy requires street traders to have public liability insurance. It does not require them to provide the Council with a copy of their insurance. This creates some exposure if an incident happens on the footpath and Council is made a party to any claim.

This could be mitigated by requesting certificates of currency. This will add a layer of "bureaucracy" that may deter use of the footpath for trading that is contrary to the Council's intent.

2. Community

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

The policy places a low compliance burden on local business and it unlikely to create much objection. Council may be subject to criticism where a business does unreasonably obstruct the footpath, particularly for those with mobility issues.

3. 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

The policy minimises the financial impact on the Council.

Options

1. Council can adopt the policy as written and implement.
2. Council can adopt the policy as a draft and place on public exhibition for comment.
3. Council may request staff review the policy and provide a revised policy to a future meeting.

Conclusions

The policy is effectively maintaining the status quo and can be adopted by Council.



Policy

39

OUTDOOR DINING AND FOOTPATH TRADING

Strategic Outcome:	Diverse and resilient business	
Policy type	Strategic	
Date of Adoption:	20 September 2023	Minute Number:
Date for Review:	15 September 2027	
Responsible Officer:	Director Strategic Planning and Development	
Document Control:	Replaces Outdoor Dining and Footpath Trading Policy adopted on 15 May 2019	
Delivery Program Link:	4.1.2 Support local enterprise through local economic and industry development initiatives and projects	

1. POLICY STATEMENT

Attractive and vibrant town centres create communities that make a statement about a place.

Council is committed to improving the local economy by encouraging the use of footpaths in town centres to contribute to their attractiveness and vibrancy while maintaining community access and safety

2. PURPOSE

Street trading adds to the vibrancy, and when done well, adds also to the attractiveness of a place. This policy is designed to encourage outdoor dining and footpath trading

3. SCOPE

The policy applies to use or occupation of Council-controlled footpaths within the town centre areas of Berrigan, Barooga, Finley and Tocumwal.

4. OBJECTIVE

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

4.1.2 Support local enterprise through local economic and industry development initiatives and projects



Policy

5. DEFINITIONS

Principles: The principles shown in Clause 6.2 of this policy

Town centre: The ordinary commercial area of the town

6. POLICY IMPLEMENTATION

6.1 General guideline

As a general rule, where the use meets the principles set in the policy:

- **No formal approval is required** from the Council for use or occupation of footpaths within the designated town centre areas. **Approval will be deemed to be granted.**
- **No application is required to be made to the Council** for use or occupation of footpaths within the designated town centre areas
- **No rent or other charge will be applied** by the Council for use or occupation of footpaths within the designated town centre areas.

Note: Approvals from other agencies may be required in certain circumstances – i.e., from Liquor Licensing or Transport for NSW.

6.2 Principles

In commercial areas, footpaths have multiple, related functions and purposes and it is important that use for one purpose does not impede on other purposes.

1. Footpaths provide universal pedestrian access and must always perform this function
2. Footpaths are public space – public space that can also be used to add to the liveability and vibrancy of a place

Local traders and businesses will comply with this policy if they can demonstrate the following:

6.2.1 Common sense approach

Ensure any items or trading activity on the footpath do not:

1. impede access to street furniture (public seating, bins, street signage and shelter);
2. Impede access to and/or disrupt visual sight lines to pedestrian crossings and bus stops;
3. impede access to vehicles parking on the road; nor
4. disrupt visual sight lines to vehicular intersections/roads including bicycle lanes



Policy

6.2.2 Pedestrian access

Ensure any items or trading activity on the footpath does not impede pedestrian access by:

1. maintaining a 1.8m wide clear path on the footpath and allowing adequate space for pedestrians using mobility aids such as wheelchairs; and
2. assisting vision impaired people by not placing furniture or items along the front wall of the business. If this is not possible ensure the placement of items is consistent and provides a predictable pathway.

6.2.3 Consideration for neighbours

Ensure any items or trading activity on the footpath does not compromise or impede neighbouring businesses. Businesses are encouraged to work together to make their town centre an attractive and vibrant space.

6.2.4 Public liability insurance

Before placing any items or trading on the footpath, businesses and traders must hold public liability insurance to a minimum of \$20 million, noting

1. the holder's intent to trade on the footpath; and
2. Berrigan Shire Council's interest.

While a certificate of currency does not need to be provided to the Council before using the footpath, the Council may request a certificate of currency should it deem it necessary.

6.2.5 Food handling

Ensure all applicable safe food handling standards are followed. Advice from the Council is available on specific requirements.

Food items displayed or offered for sale from footpath areas must be:

1. restricted to non-potentially hazardous food;
2. shall be pre-packaged,
3. appropriately labelled

Note: Preparation of food on the footpath is not covered by this policy and will require Council consent in advance.



Policy

6.2.6 Signs and noticeboards

Before placing removable sandwich boards, A-Frame signs, or flags/banners on the footpath, ensure they are:

1. limited to one (1) per business entry; and
2. no larger than 600mm wide and 1200mm high; and
3. if banner or flag, securely fixed.

6.2.7 Security

Ensure all items are removed from the footpath after trading hours and safely and securely stored.

Explicit written permission from the Council is required before permanently fixing any item or conducting any works on the footpath.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- [Local Government Act 1993](#)
- [Disability Discrimination Act \(Cwth\) 1992](#)
- [Roads Act 1993](#)
- [Environmental Planning and Assessment Act 1979](#)
- [Food Act 2003](#)

7.2 Council policies and guidelines

- [Risk Management Policy and Framework](#)
- [Street Stall Policy](#)
- [Economic and Industry Development Strategy 2017-2021](#)
- [Disability, Active Ageing and Inclusion Plan 2022 – 2026](#)
- [Local Environmental Plan](#)
- Pedestrian Access Management Plans
 - [Barooga](#)
 - [Berrigan](#)
 - [Finley](#)
 - [Tocumwal](#)



Policy

8. RECORDS MANAGEMENT

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

9. REVIEW 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

11. VERSION CONTROL

Version Number	Date	Summary	Responsible Officer
1.0		New Policy document	Director Corporate Services
2.0	15/05/2019	Major review – permits abolished	Director Corporate Services
2.1	21/06/2023	Minor review	Director Strategic Planning and Development



Policy

APPENDICES

NIL

8.20 Christmas office closure

Author:	Deputy Chief Executive Officer, Matthew Hansen
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:	Service Provider: The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council
Appendices:	Nil

Recommendation

That the Council receive and note the report

Report

This report is to advise Council of the office shutdown period over the Christmas/New Year break

Each year Council closes for Christmas between Christmas and the New Year period. The Department of Premier and Cabinet place a Memorandum outlining the preferred closure periods for all government sector offices for each 4-year period. While this memorandum does not directly apply to local government, most Councils – including Berrigan Shire Council – follow this advice and close for the two-week period shown in the memorandum.

While it does not appear that this memorandum has been issued for 2023 and beyond, it is important to allow staff to plan their leave arrangements and for management to put in place steps to ensure impacts on critical services is minimised.

Consequently, the CEO has determined the Christmas closure period will be:

- close 4pm Friday, 22 December 2023
- reopen 8:30am Monday, 8 January 2023

Monday, 25 December 2023, Tuesday, 27 December 2023 and Monday, 1 January 2024 are all designated public holidays. Staff will therefore be required to take leave between 27 and 29 December 2023.

For those who have recently commenced with Berrigan Shire Council, who may not have accrued sufficient leave, those staff will have the option of going into negative leave balances (i.e., they would need to work the time back) as per the Employee Leave Policy.

The CEO is willing to consider staff coming into work for the second week of the closure period (i.e., between 2-5 January 2024), subject to mutual agreement with their director. This may suit staff with low leave balances or with plans for extended leave later in the year.

Council's administration office however will not be open to the public and nor will the libraries during the entire two-week period (though staff may be on site completing work at any Council worksite).

Outdoor staff will maintain a skeleton crew during this period.

Council staff will be required to use their leave during the office closure. Office running costs will be reduced.

8.21 Albury Wodonga Hospital Advocacy

Author:	Mayor, Matthew Hannan
Strategic Outcome:	2. Good government
Strategic Objective:	2.2. Strengthen strategic relationships and partnerships with community, business and government
Delivery Program:	2.2.1. Participate in networks that promote regional and cross-border collaboration, planning and service delivery
Council's Role:	Advocate: The Council may advocate to another government or other organisation for certain things to happen, this could range from a single event (such as writing to a Minister) through to an ongoing campaign
Appendices:	<ol style="list-style-type: none">1. AWH presentation to RAMJO - Compressed (under separate cover)2. Thankyou letter Hospital Advocacy Workshop3. City of Wodonga Report -Hospital Advocacy Workshop of 16 Councils (under separate cover)

This report is for information only.

Report

The purpose of this report is to provide context regarding the ongoing negotiations concerning the development of the Albury Wodonga hospital.

Provided for your information are the following reports:

- Albury Wodonga Health Presentation as presented at the August RAMJO Board Meeting – Appendix 1
- Letter from Wodonga Council (provided to all RAMJO Councils after the meeting held 2 August 2023) – Appendix 2
- Wodonga Council report which went to the August Ordinary Council meeting – Appendix 3

A verbal update will be provided at the meeting should Councillors require further information.

104 Hovell St, Wodonga, VIC 3690
PO Box 923, Wodonga, VIC 3689Phone: (02) 6022 9300
Fax: (02) 6022 9322

22 August 2023

Enquiries: Linda FRASER
Reference: D23.118871

Wodonga Council would like to thank you for your participation on Wednesday, August 16 at the hospital advocacy workshop. It was a robust and constructive discussion around the collective action the councils could take to advocate for the best healthcare outcome for our region and to discuss the provision of health services and specialist care for the present and future needs of the Albury-Wodonga region.

In Attendance: Alpine Shire, Towong Shire, Indigo Shire, Murrumbidgee Shire, Berrigan Shire, Greater Hume Shire, Edward River Shire, Federation Shire, Mansfield Shire, Lockhart Shire, Dr Barb Robertson - Chairperson of the Border Medical Association.

Apology: Benalla City Council, Moira Shire Council, Wangaratta City Council, Albury City Council, Murray River Shire Council, Snowy Valleys Council

As a result of this meeting there was a draft advocacy hierarchy developed with a list of proposed follow-up actions. These two aspects can be considered by each council to assist in their deliberation on what position they take and what the level of involvement, if any, may be for their respective council.

At its meeting on Monday, August 21, Wodonga Council resolved the following.

*That the council resolves to endorse the Advocacy Hierarchy and the follow up actions from the 16 Council Health Service Advocacy forum for the Albury Wodonga Region as follows:
This Albury Wodonga Region Council of Mayors commits to working together to do the right thing in:*

- 1. Promoting Albury Wodonga Health as the premier regional health service that services the cross-border community and is the best service outside Sydney-Melbourne;*
- 2. Seeking the provision of accessible, timely and equitable health services in the best delivery mode and location for regional and rural people, after listening to local people; and*

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3. *Having a clear commitment to seeking appropriate funding to deliver those outcomes for our communities, acknowledging that the current amount is inadequate.*

Follow-up actions

1. *Facilitate a meeting with the sixteen Mayors and CEO's and the appropriate representatives associated with the provision of health services, new infrastructure and planning for the Albury Single Site Hospital to seek a full understanding of all the data, evidence and modelling that was used to inform the current decision.*
2. *Next meeting to be after the release of the final master plan.*

A copy of the report and background information is attached for each respective council to consider their response. If each council could advise their consideration ahead of the next meeting that would be appreciated.

As discussed, Wodonga Council will call the next meeting as soon as possible following the release of the Clinical Services Plan or masterplan. At this point in time, the group will be able to consider the positions advised from each council and if there is a consistent frame of reference to advocate for our region.

Should you have any questions please contact Mayor Ron Mildren on X or the undersigned on 0439 864 947.

Kind Regards

Yours faithfully



Cr Ron Mildren
Mayor Wodonga City Council

8.22 Councillor and Staff Interaction Policy

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:	Service Provider: The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council
Appendices:	1. Policy No.104 - Staff and Councillors Interaction Policy - 16.02.2022

Recommendation

That Council confirm Councillors will only contact the Chief Executive Officer or Directors to address the issues the community raises with them.

Report

It has come to my attention yet again that some Councillors are not adhering to the Staff and Councillors Interaction Policy as adopted. A copy of the Policy is included as Appendix 1 for your information.

We have had a number of occasions where staff have been contacted directly by Councillors. Whilst Councillors may not have intended to direct staff in these matters, Councillors do hold considerable positional power and staff feel directed whether that is the intention or not.

Unfortunately, one Councillor has provided an employee's mobile number to a member of the public so they can contact that staff member directly. This is in not only direct breach of the Staff and Councillors Interaction Policy but breaches the Code of Conduct (clause 3.12 at minimum) and Council's Workplace Health and Safety obligations.

Staff have the right to disconnect from work and providing their mobile number to the community means that person now has a staff member's contact details 24 hours a day 7 days a week and has threatened to use it as such. That telephone number has now been changed and will never be provided to a Councillor again.

I also understand that on some occasions, where a matter is referred to a Councillor a member of staff may meet with that Councillor or provide advice to that Councillor of the outcome of that matter. This interaction does not mean that when the next issue arises the Councillor can go straight to that employee. Councillors must follow agreed protocols. I remind Council that I am the only employee of the Elected Body.

I recently sent an email to all staff reminding them that Councillors are not to contact them directly, nor direct them. If a Councillor does so they are to remind the Councillor of their obligations under the Councillor and Staff Interaction Policy in a polite but firm manner. If staff do not feel comfortable speaking to a Councillor in this way, they are not to accept the direction but to refer the matter to me.

This is not the first time this matter has been raised with Councillors. I have been quite informal in raising the issue previously but that has not worked. This is now a formal process.

I remind Council that for most other Councils the only way Councillors may raise issues is through the Mayor to the CEO. I think, for our small organisation, that will only slow the actioning of issues down, however if breaches of this nature continue, I believe I will have no option but to implement that practice.

I ask the motion be passed to ensure all Councillors are again reminded of their obligations and do not approach nor direct staff in the future.



Policy

104

COUNCILLOR AND STAFF INTERACTION POLICY

Strategic Outcome:	Good government	
Policy type	Administrative	
Date of Adoption:	16 February 2022	Minute Number: 29
Date for Review:	19 February 2025	
Responsible Officer:	Deputy Chief Executive Officer	
Document Control:	Version 2.0	
Delivery Program Link:	2.1.2.1 Provide facilities and support including financial to elected Council	

1. POLICY STATEMENT

It is important for Councillors and staff to have an effective working relationship that recognises the important but differing contribution both parties bring to their complementary roles

This policy provides a framework for Councillors when exercising their civic functions by specifically addressing their ability to interact with, and receive advice from, authorised staff

The policy complements and should be read in conjunction with the *Berrigan Shire Council Code of Conduct* (the Code of Conduct)

2. PURPOSE

The purpose of the Policy is to facilitate a positive working relationship between Councillors, as the community's elected representatives, and staff, who are employed to administer the operations of the Council. The Policy provides direction on interactions between Councillors and staff to assist both parties in carrying out their day-to-day duties professionally, ethically and respectfully.

3. SCOPE

This Policy applies to all Councillors and council staff.



Policy

This Policy applies to all interactions between Councillors and staff, whether face-to-face, online (including social media and virtual meeting platforms), by phone, text message or in writing. This Policy applies whenever interactions between Councillors and staff occur, including inside or outside of work hours, and at both council and non-council venues and events.

This Policy does not confer any delegated authority upon any person. All delegations to staff are made by the Chief Executive Officer.

Clause 3.1(b) of the Code of Conduct provides council officials must not conduct themselves in a manner that is contrary to a council's policies. A breach of this Policy will be a breach of the Code

4. POLICY IMPLEMENTATION

4.1 Objectives

The objectives of the Policy are to:

- a) establish positive, effective and professional working relationships between Councillors and staff defined by mutual respect and courtesy
- b) enable Councillors and staff to work together appropriately and effectively to support each other in their respective roles
- c) ensure that Councillors receive advice in an orderly, courteous and appropriate manner to assist them in the performance of their civic duties
- d) ensure Councillors have adequate access to information to exercise their statutory roles
- e) provide direction on, and guide Councillor interaction with, staff for both obtaining information and in general situations
- f) maintain transparent decision making and good governance arrangements
- g) ensure the reputation of Council is enhanced by Councillors and staff interacting consistently, professionally and positively in their day-to-day duties
- h) provide a clear and consistent framework through which breaches of the Policy will be managed in accordance with the Code of Conduct .

4.2 Principles, roles and responsibilities

4.2.1 Requirements

Several factors contribute to a good relationship between Councillors and staff. These include goodwill, understanding of roles, communication, protocols, and a good understanding of legislative requirements.



Policy

The Council's governing body and its administration (being staff within the organisation) must have a clear and sophisticated understanding of their different roles, and the fact that these operate within a hierarchy. The administration is accountable to the Chief Executive Officer, who in turn, is accountable to the Council's governing body.

Section 232 of the *Local Government Act 1993* (the LGA) states that the role of a Councillor is as follows:

- a) to be an active and contributing member of the governing body
- b) to make considered and well-informed decisions as a member of the governing body
- c) to participate in the development of the integrated planning and reporting framework
- d) to represent the collective interests of residents, ratepayers and the local community
- e) to facilitate communication between the local community and the governing body
- f) to uphold and represent accurately the policies and decisions of the governing body
- g) to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor.

The administration's role is to advise the governing body, implement Council's decisions and to oversee service delivery.

It is beneficial if the administration recognises the complex political environments in which elected members operate and acknowledge that they work within a system that is based on democratic governance. Councillors similarly need to understand that it is a highly complex task to prepare information and provide quality advice on the very wide range of issues that Council operations cover.

4.2.2 Principles

Council commits to the following principles to guide interactions between Councillors and staff:

<u>Principle</u>	<u>Achieved by</u>
Equitable and consistent	Councillors and staff working supportively together in the interests of the whole community, based on mutual respect and consideration of their respective positions
Considerate and respectful	Ensuring appropriate, consistent and equitable access to information for all Councillors within established service levels
Ethical, open and transparent	Ensuring that interactions between Councillors and staff are ethical, open, transparent, honest and display the highest standards of professional conduct



Policy

Fit for purpose	Ensuring that the provision of equipment and information to Councillors is done in a way that is suitable, practical and of an appropriate size, scale and cost for a client group of eight people.
Accountable and measurable	Providing support to Councillors in the performance of their role in a way that can be measured, reviewed and improved based on qualitative and quantitative data

4.2.3 Councillors

Councillors are members of the Council's governing body, which is responsible for directing and controlling the affairs of the Council in accordance with the LGA. Councillors accept that:

- a) responses to requests for information from Councillors may take time and consultation to prepare and be approved prior to responding
- b) staff are not accountable to them individually
- c) they must not direct staff except by giving appropriate direction to the Chief Executive Officer by way of a council or committee resolution, or by the mayor exercising their functions under section 226 of the LGA
- d) they must not, in any public or private forum, direct or influence, or attempt to direct or influence, a member of staff in the exercise of their functions
- e) they must not contact a member of staff on council-related business unless in accordance with this Policy
- f) they must not use their position to attempt to received favourable treatment for themselves or others.

4.2.4 Council staff

The Chief Executive Officer is responsible for the efficient and effective day-to-day operation of the Council and for ensuring that the lawful decisions of the Council are implemented without undue delay. Council staff need to understand:

- a) they are not accountable to individual Councillors and do not take direction from them. They are accountable to the Chief Executive Officer, who in turn is accountable to the Council's governing body
- b) they should not provide advice to Councillors unless it has been approved by the Chief Executive Officer
- c) they must carry out reasonable and lawful directions given by any person having the authority to give such directions in an efficient and effective manner



Policy

- d) they must ensure that participation in political activities outside the service of the Council does not interfere with the performance of their official duties
- e) they must provide full and timely information to Councillors sufficient to enable them to exercise their civic functions in accordance with this Policy.

4.3 Councillor Request System

Councillors have a right to request information provided it is relevant to Councillor's exercise of their civic functions. This right does not extend to matters about which a Councillor is merely curious. Councillors do not have a right to request information about matters that they are prevented from participating in decision-making on because of a conflict of interest, unless the information is otherwise publicly available.

The Chief Executive Officer may identify Council support staff (the Councillor support officer) under this Policy for the management of requests from Councillors.

4.3.1 Request system

Councillors can use the Councillor requests system to:

- a) request information or ask questions that relate to the strategic position, performance or operation of the Council
- b) bring concerns that have been raised by members of the public to the attention of staff
- c) request ICT or other support from the Council administration

Councillors must, to the best of their knowledge, be specific about what information they are requesting, and make their requests respectfully. Where a Councillor's request lacks specificity, the Chief Executive Officer or staff member authorised to manage the matter is entitled to ask the Councillor to clarify their request and the reason(s) why they are seeking the information.

Staff must make every reasonable effort to assist Councillors with their requests and do so in a respectful manner.

The Chief Executive Officer or the staff member authorised to manage a Councillor request will provide a response within 5 working days. Where a response cannot be provided within that timeframe, the Councillor will be advised, and the information will be provided as soon as practicable.

4.3.2 Confidentiality

Councillors are required to treat all information provided by staff appropriately and to observe any confidentiality requirements.



Policy

Staff will inform Councillors of any confidentiality requirements for information they provide so Councillors can handle the information appropriately.

Where a Councillor is unsure of confidentiality requirements, they should contact the Chief Executive Officer, or the staff member authorised to manage their request.

4.3.3 Refusal or restriction of access to information

The Chief Executive Officer may refuse access to information requested by a Councillor if:

- a) the information is not necessary for the performance of the Councillor's civic functions, or
- b) the Councillor has previously declared a conflict of interest in the matter and removed themselves from decision-making on it, or
- c) the Chief Executive Officer is prevented by law from disclosing the information, or
- d) if responding to the request would, in the Chief Executive Officer's opinion, result in an unreasonable diversion of staff time and resources

Where the Chief Executive Officer refuses to provide information requested by a Councillor, they must act reasonably. The Chief Executive Officer must advise a Councillor in writing of their reasons for refusing access to the information requested.

Where a Councillor's request for information is refused by the Chief Executive Officer on the grounds referred to under paragraph c) above, the Councillor may instead request the information through a resolution of the council by way of a notice of motion.

Where a Councillor persistently makes requests for information which, in the Chief Executive Officer's opinion, result in a significant and unreasonable diversion of staff time and resources the council may, on the advice of the Chief Executive Officer, resolve to limit the number of requests the Councillor may make.

4.3.4 Reporting

A report will be provided to Councillors regularly (at least quarterly) regarding the performance and efficiency of the Councillor requests system against established key performance indicators.

4.4 Access to Council staff

Councillors may directly contact members of staff that are listed at Appendix A of this Policy. The Chief Executive Officer may amend this list at any time and will advise Councillors promptly of any changes.

Councillors can contact staff listed at Appendix A about matters that relate to the staff member's area of responsibility.



Policy

Councillors should as far as practicable, only contact staff during normal business hours.

If Councillors would like to contact a member of staff not listed on Appendix A, they must receive permission from the Chief Executive Officer.

If a Councillor is unsure which authorised staff member can help with their enquiry, they can contact the Chief Executive Officer or the Councillor Support Officer who will provide advice about which authorised staff member to contact.

In some instances, the Chief Executive Officer or a member of the Council's executive leadership team will direct a council staff member to contact Councillors to provide specific information or clarification relating to a specific matter.

A Councillor or member of staff must not take advantage of their official position to improperly influence other Councillors or members of staff in the performance of their civic or professional duties for the purposes of securing a private benefit for themselves or for another person.

4.5 Councillor access to Council buildings

Councillors are entitled to have access to the council chamber, Mayor's office (subject to availability), Councillors' rooms, and public areas of Council's buildings during normal business hours for meetings. Councillors needing access to these facilities at other times must obtain approval from the Chief Executive Officer.

Councillors must not enter staff-only areas of Council buildings without the approval of the Chief Executive Officer

4.6 Interactions

4.6.1 Appropriate interactions

Examples of appropriate interactions between Councillors and staff include, but are not limited to, the following:

- a) Councillors and council staff are courteous and display a positive and professional attitude towards one another
- b) council staff ensure that information necessary for Councillors to exercise their civic functions is made equally available to all Councillors, in accordance with this Policy and any other relevant Council policies



Policy

- c) council staff record the advice they give to Councillors in the same way they would if it was provided to members of the public
- d) council staff, including Council's executive team members, document Councillor requests via the Councillor requests system
- e) council meetings and Councillor briefings are used to establish positive working relationships and help Councillors to gain an understanding of the complex issues related to their civic duties
- f) Councillors and council staff feel supported when seeking and providing clarification about council related business
- g) Councillors forward requests through the Councillor requests system and staff respond in accordance with the timeframes stipulated in this Policy

4.6.2 Inappropriate interactions

Examples of inappropriate interactions between Councillors and staff include, but are not limited to, the following:

- a) Councillors and council staff conducting themselves in a manner which:
 - i) is contrary to their duties under the Work Health and Safety Act 2011 and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety
 - ii) constitutes harassment and/or bullying within the meaning of clauses 3.7 and 3.9 of the Code of Conduct, or is unlawfully discriminatory
- b) Councillors approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters
- c) staff approaching Councillors to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters
- d) subject to conflict of interest considerations, staff refusing to give information that is available to other Councillors to a particular Councillor



Policy

- e) Councillors who have lodged an application with the council, discussing the matter with staff in staff-only areas of the council
- f) Councillors being overbearing or threatening to staff
- g) staff being overbearing or threatening to Councillors
- h) Councillors making personal attacks on staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of the Code of Conduct in public forums including social media
- i) Councillors directing or pressuring staff in the performance of their work, or recommendations they should make
- j) staff providing ad hoc advice to Councillors without recording or documenting the interaction as they would if the advice was provided to a member of the community

4.6.3 Management

Where a Councillor engages in conduct that, in the opinion of the Chief Executive Officer, puts the health, safety or welfare of staff at risk, the Chief Executive Officer may restrict the Councillor's access to staff.

Any concerns relating to the conduct of staff under this Policy should be raised with the Chief Executive Officer.

5. RELATED LEGISLATION, POLICIES AND STRATEGIES

5.1 Legislation and external guidelines

- [Local Government Act 1993](#)
- *Work Health and Safety Act 2011*

5.2 Council policies and guidelines

- [Code of Conduct](#)
- Procedures for the Administration of the Code of Conduct
- Work Health and Safety Policy
- Payment of Expenses and Provision of Facilities for Mayors and Councillors Policy



Policy

6. RECORDS MANAGEMENT

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

7. 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.

8. DOCUMENT AVAILABILITY

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

9. VERSION CONTROL

Version Number	Date	Summary	Responsible Officer
1.0	17.11.2021	New Policy	Deputy Chief Executive Officer
2.0	16.02.2022	Re-adoption with amendment to Appendix A	Deputy Chief Executive Officer



Policy

APPENDICES

Appendix A - Authorised staff contacts for Councillors

Section 5.4 of this Policy provides that councillors may directly contact members of staff that are listed below. The Chief Executive Officer may amend this list at any time.

Councillors can contact staff listed below about matters that relate to the staff member's area of responsibility.

Councillors should as far as practicable, only contact staff during normal business hours.

If councillors would like to contact a member of staff not listed below, they must receive permission from the Chief Executive Officer.

If a councillor is unsure which authorised staff member can help with their enquiry, they can contact the Chief Executive Officer or the Councillor Support Officer who will provide advice about which authorised staff member to contact.

In some instances, the Chief Executive Officer or a member of the Council's executive leadership team will direct a council staff member to contact councillors to provide specific information or clarification relating to a specific matter

Authorised staff members name	Position
Matthew Hansen	Deputy CEO/Director Corporate Services
Jo Ruffin	Director Strategic Planning and Development
Rohit Srivastava	Director Infrastructure
Matthew Miller	Manager Planning and Building
Jacq-Lyn Davis	CEOs Personal Assistant
Darren Bell	Information and Communication Technology Coordinator

8.23 Murray Regional Tourism Annual Contribution

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	2. Good government
Strategic Objective:	2.2. Strengthen strategic relationships and partnerships with community, business and government
Delivery Program:	2.2.1. Participate in networks that promote regional and cross-border collaboration, planning and service delivery
Council's Role:	<p>Strategic Partner: The Council partners with other agencies, stakeholders, community groups etc in the delivery of a Council provided service or activity that aligns with Councils Strategic outcomes or Delivery Program.</p> <p>Service Provider: The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council</p> <p>Part Funder: 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.</p>
Appendices:	<ol style="list-style-type: none">1. MRT Local Government Partner Value Proposition FY24 -26 (under separate cover)2. MoU independent review report August 2023 (under separate cover)3. MoU Murray Regional Tourism Contract FY24 (under separate cover)

Recommendation

That Council support the Value Proposition supplied by Murray Regional Tourism and endorse the Mayor and CEO to sign the Memorandum of Understanding between Murray Regional Tourism and Berrigan Shire for the financial years July 2024 to June 2027.

Purpose

Berrigan Shire Council has been a member Council of Murray Regional Tourism for some time. For the past two years I have sat on the Board of MRT to ensure a strong representation for Local Government through RAMJO. Phil Stone, CEO Edward River has recently taken up that position and I have stood down. Martin Hawson, CEO Mildura represents the Murray River Group of Councils.

To assist Council with their decision to continue their membership with the MRT, a Value Proposition is included at **Appendix 1**.

Summary

The MRT continue to provide direct assistance to the Berrigan Shire and all RMAJO Councils. Projects specific to Berrigan Shire in the previous year have been:

- the delivery of virtual headsets to the Visitor Information Centre which provide virtual tours of various sites along the Murray River.
- Significant advocacy work and constant contact during the pandemic. Their assistance with border and business closures was invaluable to us and the tourism community. Staff feel they and the community would have been swallowed up in a sea of misinformation if it had not been for the work the MRT CEO did at the time.
- Both Moira and Berrigan Shire areas were featured in a segment on The Fishing Show
- Matt Henderson attended the Tourism Leadership Course at no cost
- MRT actively assisted Sporties to access DNSW funding for the first TPG Murray River tournament
- MRT host and maintain the Sun Country on the Murray website with Moira Shire Council (www.suncountryonthemurray.com.au). This is where all our tourism operators have their ATDW listings housed
- MRT engaged the architects to design the interior of our Visitor Information Centre at no cost to Council

On Wednesday 30 August 2023, Chair Wendy Griener, wrote the following email to me:

Dear Karina,

I hope that you are all well.

I am writing to you on a couple of key board matters.

Independent Review of 2021-2024 Partner Council's Funding Agreement

We have completed our independent review in accordance with our 2021-2024 Partner Council's Funding Agreement between MRT and its Council Stakeholders, commonly referred to as our Memorandum of Understanding (MoU).

The purpose of this review is to determine the effectiveness of the delivery of our strategic goals and success measures as set out in our strategic plan. This includes consideration of our internal operations, governance, and stakeholder relationships.

An independent board review was also undertaken.

This report was discussed at our board meeting last week. In the interests of transparency, the board agreed that the full report should be circulated to our 13 local government partners and two state agencies.

The report is attached.

Overall, our strong cross border relationships have been recognised as well as our advocacy and communications over the past three years with COVID-19 and border closures and more recently floods. There are also a few opportunities for enhancing the performance of MRT which will be taken on board for the future.

MRT has overwhelmingly positive support amongst the majority of stakeholders surveyed who cited:

- 1. They agree that MRT provides a unified and effective voice on all issues relating to tourism as well as advocating tourism and growing the local economy.*
- 2. MRT took a key role in crisis preparation and recovery of tourism and that our marketing campaigns and advocacy regarding flooding events were particularly beneficial to the region's recovery and visitor economy.*
- 3. MRT's education programs and workshops are well supported, accessible and continue to foster increased engagement and involvement amongst stakeholders.*
- 4. MRT's efforts to increase cooperation and collaboration are held in high regard.*
- 5. MRT's efforts to communicate with stakeholders was considered one of the organisation's top strengths.*

Thank you to those people who provided input to the survey.

Annual General Meeting (AGM) October 26 at 11.30 am.

You will have received an invitation to our AGM which will take place on 26 October at 11.30am at the Rich River Golf Club in Moama (Tatalia Room 1) followed by lunch with guest speaker Chris Green.

We hope that many of you can join us for this key event face-to-face after three years of online AGM meetings.

Take care.

Wendy Greiner

Chair

Murray Regional Tourism

PO Box 357 Echuca (Yorta Yorta Country)

Victoria 3564

P: (03) 5480 7110

E: chair@mrtb.com.au

The report noted in the above email is included at **Appendix 2**.

Background

MRT recently spoke with all member Councils regarding the transition of the Victorian Government to the Visitor Economy Partnership model. Moving to this model will see funding from the Victorian Government increase from its current \$340,000 per annum to \$590,000 for the 2024-2025 financial year. There are no agreements beyond that at this time as the VEP model requires finalisation. The Victorian government has been clear with their Local Governments however that when it comes to tourism matters, the Vic Government will only be working with the VEPs.

The NSW Government's funding model is different to that of the Victorian Government. At this time the NSW Government provides a guaranteed \$90,000 per annum. The quantum of coming years has not been finalised as MRT are currently awaiting the outcomes of the new budget. It is expected it will remain similar. It should be noted however the NSW Government does offer other payments to

the MRT for specific projects so generally provides similar funding levels to the Vic Government. Recently the NSW Government provided \$700,000 for the delivery of a specific project through MRT.

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

Community Strategic Plan

4. Diverse and Resilient Business

4.2 Diversify and promote local tourism

4.2.1 Implement the Berrigan Shire Tourism Strategy

Strategy for the Visitor Economy 2022-2026

Issues and Implications

Membership with Murray Regional Tourism does provide Council with access to a peak body through whom significant funding is provided to communities. The recent adoption of the Destination Management Plan and the associated Local Area Plans (attachments to the DMP) are important documents for Council and assist with our own efforts to attract grant funding.

Policy

Nil

Financial

The Value Proposition is requesting Council agree to the next three years of membership to the MRT as follows:

- 2024-2025 - \$25,111
- 2025-2026 - \$25,865
- 2026-2027 - \$27,996

Should Council agree to the proposal, the relevant Funding Agreement will be signed on behalf of Council and the amounts committed to the budget for the corresponding years. This will not come back to Council until the next Funding Agreement is due for consideration.

The new Funding Agreement is included at **Appendix 3**.

Legal / Statutory

Nil

Community Engagement / Communication

Nil

Human Resources / Industrial Relations (If applicable)

Nil

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

As the Agreement fixes the amounts to be paid over the next three years, they become predictable and easily budgeted. The amounts are quite small and pose no significant risk to Council's long term budget.

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	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Traditionally there has been little reporting from MRT as to their achievements each year. The new MOU acknowledges this disconnect and will ensure Councils and Joint Organisations will receive annual reports that allow them to understand where the money they have provided has been spent and the outcomes that have been achieved. This information will be included in Council's Annual Report going forward.

3. Positive Consequences

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

Maintaining membership to MRT allows Council staff to leverage the marketing and tourism campaigns and projects the MRT delivers. As we have no dedicated tourism staff assistance in this way means we do get better outcomes for smaller investment amounts.

Options

1. Agree to sign the Memorandum of Understanding with Murray Regional Tourism
2. Do not agree to sign the Memorandum of Understanding with Murray Regional Tourism and fund tourism internally
3. Renegotiate the amount to be paid to Murray Regional Tourism noting the amounts charged remain subject to the formulae agreed on previously (which is population based and similar to the RAMJO formulae) and may lead to a lesser service provision.

Conclusions

Murray Regional Tourism is the peak body to deliver tourism projects, marketing and advertising promotion throughout the footprint of the MRT. They have been able to assist specifically this Council in numerous ways and staff believe they provide us value for money. The plans for coming years are exciting, including the development of the Murray River Road project.

8.24 Community Recovery Officer Position

Author:	Chief Executive Officer, Karina Ewer
Strategic Outcome:	2. Good government
Strategic Objective:	2.2. Strengthen strategic relationships and partnerships with community, business and government
Delivery Program:	2.2.1. Participate in networks that promote regional and cross-border collaboration, planning and service delivery
Council's Role:	Strategic Partner: The Council partners with other agencies, stakeholders, community groups etc in the delivery of a Council provided service or activity that aligns with Councils Strategic outcomes or Delivery Program. Service Provider: The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council
Appendices:	1. Community Recovery Officer Program fact sheet 2. Berrigan - CRO Funding Agreement and guidelines AGRN 1034 (under separate cover)

Recommendation

That the Council

1. note the addition of the Community Recovery Officer position to the Council's organisational structure for a 12-month period, fully funded by the NSW Reconstruction Agency
2. delegate authority to the Mayor and CEO to sign and seal the Deed of Agreement related to the funding of this position

Purpose

The purpose of this report is to gain Council's support to sign the agreement to engage a Community Recovery Officer through the NSW Reconstruction Authority at no cost to Council.

Summary

Council was approached by the NSW Reconstruction Authority to see if we would be interested in engaging a Community Recovery Officer to be hosted in our Council for a 12-month period. The position is fully funded, including overheads and comes with a small budget to deliver community engagement programs etc. The total allocation for this project officer is \$210,000.

The Officer can only work on the agreed programs and cannot be seconded to work on other Council operational matters.

To understand what a Community Recovery Officer (CRO) is and is not, I have provided a fact sheet at **Appendix 1**.

The position will report to our Enterprise Risk Manager as they will need to work closely with the Emergency Management Committee.

I felt this was a good opportunity for Council to ensure the unseen impacts of our recent flooding events are considered and the ways in which we might better respond in the future documented.

A copy of the Funding Deed is included at **Appendix 2**. This is the document I am asking for permission to sign.

The NSW Reconstruction Authority will also assist with the recruitment and selection of the person and engage in the interview process.

Background

Recent flooding events in our community have no doubt affected more than just our infrastructure. The role of the CRO will be to understand the impacts felt by residents of our Shire and to work with the Emergency Management Committee to ensure pre-event and during event assistance is more useful. They will also assist Council in understanding recovery from these events and how we will be more able to assist our communities.

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

Community Strategic Plan

Flood Study

Issues and Implications

There is a small risk the position may be asked by other officers to complete work that is not in their remit. That will need to be managed on an as needs basis.

Policy

Nil

Financial

There should be no financial impost to Council as the position is fully funded (including Overheads) and comes with a small operational budget.

Legal / Statutory

Nil

Community Engagement / Communication

A communication and engagement plan will form part of the first deliverables of the position.

Human Resources / Industrial Relations (If applicable)

As the person will be employed by Council, they will be subject to the Local Government (State) Award 2023

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

This is a fully funded position. There is however always a small risk their operational budget will not be sufficient and we may need to spend some monies from other funds to support the community engagement pieces. Those should not be significant however.

2. Community

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

There is always a small risk some members of the community may not understand the purpose of the position. Media Releases etc will attempt to explain the position does not cost the community but will have great benefits from their engagement with the position.

Options

1. Sign and Seal the Funding Deed allowing staff to engage a local person in this position
2. Do not agree to the Funding Deed and relinquish the opportunity.

Conclusions

I believe this is a good opportunity for Council to increase its community engagement in the coming year. Information gathered through this position may also prove useful to inform the review of our Community Strategic Plan and other strategic documents as they are reviewed after the next election.

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NSW Reconstruction Authority



Community Recovery Officer (CRO) program

Fact sheet for local councils

Overview

The CRO program is offered as an additional resource for disaster-impacted local councils to support, coordinate and facilitate community driven recovery, activities and events that contribute to the community's recovery from disaster.

The CRO program is designed to support disaster-impacted communities through their recovery by building the capacity and resilience of the local community and council, and strengthening the relationships between the council, local community organisations, state government agencies and the broader community.

The activities undertaken by the CRO address community needs and build the community's capacity to recovery from future disasters, whilst promoting preparedness. The CRO will work from a program framework developed by NSW Reconstruction Authority whilst being responsive to the needs of the Local Government Area in which they work.

Program funding

The CRO program is a joint-funded initiative by the Australian and NSW governments under Category A of the Disaster Recovery Funding Arrangements (DRFA) and offered for a period of 12-months, with funds available until 30 June 2025.

Funding for the council

The following funding is available:

1 x Community Recovery Officers - salary and on-costs	\$150,000 per Officer, per annum
1 x Community Recovery Officers - operating costs	\$60,000 per Officer, per annum
Total program funding	\$210,000 per Officer, per annum

When reviewing the value of this opportunity for your community, local councils are asked to consider their ability to sustain up to four months of salary and operating costs for the initial period of the CRO program.

The program works on a reimbursement model, where expenses will be reimbursed on a quarterly basis when the required documentation and evidence is submitted to the NSW Reconstruction Authority.

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On-cost arrangements

On-costs for eligible employee related expenses are claimable as per the table below, as it applies to the agency. These on-costs rates have been agreed between the Commonwealth and the State for the purpose of natural disaster claim under the Disaster Relief Account (DRA) and reviewed every financial year. NSW Reconstruction Authority understands that council may have oncost rates of up to 50%, however the CRO program is funded based on the below oncost table.

The on-cost rate for the Community Recovery Officer Program allows the following elements/percentages to be claimed. Current maximum oncost rate is 33.19%. For a fixed term contract, you cannot claim long service leave.

Local Government State Award – 1 July 2023 onwards – councils	
Component	Opt-in councils
Annual leave	7.69%
Sick leave	5.77%
Long Service leave	2.50%
Public Holiday	3.85%
Superannuation	11.00%
Leave loading	n/a
Workers' compensation	2.38%
Total	33.19%

Related vehicle costs

Access to a council pool vehicle by the CRO will aid in the delivery of the program. The petrol for this vehicle can be claimed with the submission of an accurate logbook and petrol receipts. A vehicle is not part of the program's provision.

If a council pool vehicle is not available for use, the CRO is able to hire a vehicle to attend recovery meetings, events or activities related to their duties. Long term vehicle hire or leasing is not an eligible expense, neither is the use of council vehicles for personal use.

The council may enter into an agreement with the CRO to use their private vehicle for work-related CRO tasks. This may be an eligible claim under the programs operational expenditure with the submission of an accurate logbook, where kilometres travelled are claimed at the current Australian Taxation Office (ATO) rate which covers petrol kilometres and maintenance of the vehicle. Alternatively, this use may be eligible for claim through personal income tax.

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Roles and responsibilities

Councils are responsible for providing day-to-day supervision of the appointed CRO, and the provision of assistance to the CRO in the financial administration of the program, such as the provision of ledgers, support with receipts and invoices and payslips for the submission of a financial reimbursement claim.

The CRO will be expected to submit monthly reports to NSW Reconstruction Authority, along with a workplan (to be submitted in first 6-weeks of employment and quarterly thereafter) to demonstrate progress and activities that meet the agreed deliverables of the program.

It is expected the CRO will participate in monthly State CRO Forums and liaise with NSW Reconstruction Authority Regional Delivery staff on local issues and recovery events and activities.

Daily tasks or suggested activities of a CRO may include (although not limited to):

- Establishment or expansion and facilitation of Community Resilience Network/s (CRN).
- Mapping and analysis of the impact of the disaster on community, its groups and networks, and community infrastructure
- identifying service gaps and mapping additional services already being implemented by new recovery partners.
- Participation in the local recovery committee and/or health and wellbeing sub-committee
- Assisting the Local Emergency Management Officer (LEMO) within council where appropriate.
- Linking with local community groups to input community needs/strengths and project ideas to inform development, planning and implementation of the Local Recovery Action Plan (Post Recovery Action Plan) and recovery activities.
- Supporting community driven activities and events including anniversary and memorial events.
- Liaising and working with key stakeholders, including collaboration with existing CROs and relevant support services where these are in place.
- Supporting the council communications team to develop recovery information for the community in multiple formats e.g., online content, newsletters, local media etc.
- Regular reporting to both the council and NSW Reconstruction Authority.
- Contributing relevant community information to the development or review of the Local Recovery Plan (Pre-event Recovery Plan)

Contact us

For more information please contact NSW Reconstruction Authority – CRO Program:

T: 02 9212 9618

E: CRO@reconstruction.nsw.gov.au

W: <https://www.nsw.gov.au/emergency/nsw-reconstruction-authority>

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8.25 Local Government Remuneration Framework

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:	2.1.2. Meet legislative requirements for Council elections, local government and integrated planning and reporting
Council's Role:	Service Provider: 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">1. A869106 - Correspondence from the Minister for Local Government - 20230901.pdf2. 206 Minister Hoenig Councillor Remuneration.pdf

This report is for information only.

Report

Attached as Appendix 1 to this report is a response from The Hon. Ron Hoenig MP, Minister for Local Government to Council's letter of 22 June 2023 seeking a review of the current local government remuneration framework.

The Minister stated:

[T]he NSW Government believes that the current independent process undertaken by the Local Government Remuneration Tribunal (Tribunal) provides a fair means of setting councillor remuneration that ensures the remuneration received by councillors is proportionate with their workload.

The Minister notes that the Tribunal in its most recent determination considered concerns raised about Mayor and Councillor remuneration.

The Minister also noted that people enter local government representation from a sense of civic service rather than for remuneration. Following this logic, one may assume that Members of Parliament and Ministers of the Crown do not act out of a sense of civic service but rather for remuneration.

The Minister did not address any of the points raised in Council's letter – attached as Appendix 2.

Leader of the House in the Legislative Assembly
Vice-President of the Executive Council
Minister for Local Government



Your Ref: KE:SA
Our Ref: A869106

His Worship the Mayor
Cr Matthew Hannan
Berrigan Shire Council
56 Chanter Street
BERRIGAN NSW 2172

via email: karinae@berriganshire.nsw.gov.au

Dear Mayor,

Thank you for your letter of 22 June 2023 seeking a review of the current local government remuneration framework. I apologise for the delay in responding.

I acknowledge Berrigan Shire Council's views and appreciate your interest in this matter and your offer to assist. I would like to reassure you that the NSW Government recognises the important service councillors provide to their local communities as elected representatives and the dedication they bring to that role.

However, the NSW Government believes that the current independent process undertaken by the Local Government Remuneration Tribunal (Tribunal) provides a fair means of setting councillor remuneration that ensures the remuneration received by councillors is proportionate with their workload. I note the Tribunal in its most recent determination considered concerns raised about mayor and councillor remuneration. The Tribunal noted that people enter local government representation from a sense of civic service rather than for remuneration.

Thank you for bringing this important matter to my attention. If you have any questions, you are welcome to contact Mr John Davies, Manager, Council Governance, at the Office of Local Government on 02 4428 4100 or by email at olg@olg.nsw.gov.au.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Ron Hoenig".

The Hon. Ron Hoenig MP
Leader of the House in the Legislative Assembly
Vice-President of the Executive Council
Minister for Local Government

52 Martin Place Sydney NSW 2000
GPO Box 5341 Sydney NSW 2001

02 7225 6150
nsw.gov.au/ministerhoenig

1



Berrigan Shire Council
56 Chanter Street, Berrigan NSW 2712

P 03 5888 5100

www.berriganshire.nsw.gov.au

Ref: KE:SA

22 June 2023

The Honourable Ron Hoenig DipLaw (SAB) MP
GPO Box 5341
SYDNEY NSW 2001

REVIEW OF COUNCILLOR REMUNERATION

Dear The Hon Ron Hoenig

I would first like to congratulate you on being appointed as the Minister for Local Government. I look forward to working with you in the future.

At Council's May Ordinary meeting, Council moved to contact you to urge the New South Wales Government to undertake a comprehensive review of the framework for Mayor and Councillor remuneration in line with the advice received from the Local Government Remuneration Tribunal at point 97.

As the Chair of the Riverina and Murray Joint Organisation (RAMJO) and the Mayor of the Berrigan Shire, I would be more than willing to work with you and / or a committee to reconsider the work offered by Mayors and Councillors and provide solutions to the issues local governments are facing which centre on the lack of diversity in representation, the changing nature of the work required and increasing community expectations.

I do not believe I have an answer to these concerns at this time, but believe there is merit in considering what a future framework could look like that would ensure the continuing ability of Councils to provide high quality and needed services to their communities.

Should you require further information please contact either me on either telephone 03 5888 5100 or email karinae@berriganshire.nsw.gov.au.

Yours faithfully

Matthew Hannan
MAYOR





8.26 T15-22-23 (TL) Tocumwal Sewer Relining

Author:	Director Infrastructure, Rohit Srivastava
Strategic Outcome:	1. Sustainable natural and built landscapes
Strategic Objective:	1.3. Connect and protect our communities
Delivery Program:	1.3.1. Coordinate flood levee, local road, sewer and stormwater asset management and planning
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	Nil

Recommendation

That Council note this report.

Report

The purpose of the report is to brief Council on the Tender process and the proposed recommendation.

The report provides the context for the decision to be made in closed Council.

Background

This project is part of Council's initiative to renew its Asbestos Cement (AC) sewer pipe network. The sewer network selected for this project is either partially damaged or infiltrated with tree roots, which need rehabilitation as soon as possible to avoid further damages. Relining is one of the techniques used to rehabilitate and increase the service of these pipes by approximately 50 years.



Typical issues observed as part of sewer CCTV are presented below.

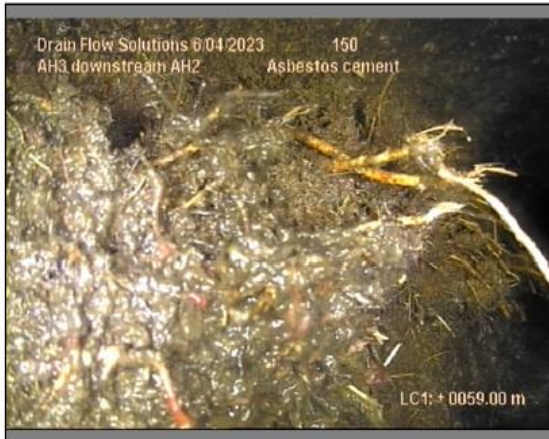


Photo: 5_1_5_06042023_130001_B.JPG
58.6m, A Mass of mostly fine Roots, which has developed into an interwoven clump, Obstruction: 21-50%, General Comments Root cutting and relining required, at 10 o'clock



Photo: 5_1_7_06042023_130317_A.JPG
61.9m, Longitudinal fracture, width 100mm, General Comments Reline Required-Longitudinal cracking full length of pipe, at 3 o'clock

Tender Timeline

The tender was advertised as below:

- Advertised - 21 June 2023
- Initial close date - 19 July 2023
- Actual close date - 02 Aug 2023 (extended due to request from tenderers)
- Tender evaluated – 24 Aug 2023

Council received four tenders which were evaluated as per the Council's Procurement Policy.

The evaluation team members:

- Director Infrastructure
- Water & Sewer Overseer
- Graduate Engineer

Tender evaluation score is presented below:



Standard Criteria	Tenderer-1	Tenderer-2	Tenderer-3	Tenderer-4
1. Price	19.31	16.4	20	5
2. Compliance with Specification	20	20	20	20
3. Track Record	6	6	6	6
4. Quality Systems	6	6	6	6
5. Availability of Appropriate Skills & Resources	6	6	6	6
6. Work Health & Safety Considerations	9	9	9	9
TOTAL SCORE	66.31	63.4	67	52
Tender Price	\$429,929.06	\$494,908.26	\$414,352.51	\$753,539.69

Tenderer-3 is the preferred tenderer. Tenderer-1 and Tenderer-3 are very close to each other, they both have proposed to use same material for re-lining.

If required, the cost of additional rehabilitation repair works from Tenderer 3 are cheaper than that proposed by Tenderer 1.

Council has a budget of \$655,000 towards sewer re-lining program under current financial year.

Conclusion

Council is requested to refer to the corresponding confidential item for the decision making.

8.27 Development Determinations for Month of August 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:	Service Provider: 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

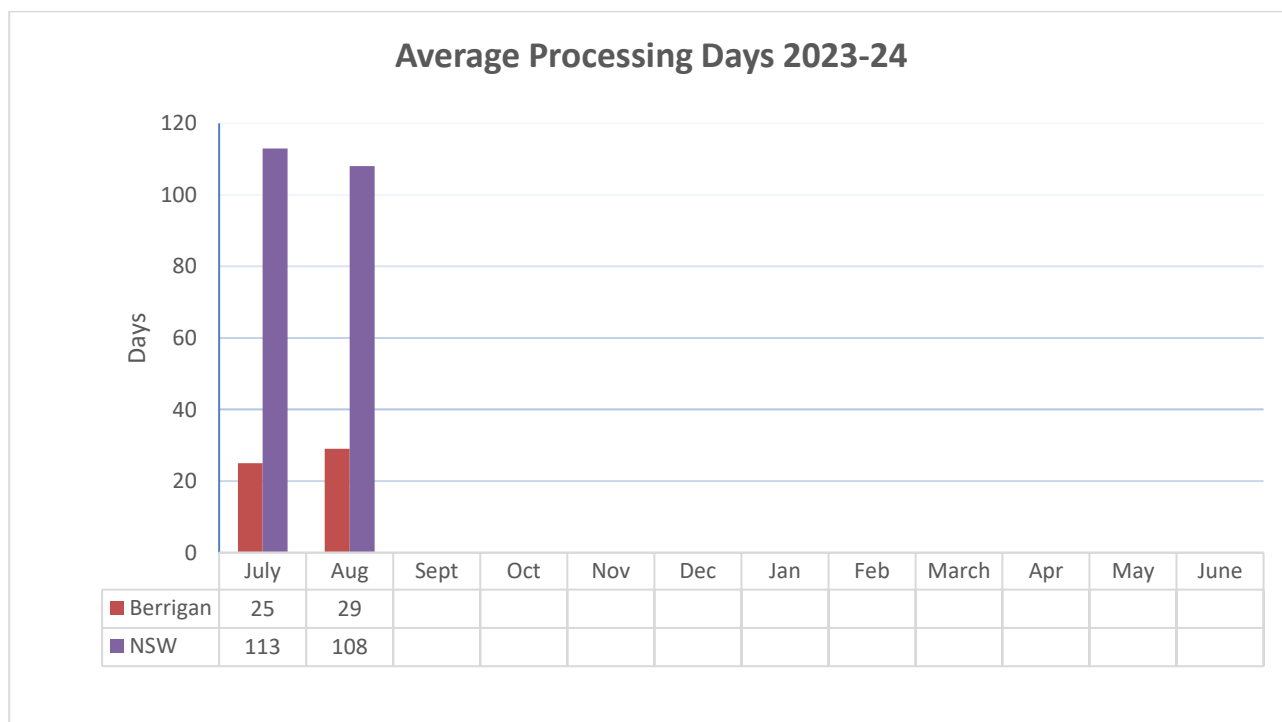
APPLICATIONS DETERMINED FOR AUGUST 2023

APPLICATION	DESCRIPTION	PROPERTY LOCATION	APPLICANT	OWNER	STATUS	VALUE	DAYS TAKEN
117/23/DA/D2	STORAGE SHED X 2	53-61 CHANTER STREET, BERRIGAN NSW 2712 (Lot2//DP536770)	ARTHUR COWAN	MR AW COWAN	Approved 22-08-2023	\$ 15000.00	Active 80 Total 80
132/23/DA/D6	CARPORT AND VERANDAH	92-94 MURRAY STREET, FINLEY NSW 2713 (LotB//DP347381)	SPANLINE BENDIGO	MRS MA BALDWIN	Approved 22-08-2023	\$ 33559.00	Active 48 Total 48
134/23/DA/D6	ADDITIONS TO DWELLING	37 DENISON STREET, TOCUMWAL NSW 2714 (Lot41//DP833073)	MATTHEW MILLER	MR TD ARKLY	Approved 08-08-2023	\$ 25000.00	Active 34 Total 34
137/23/DA/DO	RURAL SHED	453 STOCK ROUTE ROAD, BAROOGA NSW 3644 (Lot2//DP608619)	DAVID BACKHOUSE	MR DG BACKHOUSE	Approved 08-08-2023	\$ 150000.00	Active 29 Total 29
1/24/DA/DM	BOUNDARY FENCING	30 WILLIAM STREET, BERRIGAN NSW 2712 (Lot20/32/DP3353)	KENNETH LAWLOR	MR KR LAWLOR	Approved 15-08-2023	\$ 9500.00	Active 31 Total 31
2/24/DA/D5	RESIDENTIAL STORAGE SHED	7 QUIRK STREET, FINLEY NSW 2713 (Lot5/32/DP242120)	BERNARD ROGERS	MR BE & MRS GM ROGERS	Approved 15-08-2023	\$ 18050.00	Active 30 Total 30
6/24/DA/D1	BV DWELLING & ATTACHED GARAGE	61-67 HENNESSY STREET, TOCUMWAL NSW 2714 (Lot3//DP1284625)	KENNEDY BUILDERS PTY LTD	ROMAN CATHOLIC CHURCH TRUSTEES	Approved 15-08-2023	\$ 368000.00	Active 28 Total 28
9/24/DA/D1	BV DWELLING & ATTACHED GARAGE	24 HADLEY STREET, TOCUMWAL NSW 2714 (Lot20//DP1250358)	METRICON HOMES	MR YR ACEVEDO & MS AM PINZON	Approved 30-08-2023	\$ 370013.00	Active 36 Total 36
12/24/DA/D5	STORAGE SHED	258 GOLF COURSE ROAD, BAROOGA NSW 3644 (Lot4//DP791909)	MARK DEAN	MR MJ & MRS RL DEAN	Approved 30-08-2023	\$ 45000.00	Active 32 Total 32
14/24/DA/DO	RURAL STORAGE SHED	806 PYLES ROAD, BERRIGAN NSW 2712 (Lot23//DP752303)	ENTEGRA TRADING PTY LTD	GREEN PLAINS PTY. LTD.	Approved 16-08-2023	\$ 251915.00	Active 12 Total 12
17/24/DA/D5	EXTEND EXISTING SHED	33 EMILY STREET, TOCUMWAL NSW 2714 (Lot62//DP1256882)	ROSS TREVEAN	MR RB & MRS SL TREVEAN	Approved 14-08-2023	\$ 10000.00	Active 8 Total 8

1/24/CD/PC	INGROUND FIBREGLASS SWIMMING POOL	1A RIVERVIEW COURT, BAROOGA NSW 3644 (Lot3//DP1172277)	MURRAY RIVER CERTIFIERS	SHACKBROOK PTY LIMITED	Approved 14-08-2023	\$ 91250.00	Active 0	Total 0
2/24/CD/PC	BV DWELLING & ATTACHED GARAGE	58 TESSIER DRIVE, TOCUMWAL NSW 2714 (Lot31//DP1250358)	MURRAY RIVER CERTIFIERS	MS PH WILMOT	Approved 14-08-2023	\$ 407100.00	Active 0	Total 0
3/24/CD/PC	INGROUND FIBREGLASS SWIMMING POOL	10 LA BELLE COURT, TOCUMWAL NSW 2714 (Lot7//DP1194758)	THE TRUSTEE FOR W.B.C.S. FAMILY TRUST	MS CA MARETT	Approved 14-08-2023	\$ 71650.00	Active 0	Total 0
20/24/DA/D5	STORAGE SHED	270 GOLF COURSE ROAD, BAROOGA NSW 3644 (Lot1//DP791909)	GEOFF LANGLEY	MR GI LANGLEY	Approved 23-08-2023	\$ 17000.00	Active 7	Total 7
25/24/DA/D2	PERGOLA	80-96 CHANTER STREET, BERRIGAN NSW 2712 (Lot5/N/DP2512)	CARDILLO CONSTRUCTIONS	ABL NOMINEES	Approved 29-08-2023	\$ 12000.00	Active 6	Total 6

Key Performance Indicator – Development Assessment:

	Berrigan Shire Council (Aug 2023)	NSW (Aug 2023)
Average time taken to determine a Development Application ¹	29.30	108 ²



¹ 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.

² Source: <https://www.planningportal.nsw.gov.au/eplanningreport> accessed 11 September 2023

APPLICATIONS PENDING DETERMINATION AS AT 31/08/2023

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)
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)
57/23/DA/DM	27-10-2022	MUSEUM SHED	300-320 MURRAY STREET, FINLEY NSW 2713 (Lot7005//DP1019585)
135/23/DA/D9	21-06-2023	2 LOT SUBDIVISION	163 RACECOURSE ROAD, TOCUMWAL NSW 2714 (Lot1//DP1242015)
3/24/DA/D1	06-07-2023	DWELLING	BUSHLANDS ROAD, TOCUMWAL NSW 2714 (Lot12//DP286078)
5/24/DA/DM	06-07-2023	TREE REMOVAL	172 JERILDERIE STREET, BERRIGAN NSW 2712 (Lot1/6//DP758097)
8/24/DA/D5	11-07-2023	CARPORT	7 QUIRK STREET, FINLEY NSW 2713 (Lot5/32//DP242120)
10/24/DA/DM	14-07-2023	TEMPORARY STORAGE STRUCTURE	FRANKS ROAD, BAROOGA NSW 3644 (Lot6//DP1076143)
11/24/DA/D3	14-07-2023	ERECTION OF SHEDS TO BE UTILISED FOR THE PURPOSE OF DEPOT	4643 BAROOGA-TOCUMWAL ROAD, TOCUMWAL NSW 2714 (Lot1137//DP1190920)
13/24/DA/D1	18-07-2023	BV DWELLING	10 BUSHLANDS ROAD, TOCUMWAL NSW 2714 (Lot29//DP286078)
16/24/DA/DM	02-08-2023	DEMOLITION OF DWELLING	160-162 JERILDERIE STREET, BERRIGAN NSW 2712 (Lot3/5//DP758097)
18/24/DA/D9	04-08-2023	2 LOT SUBDIVISION	15 CADDY CLOSE, BAROOGA NSW 3644 (Lot265//DP1287555)
19/24/DA/D3	10-08-2023	AGRICULTURAL PRODUCE INDUSTRY, 2-LOT SUBDIVISION, ASSOCIATED WORKS	87-123 HAMILTON STREET, FINLEY NSW 2713 (Lot118//DP752299)
21/24/DA/D5	14-08-2023	RESIDENTIAL STORAGE SHED	67-69 NANGUNIA STREET, BAROOGA NSW 3644 (Lot138//DP752274)
22/24/DA/D5	17-08-2023	RESIDENTIAL STORAGE SHED	58 VERMONT STREET, BAROOGA NSW 3644 (Lot16//DP584047)
24/24/DA/D5	18-08-2023	PATIO AND RESIDENTIAL STORAGE SHED	57 HUGHES STREET, BAROOGA NSW 3644 (Lot4//DP1257753)
26/24/DA/D7	21-08-2023	INGROUND FIBREGLASS SWIMMING POOL	18 DAWE AVENUE, FINLEY NSW 2713 (Lot17//DP247524)
27/24/DA/D6	22-08-2023	ADDITIONS TO DWELLING	32 HILL STREET, TOCUMWAL NSW 2714 (Lot23//DP618811)
28/24/DA/D5	29-08-2023	RESIDENTIAL STORAGE SHED	1-3 ADAMS STREET, TOCUMWAL NSW 2714 (Lot2//DP257591)
29/24/DA/D2	29-08-2023	GOLF CART STORAGE SHEDS	10-16 BURKINSHAW STREET, BAROOGA NSW 3644 (Lot240//DP41479)
30/24/DA/D3	31-08-2023	STORAGE SHED FOR PURPOSE OF TRANSPORT DEPOT	45 PLATYPUS DRIVE, BAROOGA NSW 3644 (Lot8//DP253590)
31/24/DA/D5	31-08-2023	RESIDENTIAL STORAGE SHED	43 MORRIS DRIVE, TOCUMWAL NSW 2714 (Lot34//DP270154)

TIME TAKEN FOR ASSESSMENT OF APPLICATIONS LODGED AND <u>PENDING</u> DETERMINATION	Development Applications Pending Determination
<i>Less than 40 days</i>	13
<i>41 – 99 days</i>	6
<i>100+ days</i>	5
<i>Total Number of Development Applications Pending Determination</i>	24

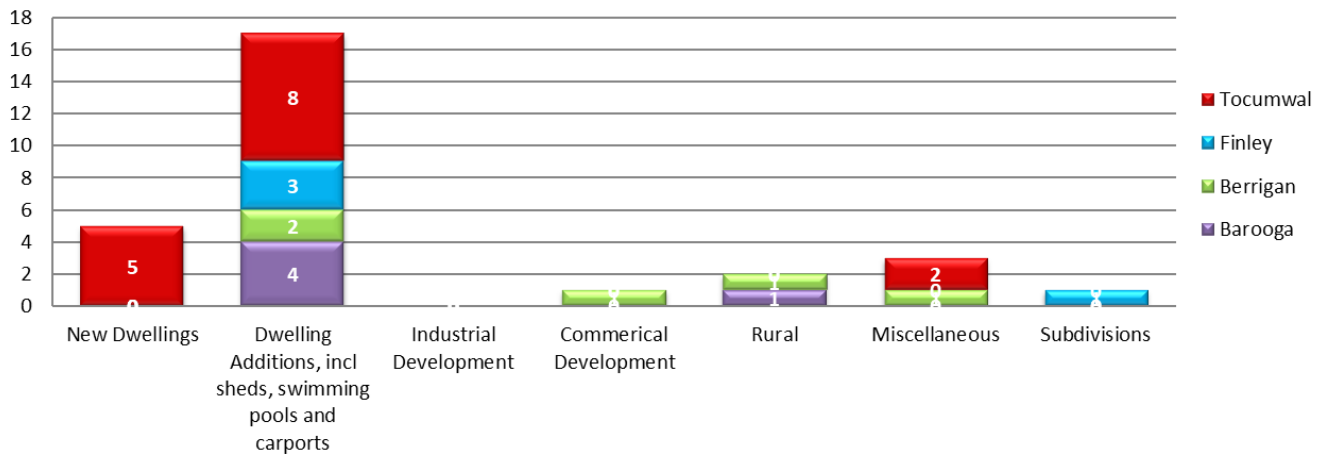
TOTAL APPLICATIONS DETERMINED / ISSUED (including modifications)

	This Month (Aug)	Year to Date	This Month's Value (Aug)	Year to Date Value
<i>Development Applications (DA)</i>	13	26	\$1,325,037	\$2,928,372
<i>Construction Certificates (CC)</i>	12	24	\$1,256,031	\$3,892,716
<i>Complying Development Certificates (CDC)</i>	3	3	\$570,000	\$570,000
<i>Local Activity (s.68)</i>	9	17	\$0	\$0

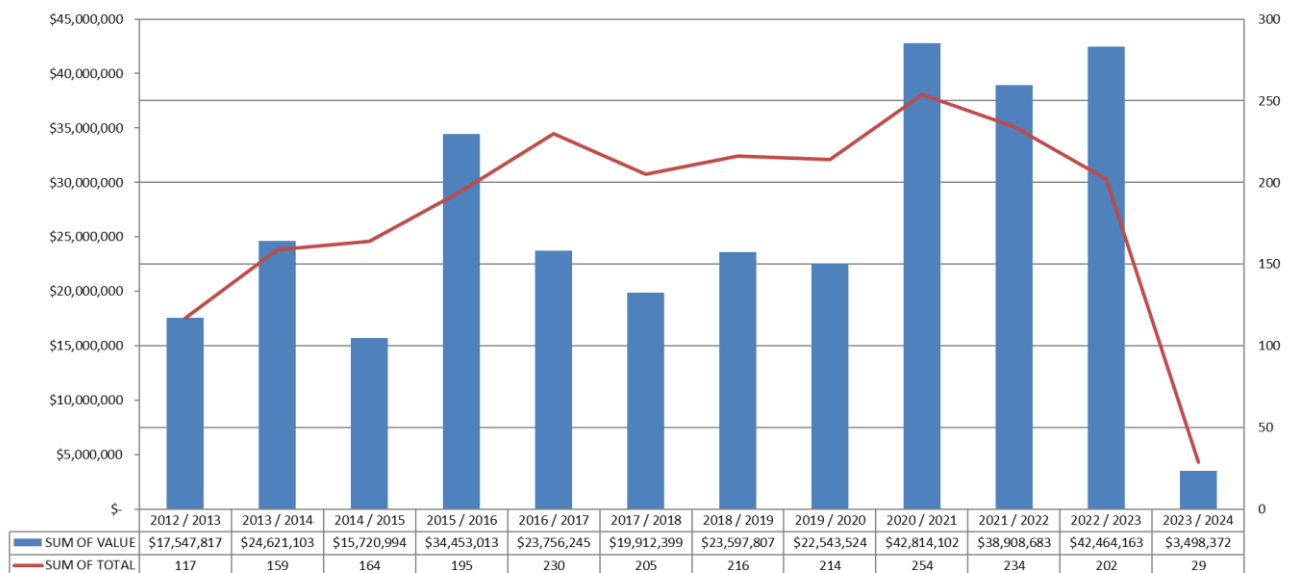
OTHER CERTIFICATES ISSUED FOR AUGUST 2023

	s10.7(2) Planning Certificate		s10.7(5) Certificate		735A Certificate		s9.34 Certificate		s6.24 Building Certificate		Swimming Pool Certificate	
	AUG	Year Total	AUG	Year Total	AUG	Year Total	AUG	Year Total	AUG	Year Total	AUG	Year Total
BAROOGA	5	10	0	1	0	0	0	0	0	0	0	0
BERRIGAN	1	2	0	0	1	1	0	0	0	0	0	0
FINLEY	16	29	2	3	2	2	2	2	0	0	0	0
TOCUMWAL	10	17	0	0	0	0	0	0	0	0	2	3
TOTAL	32	58	2	4	3	3	2	2	0	0	2	3

DEVELOPMENT ACTIVITY 2023/2024 as at 31 August, 2023



DEVELOPMENT ACTIVITY as at 31 August, 2023





8.28 NSW Rural Doctors Network Bush Bursary

Author:	Deputy Chief Executive Officer, Matthew Hansen
Strategic Outcome:	3. Supported and engaged communities
Strategic Objective:	3.1. Create safe, friendly and accessible communities
Delivery Program:	3.1.2. Facilitate all age healthy lifestyles and ageing in place
Council's Role:	No Role: The Council chooses not to have a role in relation to a particular service or activity
Appendices:	<ol style="list-style-type: none">1. 17.05.2022 NSW RDN Bush Bursary Council Invite 2022.pdf (under separate cover)2. Rural Council Bush Bursary Guidelines_NSW RDN_2020.pdf (under separate cover)3. Berrigan Shire Scholarships Report - 2020.pdf (under separate cover)

This report is for information only.

Report

At its ordinary Council meeting in August, Council requested further information on the NSW Rural Doctors Network Bush Bursary.

The Bush Bursary and CWA Scholarships provide selected medical students in NSW and the ACT with funding to assist with costs associated with their studies. In return, students spend two weeks on a rural placement in country NSW during their university holidays.

The scholarships are offered annually to selected medical students in NSW and the ACT and are financially supported by the rural councils of NSW, the Country Women's Association and NSW Rural Doctors Network (RDN).

The direct cost to Council is \$3,000. The 2022 invitation and program guidelines are attached as Appendices 1 and 2.

Council's Economic Development Manager undertook a review of Council's scholarship programs in 2020. The subsequent report presented to the Council is attached as Appendix 3.

The report made the following findings on the Bush Bursary:

The Bush Bursary has failed to deliver an economic development outcome for the Berrigan Shire. The Council has participated in this program over an extended period of time with no direct result back into the LGA. Whilst participation in this program demonstrates the Council's preparedness to be a good corporate citizen it is felt that the value of the program was diluted in 2020 with two students participating for the same funding

Recommendation: That the Council terminates its relationship with the Rural Doctors Network and the Bush Bursary.

This recommendation was accepted in March 2020 and Council has not participated since that date.





8.29 Hughes Street, Barooga - Footpath Costing

Author:	Director Infrastructure, Rohit Srivastava
Strategic Outcome:	1. Sustainable natural and built landscapes
Strategic Objective:	1.3. Connect and protect our communities
Delivery Program:	1.3.1. Coordinate flood levee, local road, sewer and stormwater asset management and planning
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	Nil

Recommendation

Council direction is sought.

Report

The purpose of the report is to brief Council on the expected cost of 1.2m wide footpath on Hughes Street, Barooga and for Council to consider the implications of a half cost scheme to construct the footpath as suggested.

Background

Council at its June 2023 Ordinary Council Meeting, under Motions without Notice instructed Director Infrastructure to investigate cost to construct footpath along Hughes Street, Barooga.

Investigation

Council officers have visited the site and have prepared a brief on the options to construct footpath along Hughes Street.

The site has been broken into three sections and presented below:



Section I: Buchanan's Rd to 141m towards MON Foods



From Point A to B = 141m

- The total road reserve on south side of Hughes Street is 5.15m from back of kerb (BOK) and 6.80m on north side from edge of seal.
- There are lot of challenges towards north side because of low land, dense bushes, flood land and overhead power lines.
- South side meets the criteria and is suitable for footpath construction.
- There may be a small retaining wall required in this section.

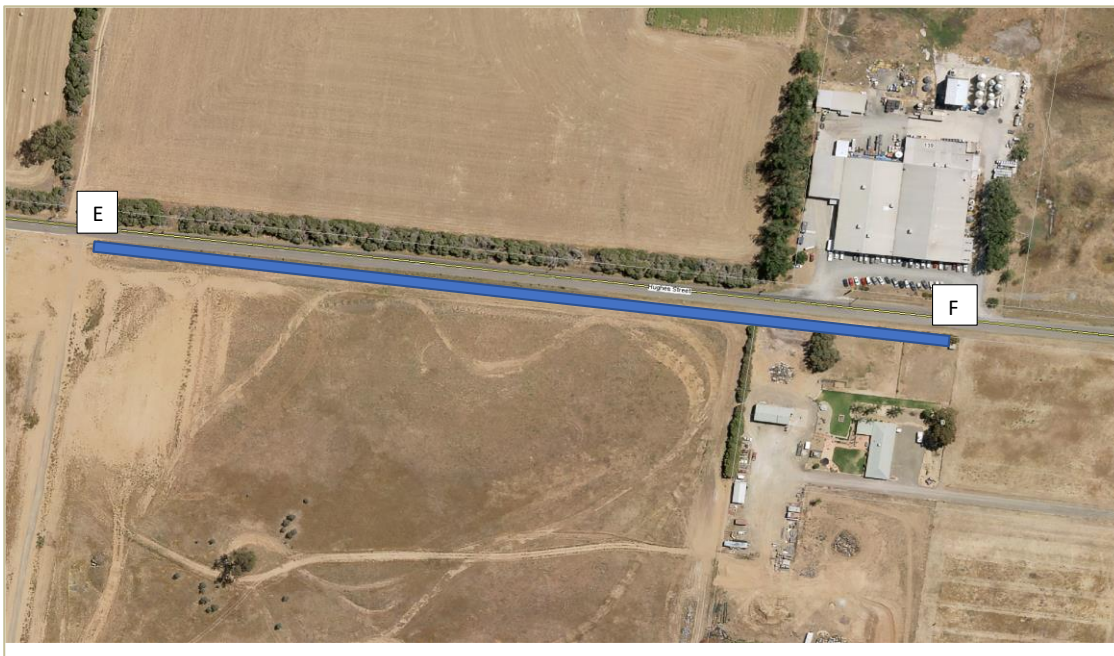


Section II: 141m to 355m from Buchanan's Rd



There are three light poles in this area. The houses have no front fence. The footpath will be constructed between the light poles and the property boundary, by keeping safe distance of 1m from the light pole.

Section III: 355m to 817m (from Buchanan's Rd) MON Foods



In this section some of the points that need consideration are:

- Change of speed zone from point **E** (50km/h to 80km/h). Speed zone of 80km/h requires wider clear space between the road and the footpath. To accommodate this, it is proposed that a speed limit sign be placed after MON Foods.



- On Southside there is a table (open) drain. For the table drain, we will have to put a stormwater pipes and construct kerb and gutter. Considering there is no development in this area, any development (sub-division) would damage the infrastructure.
- We can wait for this section till the development work is done, as kerb & gutter works would be the responsibility of the developer and funded as part of the development.
- There may be substantial fill required in this section for the footpath works.

Considering challenges and expected development in the section between point E-F, costing of footpath is only done for the section between points A-D.

Estimate: Point A – Point D (355m)

Item No.	Description	Quantities	Units	Rates	Amounts
1.	Site establishment, traffic management plan along with traffic controller	Lumpsum			\$15,000
2.	Excavate and dispose existing sand	31.95	m ³	118	\$3,770
3.	Supply and construct 75mm thick M25 concrete	31.95	m ³	932	\$29,777
Grand Total					\$48,547

Funding: Currently this project is not part of the Council's planned capital works. Considering the section in between points A-D, it is proposed to initiate a half-cost scheme with the direct beneficiaries in the next financial year.

Other Works: Council will need to consider which other works may not be possible from the Operational Plan if this project goes ahead in the 2023-2024 financial year.

It is recommended this project be fully designed and costed in this financial year and provided for in the 2024-25 budget. That timeline will provide staff with sufficient time to undertake the community consultation work required to implement the half cost scheme also.





8.30 Cultural Review and Compliance Audit

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:	Service Provider: 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">1. Cultural Review and Compliance Audit - 07 September 2023 - FINAL.pdf (under separate cover)2. Continuous Improvement Plan (under separate cover)

Recommendation

That Council:

1. Note the Cultural Review and Compliance Audit Report prepared by Morrison Low attached as Appendix 1.
2. Endorse the associated Action Plan – attached as Appendix 2 – to address the recommendations made in the report.
3. Direct the Chief Executive Officer to provide the Council with a quarterly report on progress against the Action Plan.

Purpose

This report provides Council with a report on the Cultural Review and Compliance Audit commissioned by Council in April 2023.

Summary

In May 2023, the Council directed the Chief Executive Officer (CEO) undertake an independent Cultural Review and Compliance Audit of the Council.

The review and audit is now complete and the report is attached as Appendix 1 to this report.

The report makes 39 recommendations to Council. Management have drafted an action plan to address these recommendations. The draft action plan is attached as Appendix 2.

Council is asked to note the report and endorse the action plan.



Background

Following the issues arising at Moira Shire Council in late 2022 and early 2023, the Council resolved to commission a Cultural Review and Compliance Audit of Council. This was to be an independent review of Council's workplace culture and its compliance with its core legislative obligations and preparation of an action plan to support continuous improvement across the organisation and its operations.

The review and audit was required to:

- a) identify the business significance of culture and conduct risk within Council's control environment;
- b) identify the key components of culture and conduct risk within Council's sphere of influence;
- c) identify key stakeholder concerns and expectations;
- d) identify possible approaches to assess and report on Council's culture and management of conduct risk now and into the future;
- e) audit and report on Council's compliance with its legislative obligations, including whether its policies are fit for purpose;
- f) develop a program of continuous cultural improvement; and
- g) produce a report which summarises the history of improvements made to date and an action plan for continuous improvement into the future.

At its June meeting, Council commissioned the firm Morrison Low to undertake the review and audit at a quoted price of \$31,795 ex GST.

The review was carried out from July 2023 to September 2023, and informed by considerable engagement with a range of internal and external stakeholders, as well as an evaluation of Council's governance and compliance framework, using the Governance Lighthouse model recommended by the Audit Office of New South Wales (NSWAO).

Findings

Morrison Low made the following high-level findings.

Workplace culture

- *Council's workplace culture is generally in good health, with employee feedback suggesting that recent initiatives instigated by Management to improve the organisation's culture and boost morale have been successful. Employees overwhelmingly believe that the organisation is on an improvement trajectory and are generally committed to the success of that journey.*
- *Council lacks a robust or genuine customer focus culture: employees and customers both agree that while service levels are satisfactory, Council is not efficient in processing and actioning customer enquiries and complaints, or proactive in closing the communication loop with customers and advising them of how their enquiries and complaints have been resolved. Further investment and prioritisation of Council's business systems is required, including the implementation of a fit-for-purpose Customer Relationship Management ("CRM") system, coupled with the introduction of internal reporting of customer service performance and complaint resolution.*



- *Council's Planning and Development Assessment team is a source of frustration for internal and external stakeholders, including employees and customers alike. While a high-level analysis of public data sourced from the NSW Planning Portal suggests that Council's Planning and Development Assessment team is performing well in terms of output; our consultation suggests that the team culture is poor, and there may be attitudes and behaviours prevalent within the team that are inconsistent with Council's corporate values and require further investigation.*

Governance Framework

In undertaking an assessment of Council's governance and compliance, we identified that:

- *Employees are confident that the organisation is complying with its legislative obligations and strongly believe that there is no evidence of unethical or improper conduct or behaviour within the organisation. Considerable effort has been made in recent years to strengthen Council's governance framework, including the introduction of a contemporary delegations system to support effective and efficient decision-making across the organisation, as well as a significant volume of policy development. Further investment is required, however, to ensure Council complies with its core legislative obligations and upholds the principles of good governance.*
- *Council's **Agency Information Guide** has been recently reviewed and updated. Council should continue to ensure the Guide is updated each year, consistent with its legislative obligations under the Government Information (Public Access) Act 2009 ("GIPA Act"). While the Guide outlines that Council will comply and meet its open access information disclosure requirements under the GIPA Act; we note that various registers that ought to be made publicly available from Council's website are either not published as required, or alternatively, published but not maintained.*
- *Council's **Privacy Management Plan** has not been updated or reviewed since 2013. Noting the significance of privacy and information management in the current climate, including increased interest in how public sector agencies collect, store and use data, this document should be reviewed and updated. Moving forward, Council should ensure that its Privacy Management Plan is updated at intervals of no more than four (4) years.*
- *Over the course of our review, we observed that the **Code of Conduct** – the organisation's cornerstone governance document – published to Council's website was adapted from the now-repealed 2018 iteration of the Model Code of Conduct for Local Councils in NSW ("the Model Code"), rather than the currently-prescribed 2021 iteration. We were advised, however, that Council has in fact adopted the 2021 iteration of the Model Code, but that the website had not been updated to reflect the correct version. This matter has since been addressed, and Council's website has been updated to contain the current version of Council's Code of Conduct.*

Conclusions

The overall conclusion of the report is below.

We recognise that considerable effort has been made – and progress achieved – in recent years, particularly in relation to improving the organisation's culture and enhancing its governance framework. Through consultation with Council stakeholders, as well as our own review of Council's governance and compliance framework, we have identified several areas for improvement, totalling 39 recommendations. Our recommendations are listed throughout the



body of this report and have been brought together in the Continuous Improvement Action Plan contained at Chapter 8.

While most of our recommendations pertain to Council's governance and compliance framework, it is important to note that the number of recommendations provided does not necessarily indicate systemic challenges or poor practice. Rather, by nature of this review, we have focused our efforts on identifying where Council can improve practices even further. For example, several of our recommendations pertain to publishing information and documents to Council's website, in line with legislative requirements: the absence of such documents from Council's website does not suggest that Council is lacking the documents and information in question, just that their publication may have been inadvertently overlooked through the migration from Council's former (old) website to its current (new) website.

In contrast, we have made less recommendations in relation to improving Council's customer service culture, but the challenges faced by Council in this regard are arguably more complex and challenging to address, spanning culture, systems, and processes. Customers who participated in the consultation process that informed this review have reasonable expectations of Council in relation to service levels and service delivery, and there is a high level of goodwill towards frontline staff involved in engaging with customers. The creation of a standalone Customer Experience team within the Corporate Services department, coupled with the introduction of a contemporary, modern website reflects Council's commitment to improving customer service. Further investment will be required, however, to progress this journey over the coming years and reshape Council's culture, systems and processes to support customer service excellence.

From a management perspective these findings are not unexpected, and Councillors have raised some of these issues with management previously.

Some of these matters, including the planning and building service were being addressed as this review and audit was underway.

Recommendations

The report makes 39 performance improvement recommendations. Management have reviewed these recommendations and accepted them in full.

No.	Improvement opportunity
1	Ensure all employees who interact with Council, or are able to access customer information and records, receive information, training and/or education in GIPA and privacy management.
2	Include details in the Annual Report of any and all actions undertaken to educate, inform and remind Council's employees of their obligations and protections under PID legislation.
3	Review all outstanding employee complaints and ensure that they have been appropriately closed out, with complainants formally notified of the outcome of how their complaints have been managed and resolved.



No.	Improvement opportunity
4	Review Council's Employee Induction Program to incorporate training on the Customer Requests Policy and Customer Experience Charter, ensuring that all employees familiarise themselves with the documents upon commencement of employment.
5	Review the service standards set out in the Customer Experience Charter to ensure they are realistic and achievable and avoid creating a situation whereby Council is setting itself up for failure.
6	Following procurement of a fit-for-purpose CRM software solution (refer Recommendation 8 below), consider introduction of performance reporting to Council's Audit, Risk and Improvement Committee.
7	Convene regular Customer Experience Coordination Meetings with all Directors and key personnel to review customer performance including outcomes data, identify and action priority initiatives, and provide input on how to continuously improve customer service operations.
8	Investigate the purchase and implementation of a fit-for-purpose CRM solution that will enable Council to record, monitor and report against customer enquiries, complaints and requests in a timely manner and evaluate its performance against agreed service levels set out in the Customer Experience Charter.
9	Following purchase and implementation of a fit-for-purpose CRM solution, introduce regular reporting to Management on the status of customer enquiries, complaints and requests, as well as key performance and satisfaction metrics.
10	Review Council's obligations under the GIPA Act and GIPA Regulation and ensure that all Open Access Information listed in Schedule of the GIPA Regulation is updated and published to Council's website.
11	Develop a knowledge base to support FAQ and common enquiries to support Council's Customer Experience team and publish FAQ on Council's website.
12	Explore the feasibility of implementing reward, recognition and training initiatives that could support employee retention in Council's Customer Experience team and enhance the appeal of pursuing a career in Customer Experience at Council.
13	Consider including services reviews of (a) Customer Experience and (b) Planning and Development Assessment in Council's Service Review Program.
14	Review Council's Community Engagement Plan and Community Participation Policy to comply with the IP&R Guidelines and clearly identify the relevant stakeholder groups within the Berrigan Shire community and outline the methods that will be used to engage each group, incorporating an appropriate range of <i>Involve</i> and <i>Collaborate</i> methods in addition to <i>Inform</i> and <i>Consult</i> methods.
15	Develop and adopt an EEO Management Plan and publish to Council's website following adoption.
16	Publish the Mayor's delegations to Council's website.



No.	Improvement opportunity
17	Publish the CEO's delegations to Council's website.
18	Publish the Delegations Register to Council's website.
19	Develop and implement procedure to ensure Council's Delegations Register is being regularly reviewed and currency is maintained.
20	Schedule a comprehensive review of all delegations within 12 months of the next Local Government ordinary election.
21	Update Council's website to feature content on its Audit, Risk and Improvement Committee, including its role, responsibilities and membership arrangements.
22	Publish the Audit, Risk and Improvement Committee Terms of Reference to Council's website.
23	Develop and adopt a Gifts and Benefits Policy and publish to Council's website following adoption.
24	Develop and adopt a Councillor Access to Information Policy and publish to Council's website following adoption.
25	Ensure Council's audited Financial Statements are publicly available and published to its website.
26	Ensure Council's Annual Reports are publicly available and published to its website.
27	Confirm that Council has formally identified the "designated persons" within its organisation structure.
28	Review and confirm that all Written Returns of Interest for designated persons have been published to Council's website.
29	Ensure that the full nature of conflicts of interest disclosed at Council meetings are being correctly recorded in meeting minutes, as required under the Code of Meeting Practice.
30	Review the Contracts Register for currency, to ensure that any and all Class 1, Class 2 and Class 3 entered into by Council since 30 June 2021 are appropriately recorded and disclosed.
31	Following review of the Contracts Register, update the version of the document on Council's website.
32	Review and update the Privacy Management Plan.
33	Review the Councillor Expenses and Facilities Policy by September 2025.
34	Develop and adopt an Internal Audit Charter and publish to Council's website following adoption.
35	Ensure the location and venue of each scheduled Council meeting is clearly listed on Council's website.
36	Update the Community Engagement Plan and Community Participation Policy to become a Community Engagement Strategy that addresses the requirements detailed in the IP&R Guidelines.



No.	Improvement opportunity
37	Develop and adopt a Complaint Handling Policy, utilising the Model Policy produced by the NSW Ombudsman as a template.
38	Following development and implementation of Complaint Handling Framework, instigate regular reporting of complaints to Management.
39	Publish content to Council's website clearly outlining how Council receives, manages, and resolves complaints, including avenues to appeal or seek review of complaint outcomes.

Management have prepared a draft action plan to implement these recommendations. The action plan is attached to this report.

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

Council's Delivery Program includes the following items:

- 2.1.3.3 Deliver responsive customer service
- 2.1.3.3.1 Timely resolution of Customer Service Requests
- 2.1.3.4.4 Develop an attraction and retention strategy.
- 2.1.3.9 Coordinate the ongoing review and development of Council and Operational procedures.

Council's Customer Service charter has been identified as a document that needs review in the report. The framework is solid but Morrison Low believe the targets are too ambitious.

Issues and Implications

The report covers a broad swathe of Council's governance obligations and touches on a range of issues that need to be addressed.

Policy

The recommendations call for the review of several policies and the development and adoption of new policies.

Financial

Most of the actions identified in the action plan can be delivered within the Council's existing resources.

The major expense to Council – in both dollars and staff resources – will be the introduction of fit-for-purpose Customer Relationship Management (CRM) software. Management will need to investigate the options and report back to Council.

Legal / Statutory

The report has identified several areas where Council is not complying with its statutory and regulatory obligations.



The action plan provides a plan to address these non-compliances.

Community Engagement / Communication

The report makes the finding that the community do not feel Council is engaging well enough.

[S]takeholders who attended the Customer Focus Group sessions at Barooga and Berrigan expressed frustrations with the level of community engagement undertaken by Council, particularly in relation to designing major projects and identifying local priorities for grant funding applications. Stakeholders suggested that when Council does undertake engagement around such projects and initiatives, the exercises are structured more as communication activities rather than consultation opportunities, with pre-determined outcomes presented as fait accompli with the community having little or no ability to shape the outcome or influence the decision. [...]

Further, stakeholders at the Customer Focus Group sessions perceive that elected Councillors are excluded from some processes, and that staff “control the narrative” as Councillors’ knowledge of some projects is allegedly limited, and there is limited communication from elected Councillors on such projects.

The report recommends the Council review its Community Engagement Plan and Community Participation Policy. This is scheduled to take place in parallel with the development of the revised Community Strategic Plan.

Probably more important than the review of the Plan and Policy is a change in Council’s culture – from both elected members and management – towards welcoming and encouraging greater community participation in its operations. Council should be aware that genuine community consultation will require more investment in both dollars and staff time.

Human Resources / Industrial Relations (If applicable)

The report found that Council’s workplace culture was generally positive with employees indicating that they believed the culture was healthy.

There was widespread recognition and acceptance that Council is on a cultural improvement journey and that, as a result, the organisation’s workplace culture was improving. The significance of these changes was acknowledged.

Feedback suggested that the suite of organisational cultural improvements instigated in recent years – such as the introduction of quarterly pulse surveys, corporate brand refresh, and Administration Centre office refurbishment – have been positively received by employees.

The report found that Council’s Customer Experience team, while friendly, experienced and courteous, are young and professionally inexperienced and require additional training and support.

The Council’s Planning and Development Assessment team was identified as an area requiring improvement. While the team outperformed many of their benchmarked Councils in their ability to turn around development applications within statutory timeframes, there were concerns raised about the level of customer service provided.

[p]erceived delays in processing customer requests related to planning and development-related matters and poor customer service from the Planning and Development Assessment staff were identified as a source of frustration for several customers attempting to access those services.



Management strongly believe that Council has the right team to deliver excellent service in this area. The team have a solid foundation and are all keen to improve. The team has been let down by the existing culture, a lack of active oversight and extended staff shortages over many years. The new Director Strategic Planning and Development has made addressing customer service in his area a priority and this is already making a difference in the culture of the team.

The team will need the support of management and the elected members through this process.

Risks

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

1. People and culture

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

The process of changing to a customer-focused culture will require management to work closely with staff. This process has the potential to make staff vulnerable and they will require explicit support of management and the elected members. This is particularly the case with the planning and building team.

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	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

The report identifies a series of governance failures and non-compliance actions. While none are particularly serious individually, they do identify a culture of non-compliance.

The Deputy Chief Executive Officer is responsible for this area and will need to address these as a priority. Council will need to monitor this area very closely.

3. 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 failure to address community concerns regarding community engagement and customer service would be catastrophic for Council's reputation.

4. Finance

	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

As discussed above, most of the recommendations will not require additional expenditure or staff resources. The exception is the introduction of a Customer Relationship Management (CRM) system. This cost is unknown at the time of writing.

Conclusions

Morrison Low have provided Council with an excellent report that identifies clear areas of improvement that Council can act upon immediately.

From here, the Council will need to regularly monitor management's actions on addressing the recommendations.



8.31 Mural at Foundry Park

Author:	Deputy Chief Executive Officer, Matthew Hansen
Strategic Outcome:	3. Supported and engaged communities
Strategic Objective:	3.2. Support community engagements through life-long learning, culture and recreation
Delivery Program:	3.2.1. Provide opportunities for life-long learning, culture expression and recreation
Council's Role:	Asset Owner: As the owner (or custodian, such as through a Trust Deed) of an asset (road, footpath, building, playground etc) the Council has a responsibility for capital, operating and maintenance costs
Appendices:	Nil

Recommendation

The direction of the Council is sought.

Report

At the ordinary meeting of Council held on 19 April 2023, the Council asked me to investigate the cost of installing a mural at Foundry Park,

Due to an oversight on my behalf, this action did not make its way to the acting Deputy Chief Executive Officer and thus did not progress while I was on leave. I apologise and take full responsibility for the oversight.

In May 2023, I contacted the Executive Officer at South West Arts (SWA) for advice on installing a vinyl mural at Foundry Park. She advised that while the scope and complexity of the works would obviously impact on the budget, Council could deliver a vinyl mural of a reasonable size at a cost between \$5,000 and \$10,000. She also advised she is aware of a local artist she believes could deliver on this brief.

Berrigan Shire Delivery Program includes the following:

Action 3.2.1.4 Develop a public arts strategy.

This has been in the Delivery Program for some time now and Council has neither resourced this item nor have Council staff made it a priority.

8.32 Finance - Accounts

Author:	Finance Manager, Tahlia Fry
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:	Service Provider: The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council
Appendices:	1. Berrigan_Monthly Investment Review_August 2023.pdf (under separate cover)

Recommendation: that the Council:

- Receive the Financial Statement, Bank Reconciliation Certificate and Petty Cash Book made up to 31 August 2023,
- Confirm the accounts paid as per Warrant No. 08/23 totaling \$4,180,053.98 and
- Note the report on investments attached

Purpose

This report is designed to inform Council of its cash and investments as at 31 August 2023 and for Council to authorise expenditure for the month ending 31 August 2023.

Report:

- A Financial Statement covering all funds of the Council indicating the Bank Balances as at 31 August 2023 is certified by the Director Corporate Services.
- The Director Corporate Services certifies that the Cash Book of the Council was reconciled with the Bank Statements as at 31 August 2023.
- The Director Corporate Services certifies the Accounts, including the Petty Cash Book made up to 31 August 2023, totaling \$4,180,053.98 and will be submitted for confirmation of payment as per Warrant No. 08/23
- The Director Corporate Services certifies that all Investments have been placed in accordance with:
 - [Council's Investment Policy](#),
 - [Section 625 of the Local Government Act 1993 \(as amended\)](#),
 - [the Minister's Amended Investment Order gazetted 11 January 2011](#),

- iv. [clause 212 of the Local Government \(General\) Regulations 2021](#), and
- v. Third Party Investment requirements of the Office of Local Government Circular 06-70
- e) Funds have decreased in July by \$231K and have decreased by \$2.28M compared to the same period last year, predominately due to the ongoing increases in operational costs and the current capital works program.

Statement of Bank Balances as at 31 AUGUST 2023

Bank Account Reconciliation

Cash book balance as at 01 AUGUST 2023	\$14,567,464.08
Receipts for AUGUST 2023	\$ 3,964,261.48
Term Deposits Credited Back	\$ -
	\$18,531,725.56
Less Payments Statement No 08/23	
Bank Transfers	\$ -
Electronic Funds Transfer (EFT) payroll	\$ 1,041,397.11
Electronic Funds Transfer (EFT) Creditors E043053-E043351	\$ 3,071,866.73
Term Deposits Invested	\$ -
Loan repayments, bank charges, etc	\$ 66,790.14
Total Payments for AUGUST 2023	\$ 4,180,053.98
Cash Book Balance as at 31 AUGUST 2023	\$14,351,671.58
Bank Statements as at 31 AUGUST 2023	\$14,342,857.69
Plus Outstanding Deposits	\$ 8,813.89
Less Outstanding Cheques/Payments	\$ -
Reconciliation Balance as at 31 AUGUST 2023	\$14,351,671.58

INVESTMENT REGISTER

INSTITUTION	FUND	DEPOSIT NO.	TERM (days)	RATE	MATURITY DATE	INSTITUTION TOTAL	S&P RATING
AMP	WATER	136/18	241	**4.85%	12/02/2024	\$ 2,000,000.00	BBB+
AMP	SEWER	144/19	365	**4.50%	23/03/2024	\$ 2,000,000.00	BBB+
AMP	GENERAL	133/17	365	**5.10%	23/05/2024	\$ 1,000,000.00	BBB+
AMP	GENERAL	149/23	730	**5.00%	25/10/2024	\$ 2,000,000.00	BBB+
AMP	GENERAL	125/16	365	**5.10%	31/05/2025	\$ 2,058,000.00	BBB+
Bank Of Queensland	WATER	153/23	731	4.60%	18/11/2024	\$ 2,000,000.00	BBB+
Bendigo Bank	WATER	142/18	365	*2.50%	26/09/2023	\$ 2,000,000.00	BBB+
Bendigo Bank	GENERAL	146/20	365	*2.50%	28/09/2023	\$ 5,054,653.00	BBB+
Defence Bank Limited	WATER	138/18	365	4.50%	11/01/2024	\$ 2,000,000.00	BBB
Defence Bank Limited	SEWER	154/23	365	4.80%	1/05/2024	\$ 2,000,000.00	BBB
NAB	WATER	148/23	365	4.50%	28/09/2023	\$ 2,000,000.00	AA-
WESTPAC	GENERAL	150/23	365	4.55%	29/09/2023	\$ 2,000,000.00	AA-
						\$ 26,112,653.00	

Total Funds Held at 31 AUGUST 2023

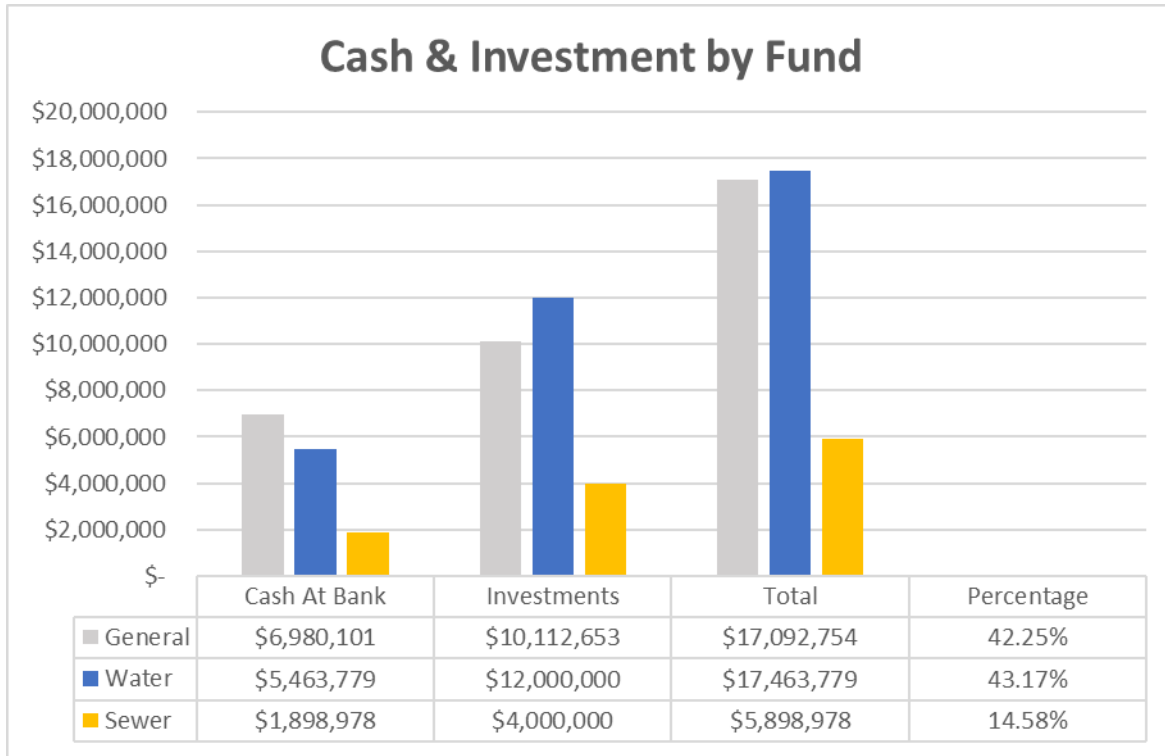
\$40,464,324.58

Tahlia Fry - Director Corporate Services

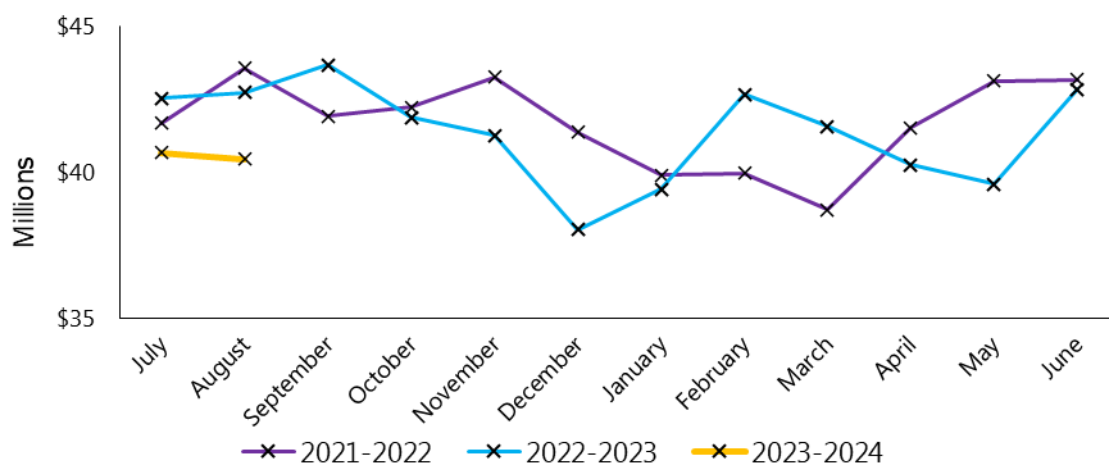
*The Council also receives an additional 0.25% commission

**The Council also receives an additional 0.20% commission

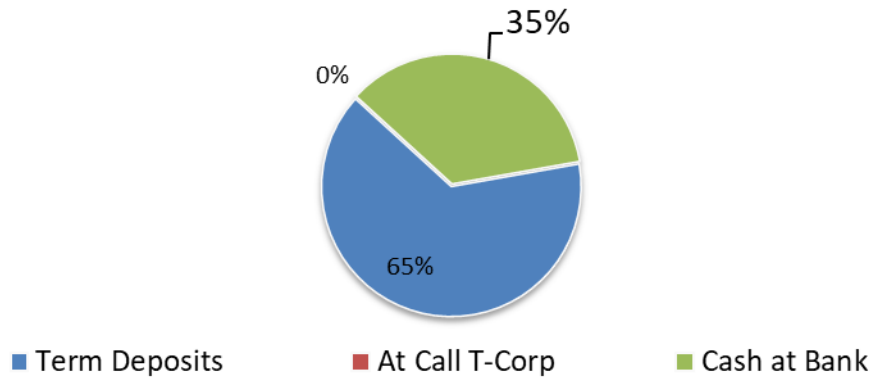
Total Funds held between General, Water and Sewer are as follows:



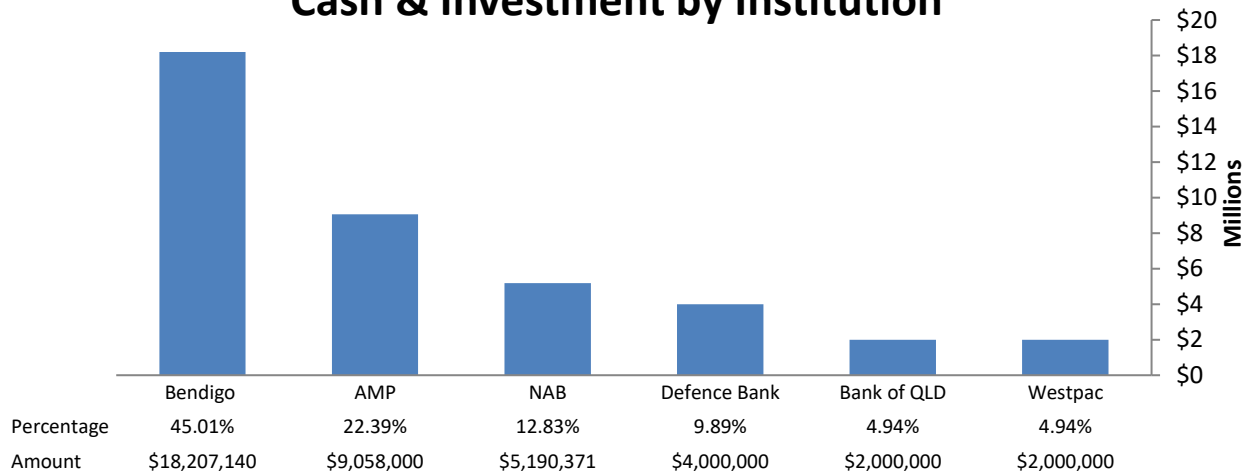
Total Cash and Investments



Cash & Investment by type



Cash & Investment by Institution



Term Deposits Credited Back

Prior Financial Institution

Term (Days)

Amount

Interest Rate

Maturity Date

NIL

Term Deposits Invested / Reinvested

Current Financial Institution

Term (Days)

Amount

Interest Rate

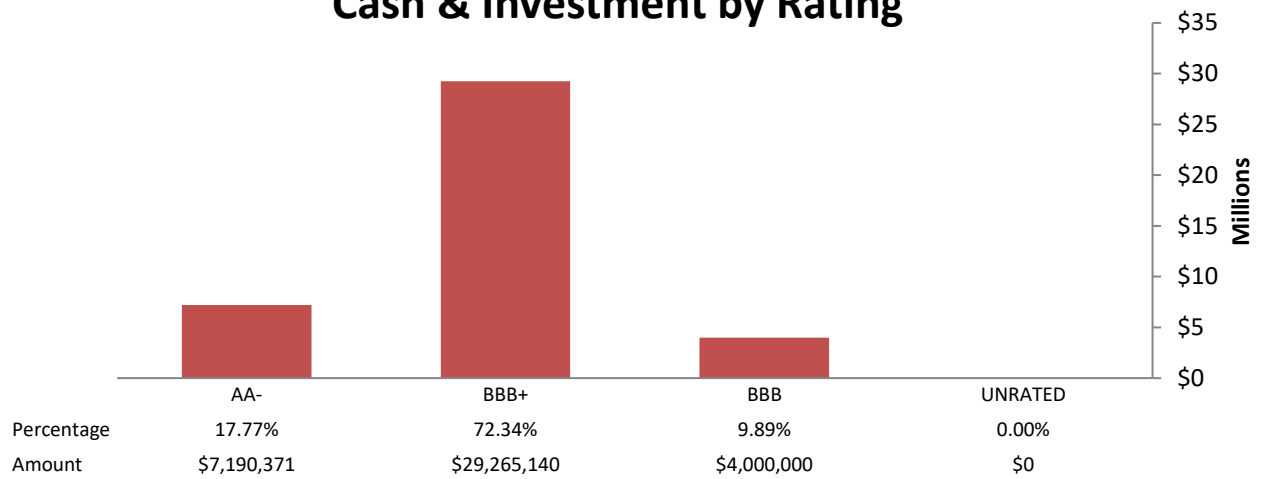
Maturity Date

NIL

*The Council also receives an additional 0.25% commission

**The Council also receives an additional 0.20% commission

Cash & Investment by Rating





Author: Recreation Officer, Emma McQueen

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.



8.35 Memorial Wall - Finley Cemetery

Author:	Administration Support - Governance, Isobel Egan
Strategic Outcome:	3. Supported and engaged communities 1. Sustainable natural and built landscapes
Strategic Objective:	3.1. Create safe, friendly and accessible communities 1.1. Support sustainable use of our natural resources and built landscapes
Delivery Program:	3.1.4. Coordinate and facilitate the delivery of potable water, public health and safety services 1.1.3. Enhance the visual amenity, heritage and liveability of our communities
Council's Role:	Service Provider: The full cost (apart from fees for cost recover, grants etc) of a service or activity is met by Council
Appendices:	1. Proposed Finley Cemetery Ashes Wall Plans (under separate cover)

Recommendation

Council advice is sought.

Report

Council is asked to consider and approve the design of a proposed memorial wall at Finley Cemetery. Finley Lions Club wish to install a memorial wall at Finley Cemetery. There is a need for an additional wall and Council staff support this installation.

There is however a difference of opinion when it comes to the design of the wall. The Lions Club are looking for a simple and easy to construct and maintain design. An example installed at Deniliquin Cemetery is pictured below.



Council staff are looking a design more in keeping with the recently adopted Finley Cemetery Masterplan which can be found on [Council's website](#). The Lions Club wish to build the wall beside the Methodist section of the cemetery where there is also a proposed rose garden. As pictured in the masterplan, this will be in the centre of the cemetery once all plans have been implemented.

Council staff would be happy with a similar design however one smaller in scale and potentially duplicated to maintain the same number of niches.

The Lions Club have done an incredible job of maintaining the cemetery for many years and in usual circumstances Council staff would support their request. However, the Council has just adopted a new masterplan and it would not be in line with the Council's position to install a design inconsistent with the plan.



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 Lewis Crescent subdivision

This matter is considered to be confidential under Section 10A(2) - (c) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

10.2 T15-22-23 (TL) Tocumwal Sewer Relining

This matter is considered to be confidential under Section 10A(2) - (c), (d)(i) and (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 person with whom the Council is conducting (or proposes to conduct) business, commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and information that would, if disclosed, confer a commercial advantage on a competitor of the council.

10.3 Request to waive tipping fees

This matter is considered to be confidential under Section 10A(2) - (b) 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 discussion in relation to the personal hardship of a resident or ratepayer.



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 18 October 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](#).