



## **GENERAL MANAGER'S REPORT**

13 October 2009

<b>GM4</b>	<b>APPLICATION FOR HALF DAY HOLIDAYS IN 2010</b>
<b>FILE: 742 MRB</b>	<b>{Folio No. *}</b>

### **SUMMARY:**

To consider applications that have been made for two half day holidays in the Kempsey Shire for the year 2010.

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### **DESCRIPTION:**

Council has received two (2) applications for half day public holidays in 2010 being: -

- Wednesday 21 April 2010 – from Central North Coast National Agricultural Society Limited for Annual Kempsey Show
- Thursday 13 May 2010 – from Kempsey Race Club Inc for Kempsey Cup

Council has given notice to the public through advertising over two weeks commencing 24 and 31 August 2009 and has written to the local Chambers of Commerce.

To the date of preparing this report no submissions have been received with submissions closing 14 September 2009. Council will be advised if any late submissions are received prior to the meeting.

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 2009.

Council practice in past years has been to also place the following advertisement 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 Holidays 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 local 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 is that an estimate of the salary and wages for Council staff to be allocated two half day public holidays would be in the vicinity of \$51,643 excluding on-costs, with an average on-cost the wages could be up to \$76,015. 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.*

▪ ***General Manager's Review***

*Nil*

**RECOMMENDATION:**

**That Council make application to the Director General NSW Department of Industrial Relations for two (2) half day holidays in the Kempsey Shire in 2010, being 21 April and 13 May 2010.**

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**D L Rawlings**  
**GENERAL MANAGER**