



KEMPSEY
Shire Council

GENERAL MANAGER'S REPORT

13th November 2007

GM3	APPLICATION FOR HALF DAY HOLIDAYS IN 2008
FILE: 742	AVB {Folio No. *}

SUMMARY:

To consider applications that have been made for two half day holidays in the Kempsey Shire for the year 2008.

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DESCRIPTION:

Council has received two (2) applications for half day public holidays in 2008 being:-

- Wednesday 9th April 2008 – from Central North Coast National Agricultural Society Ltd for Annual Kempsey Show.
- Thursday 8th May 2008 – Kempsey Race Club for Kempsey Cup.

Council has given notice to the public through advertising over two weeks commencing September 3rd and 10th, 2007 and has written to the local Chambers of Commerce.

No submissions were received with submissions closing 14th September 2007.

Should Council resolve to approve these proposed half day holidays, the Director General NSW Department of Industrial Relations must be notified in writing by mid November to allow for gazettal and advertising of the dates in the Government Gazette in December 2007.

Council practice in past years has been to also place the following advertisements in the weeks leading up to these holidays to clarify the requirements on local business houses:-

"Local public holidays are gazetted under the Banks and Bank Holiday Act of 1912. This Act requires that banks are closed on local public holidays. An appointed local holiday under the Act benefits employees who have an industrial award, agreement or contract of employment which confers a right of paid absence (or penalty rates in lieu) on the local public holiday. In absence of such express coverage within an applicable industrial instrument, the conferring of the benefit of a public holiday to employees is entirely within the discretion of the individual employers."

REPORT IMPLICATIONS:

- *Environmental*

Nil

- *Social*

These events are significant social events for the Kempsey Shire area and also attract visitors to the area.

- *Economic (Financial)*

The implications for Council directly are that wages and salaries for Council staff to be allocated two half day public holidays in the vicinity of \$50,800. The businesses of the Shire would have a similar implication.

The implication for the community generally and the organisations concerned is the economic benefit of many people who would otherwise be at work, being able to attend the events.

- *Policy or Statutory*

The half day holidays, once Council has agreed to support them must be gazetted by the Minister.

RECOMMENDATION:

That Council makes application to the Director General NSW Department of Industrial Relations for two (2) half day holidays in the Kempsey Shire in 2008, being 9th April and 8th May 2008.

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A V Burgess
GENERAL MANAGER