



WENTWORTH SHIRE COUNCIL

Amendments have been made to the Local Government Act 1993 (the Act) allowing councils to meet remotely to assist them to manage the risk of transmission of the COVID-19 virus at their meetings and to ensure compliance with the Public Health Order. The amendments came into effect on 25 March 2020 and will operate for a period of six months, but may be extended to 12 months by regulation if required.

The amendment to the Act also provides that the requirement under section 10 for meetings to be open to members of the public is satisfied if a webcast of the meeting is made public.

Accordingly this meeting will be livestreamed via council's Facebook page.

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993 that an **ORDINARY MEETING** of Wentworth Shire Council will be held at the **MIDWAY CENTRE, MIDWAY DRIVE, BURONGA** for **councillors who wish to attend in person, OR VIA VIDEO CONFERENCE** for those who prefer not to attend in person . The meeting will commence at **10.00AM**.

**KEN ROSS
GENERAL MANAGER**

ORDINARY MEETING AGENDA

24 JUNE 2020

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING OF MEETING	1
2	PRAYER OR ACKNOWLEDGEMENT OF COUNTRY.....	1
3	APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE	1
4	DISCLOSURES OF INTERESTS	1
5	CONFIRMATION OF MINUTES	1
6	OUTSTANDING MATTERS FROM PREVIOUS MEETINGS	31
6.1	Request for information regarding hiring of Midway Centre	31
6.2	Listing of outstanding matters	35
7	MAYORAL AND COUNCILLOR REPORTS	43
7.1	Mayoral Report	43
7.2	Activity Report - Councillor Jane MacAllister	44
8	REPORTS FROM COMMITTEES	47
8.1	Murray Darling Association (MDA) Delegates Report May 2020	47
9	REPORTS TO COUNCIL	65
9.1	General Manager's Report	65
9.2	Adoption of the 2020/21 Operational Plan.....	81
9.3	Trentham Cliffs Development - Provision Of Water and Sewer	89
9.4	2020 LGNSW Water Management Conference.....	91
9.5	Monthly Finance Report	92
9.6	Monthly Investment Report	96
9.7	Determination of Councillor Remuneration for 2020/2021	101
9.8	Managing Financial Hardship from COVID-19 for Regular User Group Agreements.....	103
9.9	Delegated Authority Approvals as at end of May 2020	106
9.10	Draft Policies for Public Exhibition	108
9.11	Projects and Works Report Update - June 2020	136
10	NOTICES OF MOTIONS / QUESTIONS WITH NOTICE	151
10.1	Notice of Motion from Councillor Wheeldon	151
10.2	Questions with notice	153
11	CONFIDENTIAL BUSINESS – ADJOURNMENT INTO CLOSED SESSION....	155

12	OPEN COUNCIL - REPORT FROM CLOSED COUNCIL	157
12.1	Plant Replacement - Approval of Tenders for Replacement of plant 645 - Super Cab Tipping Body 4x2 Utility.....	157
12.2	Wentworth Aerodrome Upgrade - Supply and Installation of the Aerodrome Lighting PT1920/06.....	157
12.3	Easement Acquisition for the Buronga Sewer Pump Station #1 and Hendy Road Sewer Stage 1 and 2 Upgrade Works.....	157
13	CONCLUSION OF THE MEETING	159
	NEXT MEETING	159

1 OPENING OF MEETING

The Mayor will invite the General Manager to provide information regarding the live-streaming of the meeting.

2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

3 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

4 DISCLOSURES OF INTERESTS

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 13 May 2020 be confirmed as circulated.



WENTWORTH SHIRE COUNCIL

ORDINARY MEETING MINUTES

13 MAY 2020

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING OF MEETING	1
2	PRAYER OR ACKNOWLEDGEMENT OF COUNTRY.....	1
3	APOLOGIES AND LEAVE OF ABSENCE.....	1
4	DISCLOSURES OF INTERESTS	1
5	CONFIRMATION OF MINUTES	2
6	OUTSTANDING MATTERS FROM PREVIOUS MEETINGS	3
6.1	Outstanding items - Summary list.....	3
7	MAYORAL AND COUNCILLOR REPORTS	4
7.1	Mayoral Report	4
8	REPORTS FROM COMMITTEES	5
8.1	Murray Darling Association (MDA) Delegates Report April 2020	5
8.2	Internal Audit and Risk Management Committee	6
9	REPORTS TO COUNCIL	7
9.1	General Manager's Report	7
9.2	Drought Communities Extension Programme.....	8
9.3	Proposed purchase of transportable buildings.....	10
9.4	NSW Locks 8 and 9 SDLAM project Stakeholder Advisory Group (SAG).....	11
9.5	Monthly Finance Report	12
9.6	Monthly Investment Report	13
9.7	AF003 Requests for Financial Assistance	14
9.8	Draft 2020/21 Operational Plan, endorsement for public exhibition.	15
9.9	Delegated Authority Approvals as at end of April 2020.....	16
9.10	Classification Council Owned Land as Operational	17
9.11	Development Application 2020/016 Domestic Storage Shed 50 The Cobb & Co Way Lot 61 DP 1071972 Gol Gol.....	18
9.12	Projects and Works Report Update - April 2020	19
9.13	Land valuation and rating impacts on farmers.....	20
10	NOTICES OF MOTIONS / QUESTIONS WITH NOTICE	21
	Nil	
11	CONFIDENTIAL BUSINESS – ADJOURNMENT INTO CLOSED SESSION.....	22

12	OPEN COUNCIL - REPORT FROM CLOSED COUNCIL	23
12.1	Procurement of Road Base Materials for Transport for NSW Ordered Works.....	23
13	CONCLUSION OF THE MEETING	24
	NEXT MEETING	24

1 OPENING OF MEETING

2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

The Mayor opened the meeting with a prayer at 10.03am

PRESENT:

COUNCILLORS: Councillor Melisa Hederics (Mayor)
Councillor Tim Elstone (Deputy Mayor)
Councillor Greg Evans
Councillor Steve Heywood
Councillor Jane MacAllister
Councillor Susan Nichols
Councillor Peter Nunan
Councillor Bill Wheeldon OAM

STAFF: Ken Ross (General Manager)
Matthew Carlin (Director Health and Planning)
Geoff Gunn (Director Roads and Engineering)
Simon Rule (Director Finance and Policy)
Paula Mastrippolito (Manager Organisational Support)

3 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Councillor Don McKinnon is an apology and has requested a leave of absence for this meeting.

Council Resolution

That Council notes the apology from Councillor McKinnon be noted and the leave of absence request for this meeting be granted.

Moved Cr. Wheeldon, Seconded Cr. Elstone

CARRIED

4 DISCLOSURES OF INTERESTS

The Mayor advised that she has a significant non-pecuniary interest in item 9.7 because she is on the Board of the Sunraysia Motor Sports Club Inc.

ADJOURNMENT TO CONDUCT PUBLIC FORUM

Recommendation

That the Ordinary Meeting of Council be adjourned for the purpose of conducting a public forum, noting that on this occasion the video conference will be continued in order to comply with the requirements of the Local Government Act.

Council Resolution

That the Ordinary Meeting of Council be adjourned for the purpose of conducting a public forum, noting that on this occasion the video conference will be continued in order to comply with the requirements of the Local Government Act.

Moved Cr. Nunan, Seconded Cr. MacAllister

CARRIED

The ordinary meeting was adjourned at 10.04am

The following people addressed the public forum, via video conference facilities:

- 1) **Angus Whyte** – addressed the meeting at 10.05am
 - a) A grid caused damage to his truck and there was lack of response from Wentworth Shire. He believes that the lack of maintenance is a risk to council and made several points in relation to this issue.Concluded at 10.19am
- 2) **Bev Wishart** - addressed the meeting at 10.20am
 - Item 9.11 Development Application 2020/016 Domestic Storage Shed 50 Cobb & Co Way Gol Gol - (Speaking against the application)Concluded at 10.28am
- 3) **Justin McPhee** - addressed the meeting at 10.28am
 - Item 9.11 Development Application 2020/016 Domestic Storage Shed 50 Cobb & Co Way Gol Gol - (Speaking against the application)Concluded at 10.37am
- 4) **Craig Mills** – addressed the meeting at 10.38am
 - Item 9.11 Development Application 2020/016 Domestic Storage Shed 50 Cobb & Co Way Gol Gol (Speaking for the application)Concluded at 10.49pm

RECONVENE ORDINARY COUNCIL MEETING

Recommendation

That the Ordinary meeting of Council be reconvened.

Council Resolution

That the Ordinary meeting of Council be reconvened.

Moved Cr. Nunan, Seconded Cr. Wheeldon

CARRIED

The Ordinary meeting of council resumed at 10.51am

The Mayor invited the General Manager to read announcements in relation to the webcasting of the meeting.

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 22 April 2020 be confirmed as circulated.

Council Resolution

That the Minutes of the Ordinary Meeting held 22 April 2020 be confirmed as circulated, noting that item 10.5 is to be amended to reflect the request for a solid base to the area around the tap.

Moved Cr. Elstone, Seconded Cr. Wheeldon

CARRIED

The recording of the previous meeting was checked post meeting and it was confirmed that the mover and seconder in item 9.3 had been correctly recorded in the minutes.

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

6.1 OUTSTANDING ITEMS - SUMMARY LIST

File Number: RPT/20/310

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Paula Mastrippolito - Manager Organisational Support

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

The Outstanding Actions report provides details of activities raised at previous Council meetings that remain outstanding.

Officer Recommendation

That Council notes the list of outstanding action items.

Council Resolution

That Council notes the list of outstanding action items.

Moved Cr. MacAllister, Seconded Cr. Evans

CARRIED

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/20/228

Recommendation

That Council notes the information contained in the Mayoral report.

Council Resolution

That Council notes the information contained in the Mayoral report.

Moved Cr. MacAllister, Seconded Cr. Elstone

CARRIED

8 REPORTS FROM COMMITTEES

8.1 MURRAY DARLING ASSOCIATION (MDA) DELEGATES REPORT APRIL 2020

File Number: RPT/20/249

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Gayle Marsden - Executive Assistant

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural assets

Strategy: 3.5 Recognise the importance of a healthy Murray-Darling River system

Summary

At the 20 April 2020 Murray Darling Association (MDA) Board meeting it was resolved that a monthly Delegate's Report be forwarded to all member Councils & delegates.

The item of note from the most recent meeting (board meeting 396) report is that Wentworth Shire Council has been awarded the Region 4 hosting rights for the 2021 National Conference, the date of which is yet to be determined.

There is also a call for motions for the Murray Darling Association AGM.

Recommendation

1. That Council notes the Delegate's Report for April 2020 from the Murray Darling Association, and notes that Wentworth Shire will be hosting the 2021 National Conference.
2. That Council formalises motions for submission to the Murray Darling Association AGM.

Council Resolution

1. That Council notes the Delegate's Report for April 2020 from the Murray Darling Association, and notes that Wentworth Shire will be hosting the 2021 National Conference.
2. That Council formalises motions for submission to the Murray Darling Association AGM.

Moved Cr. MacAllister, Seconded Cr. Elstone

CARRIED

8.2 INTERNAL AUDIT AND RISK MANAGEMENT COMMITTEE

File Number: RPT/20/268

Responsible Officer: Simon Rule - Director Finance and Policy
Responsible Division: Finance and Policy
Reporting Officer: Paula Mastrippolito - Manager Organisational Support

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

A meeting of the Internal Audit and Risk Management Committee was held on 28 April 2020 and the Minutes of the meeting are attached to this report for the information of Councillors.

The Committee has requested that the Reporting Officer seeks resolutions of Council on the adoption of the Quarterly Budget Review Statement. If approved, the net result of variances for the March 2020 quarter is an unfavorable operational variance of \$250,000 and a favorable capital variance of \$1,050,000. A total favorable variance of \$800,000.

Officer Recommendation

That Council approves the variations to the 2019/20 Operational Plan adopted at the council meeting on 26 June 2019.

Council Resolution

That Council approves the variations to the 2019/20 Operational Plan adopted at the council meeting on 26 June 2019.

Moved Cr. Nichols, Seconded Cr. MacAllister

CARRIED

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGER'S REPORT

File Number: RPT/20/227

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Gayle Marsden - Executive Assistant

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

The General Manager's report details information pertaining to meetings attended and general information which are of public interest, and which have not been reported elsewhere in this agenda. Items of note in this report are:

1. OLG Circulars
 - Details of OLG Circulars 20-12 to 20-15
2. Meetings

As listed
3. Upcoming meetings or events

As listed
4. Other items of note

Recommendation

That Council notes the information contained within the report from the General Manager.

Council Resolution

That Council notes the information contained within the report from the General Manager.

Moved Cr. Elstone, Seconded Cr. Wheeldon

CARRIED

9.2 DROUGHT COMMUNITIES EXTENSION PROGRAMME

File Number: RPT/20/284

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Report Author: Ken Ross - General Manager

Summary

Council is eligible to access up to \$1,000,000 to support local community infrastructure and other drought relief projects for communities that have been impacted by drought. The funds have been made available under the Federal Government's Drought Communities Extension Program.

Funding will target infrastructure and other projects that:

- Provide employment for people whose work opportunities have been impacted by drought
- Stimulate local economy spending
- Use local resources, business and suppliers
- Provide a long-lasting benefit to communities and the agricultural industries on which they depend.

With the criteria in mind it is proposed that the following projects be put forward for approval from the funding body.

- Painting Pooncarie Hall
- Painting Anabranche Hall
- Modifications to Pomona Hall
- Willow Bend Caravan Park Camp Kitchen
- Pooncarie Racecourse Extended shade area
- Pooncarie Walking track to camp ground (1.5m spray seal x 900m)
- Pooncarie Racecourse toilet/shower block
- Bird hides along camp ground and river in Pooncarie(2x)
- Concreting at Pooncarie Gun Club
- Wentworth RV Dump Point
- Dareton Town Entry tree corridor
- Electrical Upgrades to Council Reserves at Junction Park, Wentworth Rowing Club, Dareton and Buronga to allow for 3 phase power for functions and events
- Gol Gol Pathways
- Buronga Pathways

The above list is simplified for the purpose of this summary with the expanded list and approximate costing within the attachment.

Recommendation

That Council endorses the nominated projects (as listed) to be submitted for consideration under the Federal Government's Drought Communities Extension Program.

Council Resolution

That Council endorses the nominated projects (as listed) to be submitted for consideration under the Federal Government's Drought Communities Extension Program.

Moved Cr. Nichols Seconded Cr. MacAllister

CARRIED

9.3 PROPOSED PURCHASE OF TRANSPORTABLE BUILDINGS

File Number: RPT/20/308

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Ken Ross - General Manager

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire
Strategy: 1.1 Grow the potential for business and industry to develop and expand

Summary

The opportunity has arisen for Council to purchase, if deemed suitable, 4 relocatable buildings which are currently being used for on farm accommodation. The 4 buildings consist of kitchen/ dining, sleeping (2) and ablution.

The buildings are available for sale due to the property being sold and accordingly available on the open market. The asking price for the buildings is \$165,000.

Recommendation

1. That Council approves the purchase of 4 relocatable buildings for the price of \$165,000, which includes the acquisition of a camp kitchen and ablution block buildings with the purchase price being offset via a \$65,000 grant application through the Federal Drought Extension Fund.
2. That Council approves a budget variation of \$100,000 in the current financial year to fund the shortfall between the purchase price and Federal Drought Extension Fund.

Council Resolution

1. That Council approves the purchase of 4 relocatable buildings for the price of \$165,000, which includes the acquisition of a camp kitchen and ablution block buildings with the purchase price being offset via a \$65,000 grant application through the Federal Drought Extension Fund.
2. That Council approves a budget variation of \$100,000 in the current financial year to fund the shortfall between the purchase price and Federal Drought Extension Fund.

Moved Cr. Nichols, Seconded Cr. Wheeldon

CARRIED

9.4 NSW LOCKS 8 AND 9 SDLAM PROJECT STAKEHOLDER ADVISORY GROUP (SAG)

File Number: RPT/20/244

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Gayle Marsden - Executive Assistant

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural assets
Strategy: 3.5 Recognise the importance of a healthy Murray-Darling River system

Summary

The NSW Department of Industry has invited Wentworth Shire Council to become a member of the NSW Locks 8 and 9 SDLAM project Stakeholder Advisory Group (SAG).

Recommendation

That Council considers whether to become a member of the NSW Locks 8 and 9 SDLAM project Stakeholder Advisory Group (SAG) and if so, appoint a delegate.

Council Resolution

That Council becomes a member of the NSW Locks 8 and 9 SDLAM project Stakeholder Advisory Group (SAG) and appoints Councillor Wheeldon as the delegate to the Advisory Group and Councillor MacAllister as an alternate.

Moved Cr. Nunan, Seconded Cr. Evans

CARRIED

9.5 MONTHLY FINANCE REPORT

File Number: RPT/20/230

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Vanessa Lock - Finance Officer

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

Rates and Charges collections for the month of April 2020 were \$261,950.92. After allowing for pensioner subsidies, the total levies collected are now 75.47%. For comparison purposes 76.53% of the levy had been collected at the end of April 2019. Council currently has \$26,715,229.30 in cash and investments.

Recommendation

That Council notes the monthly finance report.

Council Resolution

That Council notes the monthly finance report.

Moved Cr. Elstone, Seconded Cr. Nunan

CARRIED

9.6 MONTHLY INVESTMENT REPORT

File Number: RPT/20/258

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Hodi Beauliv - Manager Finance

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

As at 30 April 2020 Council had \$24,000,000.00 invested in term deposits. Council received \$38,103.58 from its investments for the month of April 2020.

In April 2020 Council investments averaged a rate of return of 1.57% and it currently has \$8,466,832.09 of internal restrictions and \$16,142,547.41 of external restrictions.

Recommendation

That Council notes the monthly investment report.

Council Resolution

That Council notes the monthly investment report.

Moved Cr. Elstone, Seconded Cr. Nunan

CARRIED

9.7 AF003 REQUESTS FOR FINANCIAL ASSISTANCE

File Number: RPT/20/248

Responsible Officer: Simon Rule - Director Finance and Policy
Responsible Division: Finance and Policy
Reporting Officer: Shenay Harris - Coordinator Finance and Policy

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

The Mayor declared a conflict of interest the request for assistance from Sunraysia Motor Sports Club Inc. While the Mayor was in the room, the meeting considered all requests except this one.

Summary

Council has provided an allocation of \$187,000.00 (inclusive of GST) for the 2019/20 financial year for the consideration by Council, for the funding of requests from the community for financial assistance. In this financial year, \$104,436.00 has been granted to a variety of organisations through the annual fees and charges "Exemptions from the Application" process. The total value of requests granted so far for this financial year totals \$48,921.60.

The total value of requests for this May 2020 funding application period totals \$22,044.00 which if granted in full, would leave a balance in the Donations, Contributions and Grants fund of \$11,598.40.

Recommendation

That Council having considered the current requests for financial assistance, makes appropriate recommendations on the level of funding to be provided to each of these applications, from the Donations, Contributions and Grants program.

Council Resolution

That, with the exception of the request from Sunraysia Motor Sport Inc., Council grants the requests for financial assistance to be funded from the Donations, Contributions and Grants program.

Moved Cr. Heywood Seconded Cr. Wheeldon

CARRIED

Councillor Wheeldon and Councillor Nunan requested that their votes against the granting of funds to the Palinyewah Public School be noted.

At 11.32am Mayor Hederics left the room and Councillor Elstone assumed the Chair.

Council Resolution

That Council grants the request from Sunraysia Motor Cycle Inc.

Moved Cr. Wheeldon, Seconded Cr. Heywood

CARRIED

At 11:34 am Councillor Melisa Hederics returned to meeting, and resumed the Chair.

9.8 DRAFT 2020/21 OPERATIONAL PLAN, ENDORSEMENT FOR PUBLIC EXHIBITION.

File Number: RPT/20/226

Responsible Officer: Simon Rule - Director Finance and Policy
Responsible Division: Finance and Policy
Reporting Officer: Simon Rule - Director Finance and Policy
Paula Mastrippolito - Manager Organisational Support

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary**Recommendation**

- 1) That Council adopts the draft 2020/21 Operational Plan, which incorporates the:
 - a) the Operational actions and budgets
 - b) the Summary Budgeted Financial Statement
 - c) the 2020/21 Annual Statement of Revenue Parts A & B
 - d) rating maps
- 2) That Council ratifies the FTE level of 132.45 Full Time Equivalent Employees.
- 3) That Council endorses the proposed \$4,000,000 of new borrowings.
- 4) That Council gives notice of its intention to adopt the following rates and annual charges, which are contained within the draft 2020/21 Operational Plan:
 - a) To make and levy an Ordinary Rate to comprise of a base rate and an ad valorem rating structure for residential, business and farmland categories of rates.
 - b) To increase the Ordinary Rate by the maximum 2.60% rate pegged amount determined by the Independent Pricing and Regulatory Tribunal of NSW (IPART).
 - c) To increase waste water access charges by 2.60%.
 - d) To increase raw and filtered water access charges by 2.60%.
 - e) To increase domestic waste charges by 2.60%.
 - f) To not increase water consumption charges.
 - g) To levy the fees and charges established in Part B of the Annual Statement of Revenue.
 - h) To charge the maximum interest of 7.50% on overdue rates and charges as determined by the Minister for Local Government.
 - i) That Council places all draft documents on public exhibition for a period of 28 days, as required under the Local Government Act.

Council Resolution

That Council endorses recommendations 1 – 4.

Moved Cr. MacAllister, Seconded Cr. Heywood

CARRIED

9.9 DELEGATED AUTHORITY APPROVALS AS AT END OF APRIL 2020

File Number: RPT/20/282

Responsible Officer: Matthew Carlin - Director Health and Planning
Responsible Division: Health and Planning
Reporting Officer: Nicky Meredith - Coordinator Health and Planning

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire
Strategy: 1.1 Grow the potential for business and industry to develop and expand

Summary

For the month of April 2020, a total of 18 Development Applications and three S4.55 Modification Applications were determined under delegated authority by the Director Health and Planning.

The estimated value of the determined developments was \$9,063,126.00. This brings the year to date total to 51 Development Applications approved and 14 S4.55 Applications approved, with an estimated development value of \$14,226,619.00.

Recommendation

- a) That Council receives and notes the report for the month of April 2020.
- b) That Council publicly notifies, for the purposes of Schedule 1 Division 4 Section 20 (2) of the Environmental Planning and Assessment Act 1979, the applications as listed in the attachment on the Wentworth Shire Council website.
- c) That a division be called in accordance with S375A of the *Local Government Act 1993 (NSW)*.

Council Resolution

- a) That Council receives and notes the report for the month of April 2020.
- b) That Council publicly notifies, for the purposes of Schedule 1 Division 4 Section 20 (2) of the Environmental Planning and Assessment Act 1979, the applications as listed in the attachment on the Wentworth Shire Council website.
- c) That a division be called in accordance with S375A of the *Local Government Act 1993 (NSW)*.

Moved Cr. Nunan, Seconded Cr. MacAllister

CARRIED

In accordance with Section 375A of the Local Government Act the Mayor called for a division.

For the Motion : ***Clr.s Elstone, Evans, Hederics, Heywood, MacAllister, Nichols, Nunan and Wheeldon.***

Against the Motion: ***Nil.***

9.10 CLASSIFICATION COUNCIL OWNED LAND AS OPERATIONAL

File Number: RPT/20/243

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Kathy Collinson - Reserves and Acquisitions Officer

Objective: 2.0 Wentworth is a desirable Shire to visit, live, work and invest

Strategy: 2.5 Maintain/create desirable open spaces and recreation facilities

Summary

Further to the proposed development of a Draft Plan of Management which will include Crown Land managed by Councils under the Crown Land Management Act 2016, confirmation of Council owned land classification as Operational Land is requested.

Recommendation

That Council confirms the classification of the listed Council owned land parcels as being Operational Land.

Council Resolution

That Council confirms the classification of the listed Council owned land parcels as being Operational Land.

Moved Cr. MacAllister, Seconded Cr. Wheeldon

CARRIED

**9.11 DEVELOPMENT APPLICATION 2020/016 DOMESTIC STORAGE SHED
50 THE COBB & CO WAY LOT 61 DP 1071972 GOL GOL**

File Number: RPT/20/251

Responsible Officer: Matthew Carlin - Director Health and Planning
Responsible Division: Health and Planning
Reporting Officer: George Kenende - Development Assessment Officer

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire
Strategy: 1.2 Encourage and support population growth and resident attraction

Summary**Recommendation**

That Council issues development approval for DA2020/016 being a domestic storage shed located at 50 The Cobb & Co Way Lot 61 DP 1071972 Gol Gol.

That a division be called in accordance with s375A of the *Local Government Act 1993* (NSW)

Motion

That Council issues development approval for DA2020/016 being a domestic storage shed located at 50 The Cobb & Co Way Lot 61 DP 1071972 Gol Gol.

That a division be called in accordance with s375A of the *Local Government Act 1993* (NSW)

Moved Cr. Heywood, Seconded Cr. Evans

Amendment

That this item be held over until all councillors have had the ability to look at the proposed site of the shed and all ramifications there-of.

Moved Cr. Nichols, Seconded Cr. Nunan

LOST

Council Resolution

That Council issues development approval for DA2020/016 being a domestic storage shed located at 50 The Cobb & Co Way Lot 61 DP 1071972 Gol Gol.

That a division be called in accordance with s375A of the *Local Government Act 1993* (NSW)

Moved Cr. Heywood, Seconded Cr. Evans

CARRIED

In accordance with Section 375A of the Local Government Act the Mayor called for a division.

For the Motion : ***Clr.s Elstone, Evans, Hederics, Heywood, MacAllister and Wheeldon.***

Against the Motion: ***Clr.s Nichols and Nunan.***

9.12 PROJECTS AND WORKS REPORT UPDATE - APRIL 2020

File Number: RPT/20/242

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Allan Eastmond - Manager Works

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural assets

Strategy: 3.2 Plan for and develop the right assets and infrastructure

Summary

This report provides a summary of the major works undertaken by the Roads and Engineering Division which have been completed during the month of April 2020 and the planned works for May 2020.

Recommendation

That Council notes the major works undertaken for April and the proposed works for May 2020.

Council Resolution

That Council notes the major works undertaken for April and the proposed works for May 2020.

Moved Cr. MacAllister, Seconded Cr. Nunan

CARRIED

9.13 LAND VALUATION AND RATING IMPACTS ON FARMERS

File Number: RPT/20/304

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Hodi Beauliv - Manager Finance

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

Council has received a letter from NSW Farmers regarding land valuations and rating impacts on farmers for the attention of the Mayor and Councillors. This report provides some additional detail on the land valuation process and more detailed information on the methodology used by Council in developing Council's 2020/21 Ordinary Rate for the farmland category.

Recommendation

That Council admits the supplementary late report for consideration.

That Council notes this report and the letter from NSW Farmers.

Late Report

That Council admits for consideration a supplementary late report from the Director Finance and Policy as the information contained in the report is deemed to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of council.

Moved Cr. MacAllister, Seconded Cr. Elstone

Council Resolution

That Council notes this report and the letter from NSW Farmers.

Moved Cr. Elstone, Seconded Cr. Wheeldon

CARRIED

10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE**10.1 DELAYS TO DELIVERY OF PLANT ITEMS DURING CORONA VIRUS
DELAYS TO DELIVERY OF PLANT ITEMS DURING CORONA VIRUS
DELAYS TO DELIVERY OF PLANT ITEMS DURING CORONA VIRUS**

Cr Susan Nichols asked about delays in the receipt of plant items during the Corona Virus.

10.2 RUBBISH BINS AND BBQ FACILITIES

Cr Susan Nichols requested that there be rubbish bins placed in close proximity to BBQ facilities in public parks.

**10.3 HIRING OF MIDWAY CENTRE
HIRING OF MIDWAY CENTRE**

Cr Susan Nichols requested a list of Midway Centre hirers in the last 12 months, other than those who have Regular User Agreements.

10.4 WENTWORTH RIVERFRONT REDEVELOPMENT

Cr Steve Heywood requested a report to the next meeting detailing the progress with the development of the Wentworth Riverfront

10.5 SEALING OF THE ROAD FROM POONCARIE TO MENINDEE

Cr Jane MacAllister requested a progress update on the application to seal the road from Pooncarie to Menindee.

The General Manager provided an initial verbal response, noting that he will provide more detail at a later date..

10.6 WENTWORTH TIP

Cr Bill Wheeldon asked why the Wentworth Tip was closed at 1.30pm last Sunday.

The Director Finance and Policy advised that opening hours had been reduced during the Pandemic and these would be reviewed again as the situation changes.

10.7 FACE TO FACE COUNCIL MEETINGS IN CHAMBERS

Cr Bill Wheeldon asked when Council could resume having face to face meetings in Chambers.

The General Manager advised that he would review the updated Public Health Orders and advise accordingly.

10.8 SKIP BINS

Cr Greg Evans asked if Council Skip bins could have lids put on them so they can't be used for dumping large household items.

11 **CONFIDENTIAL BUSINESS – ADJOURNMENT INTO CLOSED SESSION**

Recommendation

That Council adjourns into Closed Session and members of the press and public be excluded from the meeting of the Closed Session, and that access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld unless declassified by separate resolution.

This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the following provisions:-:

12.1 Procurement of Road Base Materials for Transport for NSW Ordered Works. (RPT/20/287)

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. On balance, the public interest in preserving the confidentiality of information about the item outweighs the public interest in maintaining openness and transparency in council decision-making.

Move into Closed Session

That Council adjourns into a closed session, that the recording of the meeting be paused, that members of the press and public be excluded from the meeting of the closed session, and that access to the correspondence and reports relating to the items considered during the course of the closed session be with-held unless declassified by separate resolution.

Moved Cr. Nunan, Seconded Cr. Elstone

Council moved into closed session at 12.28pm

Council resumed into open session at 12.29pm

12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

At the Mayor's request the General Manager reported on the following items from the Closed session of Council.

12.1 PROCUREMENT OF ROAD BASE MATERIALS FOR TRANSPORT FOR NSW ORDERED WORKS

File Number: RPT/20/287

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Geoff Gunn - Director Roads and Engineering

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Council resolved that a satisfactory result would not be achieved by inviting tenders for the supply of Road Base materials for the rehabilitation of Sturt Highway Segment 40 and it accepted a quotation submitted by Mawsons Concrete and Quarries for this supply.

13 CONCLUSION OF THE MEETING

The Mayor closed the meeting at 12.31pm

NEXT MEETING

24 June 2020

.....
CHAIR

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

6.1 REQUEST FOR INFORMATION REGARDING HIRING OF MIDWAY CENTRE

File Number: RPT/20/329

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Hodi Beauliv - Manager Finance

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire

Strategy: 1.1 Grow the potential for business and industry to develop and expand

Summary

At the May 2020 Council meeting Cr Nichols requested a list of Midway Centre hirers in the last 12 months, other than those who have Regular User Agreements.

Recommendation

That Council note the hirers of the Midway Centre during 2019 calendar year, other than those with Regular User Agreements.

Detailed Report

Purpose

The purpose of this report is to respond to Cr Nichol's request for a list of Midway Centre hirers in the last 12 months, other than those who have Regular User Agreements.

Background

In 2017, following a successful application to the National Stronger Regions Fund and extensive community consultation, the Midway Community Centre was redeveloped to include an expanded sports stadium, improved community and meeting facilities, a new Council library and service area, three rentable offices, a common entry gallery and refurbished shower and change facilities.

Report Detail

Since the redevelopment of the Midway Centre, good relationships have been developed with local services for use of the facility as a meeting venue.

Chart 1 on the following page outlines the casual bookings of the facility during the 2019 calendar year. This does not include the regular user agreements. Regular User agreements are in place with Alcheringa Basketball Club, Buronga/Gol Gol Senior Citizens, Dareton Primary Health Service, Wentworth Football Netball Club, Far West Joint Organisation and the Local Member for Murray (previously Austin Evans, now Helen Dalton).

To highlight which parts of the facility are most utilised by casual bookings, Chart 2 shows the usage rates of each of the different spaces within the Centre.

Most casual bookings hire the facility for greater than 4 hours, as indicated in Chart 3, closely followed by bookings of under 2 hours. As indicated in Chart 4, the bookings also tend to be for a one off occasion (43% of the time), but occasionally there are multi-day bookings. During the renovation of the Wilkinson Hall, there was also a temporary arrangement in place with the Mildura Vintage Car Club.

For the 2019/20 financial year it was estimated that rental income for Midway would be \$30,000. Council is on target to achieve these fees, even with the loss of bookings as a result of the COVID-19 pandemic.

The data highlights that there is regular usage of the Midway Centre facility, but there is further capacity to increase casual hire booking arrangements in future.

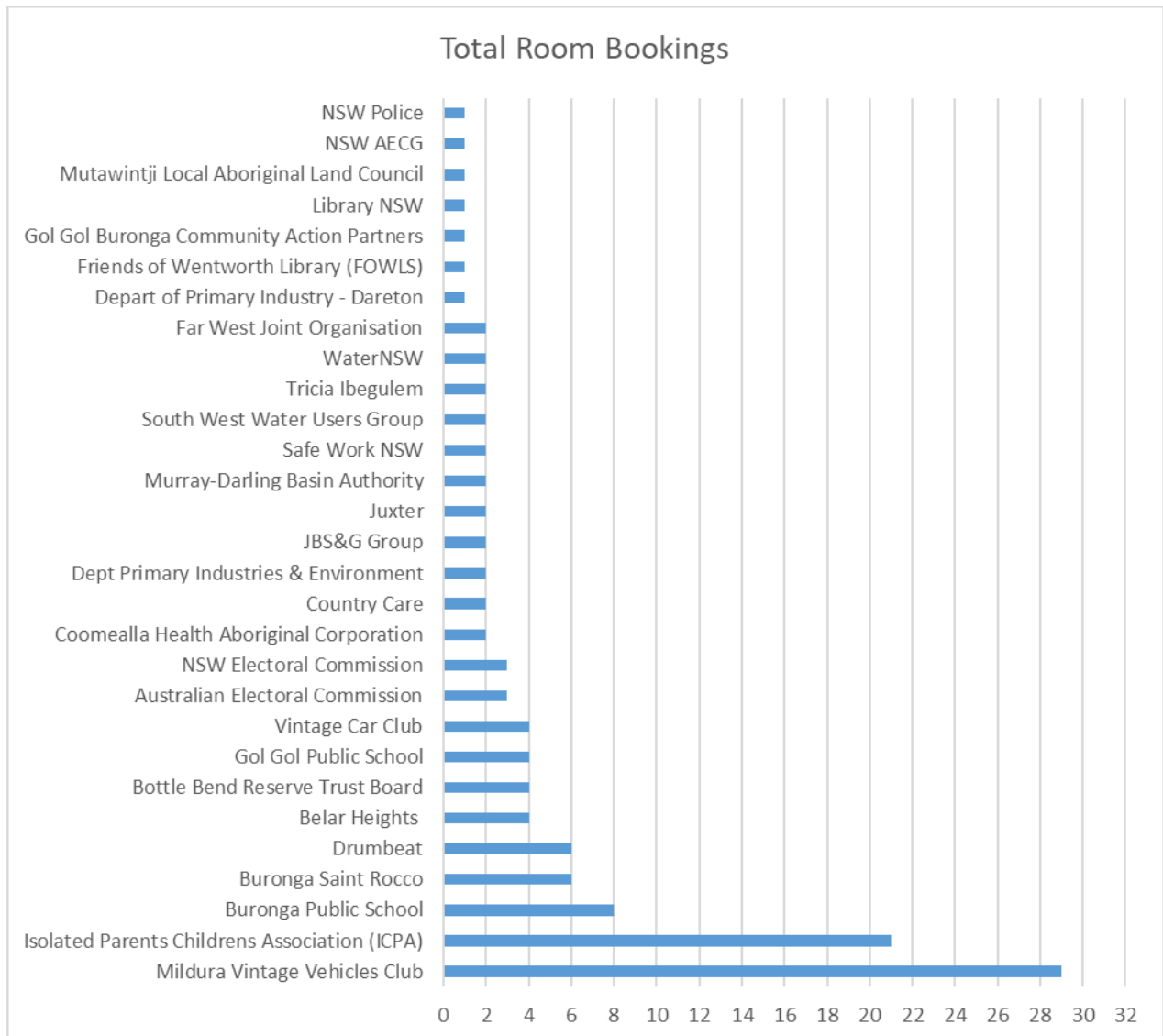


Chart 1. Casual Hire bookings of Midway Centre during 2019

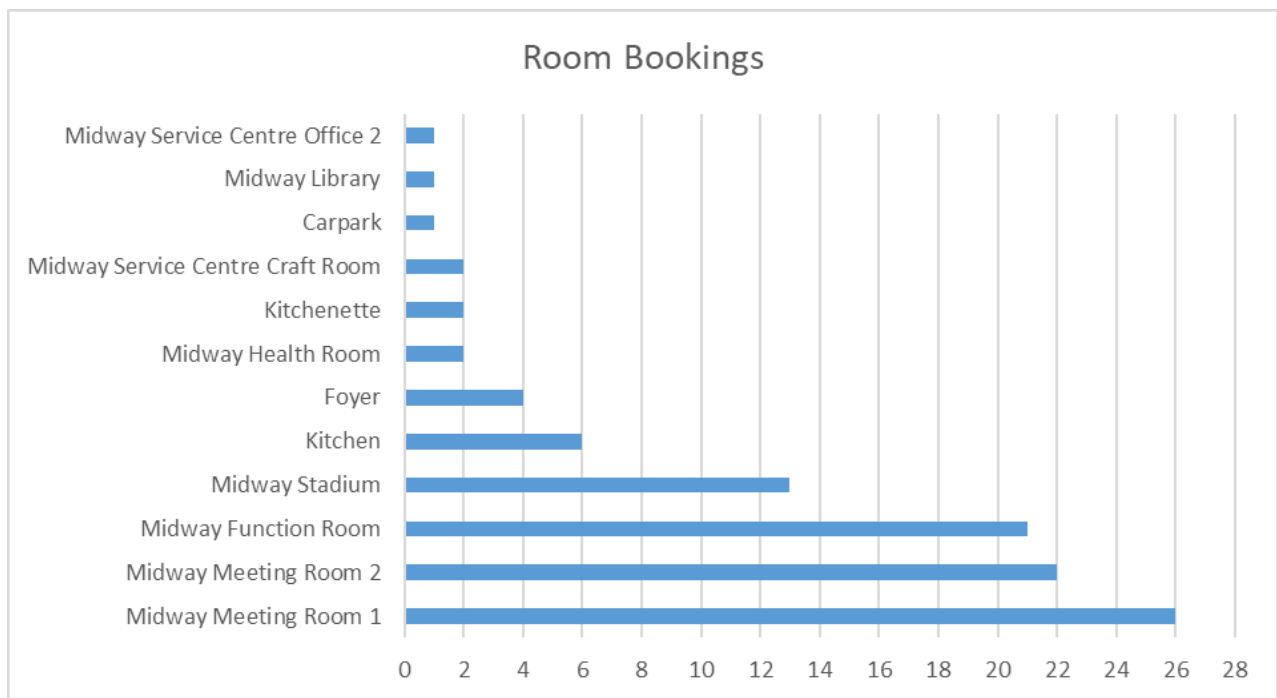


Chart 2. Facilities utilised for Casual Hire bookings of Midway Centre during 2019

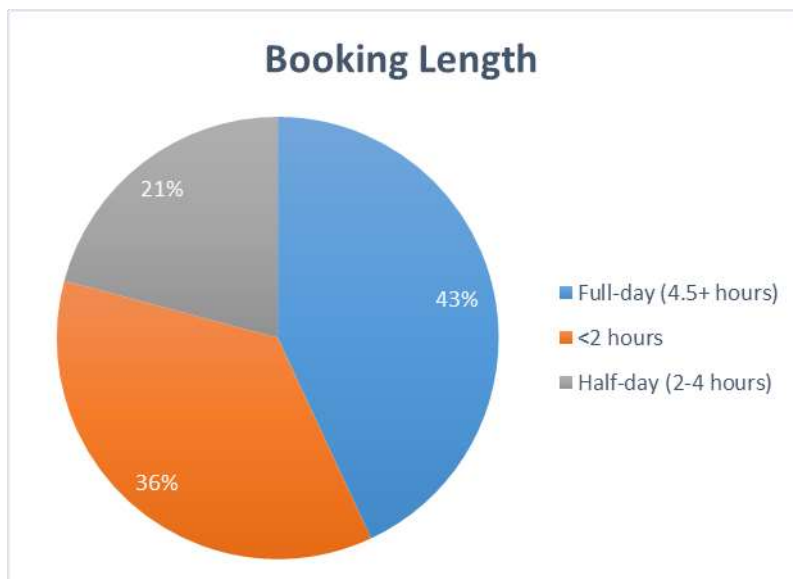


Chart 3. Booking length of Casual Hires of Midway Centre during 2019

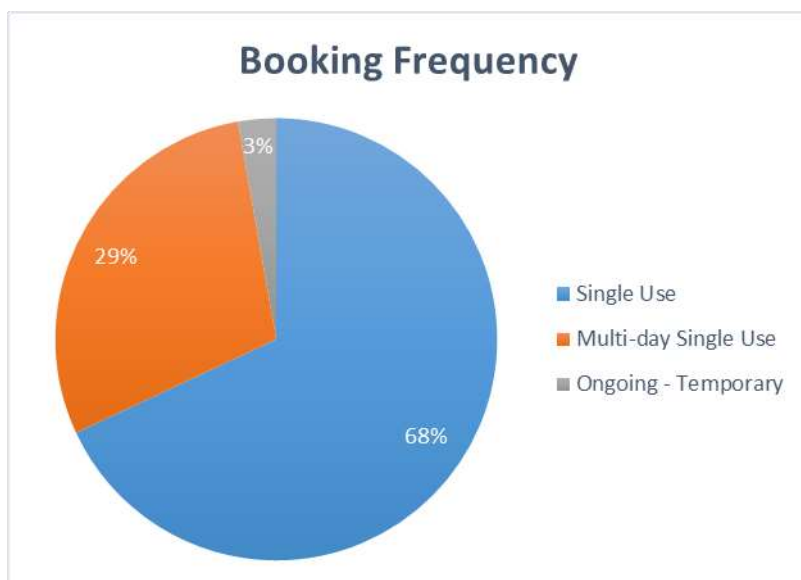


Chart 4. Single use versus multiple day bookings

Conclusion

The supply of this information is in response to a question raised by Councillor Nichols at the May council meeting.

Attachments

Nil

6.2 LISTING OF OUTSTANDING MATTERS

File Number: RPT/20/343

Responsible Officer: Ken Ross - General Manager

Responsible Division: Office of the General Manager

Reporting Officer: Paula Matrippolito - Manager Organisational Support

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

The Outstanding Matters Listing provides a summary of items raised at previous Council meetings that remain outstanding.

Officer Recommendation

That Council notes the list of outstanding matters as at 15 June 2020.

Additional Information

Nil

Attachments

1. Outstanding actions report [1](#)

<div> <div>Outstanding</div> <div> <div>Division: Committee: Officer:</div> <div>Ordinary Council</div> </div> </div> <div> <div>Date From: Date To:</div> <div>Printed: Monday, 15 June 2020 10:37:51 AM</div> </div>				Outstanding Action Items Report	
				<p>public libraries, as well as legislation of all elements of the 2019-20 to 2022-23 NSW state funding model.</p> <p>3. That Council takes a leading role in lobbying for sustainable state government funding for libraries.</p> <p>4. That Council endorses the distribution of the NSW Public Libraries Association NSW library sustainable funding advocacy information in Council libraries, as well as involvement in any actions proposed by the Association.</p> <p>Moved Cr. MacAllister, Seconded Cr. Heywood</p> <p><u>CARRIED</u></p>	
Ordinary Council 22/04/2020	10.2	Dareton main street lights	Cr Don McKinnon asked why there are still no lights in the main street of Dareton.	10 Jun 2020 - 11:04 AM - Tarryn Kampman RSO is working with TfNW on safety project proposal that includes lighting upgrade.	
Ordinary Council 22/04/2020	10.3	Recompense for land use	Cr Bill Wheeldon asked about the transmission line that is going to go through the Wentworth Shire, and whether council would be recompensed for the use of its land.		
Ordinary Council 22/04/2020	10.5	Buronga Wetlands	Cr Susan Nichols asked whether a solid base could be put under around the water tap at the Buronga Wetlands so that trucks filling with water do no damage the ground underneath. (corrected as per minutes OC 13/05/20).	11 Jun 2020 - 10:54 AM - Tarryn Kampman Manager of Works will arrange a design for concrete pad and program into the 2020/21 Works Program.	
Ordinary Council 22/04/2020	10.6	Tour of the Shire	Cr Susan Nichols requested that a tour of the projects undertaken be arranged for councillors once the COVID 19 restrictions are lifted so that all councillors can see the progress with works around the shire.	28 Apr 2020 - 5:07 PM - Gayle Marsden To be planned after COVID -19 restrictions lifted	

Division: Committee: Officer: Ordinary Council Outstanding Action Items Report				Date From: Date To: Printed: Monday, 15 June 2020 10:37:51 AM
Ordinary Council 13/05/2020	9.2	Drought Communities Extension Programme	<p>THE ITEM WAS NOT FOUND (BOOKMARK: PDF2_ReportName_10218)</p> <p>CHECK THE INTEGRITY OF THE ITEM IN THE MINUTES DOCUMENT</p> <p>DOCUMENT: J:\INFOCOUNCIL\CHECKOUT\PAULAMIOC_13052020_MIN.DOCX</p> <p>Resolution not found</p>	14 May 2020 - 12:14 PM - Paula Mastroioppo Applications to be progressed noting that the minimum application is \$25k and 3 projects were listed as being \$20k
Ordinary Council 13/05/2020	9.3	Proposed purchase of transportable buildings	<p>Council Resolution</p> <ol style="list-style-type: none"> 1. That Council approves the purchase of 4 relocatable buildings for the price of \$165,000, which includes the acquisition of a camp kitchen and ablution block buildings with the purchase price being offset via a \$65,000 grant application through the Federal Drought Extension Fund. 2. That Council approves a budget variation of \$100,000 in the current financial year to fund the shortfall between the purchase price and Federal Drought Extension Fund. <p>Moved Cr. Nichols, Seconded Cr. Wheeldon</p> <p><u>CARRIED</u></p>	
Ordinary Council 13/05/2020	9.8	Draft 2020/21 Operational Plan, endorsement for public exhibition.	<p>Council Resolution</p> <p>That Council endorses recommendations 1 – 4.</p> <p>Moved Cr. MacAllister, Seconded Cr. Heywood</p> <p><u>CARRIED</u></p>	27 May 2020 - 4:07 PM - Simon Rule Draft 2020/21 Operational Plan has been placed on public display as required by the LG Act. Report to formally adopt the plan to go the June Council Meeting.
Ordinary Council 13/05/2020	10.1	Delays to delivery of Plant items	<p>Cr Susan Nichols asked about delays in the receipt of plant items during the Corona Virus.</p>	10 Jun 2020 - 11:22 AM - Tarryn Kampman

Outstanding

Division:

Committee:

Officer:

Ordinary Council

Date From:

Date To:

Printed:

Monday, 15 June 2020 10:37:51 AM

Outstanding Action Items Report

	during Corona virus			Currently there are delays in two plant items; the civil teams truck has been delayed until August 2020. Tuck & Dog Trailer has been delayed until October due to DAF factory being closed.
Ordinary Council 13/05/2020	10.2 Rubbish bins and BBQ facilities	10.2	Cr Susan Nichols requested that there be rubbish bins placed in close proximity to BBQ facilities in public parks.	11 Jun 2020 - 9:29 AM - Tarryn Kampman Locations that currently have rubbish bins located near BBQ facilities; Junction, Fotherby, Ski Reserve, O'Donnell. JKP bin has been removed due to toilet upgrade works but will be reinstated once works complete.
Ordinary Council 13/05/2020	Hiring of Midway Centre	10.3	Cr Susan Nichols requested a list of Midway Centre hirers in the last 12 months, other than those who have Regular User Agreements.	
Ordinary Council 13/05/2020	Wentworth Riverfront Redevelopment	10.4	Cr Steve Heywood requested a report to the next meeting detailing the progress with the development of the Wentworth Riverfront	10 Jun 2020 - 11:24 AM - Tarryn Kampman Consultants MH2 are finalising the design and survey drawings for inclusion in the tender documents to be re-advertised. Included in the tender document will be the Geotechnical Report. Consultation being undertaken with the Wentworth Rowing Club. Expect to advertise the Tender end of June.
Ordinary Council 13/05/2020	Sealing of the road from Pooncarie to Menindee	10.5	Cr Jane MacAllister requested a progress update on the application to seal the road from Pooncarie to Menindee.	
Ordinary Council 13/05/2020	Wentworth Tip	10.6	Cr Bill Wheeldon asked why the Wentworth Tip was closed at 1.30pm last Sunday.	27 May 2020 - 4:10 PM - Simon Rule Following feedback from Transfer Station customers, the opening time for Sunday have been revised to 11am to 3pm. The

Outstanding		Division: Committee: Ordinary Council Officer:		Date From: Date To:	Printed: Monday, 15 June 2020 10:37:51 AM
Outstanding Action Items Report					
Ordinary Council 13/05/2020	10.7	Face to face Council meetings in Chambers	Cr Bill Wheeldon asked when Council could resume having face to face meetings in Chambers.	facility will continue to operate reduced hours while Council monitors the easing of COVID-19 restrictions.	
Ordinary Council 13/05/2020	10.8	Skip Bins	Cr Greg Evans asked if Council Skip bins could have lids put on them so they can't be used for dumping large household items.	12 Jun 2020 - 12:40 PM - Tarryn Kampman Cleanaway are looking into options for Council's skip bins to help deter bulky items being placed in bins.	

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/20/321

Summary

The purpose of this report is to advise Council of meetings, conferences and appointments undertaken by the Mayor for the period 2 May 2020 – 12 June 2020.

Recommendation

That Council notes the information contained in the Mayoral report.

Report

The following table lists the meetings attended by the Mayor for the period (2 May 2020 – 12 June 2020)

Date	Meeting	Location
5 May 2020	Mayoral Meeting	Buronga
7 May 2020	Joint Organisation Meeting	Video Conference
13 May 2020	Council Meeting	Video Conference
19 May 2020	Operational Plan Meeting	Video Conference
19 May 2020	Willowbend Advisory Committee Meeting	On site
27 May 2020	Mayoral Meeting	Buronga
28 May 2020	JO Chairs Meeting	Video Conference
2 June 2020	Mayoral Meeting	Buronga

Attachments

Nil

7.2 ACTIVITY REPORT - COUNCILLOR JANE MACALLISTER

File Number: RPT/20/335

Summary

The purpose of this report is to advise Council of meetings, conferences and appointments undertaken by Councillor Jane MacAllister for the period 1 January 2020 – 31 March 2020.

Recommendation

That Council notes the information contained in Councillor Jane MacAllister's report.

Report

The following table lists the meetings attended by Councillor Jane MacAllister for the period 1 January 2020 – 31 March 2020.

Date	Meeting
14 Jan 2020	Bottlebend Reserve site visit with contractor re Management Plan
16 Jan 2020	Wentworth Shire Interagency Group Meeting
20 Jan 2020	Murray Darling Association Board Meeting
21 Jan 2020	Far West Primary Health Network Community Advisory Council
22 Jan 2020	Extraordinary Council Meeting
28 Jan 2020	Bottlebend Reserve Land Manager Committee Meeting
29 Jan 2020	Interim Inspector-General community consultation re Water agreement
29 Jan 2020	Murray Darling Association Region 4 Ordinary Meeting
30 Jan 2020	Murray Darling Association Regional diversification program discussion
2 Feb 2020	Brekke at Bottlebend Reserve with Land Manager Committee & Friends
5 Feb 2020	Internal Audit and Risk Management Committee Meeting
6 Feb 2020	Interagency Domestic Violence Working Group Meeting
10 Feb 2020	Health of the River Forum at Menindee
11 Feb 2020	Australian Inland Botanic Gardens Board Meeting
13 Feb 2020	MDA Darling River Councils teleconference re Floodplain Harvesting
14 Feb 2020	North West Rail Alliance Committee Meeting
17 Feb 2020	Murray Darling Association Board Meeting
19 Feb 2020	Ordinary Council meeting
19 Feb 2020	Menindee Water Savings Project Stakeholder Advisory Group Pooncarie
20 Feb 2020	Wentworth Shire Interagency Group Meeting
26 Feb 2020	Wentworth Shire Interagency Group GP subcommittee meeting
3 Mar 2020	Bottlebend Reserve Land Manager Committee Annual General Meeting
10 Mar 2020	Menindee Lakes SDL Water Sharing Plans subcommittee meeting
10 Mar 2020	Murray Darling Association Region 4 meeting
11-13 Mar 2020	Murray Darling Association Strategic Planning workshop
13 Mar 2020	Lower Darling Critical Water Advisory Panel
17 Mar 2020	Health of the River Forum at Menindee
17 Mar 2020	Floodplain Harvesting consultation (for MDA)
18 Mar 2020	Ordinary Council meeting
19 Mar 2020	Wentworth Shire Interagency Group Meeting
20 Mar 2020	Lower Darling Critical Water Advisory Panel
23 Mar 2020	Murray Darling Association Board Meeting
23 Mar 2020	Combined (Barwon & Lower Darling) Critical Water Advisory Panel
26 Mar 2020	MDBA Socio-Economic Panel draft report consultation
26 Mar 2020	Far West Primary Health Network Community Advisory Council
27 Mar 2020	Lower Darling Critical Water Advisory Panel

31 Mar 2020	Bottlebend Reserve Land Manager Committee Meeting
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Attachments

Nil

8 REPORTS FROM COMMITTEES

8.1 MURRAY DARLING ASSOCIATION (MDA) DELEGATES REPORT MAY 2020

File Number: RPT/20/324

Responsible Officer: Ken Ross - General Manager
 Responsible Division: Office of the General Manager
 Reporting Officer: Gayle Marsden - Executive Assistant

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural assets
 Strategy: 3.5 Recognise the importance of a healthy Murray-Darling River system

Summary

At the 20 April 2020 Murray Darling Association (MDA) Board meeting it was resolved that a monthly Delegate's Report be forwarded to all member Councils & delegates.

There is also a call for motions for the Murray Darling Association AGM.

Recommendation

1. That Council notes the Delegate's Report for May 2020 from the Murray Darling Association.
2. That Council formalises motions for submission to the Murray Darling Association AGM.

Detailed Report

Purpose

The purpose of this report is to provide Council with a summary of the activities for May 2020 of the Murray Darling Association of which Council is member.

Background

The Murray Darling Association (MDA) is Australia's peak body representing local government across the Murray-Darling Basin. Wentworth Shire Council is part of MDA Region 4 and Cr MacAllister is the Chair of Region 4.

Report Detail

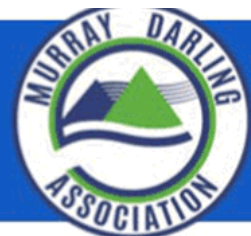
The attached report gives detail of the activities of the MDA for May 2020.

Attachments

1. MDA Members Delegates Report May 2020 [📄](#)

MDA Delegate's Report for tabling at council

May 2020



The Murray Darling Association (MDA) is Australia's peak body representing local government across the Murray-Darling Basin. The following delegate's report provides a detailed report for tabling at council, including a summary of MDA Board Meeting 396, MDA reports, CEO's report, region meetings and the latest edition of the Basin Bulletin.

1. MDA Board Meeting 397

The Murray Darling Association held its Ordinary Meeting of the Board Meeting 397 on Monday 20th April 2020. The minutes are now available [here](#).

Key motions include:

Motion 3.4.1: That the MDA

- a) Thanks, and commend Cr Peter Hunter for his valuable contribution to the board and to Region 5, and
- b) Note the election of Cr Peter Raison of Mid Murray Council to the position of chair of Region 5, and his appointment to the board of the MDA.

P Miller / J Campbell

Carried

Motion 5.3: That

- a) the fees for Membership to the MDA for the period 1 July 2020 to 30 June 2021 remain unchanged from 2019/20 in recognition of financial hardship on rural communities due to drought, bushfires and Covid 19.
- b) Fees for the period 1 July 2020 to 30 June 2021 are set as follows
 - Local Government entity \$0.305 cents per head of population, capped at \$6,681.82 (ex GST).
 - Under this pricing, the cap benefits councils with a population exceeding 21,900
 - Non-local government entity \$350 (ex GST)
 - Individual \$90 (ex GST)
 - Life Member no fee
 - Membership fees for new members will be pro-rata, with an annual renewal date of 1 July.

P Miller / J Campbell

Carried

2. Communication reports

The following reports have been prepared for MDA members and the board throughout the past month.

Date	Report No	Topic	Author	Approved
05/05/2020	200504	The Lower Lakes Independent Science Review	James Marshall	E. Bradbury

- **National Farmers Federation – Fiona Simson and Laurretta Wallace**

The MDA has welcomed discussions and the opportunity to collaborate with the NFF on issues of common interest. Discussions about the Basin Communities Leadership Program, and alignments with rural and regional development, support for farmers, local knowledge, progress and innovation. NFF strongly supportive of the BCLP both in concept and design. Exploring opportunities for alignment and cohesion between the Murray-Darling Basin Plan and the National Agriculture Plan 2030 to optimise benefits for Basin farmers, communities, economies and ecologies.

- **CSIRO**

The MDA met with the CSIRO to discuss project and research opportunities. The discussions focused development of a Collaborative Heads of Agreement and a range of project initiatives including Soil Carbon Sequestration.

- **Regional Review**

The MDA is working to strengthen the alignment between the regional LGAs, RDA's and the MDA.

For more information, a comprehensive CEO's report is available [here](#).

3. Region Meetings

Region meetings are an important platform for Basin communities to collaborate and work together within and across their regions. Upcoming Region meetings include:

Region	Meeting Type	Date
Region 6	Ordinary Meeting	15 May 2020
Region 5	Ordinary Meeting	1 June 2020
Region 8	Ordinary Meeting	5 June 2020
Region 4	Ordinary Meeting	9 June 2020
Region 11	AGM and Ordinary Meeting	11 June 2020

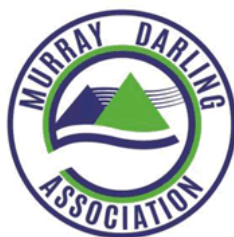
4. Basin Bulletin Issue 33 – April Newsletter

The MDA publishes the Basin Bulletin newsletter monthly. This month's newsletter (Issue 33) included the following stories:

- The release of the Interim Inspector-General of the Murray-Darling Basin
- Welcome to Cowra Shire Council – introducing the MDA's newest member
- Basin News Snapshot – round-up of the latest Basin news

Basin Bulletin Issue 33 can be accessed [here](#).

To receive the next edition of the Basin Bulletin, please register on the MDA website (www.mda.asn.au) or [email](#) MDA Comms and Engagement Officer Jess to request to be added to the distribution list.



Murray Darling Association Inc.

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P.O. Box 1268
Echuca, Vic 3564

Ordinary Meeting of the Board

Meeting 397

Monday 20th April 2020

<https://zoom.us/j/532872831>

MINUTES - MEETING No. 397

1. ATTENDANCE

Meeting declared open at 10.36am

1.1. Present

Cr David Thurley	Albury City Council	Region 1
Cr Dennis Patterson	City of Greater Shepparton	Region 2
Cr Jane MacAllister	Wentworth Shire Council	Region 4
Cr Peter Raison	Mid Murray Council	Region 5
Cr Melissa Rebbeck	Alexandrina Council	Region 6
Cr Andrew Tilley	City of Mitcham	Region 7
Cr Brian Lockyer	Barunga West Council	Region 8
Cr Paul Maytom	Leeton Shire Council	Region 9
Cr Phyllis Miller	Forbes Shire Council	Region 10
Cr John Campbell	Gunnedah Council	Region 11
Cr Richard Marsh	Balonne Shire Council	Region 12
Pete George	M&S Group	Treasurer
Emma Bradbury	MDA	CEO
Tony Banks	MDA	Executive
Jessica Maher	MDA	Minute Taker

1.2. Apologies:

1.3. Declarations

J MacAllister declared to the board that she has started working with the Nature Conservation NSW since 3rd of March 2020.

M Rebbeck also declared ongoing role within her own business regarding Climate and Agricultural Support for farmers to support them to manage their properties in a changing and variable climate, as well as her ongoing interest and roles within natural resource management space as well.

2. PREVIOUS MINUTES

2.1. [Meeting 396](#) held via Zoom Calendar Monday 23rd March 2020

Motion: That the minutes of board meeting 396 are approved as an accurate record of that meeting.

Cr Campbell / B Lockyer

Carried

Page 1 of 9

3. REPORTS**3.1. Chairman's report**

D Thurley reported that it has been a very quiet month in Region 1 and Albury. Updates included reasonable rain and that storages are rising very slowly.

3.2. [Finance Report:](#)

P George spoke to the financial reports and provided a comprehensive overview, with the financials reflecting the end of the MDA's financial year.

J MacAllister noted the difficulty in accessing and understanding this month's financial reports due to technological issues and late distribution of the end of financial year documents.

E Bradbury assured the board that the up-to-date financial reports would be distributed, and further comments provided by P George, following the board meeting.

A Tilley enquired about the categorisation of the grant as a liability in financial terms.

P George noted that a grant that has been received in advance cannot be included as income in that financial year. It must be expended over the time where that project has been used.

Motion: That the finance reports are noted

Cr Patterson / A Tilley

Carried

J MacAllister – voted against.

3.3. [Chief Executive Officers report](#)

In addition to the tabled CEO's Report, E Bradbury provided the following update:

Funding: E Bradbury notified the board that the Murray-Darling Basin Economic Development Fund submission assessment panel process is ongoing. The MDA currently has three project applications submitted to the funding, with results expected mid-May.

Memberships: E Bradbury noted that the MDA executive team has been working hard on developing products and services to attract memberships. In light of circumstances around COVID-19, the MDA met with Go1 to discuss the further development of the MDA academy. More information will be forthcoming on these products as they develop.

Engagement: In addition to the list of engagements in the CEO's report, E Bradbury noted that she met with National Farmers Federation President Fiona Simson and a member of the NFF Executive team, who are very keen to be involved with the Basin Communities Leadership Program leadership project.

J MacAllister requested minutes from the floodplain harvesting meeting.

ACTION: MDA executive to provide minutes for the floodplain harvesting meeting.

Motion: That the CEO's report is noted.

D Thurley / M Rebbeck

Carried

3.4. [Region reports](#)

Region 6

Cr Melissa Rebbeck: *I was heartened by the recent conversation with E Bradbury and CSIRO, and happy to hear about NFF. I also think that some of the opportunities that we identified there fit in with the recommendations from Mick Keelty's report. From a knowledge perspective, I'd like to see how we can progress some of those recommendations.*

Region 12

Richard Marsh: *I had a discussion with Region 4 Chair Jane MacAllister last week regarding the Region 4 Report and I just want to set the record straight on some of the Cubbie matters that are mentioned there. As Jane said, Cubbie is the favourite of everybody. I just want to make a couple of comments there, firstly Cubbie can't hold 1.3 million megalitres, which is the equivalent of 1,300 gigalitres. Its current storage is 469 GL and Sydney Harbour is 500GL. The other thing that Cubbie did get mixed up in going back into August last year was with the sell down with Shandong Ruyi from 90% to 51%, with the balance to Macquarie Ag. Under that selldown, there were some agreements that were volunteered, which were accepted. The 10% first flush flow is standard in the existing Queensland rules / state legislation. The rules there are the volume that users can extract in the first five days is reduced by 10%. Cubbie, in the agreement, have increased that to a 50% reduction where it's a low flow event. If it's a medium flow event, they will give up 25% reduction of extraction rights. Largely Cubbie have agreed they'll let up to 10gl flow past their pumps by restricting their take during the 5 day period and it's in excess of what the requirements are in QLD. The general practice in the Northern Basin is that 10% early flow past. We hear lots of things about the Darling and the fact that it's dry. I think we see too much criticism of where the water might go. I point out to everybody the Darling has never been a constant flow river. I accept that we have to make efficient use of our water and all these people involved in the system need to comply to make the requirements. I spent the tour of the conference in Leeton, tour of the Murrumbidgee, wouldn't it be nice to have this flow of water going down our channels? Yes, water does flow in the northern Basin when it is available, but other times it runs dry.*

P Maytom left at 11.07am

A Tilley noted the importance of the study tour in understanding the context and history of Cubbie Station, although not necessarily supporting.

Region 4

Cr Jane MacAllister: *Thank you Richard for your generous explanation and fact-checking. I'd be really interested in seeing how QLD rules work. I have to admit that's an area that I'm not really familiar with. I think it does, particularly in NSW where we don't have any storages, which is part of the problem of the zero allocation on the NSW Murray because we are so reliant in NSW on water coming across the water, it is important that we understand. While I'm talking about our region and the excitement of the water coming down, the ephemeral nature of the Darling River is one that's often used by way of deflecting the conversation. Historically, it's always been connected apart from up to 14 days at the most of no water – it's usually been low flow continually running through. There have been some exceptions. The last cease to flow before this one was 500 days, but this one that we've just received rains from the North connected to the Murray was 18 months. It is a problem that is increasing in intensity and while there is no water at all it is killing the ecosystem. While we're on the point and referring back to my initial declaration of interest, the lifeblood alliance, of which the Nature Conservation Council of NSW is a member, has put out a campaign for buying back more water seeing as how there is still 47.4 GL under the cap available for purchase legally and the money is still there to do that. At the last meeting, there was a question put, would the MDA support this buybacks campaign?*

E Bradbury noted that the MDA's current position has advocated for a cap on water buybacks. The MDA recognises that buybacks are one part on a suite of measures and the impacts of buyback on one region are different to other regions.

E Bradbury encouraged J MacAllister to forward relevant information and the MDA board will start a conversation to see how we collaborate.

Region 8

B Lockyer: *Pretty quiet in Region 8. Obviously we've got the same situation as across the Basin. I am currently in the process of communicating with Mayor Clarke to do our region report for the annual report, so I'll have that finalised soon. Excited to be getting back into gear now.*

3.4.1. Appointment to the board – Region 5

Following the AGM at Region 5, Cr Peter Hunter concluded a 5-year term as regional chair.

Cr Peter Raison of Mid-Murray Council, a long-term delegate of the council was elected to the chair.

Motion: That the MDA

- i) Thanks, and commend Cr Peter Hunter for his valuable contribution to the board and to Region 5, and
- ii) Note the election of Cr Peter Raison of Mid Murray Council to the position of chair of Region 5, and his appointment to the board of the MDA.

P Miller / J Campbell

Carried

Region 5

Cr Peter Raison: *I apologise for not filing a report, due to circumstances around COVID-19. I just want to say a big thank you for outgoing chair P Hunter for everything that he has done. Our region is very happy that Region 4 is getting water down the Darling. We've still got full councils in Region 5 who are happy to be members, which is a good thing.*

Motion: That the MDA

- i) Thanks, and commend Cr Richard Marsh for his valuable contribution to the board and to Region 12, and
- ii) Note the election of Cr Sam O'Toole to the position of chair of Region 12, and her appointment to the board of the MDA.

D Thurley/ P Miller

Carried

4. CORRESPONDENCE

4.1. Correspondences Out

With Queensland Local Government elections held in April, the MDA have forwarded the following Letter of Congratulations

- 4.1.1 [Mayor Samantha O'Toole](#) – Balonne Shire Council

4.2. Correspondences In

4.2.1

Motion: That the Board receive correspondence.

P Maytom / J MacAllister

Carried

5 BUSINESS ARISING

5.1 Review of actions table

MDA Matters in Progress arising from previous Meetings

Board to review the motions arising and actions completed in detail from previous board meetings as per discussions held at Board Meeting 396 – 23rd March 2020

Motion: That the Board note updates

J Campbell / P Miller

Carried

5.2 Strategic Planning Workshop 2020

Meeting 396 – Item 5.2 considered the outcomes of the 2020 SPW, including top priorities. Further information and the opportunity for further consideration and feedback was requested. Feedback from R6 was sent to all board members via email on 7th April. Further feedback via comment sheets was also received relating to process matters. The **Strategic Planning Workshop Communications Report** were previously distributed.

E Bradbury noted that the feedback from Region 6 and other regions will be extremely valuable, as feedback from the regions will be collated and used in collaboration with a consultant to produce a body of work, and then brief that consultant and work with them to have a draft plan to put the board at the June board meeting.

Motion: That the board

- a) note the 3 Top Priorities identified at the strategic planning workshop,
 - i) *Development and production of **Membership Tools and Services**.*
 - ii) *Implementation of **Strategic Projects, Initiatives and Programs** within the wider MDB Footprint.*
 - iii) *Establishment of the **Murray-Darling Basin Local Government Centre of Excellence**.*
- b) Note the Strategic Planning Communications Report and summary notes **[Confidential]**
- c) Approve the appointment of an external consultant to develop the Strategic Plan 2020 - 2024 and supporting documents in line with local government standards using the integrated planning and reporting framework

D Thurley / D Patterson

Carried

5.3 Membership Fee 2020/2021

Invoicing for membership fees for the 2020/2021 membership year are due to be calculated and prepared in May for distribution to councils and members on or before 30 June 2020. With the events on 2019/20 including drought, bushfires and now Covid-19, we recognise that many councils will be closely scrutinising their budget allocations and may consider reducing memberships. MDA's membership fees usually increase annually in line with either CPI or general rates increases. In order to acknowledge the hardship on councils that may be felt as a result of extraordinary events, and to encourage membership continuity, it is recommended that the MDA does not increase membership fees this year.

Motion: That

- a. the fees for Membership to the MDA for the period 1 July 2020 to 30 June 2021 remain unchanged from 2019/20 in recognition of financial hardship on rural communities due to drought, bushfires and Covid 19.
- b. Fees for the period 1 July 2020 to 30 June 2021 are set as follows

Local Government entity	\$0.305 cents per head of population, capped at \$6,681.82 (ex GST).
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 Under this pricing, the cap benefits councils with a population exceeding 21,900

Non-local government entity	\$350 (ex GST)
Individual	\$90 (ex GST)
Life Member	no fee

 Membership fees for new members will be pro-rata, with an annual renewal date of 1 July.

P Miller / J Campbell

Carried

5.3.1 Extinction of historical discounts

In July 2015 at board meeting 348 motion 8, the board of the MDA recognised the inequity arising from an historical and unaccountable discount structure benefiting some councils. The board resolved as follows.

Motion: That the board a) Adopts the proposed fee schedule for the 2015/16 year b) Explicitly extinguishes any distinction between riparian and non-riparian categories of membership c) Resolves that all new members will pay full rate from commencement. d) Will phase out all discounts by 2020.

Implementation of that motion over the last five years has resulted in the loss of 4 member councils as a result of the withdrawal of the discount, with a further 8 transitioning to full fee paying with the last remaining discount to be extinguished on 1 July 2020.

Motion: That the board note the complete implementation of motion 348 – 8, completing the removal of all historical discounts.

J MacAllister / P Raison

Carried

A Tilley agreed with the motion, but noted his interest in further discussions around regional equity, particularly exploring the different experiences for councils who are not directly on the Murray River.

P Miller noted that having two pricing structures would undermine the MDA's work and instead suggested that the MDA needs to try to increase the organisation's benefit to our members.

5.4 National Conference 2020

The executive team are continuing to explore options for delivery of the 2020 National conference, including development of virtual tours, workshops and symposia, with discussions continuing regarding product development, costs, and revenue opportunities. The challenges presented by current restrictions have provided some genuinely exciting opportunities to review our delivery model. A detailed report will be provided, when decisions are taken.

Cr MacAllister suggested that each of the MDA regions should produce a two minute video about their region, as an engaging method of education across regions and to be included as part of the National Conference 2020.

D Patterson acknowledged that the MDA needs to consider other options as well as the traditional national conference option during the COVID-19 context.

P Miller agreed, but noted that following the lock-down period, MDA members will be keen to meet physically at an in-person event.

5.5 Strategic Advisory Group

Board meeting 396 5.2 resolved to invite Bob Stewart to join the Strategic Advisory Group. Bob Stewart accepted the invitation.

Motion: That the board approve the appointment of Bob Stewart – Administrator of Central Darling Shire to the Strategic Advisory Group.

J MacAllister / P Maytom

Carried

6 GENERAL BUSINESS

6.1 [Code of Conduct](#) and [Constitution](#)

The MDA 2015 Code of Conduct is due for a timely refresh and review, particularly focussing on the Boards:

1. Declarations of Interest

- 2. Inductions
- 3. General Conduct

- Motion:** All Chairs to commit to current Code of Conduct by:
- a. Reviewing the Current Code of Conduct
 - b. Provide feedback for any update requirements

D Thurley / D Patterson

J MacAllister noted that the Code of Conduct should form a key document in the MDA's induction process for both board and MDA members, and would like further work to be done on how to use these documents at a region level.

E Bradbury said the MDA is in the process of looking at capable resources to start delivering these products and services, and enhancing membership values

P Miller expressed concern over further training for board members, noting extensive existing requirements from other commitments.

6.2 BCLP Re-scheduling

Considering the current and emerging circumstances around COVID-19, the Murray Darling Association (MDA) will reschedule the Basin Communities Leadership Program (BCLP) workshops in the Lower Lakes/Loxton and combined Cobdogla-Barmera/Berri regions to a date to be determined subject to government advice.

[Media Release](#)

Motion: Board to note the re-scheduling and receive the Media Release
P Miller / J Campbell

Carried

6.3 BCLP Video

The MDA procured the services of Rayner TV to develop the BCLP introduction video as part of the BCLP curriculum delivery. The video was made available to the board for reviewing and feedback.

Motion: That the Board note the content and approve for distribution
D Thurley / A Tilley

Carried

6.4 Socio-Economic Assessment Panel Report Submission

The MDA submitted feedback to the Socio-Economic Assessment Panel on 7th April 2020. It should be noted that this report was prepared by the team in particularly challenging circumstances, with exceptional work done by Policy Officer James Marshall.

[Report submission](#)

Motion: That the Board note the report submission
J Campbell / J MacAllister

Carried

6.5 Climate Ready Communities – MDA Commitment to Action

Board meeting 392 Motion 6.2 resolved That the MDA express a statement of climate ready communities. A position statement has been drafted, with provision for each region to contribute a region profile and commitment to support their communities to be climate ready.

[Region 11's profile](#)

J Campbell provided an update to the board on Region 11's draft position statement, and particularly noted

the process of consultation. J Campbell noted that there was consultation on this, with Tenterfield on the phone. Councils were noted to take advance notice. I came home and put it all together, and sent it out to get there together on the day. Since the strategic plan workshop, with Melissa's ideas, we've added this to. We're taking this to our AGM in June 11. We're sending it out to ALL councils, not just member councils.

M Rebbeck commended J Campbell on Region 11's draft statement, and leadership in putting together this draft ahead of the other regions. M Rebbeck noted that she would like to see Region 6 follow suit.

E Bradbury echoed M Rebbeck's comments, and also commended Region 11's strategy for engaging non-member councils.

P Miller noted that the past month has been challenging for Region 10, and that she is keen to contribute more as we come out of this crisis situation.

Motion: That the Board note Region 11's feedback and provide their own regional reports.

J Campbell / B Lockyer

Carried

ACTION: MDA to circulate Climate Ready Communities Region template and region reports for group discussion.

6.6 MDA Delegates Report for Tabling at Council

At the SPW in March, one of the top 3 priorities identified by the leadership team was *Development and production of Membership Tools and Services*.

The development of the **MDA Delegate's Report to Council** is a key service for members and will support delegates to report back to their councils consistently, regularly and succinctly. The **MDA Delegate's Report to Council** will be produced monthly and will be presented to the board for noting and comment prior to being directly emailed to each member council's nominated delegate for tabling at their next council meeting. The **MDA Delegate's Report to Council** is designed

- to be no more than 1 x A4 double sided in length
- to be tabled at every member council's monthly council meeting, regardless of activity in that region during that month
- to provide consistent input to member councils at the Basin scale
- to promote knowledge sharing
- to reduce the workload on elected members in actively reporting back on their committee involvement
- to encourage more active participation and engagement by member councils
- to use content that is already produced monthly; and
- to provide easy access to further information
- to be distributed via our CRM platform **only** to delegate members.

Board members are encouraged to consider the process and the content for this service and provide any comments of feedback that may strengthen the product. This product will benefit from continuous feedback and input.

J MacAllister commended the MDA executive team, noting that it would be a useful tool for reporting back to councils.

Motion: That the board note the April/May **MDA Delegate's Report to Council** and approve its distribution to delegates.

J MacAllister / A Tilley

Carried

6.7 MDA Communication Reports and Regional Meeting Minutes

Date	Report No	Topic	Author	Approved
08/04/2020	200408	Salesforce Security	Jess Maher	E. Bradbury
16/03/2020	Region 5 Minutes	AGM	Cr Peter Hunter	Cr Peter Hunter

P Miller left the meeting 12.07pm.

Motion: That the Board receive communication reports.

D Thurley / D Patterson

Carried

Late Item 6.8

The Impact of lower inflows on state shares under the Murray-Darling Basin Agreement report – by the Interim Inspector General

See details in separate email

Recommendation: That the board

- a. Note the report
- b. Prepare a response from the MDA.

D Thurley emphasised the importance for board members to provide feedback.

J MacAllister suggested that the MDA record the recommendations for the MDBA and incorporate them into the MDA's MOU with the MDBA.

Close 12.11pm.

7. CLOSE



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Briefing Paper: The Lower Lakes Independent Science Review

Monday 5th May 2020

Purpose:

To inform the board of the impending release of the report on The Lower Lakes Independent Science Review.

Executive Summary:

The Lower Lakes Independent Science Review will be delivered on Wednesday 13 May. The release of the report will be accompanied by a Webinar about the findings. MDA Officers have registered to attend this webinar.

The Lower Lakes Independent Science Review is one of four key reports commissioned by government in 2019 and scheduled for release in Mar-May 2020. The other three reports are

- i) [Sefton's Panel report: Independent assessment of social and economic conditions in the Basin](#) – Confidential Draft Report released to the public 16th March 2020
- ii) [Impact of lower inflows on state shares under the Murray-Darling Basin Agreement](#) - The Interim Inspector-General's inquiry into the management of Murray–Darling Basin water resources. Released 17th April 2020
- iii) [ACCC Murray-Darling Basin water markets inquiry](#). - The ACCC must give the Treasurer an interim report on the inquiry by 31 May 2020

Background:

- The review was announced shortly after NSW Nationals, Deputy Premier, John Barilaro and Water Minister, Melinda Pavey, threatening to withdraw NSW from the Murray Darling Basin Plan if their list of demands is not met, including that barrages on the Lower Lakes be lifted to allow seawater back into Lake Alexandrina.
- The science of South Australia's Lower Lakes is being reviewed by an independent team led by Australia's lead science agency, CSIRO. The review team includes:
 - Led by Dr Francis Chiew of CSIRO
 - Ms Jennifer Hale
 - Dr Michael Reid
 - Dr Klaus Joehnk
 - Dr Ian Webster

- The review will address the following key questions:
 1. What are the various scientific perspectives on the past and current hydrology and salinity of the Lower Lakes and how have the lakes come to be managed in the way they are?
 2. What would be the likely regional social, environmental and economic implications of removing the barrages, and would this result in significant water savings?
 3. What knowledge needs are required to plan for the main social, environmental and economic vulnerabilities of the Lower Lakes to climate change?
- The review will address the following key questions:
 - What are the various scientific perspectives on the past and current hydrology and salinity of the Lower Lakes and how have the lakes come to be managed in the way they are?
 - What would be the likely regional social, environmental and economic implications of removing the barrages, and would this result in significant water savings?
 - What knowledge needs are required to plan for the main social, environmental and economic vulnerabilities of the Lower Lakes to climate change?
- MDBA's Advisory Committee on Social, Economic and Environmental Sciences (ACSEES).

Summary of Key Facts Sourced:

If the board wishes to register for the for the webinar they should go to the following link:

<https://getinvolved.mdba.gov.au/lower-lakes-independent-science-review>

Further Sources of Reading / Updates as Desired:

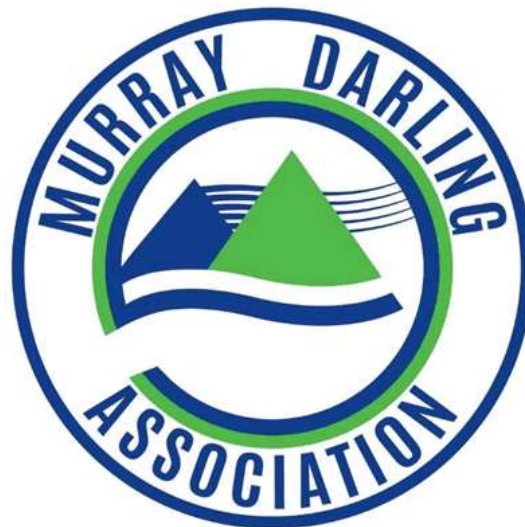
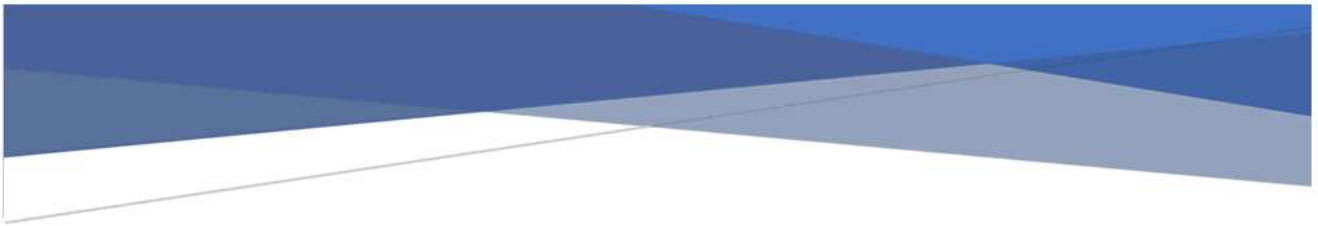
<https://www.csiro.au/en/News/News-releases/2019/Lower-lakes-science>

<https://www.mdba.gov.au/media/mr/independent-review-lower-lakes-science-underway>

<https://www.mdba.gov.au/basin-plan-roll-out/monitoring-evaluation/lower-lakes-independent-science-review>

<https://www.mdba.gov.au/about-us/governance/advisory-committee-social-economic-environmental-sciences>

<https://www.theland.com.au/story/6536796/mdba-announce-csiro-led-review-of-lower-lakes/>



Chief Executive Officer's Report

April 2020

Emma Bradbury
ceo@mda.asn.au

1. Appointments

Date	Event/meeting	Location
16/03/2020	Region 5 AGM and Ordinary Meeting	Via Zoom
16/03/2020	Salesforce Session 1 Training Session	Via Zoom
17/03/2020	Carrie Donaldson – National Conference Hosting requirements	Via Zoom
17/03/2020	Floodplain Harvesting Measurement Policy DPIE	Via Zoom
20/03/2020	Region 9 Discussions – Murrumbidgee Council	Via Zoom
21/03/2020	Region 9 Ordinary Meeting	Via Zoom
21/03/2020	Board Meeting 396	Via Zoom
23/03/2020	MDBA Roundtable – Wentworth Group	Via Zoom
24/03/2020	John Holloway – Water Literacy Modules - BCLP	Via Zoom
26/03/2020	Wakool district discussion re BCLP collaboration	Via Zoom
27/03/2020	Regional Australia and COVID-19 Building Social Capacity	Via Zoom
06/04/2020	The ID Crowd – BCLP Water Literacy Modules	Via Zoom
08/04/2020	Soil Carbon Sequestration Discussions – CSIRO , Cr Rebbeck	Via Zoom
16/04/2020	Fiona Simson and Laurete Wallace National Farmers Federation	Via Zoom
17/04/2020	GO1 – BCLP Curriculum discussions	Via Zoom

2. Meetings

2.1

08/04/2020 The MDA met with the CSIRO and Region 6's Chair Cr Rebbeck via Zoom Video conferencing to discuss project and research opportunities. The discussions focused on Soil Carbon Sequestration with the following discussion points provided by Cr Rebbeck.

- A climate solution fund for the MDB
- Utilising <https://looc-c.farm/>
- Support implementation of a land restoration fund for the MDB
- Support literacy around the carbon story for the MDB (eg 1pc inc = 10-30tonnes water storage 10-30pc increase in production, reduction in run off nutrient build up in MDB, less need for irrigation, aquifer recharge, and climate change mitigation)
- How can the drought mission and the 0 mission support the timely implementation of the MDB plan?
- How can all of the above support the timely implementation of the MDB plan

2.2

16/04/2020

CEO met with Fiona Simpson, Chair of the NFF and Lauretta Wallace to discuss the BCLP, and alignments with rural and regional development, support for farmers, local knowledge, progress and innovation. NFF strongly supportive of the BCLP both in concept and design. Further discussions and collaboration will emerge.

3. Basin Community Leadership Program

- Covid-19 restrictions and ongoing impacts have resulted in their May/June scheduled workshop at the Lower Lakes/Loxton and Cobdogla-Barmera & Berri regions to be postponed to December 2020/January-February 2021
- The LMS Platform will be made available to Board Members for input and feedback prior to distribution to participants.

4. Operational Update

Wednesday, April 8, 2020: Policy Officer, James Marshall, attended

2020-21 Irrigation Season Outlook – River Murray Webinar

Hosted by Marsden Jacob Associates, Primary Industries and Regions South Australia, Department for Environment and Water

- A standard seasonal outlook presentation that contained relevant data, trends and information regarding inflows and expected allocation announcements.
- Was noted that many of the questions from members of the public demonstrated poor water literacy and perhaps reveals that the public needs help consuming information from presentations such as this one.

Wednesday, April 8, 2020: Communications and Engagement Officer, Jessica Maher, attended

'How Salesforce and Local Government are partnering to support crisis management in society today'.

Hosted by Salesforce:

- The webinar was attended by 50+ representatives from local councils across Australia and provided insight into how local government can use Customer Relationship Management software like Salesforce during times of uncertainty to provide support services to staff and citizens, including tracking areas impacted by COVID-19. The webinar also included an interesting presentation by City of Melbourne and how they are responding to the COVID-19 situation through an online web-portal providing increased support services for local businesses.



Emma Bradbury

Chief Executive Officer

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGER'S REPORT

File Number: RPT/20/322

Responsible Officer: Ken Ross - General Manager
 Responsible Division: Office of the General Manager
 Reporting Officer: Gayle Marsden - Executive Assistant

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

The General Manager's report details information pertaining to meetings attended and general information which are of public interest, and which have not been reported elsewhere in this agenda. Items of note in this report are:

1. OLG Circulars
 Details of OLG Circulars 20-16 to 20-20
 Details of General Circular GC-149
2. Meetings
 As listed
3. Upcoming meetings or events
 As listed
4. Other items of note
 Nil

Recommendation

That Council notes the information contained within the report from the General Manager.

Detailed Report

1. OLG Circulars

1.1 OLG Circular 20-16

- All councils will be invited to enter into a funding agreement to benefit from the Stimulus Package.
- The JRA Guidelines, Eligibility Criteria and FSER are available for download from the COVID-19 page on OLG's website.
- A council's FSER will be its application for the JRA Subsidy.
- The FSER should be completed and emailed to FSER@olg.nsw.gov.au by 22 May 2020. Late submissions will be considered but may delay payment of the JRA Subsidy.
- Councils who do not wish to access the JRA do not need to submit a FSER.

1.2 OLG Circular 20-17 - Relaxation of some restrictions on the attendance by councillors and staff at council and committee meetings during the COVID-19 pandemic.

- It is now permissible for councillors and council staff to leave their homes for the purposes of attending council and committee meetings and to attend meetings in person.
- Councils should continue to allow councillors and staff to attend and participate in council and committee meetings by audio visual links where it is reasonably practicable to do so.
- Members of the public are not permitted to attend meetings (other than for the purposes of work) if this means that the total number of people attending meetings (including councillors and staff) exceed 10.
- Where councils exclude members of the public from meetings, they must livestream their meetings using audio-visual links to satisfy the requirement under section 10 of the Local Government Act 1993 for members of the public to be permitted to “attend” meetings.
- Councils must not allow persons to attend meetings if the size of the meeting venue is insufficient to ensure there is 4 square metres of space for each person attending the meeting.

1.3 OLG Circular 20-18 - Important changes for all councils made by the COVID-19 Legislative Amendment (Emergency Measures-Miscellaneous) Act No.2. These changes:-

- enable a council that does not apply the full percentage increase of the rate peg (or any applicable Special Variation) this year or in any future year to set rates in any one or more of the next 10 years to return it to the original rating trajectory; and
- prevent councils from commencing legal action to recover rates and charges for six months unless the following specific matters have been considered:
- whether the payment of the rate or charge could be made in instalments or by way of some other financial arrangement,
- whether the person should be referred to a financial counsellor,
- whether mediation or alternative dispute resolution should be attempted first; and
- whether interest on the unpaid amount should be deferred or waived.
- Amendments have also been made to the Annual Holidays Act 1944 to clarify that annual leave continues to accrue while an employee is stood down and to allow councils and their employees to agree to:
- the council making a payment to an employee in lieu of annual leave where that employee will still have a balance of at least four weeks of leave remaining; and/or
- an employee taking annual leave at double or half pay.

1.4 OLG Circular 20-19 - Information about Ratings 2020-21

- The maximum boarding house tariffs for 2020-21 have been determined.
- The maximum interest rate payable on overdue rates and charges for 2020-21 has been determined.
- The section 603 certificate fee for 2020-21 has been determined.

- The statutory limit on the maximum amount of minimum interest rates for 2020-21 has been determined for commencement on 1 July 2020.

1.5 OLG Circular 20-20 - Clarification for issuing and collecting 2020-21 single and first quarter rates instalments.

- Councils cannot enforce the collection of a single instalment or the first quarter rates instalments until after 30 September 2020.

1.6 GC-149 - 2020-21 Financial Assistance Grants (FAGs) – advance payment

- The advanced payment was paid to councils on 26 May 2020. Wentworth Shire Council received a total payment of \$3,323,376

2. Meetings

Following is a list of meetings or events attended by the General Manager for the period 2 May 2020 – 12 May 2020.

Date	Meeting	Location
5 May 2020	Mayoral Meeting	Buronga
6 May 2020	Local Emergency Management Meeting	Video Conference
6 May 2020	Meeting Helen Dalton	Video Conference
7 May 2020	JO Meeting	Video Conference
13 May 2020	Council Meeting	Video Conference
19 May 2020	Operational Plan Meeting	Video Conference
19 May 2020	Willowbend Advisory Committee	On site
27 May 2020	Mayoral Meeting	Buronga
9 June 2020	MDA Region 4	Buronga

3. Events

Following is a list of upcoming events, conferences or committee meetings, including out of region meetings where the Shire has been requested to attend in an official capacity.

Date	Meeting	Proposed Attendees	Location
16 July 2020	Wentworth Shire Interagency Health Group	Cr MacAllister	Video Conferencing
17 July 2020	Far West Joint Organisation General Managers Meeting	General Manager	Wilcannia
27 July 2020	Bottle Bend Reserve - Reserve Land Manager Meeting	Cr MacAllister	Video Conferencing
28 July 2020	Internal Audit & Risk Management Committee Meeting	Cr Hederics, Nunan, Nichols, MacAllister, Evans and General Manager	Video Conference

4. Other items of note

Nil

Attachments

1. OLG Circular 20-16[↓](#)
2. OLG Circular 20-17[↓](#)
3. OLG Circular 20-18[↓](#)
4. OLG Circular 20-19[↓](#)
5. OLG Circular 20-20[↓](#)
6. General Circular GC-149[↓](#)



Office of
Local Government

Circular to Councils

Circular Details	20-16 / 13 May 2020 / A702650
Previous Circular	N/A
Who should read this	General Managers and Responsible Accounting Officer
Contact	Performance Team and Council Engagement Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Information / Council to Implement

COVID-19 Economic Stimulus Package

What's new or changing

- The Office of Local Government (OLG) has released three new resources that will assist councils to apply for the *Council Job Retention Allowance Subsidy*, a key element of the COVID-19 Economic Stimulus Package.

What this will mean for your council

- The following documents are now available:
 - Guidelines for the Council Job Retention Allowance Subsidy (JRA Guidelines)
 - Financial Stimulus Eligibility Criteria (Eligibility Criteria), and
 - Financial Stimulus Eligibility Return (FSER).
- The JRA Guidelines, Eligibility Criteria and FSER provide detailed guidance to assist councils determine their eligibility for the JRA Subsidy.
- Councils are encouraged to submit the FSER to access the JRA Subsidy.
- OLG will inform councils of the outcome of its assessment of the FSER.

Key points

- All councils will be invited to enter into a funding agreement to benefit from the Stimulus Package.
- The JRA Guidelines, Eligibility Criteria and FSER are available for download from the COVID-19 page on OLG's website.
- A council's FSER will be its application for the JRA Subsidy.
- The FSER should be completed and emailed to FSER@olg.nsw.gov.au by 22 May 2020. Late submissions will be considered but may delay payment of the JRA Subsidy.
- Councils who do not wish to access the JRA do not need to submit a FSER.

Where to go for further information

- Councils should contact OLG's Performance Team about the Eligibility Criteria and the FSER, and their Council Engagement Manager about the Stimulus Package or in relation to other COVID-19 matters.

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Office of
Local Government

Circular to Councils

Circular Details	20-17 / 20 May 2020 / A703212
Previous Circular	20-14 <i>Updated guidance on attendance by councillors and others at council and committee meetings during the COVID-19 pandemic</i>
Who should read this	Councillors / General Managers / Council governance staff
Contact	Council Governance Team/ 02 4428 4100/ olg@olg.nsw.gov.au
Action required	Council to Implement

Relaxation of some restrictions on the attendance by councillors and staff at council and committee meetings during the COVID-19 pandemic

What's new or changing

- The Minister for Health and Medical Research, the Hon. Brad Hazzard MP (the Minister), made the *Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 2) 2020* (the new Public Health Order) on 14 May 2020.
- The new Public Health Order removes the "stay at home" direction contained in the earlier *Public Health (COVID-19 Restrictions on Gathering and Movement) Order 2020*.

What this will mean for your council

- It is now permissible for councillors and council staff to leave their homes for the purposes of attending council and committee meetings and to attend meetings in person.
- Councils should continue to allow councillors and staff to attend and participate in council and committee meetings by audio visual links where it is reasonably practicable to do so.
- Members of the public are not permitted to attend meetings (other than for the purposes of work) if this means that the total number of people attending meetings (including councillors and staff) exceed 10.
- Where councils exclude members of the public from meetings, they must livestream their meetings using audio-visual links to satisfy the requirement under section 10 of the *Local Government Act 1993* for members of the public to be permitted to "attend" meetings.
- Councils must not allow persons to attend meetings if the size of the meeting venue is insufficient to ensure there is 4 square metres of space for each person attending the meeting.
- Further guidance on compliance with social distancing requirements at council and committee meetings is provided in Circular 20-09 which is available [here](#).

Key points

- A failure to comply with a direction in a Public Health Order is an offence under Section 10 of the *Public Health Act 2010* that carries a maximum penalty of imprisonment for 6 months or a fine of up to \$11,000 (or both) plus a further \$5,500 fine each day the offence continues.

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Where to go for further information

- For further information please contact the Council Governance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.
- More information on the new Public Health Order is available [here](#).
- For more specific guidance on compliance with the Public Health Order, contact the NSW Police Force.



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Office of
Local Government

Circular to Councils

Circular Details	20-18 / 19 May 2020 / A703512
Previous Circular	<i>If applicable</i>
Who should read this	Councillors / General Managers / All council staff
Contact	Policy Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Council to Implement

Important changes for all councils made by the COVID-19 Legislative Amendment (Emergency Measures-Miscellaneous) Act No.2

What's new or changing

- The *Local Government Act 1993* has been amended to make a number of changes to support councils and ratepayers during the COVID-19 pandemic as part of the *COVID-19 Legislative Amendment (Emergency Measures-Miscellaneous) Act No.2*. These changes:
 - enable a council that does not apply the full percentage increase of the rate peg (or any applicable Special Variation) this year or in any future year to set rates in any one or more of the next 10 years to return it to the original rating trajectory; and
 - prevent councils from commencing legal action to recover rates and charges for six months unless the following specific matters have been considered:
 - whether the payment of the rate or charge could be made in instalments or by way of some other financial arrangement,
 - whether the person should be referred to a financial counsellor,
 - whether mediation or alternative dispute resolution should be attempted first; and
 - whether interest on the unpaid amount should be deferred or waived.
- Amendments have also been made to the *Annual Holidays Act 1944* to clarify that annual leave continues to accrue while an employee is stood down and to allow councils and their employees to agree to:
 - the council making a payment to an employee in lieu of annual leave where that employee will still have a balance of at least four weeks of leave remaining; and/or
 - an employee taking annual leave at double or half pay.

What this will mean for your council

- Councils should immediately review their planned approach to adopting the rate peg this year, if necessary, and consider any consequent impacts on its Operational Plan and revenue planning for 2020-21.
- Councils should also review debtors owing unpaid rates and charges and ensure any further action is compliant with the new requirements.
- Councils should then consider any consequential impacts on their Delivery Program, Resourcing Strategy and Long-term Financial Plan.
- Councils may also wish to review delegations, policies and procedures around rates and charges and debt recovery to ensure they remain compliant, including any arrangements with external service providers.

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Key points

- The Government understands that the COVID-19 pandemic is placing significant pressure on councils as well as families and businesses in NSW.
- That is why the Local Government Act has been amended to help councils and the communities they serve to remain sustainable during the current crisis and as steps towards economic recovery begin.
- Section 511(1) has been amended to enable any council that does not apply the full percentage increase of the rate peg (or any applicable Special Variation) in a certain year to set rates in a subsequent year to return it to the original rating trajectory for that subsequent year.
 - This enables councils to not increase rates to the full capped amount during difficult times, while allowing them to catch-up the value of those rates in future years when economic circumstances improve.
 - This amendment came into effect on commencement of the amending Act and is a continuing amendment.
- A second amendment to the Local Government Act prevents councils from taking legal action to recover unpaid rates and charges unless specific matters have been considered, for six months.
 - This is to ensure that ratepayers facing financial difficulties are provided support and opportunities to pay their bills and defer the potential for formal debt recovery.
 - This amendment applies until 26 September 2020.
- The *Annual Holidays Act 1944* has been amended to provide greater flexibility in how annual leave is managed and to allow councils to reduce their excess annual leave liability by agreement with their employees.

Where to go for further information

- A copy of the amendments may be viewed at the NSW Legislation website at www.legislation.nsw.gov.au/#/browse/bills/current/C
- Councils may wish to review a *Frequently Asked Questions* document on these changes, which may be viewed at <https://www.olg.nsw.gov.au/programs-and-initiatives/olg-assists-councils-to-manage-covid-19/information-and-resources/>
- Further questions about changes to the *Local Government Act* should be raised with Council's OLG Engagement Manager in the first instance.
- Questions about changes to the *Annual Holidays Act* should be raised with NSW Industrial Relations by calling 131 628 or using the contact form at www.industrialrelations.nsw.gov.au/about-us/contact-us/workplace-enquiry/ or by seeking guidance from Local Government NSW.

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Office of
Local Government

Circular to Councils

Circular Details	20-19 / 26 May 2020 / A702258
Previous Circular	19-05 – Information about Rating 2019-20
Who should read this	Councillors / General Managers / Council staff
Contact	Performance Team (02) 4428 4100 / olg@olg.nsw.gov.au
Action required	Information / Council to Implement

Information about Ratings 2020-21

What's new or changing

- The maximum boarding house tariffs for 2020-21 have been determined.
- The maximum interest rate payable on overdue rates and charges for 2020-21 has been determined.
- The section 603 certificate fee for 2020-21 has been determined.
- The statutory limit on the maximum amount of minimum interest rates for 2020-21 has been determined for commencement on 1 July 2020.

What this will mean for your council

Councils should incorporate these determinations into their 2020-21 rating structures and Operational Plan Statement of Revenue Policies.

Key points

Boarding House Tariffs

In accordance with section 516 of the *Local Government Act 1993* (the Act), it has been determined that for the purpose of the definition of 'boarding house' and 'lodging house', the maximum tariffs, excluding GST, that a boarding house or lodging house may charge tariff-paying occupants are:

- Where **full board and lodging** is provided:
\$397 per week for single accommodation; or
\$656 per week for a family or shared accommodation
- Where **less than full board or lodging** is provided:
\$267 per week for single accommodation; or
\$441 per week for family or shared accommodation

Maximum Interest Rate on Overdue Rates and Charges

In accordance with section 566(3) of the Act, it has been determined that the maximum rate of interest payable on overdue rates and charges for the period 1 July 2020 to 31 December 2020 (inclusive) will be **0.0% per annum** and that the maximum rate of interest payable on overdue rates and charges for the period 1 January 2021 to 30 June 2021 (inclusive) will be **7.0% per annum**.

The interest rate has been set at 0.0% for the first half of the 2020-21 financial year in response to the financial impacts faced by the community as a result of the COVID-19 Pandemic.

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The methodology used to calculate the interest rate applicable for the period 1 January 2021 to 30 June 2021 is the Supreme Court methodology (the Reserve Bank cash rate plus 6%), rounded to the nearest half per cent of the maximum interest rate for the previous year. The cash rate used for the purposes of the maximum interest rate for local government is based on the cash rate as at 4 December 2019.

Notice giving effect to these decisions will be published in the NSW Government Gazette.

Section 603 Certificate

Under section 603 of the Act, councils may issue a certificate as to the amount (if any) of rates, charges, etc due or payable to the council for a parcel of land. Section 603(2) states the application must be accompanied by the approved fee. In accordance with the approved methodology, the approved fee for 2020-21 is determined to be **\$85**. This is unchanged from the 2019-20 fee.

This determination applies to the issuing of a certificate for the matters specified in section 603(2) of the Act. Where a council offers to provide other information as an optional service, the council is not prevented from separately determining an approved fee for that additional service. Furthermore, a council is not prevented from determining approved fees for additional services required by an applicant for the expedited processing of a section 603 certificate.

Statutory limit on the maximum amount of minimum rates

Following a recommendation by IPART, clause 126 of the *Local Government (General) Regulation 2005* will be amended on 1 July 2020 by the *Local Government (General) Amendment (Minimum Rates) Regulation 2019* so that under section 548(3)(a) of the Act, the maximum amount of the minimum ordinary rate to be **\$554** for 2020-21.

The maximum amount of a minimum special rate (not being a water supply special rate or a sewerage special rate) prescribed by section 548(3)(b) of the Act will remain unchanged at **\$2**.

Where to go for further information

The NSW legislation website at www.legislation.nsw.gov.au.



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Office of
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Circular to Councils

Circular Details	20-20 / 3 June 2020 / A704774
Previous Circular	20-12 <i>Modification of statutory requirements in response to the COVID-19 pandemic</i>
Who should read this	General Managers / Finance, Governance and Integrated Planning and Reporting staff
Contact	Council Performance Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Council to Implement

Clarification for issuing and collecting 2020-21 single and first quarter rates instalments

What's new or changing

- Circular 20-12 issued on 17 April 2020 announced changes under section 747B of the *Local Government Act 1993*.
- Councils were provided with the option to delay issuing rates notices to ratepayers until 1 September 2020.
- The collection of the first quarter rates instalment (whether a single or quarterly instalment) is due by 30 September 2020.

What this will mean for your council

- Councils cannot enforce the collection of a single instalment or the first quarter rates instalments until after 30 September 2020.

Key points

- Councils electing to take up the extended period of time can issue their rates notices by 1 September, with the single instalment or first quarter rates instalment payable by 30 September 2020.
- For those councils that do not take up the extended period of time to issue their rates notices and issue them as normal, ratepayers can pay their rates by the normal due date, however under the temporary provisions all ratepayers have the ability to delay making payment of their rates instalment until 30 September 2020.
- When issuing the 2020-21 first quarter rates notices, councils should encourage ratepayers who have the capacity to pay their rates early to do so, while acknowledging that many members of the community have been affected by COVID-19 financial pressures and that first quarter rates instalments are now due by 30 September 2020.

Where to go for further information

- For further information please contact the Council Performance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.

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State Summary

GENERAL PURPOSE AND LOCAL ROAD FINANCIAL ASSISTANCE GRANT

New South Wales

Council	Early Payments from 2020-21 Financial Assistance Grants made in 2020		
	General Purpose	Local Roads	Total
Albury City Council	\$2,649,637	\$763,117	\$3,412,754
Armidale Regional Council	\$2,242,981	\$1,301,862	\$3,544,843
Ballina Shire Council	\$1,658,829	\$759,012	\$2,417,841
Bairanald Shire Council	\$1,536,113	\$708,734	\$2,244,847
Bathurst Regional Council	\$2,336,182	\$1,063,157	\$3,399,339
Bayside Council	\$1,851,076	\$585,700	\$2,436,776
Bega Valley Shire Council	\$2,749,281	\$1,037,435	\$3,786,716
Bellingen Shire Council	\$1,514,318	\$509,539	\$2,023,857
Berrigan Shire Council	\$1,814,196	\$743,916	\$2,558,112
Blacktown City Council	\$6,830,176	\$1,839,829	\$8,670,005
Bland Shire Council	\$2,518,380	\$1,580,710	\$4,099,090
Blayney Shire Council	\$968,471	\$448,661	\$1,417,132
Blue Mountains City Council	\$3,957,065	\$727,945	\$4,685,010
Bogan Shire Council	\$1,477,300	\$777,200	\$2,254,500
Bourke Shire Council	\$2,260,696	\$1,018,369	\$3,279,065
Brewarrina Shire Council	\$1,599,254	\$698,663	\$2,297,917
Broken Hill Council of the City of	\$2,325,747	\$267,575	\$2,593,322
Burwood Council	\$421,877	\$138,797	\$560,674
Byron Shire Council	\$1,066,590	\$637,696	\$1,704,286
Cabonne Shire Council	\$1,538,466	\$1,101,962	\$2,640,428
Camden The Council of	\$1,258,715	\$819,727	\$2,078,442
Campbelltown City Council	\$4,258,523	\$986,990	\$5,245,513
Canada Bay Council City of	\$1,018,778	\$335,699	\$1,354,477
Canterbury-Bankstown Council	\$4,257,282	\$1,416,146	\$5,673,428
Carrathool Shire Council	\$2,014,634	\$1,234,479	\$3,249,113
Central Coast Council (NSW)	\$11,337,375	\$2,340,581	\$13,677,956
Central Darling Shire Council	\$2,233,338	\$853,629	\$3,086,967
Cessnock City Council	\$2,935,364	\$930,839	\$3,866,203
Clarence Valley Council	\$4,066,958	\$1,770,012	\$5,836,970
Cobar Shire Council	\$2,215,395	\$924,537	\$3,139,932
Coffs Harbour City Council	\$2,807,701	\$1,174,213	\$3,981,914
Coolamon Shire Council	\$1,295,268	\$655,670	\$1,950,938
Coonamble Shire Council	\$1,398,967	\$790,634	\$2,189,601
Cootamundra-Gundagai Regional Cou	\$1,982,450	\$838,769	\$2,821,219
Cowra Shire Council	\$1,702,699	\$771,772	\$2,474,471
Cumberland Council	\$2,993,730	\$966,384	\$3,960,114
Dubbo Regional Council	\$4,283,641	\$1,754,596	\$6,038,237
Dungog Shire Council	\$904,328	\$496,224	\$1,400,552
Edward River Council	\$2,134,455	\$809,877	\$2,944,332
Eurobodalla Shire Council	\$2,886,244	\$885,956	\$3,752,200
Fairfield City Council	\$3,840,595	\$913,953	\$4,754,548
Federation Council	\$2,527,200	\$1,188,558	\$3,715,758
Forbes Shire Council	\$1,849,274	\$1,038,872	\$2,888,146
Georges River Council	\$1,679,382	\$610,481	\$2,289,863
Gilgandra Council	\$1,360,501	\$690,988	\$2,051,489
Glen Innes Severn Council	\$1,491,983	\$740,550	\$2,232,533
Goulburn Mulwaree Council	\$1,807,943	\$915,704	\$2,723,647
Greater Hume Shire Council	\$1,734,058	\$1,098,595	\$2,832,653
Griffith City Council	\$2,082,612	\$874,767	\$2,957,379
Gunnedah Shire Council	\$1,576,443	\$862,962	\$2,439,405
Gwydir Shire Council	\$1,451,478	\$988,026	\$2,439,504
Hawkesbury City Council	\$1,400,056	\$914,191	\$2,314,247
Hay Shire Council	\$1,195,336	\$432,123	\$1,627,459
Hills Shire Council The	\$1,921,657	\$1,082,836	\$3,004,493
Hilltops Council	\$2,781,452	\$1,477,828	\$4,259,280
Hornsby Shire Council	\$1,693,763	\$790,391	\$2,484,154
Hunter's Hill Council	\$171,553	\$78,739	\$250,292
Inner West Council	\$2,228,279	\$713,136	\$2,941,415
Inverell Shire Council	\$2,097,522	\$1,102,592	\$3,200,114
Junee Shire Council	\$1,033,314	\$490,752	\$1,524,066
Kempsey Shire Council	\$2,255,972	\$998,023	\$3,253,995
Kiama Municipal Council	\$628,315	\$252,917	\$881,232

Ku-Ring-Gai Council	\$1,387,245	\$595,357	\$1,982,602
Kyogle Council	\$1,494,598	\$878,697	\$2,373,295
Lachlan Council	\$3,143,130	\$1,812,652	\$4,955,782
Lake Macquarie City Council	\$7,160,884	\$1,476,053	\$8,636,937
Lane Cove Municipal Council	\$427,577	\$149,799	\$577,376
Leeton Shire Council	\$1,762,719	\$559,343	\$2,322,062
Lismore City Council	\$2,318,975	\$1,052,397	\$3,371,372
Lithgow Council City of	\$1,860,815	\$675,288	\$2,536,103
Liverpool City Council	\$3,373,079	\$1,212,350	\$4,585,429
Liverpool Plains Shire Council	\$1,280,418	\$735,802	\$2,016,220
Lockhart Shire Council	\$1,171,368	\$719,401	\$1,890,769
Lord Howe Island Board	\$116,301	-	\$116,301
Maitland City Council	\$2,990,385	\$733,906	\$3,724,291
Mid-Coast Council	\$6,642,861	\$2,855,767	\$9,498,628
Mid-Western Regional Council	\$2,175,370	\$1,307,966	\$3,483,336
Moree Plains Shire Council	\$2,560,026	\$1,544,573	\$4,104,599
Mosman Municipal Council	\$354,203	\$128,267	\$482,470
Murray River Council	\$2,850,649	\$1,606,625	\$4,457,274
Murrumbidgee Council	\$1,527,759	\$892,577	\$2,420,336
Muswellbrook Shire Council	\$1,388,113	\$497,371	\$1,885,484
Nambucca Shire Council	\$1,475,671	\$653,353	\$2,129,024
Narrabri Shire Council	\$2,584,526	\$1,261,237	\$3,845,763
Narrandera Shire Council	\$1,710,584	\$846,623	\$2,557,207
Narramine Shire Council	\$1,558,875	\$774,851	\$2,333,726
Newcastle City Council	\$5,600,219	\$974,183	\$6,664,402
North Sydney Council	\$831,061	\$260,459	\$1,091,520
Northern Beaches Council	\$2,990,971	\$1,169,513	\$4,160,484
Oberon Council	\$947,005	\$534,417	\$1,481,422
Orange City Council	\$1,858,769	\$637,035	\$2,495,804
Parkes Shire Council	\$2,254,578	\$1,114,340	\$3,368,918
Parramatta Council City of	\$3,792,238	\$1,042,115	\$4,834,353
Penrith City Council	\$4,405,148	\$1,289,174	\$5,694,322
Port Macquarie Hastings Council	\$3,372,564	\$1,559,258	\$4,931,822
Port Stephens Council	\$2,881,432	\$660,466	\$3,541,898
Queanbeyan-Palerang Regional Council	\$1,937,153	\$1,319,167	\$3,256,320
Randwick City Council	\$1,684,743	\$516,004	\$2,180,747
Richmond Valley Council	\$1,862,577	\$849,823	\$2,712,400
Ryde Council of the City of	\$1,367,102	\$494,531	\$1,861,633
Shellharbour Council of the City of	\$2,277,976	\$504,153	\$2,782,129
Shoalhaven City Council	\$4,738,143	\$1,810,770	\$6,548,913
Silverton Village Committee Incorporated	\$17,279	-	\$17,279
Singleton Council	\$1,300,179	\$690,872	\$1,991,051
Snowy Monaro Regional Council	\$3,607,655	\$1,468,307	\$5,105,962
Snowy Valleys Council	\$2,330,544	\$750,204	\$3,080,748
Strathfield Municipal Council	\$482,474	\$156,087	\$638,561
Sutherland Shire Council	\$2,541,202	\$1,081,620	\$3,622,822
Sydney The Council of the City of	\$2,456,402	\$701,945	\$3,158,347
Tamworth Regional Council	\$3,311,169	\$2,278,327	\$5,589,496
Temora Shire Council	\$1,215,372	\$652,814	\$1,868,186
Tenterfield Shire Council	\$1,681,924	\$891,376	\$2,573,300
Tibooburra Village Committee Incorporated	\$40,467	-	\$40,467
Tweed Shire Council	\$4,131,884	\$1,553,704	\$5,685,588
Upper Hunter Shire Council	\$1,636,575	\$1,046,713	\$2,683,288
Upper Lachlan Shire Council	\$1,503,791	\$1,024,618	\$2,528,409
Uralla Shire Council	\$862,245	\$519,862	\$1,382,107
Wagga Wagga City Council	\$3,738,337	\$1,750,573	\$5,488,910
Walcha Council	\$758,909	\$506,730	\$1,265,639
Walgett Shire Council	\$2,386,189	\$1,051,519	\$3,437,708
Warren Shire Council	\$968,130	\$557,718	\$1,525,848
Warrumbungle Shire Council	\$2,468,549	\$1,322,287	\$3,790,836
Waverley Council	\$825,777	\$236,931	\$1,062,708
Weddin Shire Council	\$913,747	\$540,572	\$1,454,319
Wentworth Shire Council	\$2,236,513	\$1,086,863	\$3,323,376
Willoughby City Council	\$869,716	\$312,037	\$1,181,753
Wingecarribee Shire Council	\$1,701,943	\$1,015,388	\$2,717,331
Wollondilly Shire Council	\$1,274,576	\$727,561	\$2,002,137
Wollongong City Council	\$8,595,876	\$1,299,572	\$9,895,448

Woollahra Council of the Municipality of	\$658,985	\$232,280	\$891,265
Yass Valley Council	\$905,686	\$732,057	\$1,637,743
Totals	\$291,681,073	\$117,645,797	\$409,326,870

Notes

The 2020-21 cash payment consists of the 2020-21 estimated entitlement and the adjustment created from the difference between the 2019-20 final entitlement and 2019-20 estimated entitlement.

9.2 ADOPTION OF THE 2020/21 OPERATIONAL PLAN

File Number: RPT/20/325

Responsible Officer: Simon Rule - Director Finance and Policy
 Responsible Division: Finance and Policy
 Reporting Officer: Simon Rule - Director Finance and Policy

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future
 Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

Following the presentation of the Draft 2020/21 Operational Plan to the 13 May 2020 council meeting, the draft plan was placed on public exhibition for 28 days as required under the Local Government Act.

Council is now required to consider all submissions received prior to adopting the 2020/21 Rates and Charges. This includes the following:

- The 2020/21 Annual Statement of Revenue and the annual fees and charges.
- The making and levying of rates and charges including:
 - 2.60% increase in the Ordinary rate for 2020/21.
 - 2.60% increase in Sewer Access Charges for 2020/21.
 - 2.60% increase in Water Access Charges for 2020/21.
 - 2.60% increase in Domestic Waste Charges for 2020/21.
 - No increase to Water Consumption Charges for 2020/21.
 - Charge the maximum 0.00% interest on overdue rates and charges for the period 1 July 2020 – 31 December 2020 and 7.00% for the period 1 January 2021 – 30 June 2021.

Recommendation

- a) That Council adopts the 2020/21 Operational Plan, as amended, having considered submissions received.
- b) That Council resolves to increase the rate income for the 2020/21 year by the maximum 2.60% rate pegged amount determined by the Independent Pricing and Regulatory Tribunal of NSW (IPART).
- c) That Council resolves to make and levy an ordinary rate to comprise of a base rate and an ad valorem rating structure for Residential, Business and Farmland categories of rates under Section 534, 535 & 537 of the Local Government Act 1993 for the 2019/20 year including:

FARMLAND CATEGORY

Includes all of the lands within the local government area of Wentworth categorised as Farmland except those parcels of rateable land sub categorised as Farmland, Dry Land Grazing and Farmland, Licence/Pump Site/Pipeline

Farmland

An ordinary rate of 0.00309165 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Farmland, in accordance with Section 515 of the Local Government Act, 1993 be now made for the 2020/21 rating period, subject to a base amount of (\$510.00) for each assessment. The base amount accounts for 33.36% of the estimated yield for this category. The estimated yield for this rate is \$1,108,302

Farmland, Dry Land Grazing

An ordinary rate of 0.00252606 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Farmland, in accordance with Section 515 of the Local Government Act, 1993 be now made for the 2020/21 rating period, subject to a base amount of (\$510.00) for each assessment. The base amount accounts for 19.06% of the estimated yield for this category. The estimated yield for this rate is \$661,041

Farmland, Licence/Pump Site/Pipeline

An ordinary rate of 0.03653814 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Farmland, sub categorised Licence/Pump Site/Pipeline, in accordance with Section 515 of the Local Government Act, 1993 be now made for the 2020/21 rating period, subject to a base amount of (\$95.00) for each assessment. The base amount accounts for 42.19% of the estimated yield for this category. The estimated yield for this rate is \$16,886.16

RESIDENTIAL CATEGORY**Wentworth**

An ordinary rate of 0.00409093 cents in the dollar on the land value of all rateable lands with Wentworth Shire Council categorised as Residential, sub categorised Wentworth, in accordance with Section 516 of the Local Government Act, 1993 be now made for the 2020/21 rating period, subject to base amount of (\$230.00) for each assessment. The amount accounts for 45.75% of the estimated yield for this category. The estimated yield for this rate is \$308,178.79

Buronga

An ordinary rate of 0.00363459 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Buronga, in accordance with Section 516 of the Local Government Act, 1993 be now made for the 2020/21 rating period, subject to a base amount of (\$260.00) for each assessment. The base amount accounts for 31.51% of the estimated yield for this category. The estimated yield for this rate is \$405,929

Gol Gol

An ordinary rate of 0.00389402 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Gol Gol, in accordance with Section 516 of the Local Government Act, 1993 be now made for the 2020/21 rating period, subject to a base amount of (\$260.00) for each assessment. The base amount accounts for 27.30% of the estimated yield for this category. The estimated yield for this rate is \$523,897

Gol Gol East

An ordinary rate of 0.00439115 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Gol Gol East, in accordance with Section 516 of the Local Government Act, 1993 be now made for the 2020/21 rating period, subject to a base amount of (\$360.00) for each assessment. The base amount accounts for 23.96% of the estimated yield for this category. The estimated yield for this rate is \$338,072

Pooncarie

An ordinary rate of 0.01332810 cents in the dollar on the land value of all rateable lands with Wentworth Shire Council categorised as Residential, sub categorised Pooncarie, in accordance with Section 516 of the Local Government Act, 1993 be now made for the 2020/21 rating period, subject to a base amount of (\$185.00) for each assessment. The base amount accounts for 46.40% of the estimated yield for this category. The estimated yield for this rate is \$21,131

Dareton

An ordinary rate of 0.01572021 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Dareton, in accordance with Section 516 of the Local Government Act, 1993 be now made for the

2020/21 rating period, subject to a base amount of (\$185.00) for each assessment. The base amount accounts for 48.40% of the estimated yield for this category. The estimated yield for this rate is \$76,450

Rural Residential

An ordinary rate of 0.00373314 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Rural, in accordance with Section 516 of the Local Government Act, 1993 be now made for the 2020/21 rating period, subject to a base amount of (\$170.00) for each assessment. The base amount accounts for 24.14% of the estimated yield for this category. The estimated yield for this rate is \$437,290

BUSINESS CATEGORY

Includes all of the lands within the local government area of Wentworth categorised as Business except those parcels of rateable land sub categorised as Business, Mourquong; Business, Trentham Cliffs; Business, Arumpo; Business, Wentworth; Business, Pooncarie (including all of the lands within the locality of Pooncarie sub categorised as Business Pooncarie except those lands within the township of Pooncarie).

Business

An ordinary rate of 0.00659508 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, in accordance with Section 518 of the Local Government Act, 1993 be now made for the 2020/21 rating period, subject to a base amount of (\$270.00) for each assessment. The base amount accounts for 21.38% of the estimated yield for this category. The estimated yield for this rate is \$244,994

Business, Wentworth

An ordinary rate of 0.00950742 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, sub categorised Wentworth, in accordance with Section 518 of the Local Government Act, 1993 be now made for the 2020/21 rating period, subject to a base amount of (\$270.00) for each assessment. The base amount accounts for 38.26% of the estimated yield for this category. The estimated yield for this rate is \$39,518

Business, Mourquong

An ordinary rate of 0.29338897 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, sub categorised Mourquong, in accordance with Section 518 of the Local Government Act, 1993 be now made for the 2020/21 rating period, subject to a base amount of (\$100.00) for each assessment. The base amount accounts for 0.12% of the estimated yield for this category. The estimated yield for this rate is \$241,172

Business, Trentham Cliffs

An ordinary rate of 0.00817110 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, sub categorised Trentham Cliffs, in accordance with Section 518 of the Local Government Act 1993, be now made for the 2020/21 rating period, subject to a base amount of (\$120.00) for each assessment. The base amount accounts for 3.49% of the estimated yield for this category. The estimated yield for this rate is \$10,329

Business, Arumpo

An ordinary rate of 0.06246807 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, sub categorised Arumpo, in accordance with Section 518 of the Local Government Act, 1993 be now made for the 2020/21 rating period, subject to a base amount of (\$210.00) for each assessment. The base amount accounts for 1.17% of the estimated yield for this category. The estimated yield for this rate is \$71,679

Business, Pooncarie

An ordinary rate of 0.09382097 cents in the dollar on the land value of all rateable lands with Wentworth Shire Council categorised as Business, sub categorised Pooncarie, in accordance with Section 518 of the Local Government Act, 1993 be now made for the 2020/21 rating period, subject to a base amount of (\$100.00) for each assessment. The

base amount accounts for 0.02% of the estimated yield for this category. The estimated yield for this rate is \$955,767

- d) That Council resolves to make and levy fees and charges for Sewer Services for 2020/21 year as set out in the annual statement of revenue.
- e) That Council resolves to make and levy fees and charges for Water Services for 2020/21 year as set out in the annual statement of revenue.
- f) That Council resolves to make and levy a Domestic Waste Management charge for 2020/21 year under Section 496 of the Local Government Act 1993 on each parcel of rateable land of which the service is available as set out in the annual statement of revenue.
- g) That Council resolves to fix the fees and charges schedule for 2020/21 year as set out in annual statement of revenue.
- h) That Council resolves to charge the maximum 0.00% interest on overdue rates and charges for the period 1 July 2020 – 31 December 2020 and 7.00% 1 January 2021 – 30 June 2021 as determined by the Minister for Local Government.
- i) That Council resolves to approve Appendix A – Bodies Granted Exemptions automatic fee waiver as part of the 2019/2020 Donations, Grants and Contributions Program as set out in the schedule of fees and charges.
- j) That Council resolves to approve Borrowings for 2020/21 of up to \$7,000,000 as outlined in the Annual Statement of Revenue.

Detailed Report

Purpose

The purpose of this report is to adopt the 2020/21 Operational Plan which includes the Statement of Council Revenue Policy and the Annual Fees and Charges.

Background

In accordance with the Local Government Act Council, Council must have an annual Operational Plan, adopted before the beginning of each financial year, outlining the activities to be undertaken in that year, as part of the Delivery Program.

The Operational Plan includes the Statement of Council Revenue Policy, in accordance with the Regulations.

The Operational Plan must be prepared as a sub-set of the Delivery Program. It must directly address the actions outlined in the Delivery Program and identify projects, programs or activities that the council will undertake within the financial year towards addressing these actions.

The Operational Plan must allocate responsibilities for each activity.

The Operational plan must include a detailed budget for the activities to be undertaken in that year.

Matters under consideration

Following the 13 May 2020 Council meeting, the Draft 2020/21 Operational Plan was placed on public exhibition for 28 days as required by the Local Government Act 1993.

Council is now required to consider all submissions received prior to formally resolving to adopt the Operational Plan, make and levy Rates and Charges, and set the schedule of fees and charges for the 2020/21 financial year.

Each rate and charge is to be made by resolution of Council and is to be made for a specified year. In order for the rate or charge to be collected it must have been made by a resolution of Council before 1 August in the year for which the rate or charge is made.

The making and levying of rates and charges are made in accordance with the Local Government Act, 1993 for the 2019/20 financial year and includes the maximum rate of increase for the Ordinary rate which is the pegged amount of 2.60%

Council proposes to levy an ordinary rate for the following categories and sub-categories:

- Farmland
- Farmland – Dry Land Grazing.
- Farmland – Licence/Pump Site/Pipeline.
- Residential – Wentworth.
- Residential – Buronga.
- Residential - Gol Gol.
- Residential - Gol Gol East.
- Residential – Pooncarie.
- Residential – Dareton.
- Residential - Rural Residential
- Business
- Business – Wentworth.

Council proposes to levy fees and charges for the following as set out in the annual statement of revenue:

- Sewer Services for 2020/21 year
- Water Services for 2020/21 year
- A Domestic Waste Management charge for 2020/21 year under Section 496 of the Local Government Act 1993 on each parcel of rateable land of which the service is available
- Fix the fees and charges schedule for the 2020/21

There has been a number of changes made to the draft Operational Plan. The major addition that has been made has been an increase of \$5,000,000 in capital expenditure for 2020/21. This includes:

- A second round of drought recovery projects
- Federal Government COVID-19 stimulus projects to be spent on Roads and Local Community Infrastructure
- New Water, Sewer & Stormwater Infrastructure expenditure in order to promote new housing development.

This additional capital expenditure will be offset by a combination of Grant Funding, Low Interest T-Corp Loans and Externally Restricted Funds (Water Fund).

At the time of writing this report there had been no submissions received regarding the draft operational plan during the public exhibition period. Any further submissions received between the date of preparing this report and the close of submissions will be detailed in a supplementary late report.

A table listing all the changes to the 2020/21 Operational Plan has been attached to this report.

Conclusion

Council is being asked to:

- a) Adopt the 2020/21 Operational Plan, as amended, having considered submissions received.
- b) Resolve to increase the rate income for the 2020/21 year by the maximum 2.60% rate pegged amount determined by the Independent Pricing and Regulatory Tribunal of NSW (IPART).

- c) Resolve to make and levy an ordinary rate to comprise of a base rate and an ad valorem rating structure for Residential, Business and Farmland categories of rates under Section 534, 535 & 537 of the Local Government Act 1993 for the 2020/21 year as listed
- d) Resolve to make and levy fees and charges for Sewer Services for 2020/21 year as set out in the annual statement of revenue.
- e) Resolve to make and levy fees and charges for Water Services for 2020/21 year as set out in the annual statement of revenue.
- f) Resolve to make and levy a Domestic Waste Management charge for 2020/21 year under Section 496 of the Local Government Act 1993 on each parcel of rateable land of which the service is available as set out in the annual statement of revenue.
- g) Resolve to fix the fees and charges schedule for 2020/21 year as set out in annual statement of revenue.
- h) Resolve to charge the maximum interest on overdue rates and charges as determined by the Minister for Local Government.
- i) Resolve to approve Appendix A – Bodies Granted Exemptions automatic fee waiver as part of the 2020/21 Donations, Grants and Contributions Program as set out in the schedule of fees and charges.
- j) Resolve to approve borrowings for the 2020/21 year.

The final version of the Operational Plan must be uploaded to Council's website within 28 days of being approved.

Attachments

1. 2020/21 Operational Plan Amendments [↓](#)

Submissions and Amendments to 2020/2021 Operational Plan

Submissions		
Received from	Submission	Outcome/comments
Nil submissions		

Amendments to the 2020/2021 Operational Plan	
Section	Amendment
Revenue	
Operational Grants Increase	Low Interest Loan Rebate 20/21 - \$ 9,150.00 21/22 - \$21,614.18 22/23 - \$23,851.92 23/24 - \$21,260.27
Capital Grants Increase	20/21 Drought Project Funding – \$1,000,000 Local Roads and Community Infrastructure Funding - \$1,278,207
Operational Expenditure	
Borrowing Costs Increase	T-Corp Loans New Sewer and Stormwater Infrastructure 20/21 - \$18,300.00 21/22 - \$43,228.36 22/23 - \$47,163.84 23/24 - \$42,520.54
Capital Expenditure	
Capital Expenditure Increase	20/21 Water Infrastructure - \$1,000,000 Sewer Infrastructure - \$949,633 Drought Funding Projects \$1,000,000 Local Roads and Community Infrastructure Projects - \$1,278,207 Stormwater Drainage Infrastructure - \$750,000 21/22 Stormwater Drainage Infrastructure - \$750,000
Capital Expenditure Decrease	Sewer Infrastructure 21/22 - \$101,365 22/23 - \$102,218 23/24 - \$103,087
Loan Principal Repayments Increase	Additional T-Corp Repayments 20/21 - \$91,584.46 21/22 - \$231,482.81 22/23 - \$281,949.55 23/24 - \$287,132.83
Statutory Interest Rate on overdue Rates & Charges	0.00% - 1 July 2020 to 31 December 2020 7.00% - 1 January 2021 to 30 June 2021
Fees and Charges Schedule	
Planning Fees	Removal of: - Infrastructure Protection Permit - \$192.00 - Infrastructure Bonds for construction works \$25,001 and above

	Planning will now include these as conditions on DA's
Companion Animal Fees	Inclusion of Annual Permit Fee for certain animals as advised by the Office of Local Government.
Bodies Granted Exemptions List	Increase annual contribution to Australian Inland Botanic Gardens by \$900.

9.3 TRENTHAM CLIFFS DEVELOPMENT - PROVISION OF WATER AND SEWER

File Number: RPT/20/302

Responsible Officer: Ken Ross - General Manager
 Responsible Division: Office of the General Manager
 Reporting Officer: Ken Ross - General Manager

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire
 Strategy: 1.2 Encourage and support population growth and resident attraction

Summary

This report should be read in conjunction with one with the same title which was deliberated with the following resolution of Council being carried at the 18 December 2019 meeting.

That Council authorises the Mayor and General Manager to negotiate an agreement with the developer regarding the provision of water and sewer infrastructure to Trentham Cliffs and beyond, and that it be brought back to council for ratification.

Since the December meeting of Council the final costing has been prepared for the delivery of the project which equates to \$1,841,106.00

Under the terms of the agreement the Council contribution is capped at \$1,500,000.00 in line with the December Report.

This report now seeks Council endorsement of the agreement.

Recommendation

That Council authorises the Mayor and General Manager to attach the common seal of the Wentworth Shire Council to the agreement pertaining to the provision of water and sewer infrastructure to Trentham Cliffs and beyond, noting that the agreement caps the Council contribution at \$1,500,000.00.

Detailed Report

Purpose

The purpose of this report is for council to endorse the attached agreement which has in the opinion of the author delivered suitable arrangements in the apportionment of costs associated with the provision of filtered water to Trentham Cliffs and beyond and the return of sewer from the development site.

Background

Council has previously approved three developments in the Trentham Cliffs precinct, for which water and sewer infrastructure is required. In part the rationale behind this was to open up Gol Gol to Trentham Cliffs to more development opportunities.

Matters under consideration

Within the development of the Trentham Cliffs highway service center and cabin park patrons are to be provided with filtered water and a pressurized sewer, with the developer to supply the required infrastructure for the development.

The provision of this water and sewer infrastructure to the Trentham Cliffs development allows the opportunity for Council to futuristically connect approximately 300 tenements to this infrastructure in the rapidly developing area over Gol Gol creek in the R5 large lot resident zone.

The concept for consideration is for the developer of the Trentham Cliffs development to supply the required infrastructure for water to the Trentham Cliffs winery and install a sewer pump station upon the development site to pump the sewer back to Gol Gol.

Since the December meeting the design and costing of the project has been undertaken. The cost associated with the supply and installation of the required infrastructure to satisfy Council standards has been calculated at \$1,841,106.00

This report seeks council endorsement of the separately circulated agreement, whereby council shares in the upfront costs of providing the infrastructure which will be of future benefit to the council.

Conclusion

Through the approval of previous development applications Council has provided its support for the progression of development out to the Trentham Cliffs area.

The provision of essential infrastructure to the rapidly developing area of Gol Gol creek in the R5 large lot residential zone is necessary to facilitate the progression of development plans. Subsequent to the December meeting of Council the final costing for the project has been calculated at \$1,841,106.00

The agreement has been drafted to support the resolution of Council and now the agreement is returned to Council for endorsement.

Attachments

Nil

9.4 2020 LGNSW WATER MANAGEMENT CONFERENCE

File Number: RPT/20/338

Responsible Officer: Ken Ross - General Manager
 Responsible Division: Office of the General Manager
 Reporting Officer: Gayle Marsden - Executive Assistant

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural assets
 Strategy: 3.5 Recognise the importance of a healthy Murray-Darling River system

Summary

The annual Local Government NSW (LGNSW) Water Management Conference will be held from 6-8 October 2020 in Narrabri (in person). A broad range of information from a local government perspective on water management, issues associated with water supply and sewerage services provided by water utilities are presented at the conference.

Recommendation

That Council nominates delegates to attend the 2020 LGNSW Water Management Conference to be held in Narrabri from 6 -8 October 2020.

Detailed Report

Purpose

The annual Local Government NSW Water Management Conference presents a broad range of information from a local government perspective on water management, issues associated with water supply and sewerage services provided by water utilities.

The LGNSW Water Management Conference attracts a cross section of delegates from NSW and interstate. These include Councillors and general managers, water managers and professionals, policy makers from government agencies and key industry stakeholders.

Matters under consideration

Council is being requested to consider whether to send delegates to the 2020 LGNSW Water Management Conference.

With much of NSW in the grip of severe drought, many councils are facing significant and unprecedented challenges in providing their communities with an ongoing supply of safe water. This year's Conference focusses on these challenges from a variety of perspectives, including government policy, innovation, collaboration and community.

In 2019 Council resolved to send three Councillors and the Director of Roads and Engineering to the conference.

Conclusion

With the entire council area in drought and with the uncertainty of how long it will be or how long a replenished Darling River will last, council is required to decide if this conference would be of benefit to Wentworth Shire Council.

Attachments

Nil

9.5 MONTHLY FINANCE REPORT

File Number: RPT/20/327

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Vanessa Lock - Finance Officer

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

Rates and Charges collections for the month of May 2020 were \$1,239,975.63. After allowing for pensioner subsidies, the total levies collected are now 85.91%. For comparison purposes 88.16% of the levy had been collected at the end of May 2019. Council currently has \$30,662,651.07 in cash and investments.

Recommendation

That Council notes the monthly finance report.

Detailed Report

The purpose of this report is to indicate to Council the position in relation to the rate of collections and the balance of cash books.

Reconciliation and Balance of Funds held as at 31 May 2020

The reconciliation has been carried out between the Cash Book of each fund and the Bank Pass Sheet as at 31 May 2020.

	Combined Bank Account
Cash Balance as at 1 May 2020	\$ 2,715,229.30
Add: Receipts for the Period Ending 31 May 2020	\$ 9,361,705.72
Rates, Debtors, Miscellaneous	
Less: Payments for the Period Ending 31 May 2020	
Cash Book entries for this Month	\$ 9,414,283.95
Cash Balance at at 31 May 2020	\$ 2,662,651.07
Investments	
Total Investments as at 31 May 2020	\$ 28,000,000.00
TOTAL	\$ 30,662,651.07

Collection of Rates and Charges

Rates and Charges collections for the month of May 2020 were \$1,239,975.63. After allowing for pensioner subsidies, the total levies collected are now 85.91%. A summary of the Rates and Charges situation as at 31 May 2020 is as follows:

	3	Rates and Charges	
Levies			
Balance Outstanding at 30 June 2019 - Rates	1,048,851.71		
Balance Outstanding at 30 June 2019 - Water (Jan-June 2019)	913,670.40		
Rates and Charges Levied 24 July 2019	8,808,110.28	\$	10,770,632.39
+ Additional Water Charges	877,372.40		
+ Supplementary Rates and Charges	102,585.31		
+ Additional Charges	92,300.11		
- Credit Adjustments	12,843.56		
- Abandonments	1,432.46	\$	11,828,614.19
Deductions			
- Payments	9,991,893.11		
- Less Refunds of Payments	14,069.60	\$	9,977,823.51
		\$	1,850,790.68
- Pensioner Subsidy			
Government Subsidy	100,994.77		
Council Subsidy	82,819.41	\$	183,814.18
Total Rates/Water Charges Outstanding		\$	1,666,976.50

Note: For comparison purposes 88.16% of the levy had been collected at the end of May 2019.

Council Loans Report

Name	Institution	Purpose	Interest Rate	Loan Amount	Amount Outstanding	Due Date
Loan 201	National Australia Bank	Buronga Landfill	4.550% Fixed	\$ 920,000.00	\$ 499,795.34	30/01/2025
Loan 202	ANZ Bank	Civic Centre	3.470% Fixed	\$ 850,000.00	\$ 712,187.40	21/10/2026
Loan 203	National Australia Bank	Midway Centre	3.586% Fixed	\$ 1,900,000.00	\$ 1,763,276.60	28/04/2023
Loan 204	Bendigo Bank	Buronga Landfill	5.290% Fixed	\$ 1,500,000.00	\$ 1,359,951.49	12/05/2037
				TOTAL	\$ 4,335,210.83	

Rates/Water write offs and adjustments

Rates and charges that have been written off under the delegated authority of the General Manager for the month of May 2020.

Account	Date	Amount	Comment
1111-9	6/05/2020	495.3	Meter reading error, 2 previous reading were estimated and when actual reading was obtained it was excessive. Tarriff has been reduced to first tarrif of \$1.25 instead of \$2.80 which is what ratepayer would have been charged if correct reading were obtained.
1111.9	6/05/2020	116.67	Write off interest on above account from when email was received regarding filtered water account.
724-43	5/05/2020	6.12	Write off interest - Payment was made to incorrect account
1560-24	6/05/2020	4.54	Write off interest - Australia post error, payment was not forwarded to Council
922	30/04/2020	6.74	Write off Interest - Ratepayer has 2 properties and they paid instalments to one account
366-411	16/04/2020	0.22	Write off interest - Extra interest accrued after settlement payment was received
Mildura Building Group	16/04/2020	336.96	Credit Landfill charge, incorrect data sent from Landfill
P Swarbrick	3/04/2020	500.00	Credit Lease of Wentworth Gaol - Due to COVID-19
Dareton Primary Health	2/04/2020	429.99	Credit use of Midway complex - Due to COVID-19
Teagn Parker	20/03/2020	222.00	Credit use of Carramar Drive Complex - DUE COVID-19
Wrights metal recyclers	11/03/2020	89.54	Credit landfill charge- incorrect data sent from landfill

Overtime and Travelling

Month	May-19	Pay Periods	3				
Overtime							
	Time and a Half		Double Time		Double Time and Half		
Department	Hours	Amount	Hours	Amount	Hours	Amount	
Administration	6.50	\$ 345.08					
Animal Services	0.50	\$ 22.64	1.00	\$ 60.37	1.50	\$ 113.20	
Civil Works	2.50	\$ 149.56	10.50	\$ 711.66			
Health & Planning			29.00	\$ 2,756.64			
Human Resources	24.00	\$ 2,094.60	16.50	\$ 1,920.05			
Parks & Gardens	19.50	\$ 853.94	33.50	\$ 1,902.69	5.50	\$ 339.03	
Roads - Council	246.00	\$ 11,094.77	188.00	\$ 11,786.14			
Roads & Engineering Indoor	1.50	\$ 81.30					
Roads - RMS	188.50	\$ 8,542.15	154.50	\$ 8,704.81	8.50	\$ 565.70	
Waste Management	12.50	\$ 719.19	10.50	\$ 758.76			
Water & Waste Water	60.25	\$ 3,317.13	142.50	\$ 10,738.38	8.00	\$ 581.80	
Total	561.75	\$ 27,220.36	586.00	\$ 39,339.50	23.50	\$ 1,599.73	
Travel Allowance							
Department	Kms	Amount					
Governance	33	\$ 25.74					
Health & Planning	1,141	\$ 889.98					
Water & Waste Water	230.5	\$ 179.79					
Total	1,404.5	\$ 1,095.51					
Grand Total		69,255.10					

Conclusion

The report indicates to Council that its finances are in a favourable position.

Attachments

Nil

9.6 MONTHLY INVESTMENT REPORT

File Number: RPT/20/333

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Hodi Beauliv - Manager Finance

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

As at 31 May 2020 Council had \$26,000,000.00 invested in term deposits and \$2 million in a cash at call account. Council received \$30,915.07 from its investments for the month of May 2020.

In May 2020 Council investments averaged a rate of return of 1.45% and it currently has \$8,466,832.09 of internal restrictions and \$17,345,479.43 of external restrictions.

Recommendation

That Council notes the monthly investment report.

Detailed Report

Purpose

The purpose of this report is to update Council on the current status of its investments.

Matters under consideration

As at 31 May 2020 Council had \$30,662,651.07 invested with eight financial institutions.

Breakdown of Total Funds Available

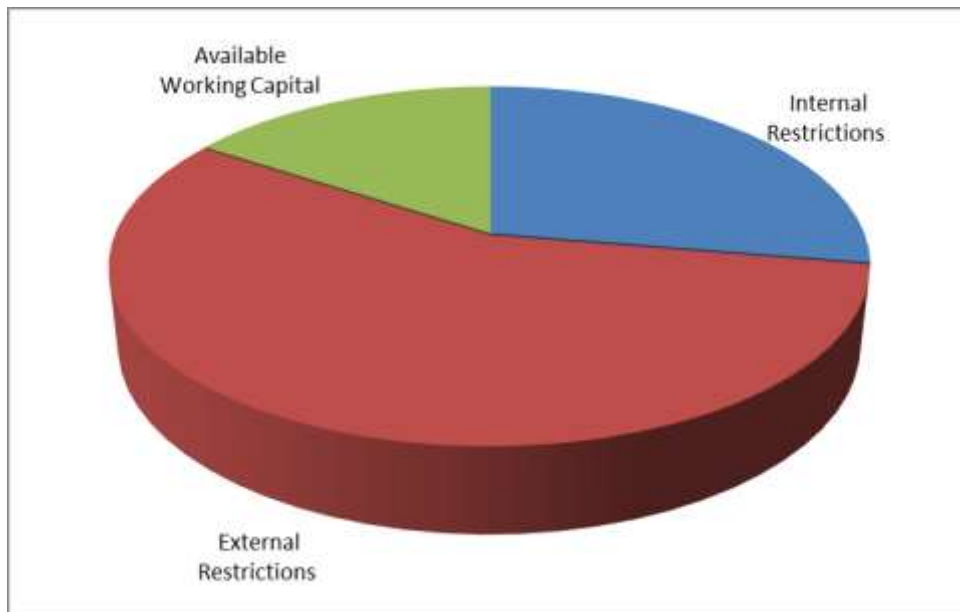
Financial Institution	Amount	Percentage of Available Funds
AMP	\$ 6,000,000.00	19.57%
Bank of Queensland	\$ 4,000,000.00	13.05%
Bendigo Bank	\$ 5,662,651.07	18.47%
IMB Bank	\$ 1,000,000.00	3.26%
Macquarie Bank	\$ 3,000,000.00	9.78%
Members Equity Bank	\$ 5,000,000.00	16.31%
National Australia Bank	\$ 5,000,000.00	16.31%
Westpac Banking Corporation	\$ 1,000,000.00	3.26%
	\$ 30,662,651.07	100.00%

Investments on Hand as at 31 May

Wentworth Shire Council					
Investments on Hand as at 31 May 2020					
Investee	Date Invested	Date of Maturity	Effective Interest Rate	Investment Type	Amount Invested
AMP (10)	9/04/2020	7/01/2021	1.85%	Term Deposit	\$ 1,000,000.00
AMP (2)	7/05/2020	5/11/2020	1.65%	Term Deposit	\$ 1,000,000.00
AMP (5)	24/03/2020	22/09/2020	1.80%	Term Deposit	\$ 1,000,000.00
AMP (6)	14/04/2020	13/10/2020	1.85%	Term Deposit	\$ 1,000,000.00
AMP (7)	25/05/2019	23/11/2020	1.65%	Term Deposit	\$ 1,000,000.00
AMP (9)	13/05/2020	9/12/2020	1.65%	Term Deposit	\$ 1,000,000.00
Bank of Queensland (6)	23/04/2020	22/10/2020	1.50%	Term Deposit	\$ 1,000,000.00
Bank of Queensland (7)	17/03/2020	13/08/2020	1.45%	Term Deposit	\$ 1,000,000.00
Bank of Queensland (8)	4/02/2020	3/06/2020	1.48%	Term Deposit	\$ 1,000,000.00
Bank of Queensland (9)	26/02/2020	26/08/2020	1.55%	Term Deposit	\$ 1,000,000.00
Bendigo Bank (10)	3/04/2020	31/07/2020	1.55%	Term Deposit	\$ 1,000,000.00
Bendigo Bank (7)	29/04/2020	29/09/2020	0.95%	Term Deposit	\$ 1,000,000.00
Bendigo Bank (9)	21/02/2020	19/08/2020	1.45%	Term Deposit	\$ 1,000,000.00
IMB Bank	6/03/2020	9/06/2020	1.50%	Term Deposit	\$ 1,000,000.00
Macquarie Bank	12/02/2020	10/06/2020	1.60%	Term Deposit	\$ 1,000,000.00
Macquarie Bank (2)	5/03/2020	2/07/2020	1.70%	Term Deposit	\$ 1,000,000.00
Macquarie Bank (3)	16/04/2020	16/07/2020	1.60%	Term Deposit	\$ 1,000,000.00
Members Equity Bank	24/02/2020	26/08/2020	1.55%	Term Deposit	\$ 1,000,000.00
Members Equity Bank (2)	20/05/2020	16/09/2020	1.20%	Term Deposit	\$ 1,000,000.00
Member Equity Bank (3)	26/05/2020	Ongoing	0.85%	Cash at Call A/c	\$ 2,000,000.00
Members Equity Bank (10)	15/01/2020	16/06/2020	1.55%	Term Deposit	\$ 1,000,000.00
National Australia Bank (1)	9/03/2020	9/06/2020	1.40%	Term Deposit	\$ 1,000,000.00
National Australia Bank (3)	2/03/2020	30/06/2020	1.40%	Term Deposit	\$ 1,000,000.00
National Australia Bank (5)	11/03/2020	9/06/2020	1.37%	Term Deposit	\$ 1,000,000.00
National Australia Bank (6)	29/05/2020	28/07/2020	0.65%	Term Deposit	\$ 1,000,000.00
National Australia Bank (7)	29/05/2020	28/09/2020	0.96%	Term Deposit	\$ 1,000,000.00
Westpac Banking Corporation	20/02/2020	19/06/2020	1.55%	Term Deposit	\$ 1,000,000.00
Total					\$ 28,000,000.00
Operating Account					\$ 2,662,651.07
Total Funds Available					\$ 30,662,651.07
Representing:					
- Internal Restrictions					
- Employee Entitlements				\$ 2,376,437.00	
- Doubtful Debts				\$ 48,595.00	
- Tip Remediation				\$ 1,372,493.54	
- Future Development Reserve				\$ 1,113,213.94	
- Trust Account				\$ 356,092.61	
- Capital Projects				\$ 1,000,000.00	
- Plant Replacement Reserve				\$ 2,200,000.00	\$ 8,466,832.09
- External Restrictions					
- Water Fund				\$ 8,658,961.76	
- Sewer Fund				\$ 2,539,171.62	
- Developer Contributions Reserve				\$ 619,065.20	
- Domestic Waste Management Reserve				\$ 104,796.78	
- Unexpended Grants				\$ 4,576,409.78	
- Crown Reserves Reserve				\$ 333,116.80	
- Loan Guarantee Reserve				\$ 10,774.04	
- Prepayments Cemeteries				\$ 503,183.45	\$ 17,345,479.43
- Day to Day Liquidity					\$ 4,850,339.55
Total Funds Available					\$ 30,662,651.07

Note: Ratings provided are from Moody's and Standard & Poors Rating Agencies

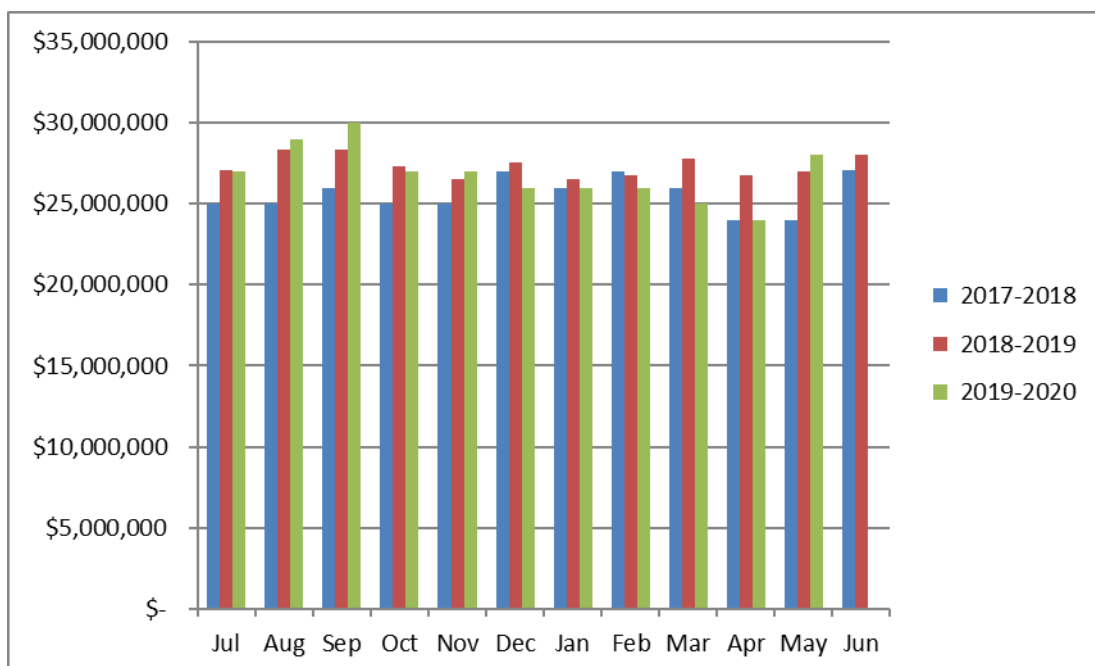
Breakdown



Summary – Unexpended Grants as at 31 May 2020

Grant	Amount
Block Grant	\$851,365.57
Roads to Recovery	\$0.00
Pooncarie Weir	\$77,746.00
RFS R & M Grant 2011-2018	\$260,923.00
Financial Assistance Grant 2019/20 Received	\$3,323,376.00
Drought Communities Programme	\$1,988.58
Stronger Country Communities Fund	\$61,010.63
Total	\$4,576,409.78

Total funds invested

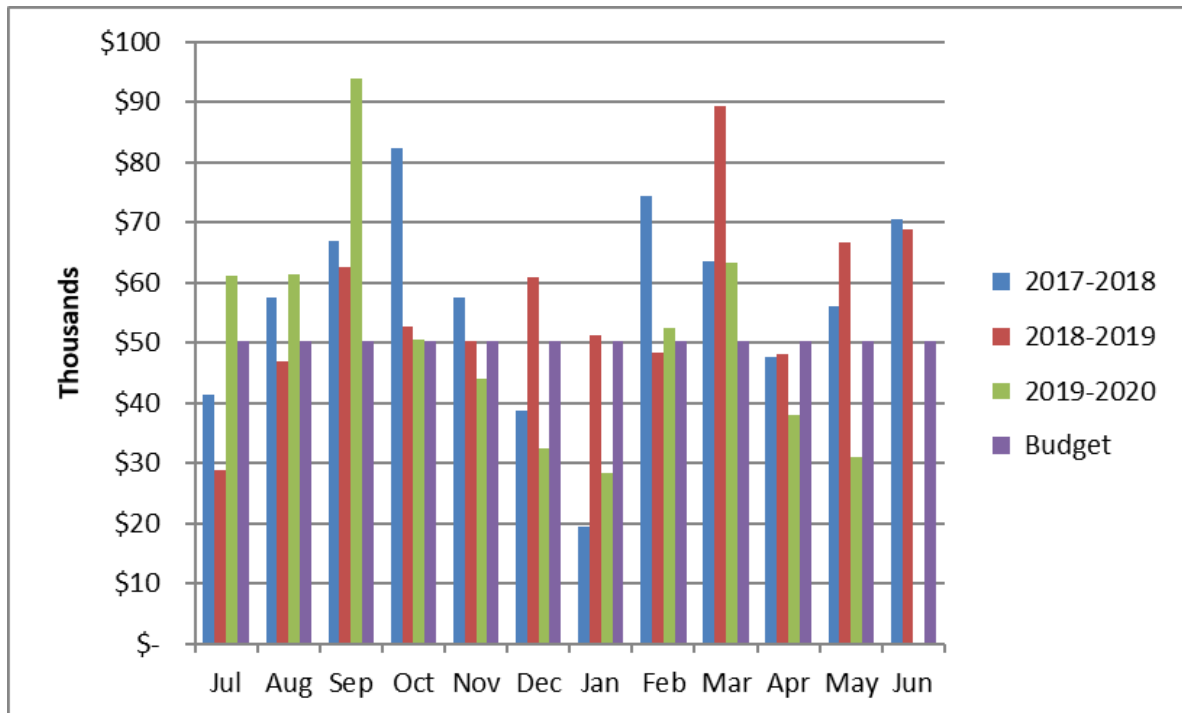


Four term deposits matured in May earning Council \$30,915.07 in interest. The budget for May was \$50,212.50. Year to date Council has received \$556,336.91 in interest. The year to date budget is \$552,337.50.

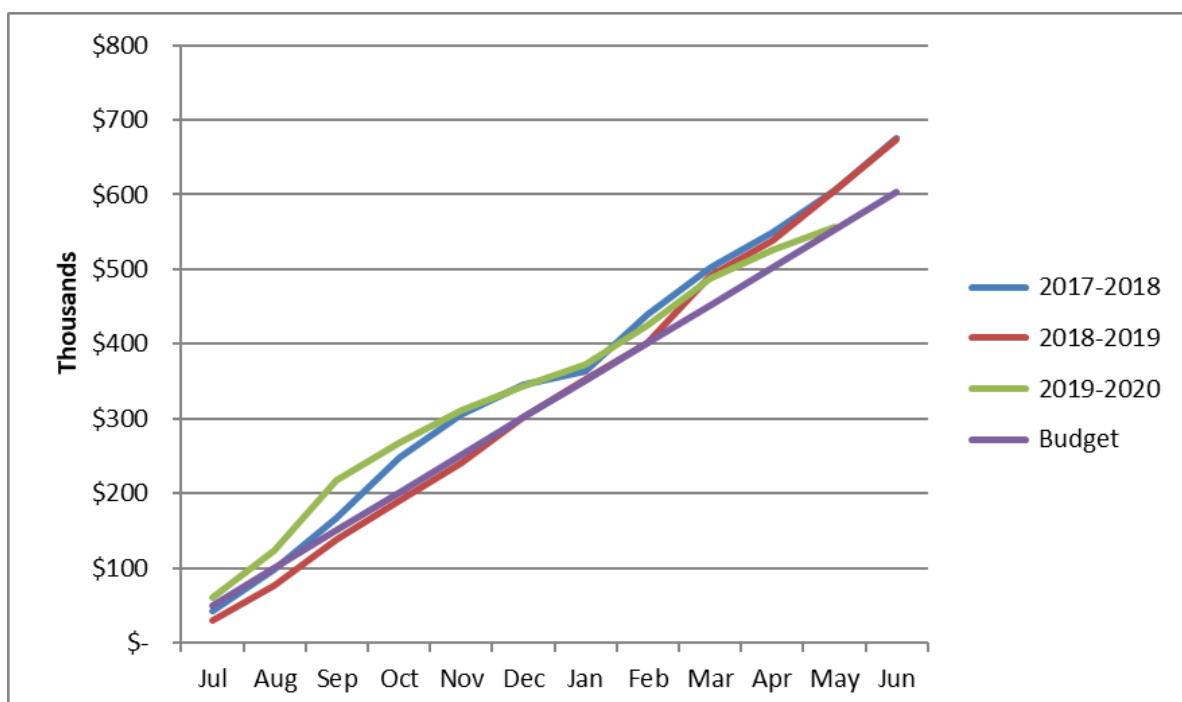
Investments maturing in May 2020

Investee	Date Invested	Date of Maturity	Effective Interest Rate	Investment Type	Amount Invested	Interest Earned
AMP (2)	7/11/2019	7/05/2020	1.75%	Term Deposit	\$ 1,000,000.00	\$ 8,726.03
AMP (7)	25/11/2019	25/05/2020	1.90%	Term Deposit	\$ 1,000,000.00	\$ 9,473.97
AMP (9)	13/11/2019	13/05/2020	1.80%	Term Deposit	\$ 1,000,000.00	\$ 8,975.34
IMB Bank (2)	19/02/2020	20/05/2020	1.50%	Term Deposit	\$ 1,000,000.00	\$ 3,739.73
Total						\$ 30,915.07

Interest received May 2020

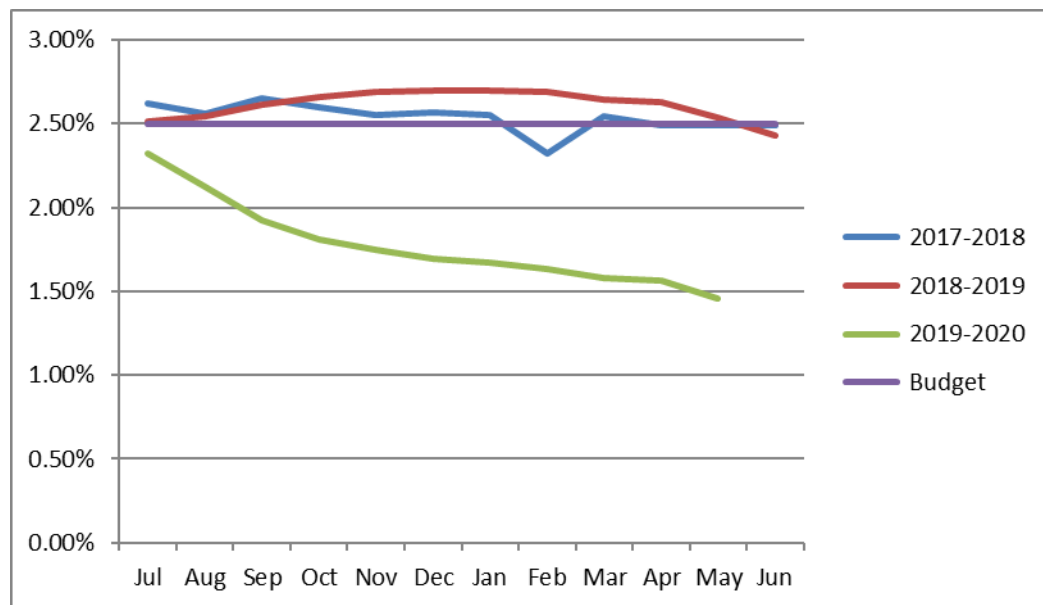


Total Interest received July 2019 – June 2020



For May 2020 Council's investments returned an effective average rate of 1.45%. Year to date the effective average rate has been 1.77%. The budget for 2019-2020 is 2.50%.

Effective average Interest Rate



Impact of continued low cash rate on Council's Investments

Council's investments continue to be impacted by the low cash rate. To help combat this Council has invested \$2 million in an at call account with Members Equity Bank, at a return of +0.60% above the cash rate, providing a current rate of 0.85%. These funds can be withdrawn any day before 11am. Given the large number of payments being processed at this time of year, this allows flexibility to have funds available when required, while maximising the interest that can be obtained on those funds. This is in line with our investment policy.

Conclusion

The Director Finance and Policy certifies that all investments have been made in accordance with the Local Government Act 1993 (NSW), Local Government (General) Regulations 2005 and Council's investment policy.

Council is investing its funds prudently to optimise returns and reduce exposure to risk in accordance with legislation and its own investment policy.

Attachments

Nil

9.7 DETERMINATION OF COUNCILLOR REMUNERATION FOR 2020/2021

File Number: RPT/20/225

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Simon Rule - Director Finance and Policy

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

The Local Government Remuneration Tribunal has determined there will be no increase to the mayoral and councillor fees for the 2020/21 financial year, with effect from 1 July 2020.

Sections 248 and 249 of the *Local Government Act 1993* require councils to fix and pay an annual fee based on the Tribunal's determination for the 2020/21 financial year. If a council does not fix a fee, the council must pay the minimum fee determined by the Tribunal.

The Remuneration Tribunal classifies the Wentworth Shire Council as a Rural Council. As such, the minimum fee for a Councillor is \$9,190 and the maximum allowable is \$12,160. In addition to the fee paid as a Councillor, the minimum fee payable to the Mayor is \$9,780 and the maximum fee is \$26,530.

In May 2019 Council resolved not to increase the fees for the 2019/20. The fees for 2019/20 are \$11,570 for Councillors plus an additional \$25,520 for the Mayor.

Recommendation

That Council sets the level of fees to be paid to the Councillors and Mayor in accordance with the schedule of fees determined by the Local Government Remuneration Tribunal.

Detailed Report

Purpose

The purpose of this report is to advise Council of its obligation under the *Local Government Act* to determine and fix the annual fee payable to the Councillors and Mayor for the 2020/2021 financial year.

Matters under consideration

The Local Government Remuneration Tribunal has determined there will be no increase to councillor and mayoral fees for the 2020/21 financial year. The levels of fees depend on which category the council is in, with Wentworth being classified as a Rural Council.

The schedule of fees is shown in the table below. (It should be noted that the fee payable to the Mayor/Chairperson is in addition to the fee paid to the Mayor as a Councillor (s.249 (2))

Category		Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	27,640	40,530	169,100	222,510
	Major CBD	18,430	34,140	39,160	110,310
	Metropolitan Large	18,430	30,410	39,160	88,600
	Metropolitan Medium	13,820	25,790	29,360	68,530
	Metropolitan Small	9,190	20,280	19,580	44,230
General Purpose Councils - Non-metropolitan	Major Regional City	18,430	32,040	39,160	99,800
	Major Strategic Area	18,430	32,040	39,160	99,800
	Regional Strategic Area	18,430	30,410	39,160	88,600
	Regional Centre	13,820	24,320	28,750	60,080
	Regional Rural	9,190	20,280	19,580	44,250
	Rural	9,190	12,160	9,780	26,530
County Councils	Water	1,820	10,140	3,920	16,660
	Other	1,820	6,060	3,920	11,060

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

In accordance with the schedule of fees shown above, the fee payable for each Councillor would range from \$9,190 to \$12,160. The fee payable to the Mayor would be an additional amount of between \$9,780 and \$26,530. If Council does not fix a fee, then Council must pay the minimum fee determined by the Tribunal

Options

Based on the information contained in this report, the options available to address this matter are to:

- Set the maximum fee allowable for Councillors and the Mayor
- Set an alternative fee for Councillors and the Mayor within the minimum and maximum range allowable.

Legal, strategic, financial or policy implications

If Council does not fix a fee, then Council must pay the minimum fee determined by the Tribunal

Conclusion

In accordance with the Local Government Act, Council is to set the annual fee to be paid to each of the Councillors and the Mayor. The schedule of fees shows the minimum and maximum amounts payable, with Wentworth being designated as a Rural Council.

Attachments

Nil

9.8 MANAGING FINANCIAL HARDSHIP FROM COVID-19 FOR REGULAR USER GROUP AGREEMENTS

File Number: RPT/20/330

Responsible Officer: Simon Rule - Director Finance and Policy
 Responsible Division: Finance and Policy
 Reporting Officer: Hodi Beauliv - Manager Finance

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

For Council to consider options for providing relief for Regular User Groups experiencing hardship due to the current COVID-19 coronavirus pandemic.

Recommendation

That Council delegate authority for the General Manager to waive or reduce fees to more accurately reflect the utilisation of Council's facilities by Regular User Groups during the coronavirus pandemic. Fee relief will be determined by a proportionate reduction in rent payable as a result of the impact of COVID-19 and provided in the form of:

- 1) a fee waiver or
- 2) a fee deferral, amortised over a period of 24 months

Detailed Report

Purpose

The purpose of this report is to consider options for providing relief for Regular User Groups experiencing hardship due to COVID-19.

Background

Council has a range of Regular User Groups that utilise its reserves and facilities under a licence arrangement. Currently Council has in place 48 temporary licences. These licences cover a range of different types of organisations including:

- Sporting clubs for a range of sports such as Football, Netball, Racing, Golf, etc
- Event Organisations such as the Wentworth Show, Field Days and Music Festivals
- Religious organisations including Churches
- Community groups such as service organisations, senior citizen groups, youth groups, land care, etc
- Service organisations and businesses that regularly use Council's reserves and facilities such as health providers, Pre-schools, etc

Regular User Groups are experiencing hardship caused by COVID-19. As directed by the NSW Government many of these organisations have cancelled events or ceased or modified their operations. While restrictions are now starting to ease, many of these organisations are still experiencing financial hardship due to the impact this has placed on their operations and are experiencing cash flow problems.

Matters under consideration

Under the Local Government Act (1993) there are strict rules that require Council to approve the waiver or reduction of any Council fees.

Section 610E of the Local Government Act (1993) states:

- (1) A council may waive payment of, or reduce, a fee (whether expressed as an actual or a maximum amount) in a particular case if the council is satisfied that the case falls within a category of hardship or any other category in respect of which the council has determined payment should be so waived or reduced.
- (2) However, a council must not determine a category of cases under this section until it has given public notice of the proposed category in the same way as it is required to give public notice of the amount of a proposed fee under section 610F(2) or (3).

As a result of COVID-19, legislative changes have been made to the Local Government (General) Regulation 2005 under Section 413J. This section states that Council are not required to give the 28-day notice period as specified under Section 610E (2) of the Local Government Act (1993) if the category relates to a response to the COVID-19 pandemic.

Council Fees and Charges

Due to the lock down measures in place as a result of COVID-19, a number of Council's facility bookings were cancelled to minimise the cost to organisations who could not use Council's facilities during this time. Council's Regular User Groups have licence agreements in place for the use of Council's facilities, where fees and charges are calculated and invoiced annually, so this option was not available to them.

Council has been approached by some of the Regular User Groups to discuss options for fee relief as their ability to generate income has been impacted by their inability to use the facility to its full capacity.

Fees and charges for these groups can range up to \$10,000 per annum. Each arrangement varies due to the nature of the User Groups arrangements. Some Regular User Groups primary use of facilities are for the full 12-month period (eg Pre-schools), while others primarily have seasonal use (eg netball, football, cricket) and others have access for specific events that may only be held once per year (eg Show).

A number of User Group's access Council's Donations, Contributions and Grants scheme to cover the cost of their fees and charges. No relief would be provided for these organisations.

Delegation of authority to waiver fees and charges

If approved, the COVID-19 Hardship application form will be adapted for Regular User Groups to apply for hardship. This will help simplify the process and allow User Groups to record the impact of COVID-19 on their organisation. The form will be available online or hard copies can be posted. Once submitted, applications will be reviewed by Council's Finance staff and a recommendation made to the General Manager for approval.

The General Manager currently does not have delegated authority to write off fees and charges. Council would need to delegate this authority to the General Manager for this purpose, or requests would need to be returned to Council for approval.

Some applications under this process may be up to \$10,000. As decisions are made, they will be reported to Council in the monthly finance report.

Principles to determine fee relief

As there has been no formal direction from the Office of Local Government or Department of Crown Lands, in reviewing applications it is recommended Council refer to the National Cabinet's Mandatory Code of Conduct for commercial leasing principles during COVID-19. Under Principle 3 of the Code of Conduct:

- 3) Landlords must offer tenants proportionate reductions in rent payable in the form of waivers and deferrals (as outlined under “definitions,” below) of up to 100% of the amount ordinarily payable, on a case-by-case basis, based on the reduction in the tenant’s trade during the COVID-19 pandemic period and a subsequent reasonable recovery period.

If Council chooses to waive rent, principle 4 of the Code of Conduct applies:

- 4) Rental waivers must constitute no less than 50% of the total reduction in rent payable under principle #3 above over the COVID-19 pandemic period and should constitute a greater proportion of the total reduction in rent payable in cases where failure to do so would compromise the tenant’s capacity to fulfil their ongoing obligations under the lease agreement. Regard must also be had to the Landlord’s financial ability to provide such additional waivers. Tenants may waive the requirement for a 50% minimum waiver by agreement.

If Council chooses to defer rent, principle 5 of the Code of Conduct applies:

- 5) Payment of rental deferrals by the tenant must be amortised over the balance of the lease term and for a period of no less than 24 months, whichever is the greater, unless otherwise agreed by the parties.

Options

Council has the option to provide relief for Regular User Groups suffering hardship as a result of COVID-19 and if so, can delegate approval to the General Manager to approve this relief either through a fee waiver or deferral payment option.

Legal, strategic, financial or policy implications

The above recommendations comply with Council Policy and the *Local Government Act (1993)* and the *Local Government (General) Regulation 2005*. It is also guided by the National Cabinet Mandatory Code of Conduct – SME Commercial Leasing Principles during COVID-19.

It is anticipated that the income lost from temporary licenses would be less than \$25,000.

Conclusion

While restrictions are now starting to ease, COVID-19 has created financial hardship for Regular User Groups across the Wentworth Shire. Council can provide some relief to these organisations by reducing licence fees for Regular User Group activities cancelled or reduced as a result of COVID-19.

Attachments

Nil

9.9 DELEGATED AUTHORITY APPROVALS AS AT END OF MAY 2020

File Number: RPT/20/345

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Nicky Meredith - Coordinator Health and Planning

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire

Strategy: 1.1 Grow the potential for business and industry to develop and expand

Summary

For the month of May 2020, a total of seven Development Applications and one S4.55 Modification Applications were determined under delegated authority by the Director Health and Planning.

The estimated value of the determined developments was \$298,024.00. This brings the year to date total to 58 Development Applications approved and 15 S4.55 Applications approved, with an estimated development value of \$14,524,643.00.

Recommendation

- a) That Council receives and notes the report for the month of May 2020.
- b) That Council publicly notifies, for the purposes of Schedule 1 Division 4 Section 20 (2) of the Environmental Planning and Assessment Act 1979, the applications as listed in the attachment on the Wentworth Shire Council website.
- c) That a division be called in accordance with S375A of the *Local Government Act 1993* (NSW).

Detailed Report

Purpose

The purpose of this report is to provide Council with a list of Development Applications as tabled in Attachment 1, determined under delegated authority by the Director Health and Planning for the month of May 2020, hence complying with the requirements under section 3.20 of the Office of Local Government Promoting Better Practice Program.

Conclusion

The total value of determinations was \$298,024.00 for the month of May 2020, which was less than the previous month of \$9,063,126.00. The average determination time was 32 days.

Attachments

1. Determination of Development Applications for the month of May 2020 [↓](#)

DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF MAY 2020

FILE NUMBER	OWNER	LOCATION	DESCRIPTION	VALUE (EX GST)	DETERMINATION DATE	ACTIVE DAYS TO 31/05/2020
DA2020/016	Craig Mills	50 The Cobb & Co Way Lot 61 DP 1071972 Gol Gol	Storage shed	\$85,000	13/05/2020	55
DA2020/030	Luke & Sophie Bell	69 Wood Street Lot 16 DP 588002 Gol Gol	Extension & renovation to existing dwelling	\$40,000	7/05/2020	31
DA2020/035	Ormond McLeod	Old Wentworth Road Lot 1 DP 1193874 Wentworth	Four (4) Lot subdivision	\$0.00	19/05/2020	31
DA2020/036	Lee & Julie Hayes	69 Summer Drive Lot 1 DP 1048844 Buronga	Extension to carport	\$5,400	20/05/2020	27
DA2020/038	Crown Lands	Boggabilla Road Lot G DP 97301 Coomealla	Demolition of dwelling	\$12,000	4/05/2020	26
DA2020/039	Kathleen Anderson & Edward Ciemciach	24 Wood Street Lot 1 DP 1036807 Gol Gol	Storage shed & verandah	\$38,624	14/05/2020	31
DA2020/040	Mitchell & Kelly Shannon	70 Drovers Drive Lot 150 DP 756946 Gol Gol	Dwelling renovations & extensions	\$117,000	14/05/2020	31
S4-55/2020/013	Sean & Jodie Bromley	5 Carramar Drive Lot 4 DP 263657 Gol Gol	Modify DA2018/090 increase garage size	\$0.00	20/05/2020	26

9.10 DRAFT POLICIES FOR PUBLIC EXHIBITION

File Number: RPT/20/318

Responsible Officer: Matthew Carlin - Director Health and Planning
 Responsible Division: Health and Planning
 Reporting Officer: Matthew Carlin - Director Health and Planning

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future
 Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

To further strengthen and improve Councils operational service capabilities, two policies are presented to Council for endorsement to go to public exhibition. The policies are: Control of Frost Fans Policy and Mobile Food Vendor Policy.

Recommendation

That Council approves, for public exhibition, the draft Control of Frost Fans Policy and the revised Mobile Food Vendor Policy Policies, with both policies to be placed on Public exhibition for a period of 28 days.

Detailed Report

Purpose

The purpose of this report is to seek approval from Council to publicly exhibit the Policies.

Control of Frost Fans Policy

To further strengthen and improve Councils operational service capabilities, the Control of Frost Fans policy has been written to achieve an equitable balance between the use of frost fans and the amenity of surrounding residential areas.

This new policy addresses the interface issues between the installation and operation of frost fans and it sets the standards appropriate for the Shire of Wentworth.

This policy provides Council staff clear direction to assess and manage noise concerns arising from the use of frost fans. It also provides the community, producers and council planning staff with the information required to make application to install and operate a frost fan.

Mobile Food Vendor Policy

Wentworth Shire Council supports the operation of food trucks and food vans to enliven the Wentworth Shire Local Government Area and encourage diversity in takeaway food options.

The purpose of the revised policy is to provide the framework for the operation of mobile food vending vehicles in the Wentworth Shire Local Government Area. The revised policy sets out the relevant legislative requirements for safe food handling and preparation practices and establishes the on-street trading parameters.

The revised policy also supplements provisions of the Local Government Act 1993, the Roads Act 1993, the Food Act 2003 and associated regulations.

Legal, strategic, financial or policy implications

These policies have been prepared pursuant to section 158 of the *Local Government Act 1993* (NSW). Section 160 of the Act provides that draft policies must be on exhibition for a period of not less than 28 days and submissions to be received for a period of not less than 42 days.

Overview of Policy content

The Policies are divided into three parts in accordance with the requirements of the Local Government Act 1993:

Part 1 of the Policy specifies any exemptions from the Policy;

Part 2 of the Policy specifies the criteria which Council must consider when determining whether or not to grant approval for a particular activity; and

Part 3 of the Policy specifies other matters relating to approvals

Attachments

1. Control of Frost Fans Policy [↓](#)
2. Mobile Food Vendor Policy [↓](#)

Table of Contents

Contents

PRELIMINARY	2
P.1 Title of the Policy	2
P.2 What is the purpose of the Policy?	2
P.3 Review of the Policy	2
P.4 What are the objectives of the Policy?	2
P.5 Policy commencement date	3
P.6 Where the Policy applies	3
P.7 Council Approval Requirements	3
P.8 When will the policy be revoked?	3
P.10 Responsibilities	3
P.11 Consultation	3
P.12 Explanations of notes in the text	3
PART 1: EXEMPTIONS FROM THE NECESSITY TO OBTAIN APPROVAL	4
1.1 Exemptions under the Policy	4
1.2 Classification of Frost Fans under the Building Code of Australia	4
1.3 Effect of Wentworth Local Environmental Plan	4
PART 2: CRITERIA COUNCIL MUST CONSIDER WHEN DETERMINING APPLICATIONS FOR FROST FANS	5
2.1 Requirements Prior to Approval of Installation of Frost Fan(s)	5
2.3 Conditions that will be applied at development consent stage	6
Part 3 – Other Matters Relating to Approvals	6
3.1 What will happen if a development causes land in a non-noise sensitive zone to become noise sensitive (i.e. the land use changes)	6
3.2 Management of complaints about frost fans	7

PRELIMINARY

P.1 Title of the Policy

This Policy (“the Policy”) is called the Control of Frost Fans Policy

P.2 What is the purpose of the Policy?

Wentworth Shire Council supports the operation of farming and agricultural, horticultural and other similar operations within the permitted land use zones.

The purpose of the Policy is to state Council's position regarding the classification, and approval pathway for the installation and operation of Frost Fans with the Wentworth Shire Local Government Area.

The Policy also supplements provisions of the Local Government Act 1993, the *Environmental Planning and Assessment Act 1979* and the *Wentworth Local Environmental Plan 2011* and associated regulations.

The Policy is divided into three parts in accordance with the requirements of the Local Government Act 1993:

Part 1 of the Policy specifies any exemptions from the Policy;

Part 2 of the Policy specifies the criteria which Council must consider when determining whether or not to grant approval for a particular activity; and

Part 3 of the Policy specifies other matters relating to approvals

P.3 Review of the Policy

The Policy is a Frost Fan Policy prepared and adopted under Section 158 of the *Local Government Act 1993*.

The Policy will be reviewed every four years from the date of commencement.

P.4 What are the objectives of the Policy?

The Policy aims to:

- (a) Find an equitable balance between the use of frost fans and the amenity to the surrounding residents
- (b) Address the interface issues regarding the installation and operation of frost fans
- (c) To set standards appropriate to the Shire of Wentworth for the installation and operation of Frost Fans.

P.5 Policy commencement date

The Policy was adopted by Council on (Insert Date) and came into operation on the next business day.

P.6 Where the Policy applies

The Policy applies to all land zoned as RU1-Primary Production within the Wentworth Shire Local Government Area.

P.7 Council Approval Requirements

Frost Fans (both fixed and mobile) will only be permitted with Council consent in land zoned as RU1-Primary Production within the Wentworth Shire Local Government Area.

P.8 When will the policy be revoked?

In accordance with Section 165(4) of the Local Government Act 1993, the Policy is automatically revoked at the expiration of 12 months after the declaration of the poll for a general election of Council, unless Council revokes the Policy sooner.

P.9 Other relevant documents

The following documents are related to the Policy:

- *Local Government Act 1993*
- *Environmental Planning and Assessment Act 1979*
- *Wentworth Local Environmental Plan 2011*
- *Protection of the Environment Operations Act 1997*

P.10 Responsibilities

Council is responsible for developing this Policy in accordance with the provisions of the Local Government Act 1993, and ensuring good governance, including open and transparent consultation during its development and review. Authorised officers of council will issue approvals via the relevant development consent pathway, enforce conditions of approval, and monitor and regulate non-compliances with this Policy and relevant legislation.

P.11 Consultation

In accordance with section 160 of the Local Government Act 1993 will undergo a public consultation process and formal consideration of comments prior to adoption.

P.12 Explanations of notes in the text

The notes in text boxes are explanatory notes and do not form part of the Policy.

The notes are provided to assist with the understanding of the Policy.

PART 1: EXEMPTIONS FROM THE NECESSITY TO OBTAIN APPROVAL

1.1 Exemptions under the Policy

There are no exemptions under the Policy for Frost Fans.

Note: Section 158(3) of the Local Government Act 1993 requires a Local Approvals Policy to specify the circumstances (if any) in which a person would be exempt from the necessity to obtain a particular approval from Council.

To ensure the amenity of surrounding residences, no exemption under the LEP will be permitted.

1.2 Classification of Frost Fans under the Building Code of Australia

Wentworth Shire Council considers Frost Fans to be unclassifiable under the Building Code (BCA) of Australia. This is because the closest building classification under the BCA is 10b which is defined as being:

“a structure being a fence, mast, antenna, retaining wall, swimming pool, or the like.”

By applying the legal maxim *ejusdem generis* – being a rule of statutory interpretation where a class of things are of the same kind; it is clear that a Frost Fan cannot fall under this classification.

This is because the structures as defined under 10b are static structures that do not generate any noise and do not have any moving parts.

In contrast, Frost Fans do have moving parts and generate noise, therefore Wentworth Shire Council considers them to be unclassifiable.

1.3 Effect of Wentworth Local Environmental Plan

The Local Environmental Plan (LEP) provides that Farm Buildings, being Class 10(a), (b) and (c) buildings are permitted without consent in land zoned RU1- Primary Production.

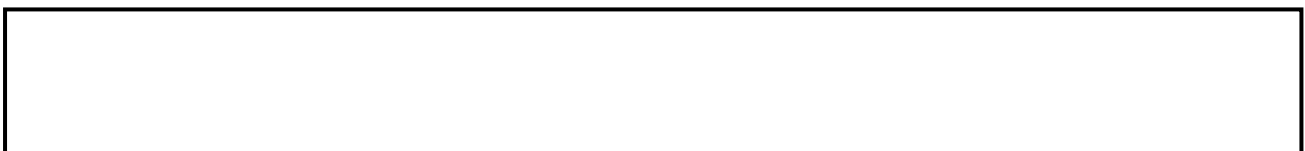
As Frost Fans are unclassifiable, the permitted without consent provisions in that part of the LEP as it related to Frost Fans, do not apply.

PART 2: CRITERIA COUNCIL MUST CONSIDER WHEN DETERMINING APPLICATIONS FOR FROST FANS

2.1 Requirements Prior to Approval of Installation of Frost Fan(s)

When an application is submitted to Council for the installation of a frost control fan, it must be accompanied by the following information:

- (a) Scaled site diagram showing the proposed location(s) of the frost control fan(s)
- (b) Structural engineer's certificate and drawings for the footings and structural steelwork. (This information may be provided by the manufacturer) – does not apply to mobile frost fans.
- (c) Details of crop/s to be protected by the frost control fan/s
- (d) Details of the anticipated temperature at which damage occurs to the crop/s proposed to be protected and the anticipated temperature that the fan/s would come on to protect the crop/s from frost
- (e) The number of frosts on average per year, which currently affect the crop/s, according to currently available climatic data. E.g. from CSIRO, Department of Agriculture or Bureau of Meteorology
- (f) Noise acoustician's report modelling the extent of impact of the proposed frost control fan upon the surrounding landscape.
- (g) Noise acoustician's report indicating that the proposed frost control fan will not exceed the outdoor criteria at the nearest affected dwelling located on a separate property to that which the fan will be located upon*



*Note: The model should be based upon manufacturer's sound level data. Based upon manufacturer's details, if there are no dwellings within 1 kilometre of the proposed frost control fan, the noise acoustician's report will not be required

2.2 Defining Noise Zones

A noise sensitive zone (noise receiver's zone) is a zone primarily meant for noise sensitive land uses such as residential or rural residential.

A non-noise sensitive zone is a zone primarily used for agricultural pursuits within RU1 zoned land under the Wentworth LEP.

The noise criteria outlined in 2.1 apply to the following zonings:

Location of Affected Premise	Outdoor Criteria (L _{Aeq})	Indoor Criteria (L _{Aeq})
Noise Sensitive	45dB A (max.)	25dB A (max.)
Any Other Zone	55dB A (max.)	35dB A (max.)

2.3 Conditions that will be applied at development consent stage

- The frost control fan must have a thermostatic control that is set at all times to a temperature appropriate to the crop being protected.
- The driving engine for the frost control fan must be housed in a noise attenuating housing
- The driving engine for the frost control fan must be fitted with a muffler system, with the exhaust pipes being set into pits in the ground
- Whilst the frost control fan/s is/are in operation, the noise level measured at a distance of 1 metre from any bedroom window of a dwelling situated on an adjacent property to that containing the frost control fan, must not exceed the outdoor or indoor limit as outlined in item 2.1 above.

Part 3 – Other Matters Relating to Approvals

3.1 What will happen if a development causes land in a non-noise sensitive zone to become noise sensitive (i.e. the land use changes)

Where a development causes the land use zoning to change to a noise sensitive area and frost fans are already existing in the locality (within 1 kilometre), the Developer of that land subject to rezoning will be responsible for addressing the issue. This may be achieved by doing the following:

- The provision of buffers as required by the Local Environmental Plan and Development Control Plan operating in the area

- b) Have a restriction placed upon the title of the land to be developed, requiring certain noise attenuation measures to be incorporated into the design and construction of any proposed dwelling in that development to enable the indoor criteria to be achieved
- c) The possibility of frost control fans being present within certain areas must be raised in Council's Development Control Policy

3.2 Management of complaints about frost fans

- a) Initially, Council would attempt to establish a dialogue between the affected resident and the owner of the frost control fan, to raise the issues and to try and find possible resolutions.
- b) Should any dialogues/negotiations fail, Council will re-assess the subject frost control fan against the requirements of this policy and the frost control fans development consent.
- c) Where complaints are received, the complainant should be prepared to allow Council's Officers or the proponent's noise acoustician reasonable access to their property for the purpose of monitoring of the frost control fan if it is deemed necessary.
- d) If the frost control fan and its operation comply with its development consent and this policy, no further action will be taken. Should the subject frost control fan not be complying, further action will be considered.
- e) Where the noise limits are not met, the frequency of usage is a consideration in deciding what action to take. The level of noise exceedance will also be taken into consideration.
- f) Should Council receive a complaint concerning the operation of a frost control fan, then noise level readings will be taken with the following criteria:
 - i. At least: three consecutive 15-minute periods each day over three (3) days; at 1 metre from the nearest bedroom wall of the affected premise.
 - ii. The noise level set for the frost control fan must be exceeded on more than two nights within a 60-day period before Council will notify the operator of the frost control fan that action may need to be taken to ensure the fan operates within its consent
 - iii. Noise measuring instruments must be equivalent to Type 2 (or better) as defined in Australian Standard 1259 "Sound Level Meters", Parts 1 and 2.
 - iv. Apart from the provisions already contained in this policy, noise measurements must be conducted in accordance with Australian Standard 2659, "Guide to the use of Sound-measuring Equipment".
- g) Where a complaint is received about a frost fan that does not have development consent, Council will seek to stop the operation until such time as development application has been considered.

Table of Contents

Contents

PRELIMINARY	3
P.1 Title of the Policy	3
P.2 What is the purpose of the Policy?	3
P.3 Review of the Policy.....	3
P.4 What are the objectives of the Policy?	3
P.5 Policy commencement date	4
P.6 Where the Policy applies	4
P.7 Council Approval Requirements.....	4
P.8 When will the policy be revoked?	5
P.9 Definitions.....	6
P.10 Explanations of notes in the text	6
P.11 Other relevant documents	6
P.12 Scope	7
P.13 Responsibilities	7
P.14 Consultation	7
PART 1: EXEMPTIONS FROM THE NECESSITY TO OBTAIN APPROVAL	8
1.1 Exemptions under the Policy	8
PART 2: CRITERIA COUNCIL MUST CONSIDER WHEN DETERMINING APPLICATIONS FOR MOBILE FOOD VENDING VEHICLES	8
2.1 General requirements of mobile food vending vehicles	8
2.2 General requirements in accordance with Food Safety Standard 3.2.3	9
PART 2A: CRITERIA COUNCIL MUST CONSIDER WHEN DETERMINING AN APPLICATION TO OPERATE A FOOD TRUCK.....	10
2A.1 Location.....	10
2A.2 Parking	10
2A.3 Deliveries	11
PART 3: OTHER MATTERS RELATING TO APPROVALS FOR MOBILE FOOD VENDING VEHICLES ...	11
3.1 Permitted days and hours of operation	11
3.2 Serving	11
3.3 Customer seating	11
3.4 Waste management and recycling	11
3.5 Signage	12
3.6 Animals and pests	12

3.7 Water supply	12
3.8 Control of pollution	13
3.9 Noise	13
3.10 Odour	13
3.11 Food Handling.....	13
3.12 Preparing food at home	13
3.13 Use of separate premises.....	13
3.14 Maintenance.....	14
3.15 Non-compliance	14
Contact Information	14
APPENDIX 1: Permitted Trading Locations.....	15

PRELIMINARY

P.1 Title of the Policy

This Policy (“the Policy”) is called the Local Approvals Policy for Mobile Food Vending Vehicles.

P.2 What is the purpose of the Policy?

Wentworth Shire Council supports the operation of food trucks and food vans to enliven the Wentworth Shire Local Government Area and encourage diversity in takeaway food options.

The purpose of the Policy is to provide the framework for the operation of mobile food vending vehicles in the Wentworth Shire Local Government Area. The Policy sets out the relevant

legislative requirements for safe food handling and preparation practices and establishes the on-street trading parameters.

The Policy also supplements provisions of the Local Government Act 1993, the *Roads Act 1993*, the *Food Act 2003* and associated regulations.

The Policy is divided into three parts in accordance with the requirements of the Local Government Act 1993:

Part 1 of the Policy specifies any exemptions from the Policy;

Part 2 of the Policy specifies the criteria which Council must consider when determining whether or not to grant approval for a particular activity; and

Part 3 of the Policy specifies other matters relating to approvals

P.3 Review of the Policy

The Policy is a Local Approvals Policy prepared and adopted under Section 158 of the *Local Government Act 1993*.

The Policy will be reviewed every four years from the date of commencement.

P.4 What are the objectives of the Policy?

The Policy aims to:

- (a) Ensure that mobile food vending vehicles operate in accordance with the rules and restrictions on lawful parking spaces on Council-owned roads
- (b) Ensure that food sold through mobile food vending vehicles is safe and fit for human consumption
- (c) Provide guidance and assistance to people wanting to operate a mobile food vending vehicle on Council-owned roads in the Wentworth Shire Local Government Area
- (d) Ensure the construction, fit-out and facilities for cleaning utensils, articles, fittings and appliances in vehicles are adequate
- (e) Minimise any potential adverse impacts of mobile food vending vehicles
- (f) Ensure the safe operation of mobile food vending vehicles
- (g) Ensure the operation of mobile food vending vehicles does not increase litter or waste in or from the trading location
- (h) Ensure that the operation of the mobile food vending vehicle does not adversely impact any surrounding sensitive land uses, and in particular residential amenity

P.5 Policy commencement date

The Policy was adopted by Council on (Insert Date) and came into operation on the next business day.

P.6 Where the Policy applies

The Policy applies to all Council-owned roads within the Wentworth Shire Local Government Area.

The Policy does not apply to any food truck or food van that is operating pursuant to a separate “events” authorisation and/or sporting ground licence issued by Council. The use of Council parks, reserves and the like is prohibited unless expressly authorised by Council.

The Policy does not apply to the use and operation of any food truck or food van that is used on private land. Such activities may be exempt from a requirement to obtain development consent, subject to the provisions of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

P.7 Council Approval Requirements

The Policy applies to the following activity, as specified in the Table under Section 68 of the Local Government Act 1993:

“Use a standing vehicle or any article for the purpose of selling any article in a public place”.

For the purposes of the Policy a ‘standing vehicle’ includes any food truck or food van that has stopped to make a sale, or with the intention to sell.

- a) All Mobile Food Vending Vehicles require a Section 68 approval issued by Wentworth Shire Council prior to operating on Council owned roads. The operation of a Mobile Food Vending Vehicle, or the selling of any food from a mobile vehicle in a public place within the Wentworth Shire Local Government Area without prior approval is an offence under the Local Government Act 1993.
- b) Council will charge a fee** for the issue of a Mobile Food Vending Vehicle approval as per the Schedule of Fees and Charges document on Council’s website.
- c) Mobile Food Vending Vehicles will be issued an approval that will contain conditions of operation to be complied with at all times.
- d) Incomplete applications may be rejected if additional information requested is not supplied within the time nominated by Council. The assessment component of the fee will not be refunded.
- e) Council will not issue a refund of any fees paid if the business is sold or transferred. A new owner of a mobile food vehicle must make a new application and pay the appropriate fees for approval.
- f) All Mobile Food Vending Vehicle operators must have their vehicle inspected for food safety requirements prior to issue of an approval, or from time to time as determined by Council or an authorised officer of Council.
- g) Approvals are specific to each Mobile Food Vending vehicle and they are not transferable between vehicles.
- h) All approved Mobile Food Vending Vehicles are permitted to operate on Council-owned roads within the areas so identified in Appendix 1. The operation of a Mobile Food Vending Vehicle must also comply with the local car parking restrictions of that parking

space and all other applicable Road Rules. All Mobile Food Vending Vehicles permit a operator pull up to a kerb, into a lawful parking spot, and to trade onto the footpath. Vehicles must not park on the footpath or on driveways, and must not trade onto the street, bike lane or an adjacent car parking spot.

P.8 When will the policy be revoked?

In accordance with Section 165(4) of the Local Government Act 1993, the Policy is automatically revoked at the expiration of 12 months after the declaration of the poll for a general election of Council, unless Council revokes the Policy sooner.

P.9 Definitions

For the purposes of the Policy:

(a) A mobile food vending vehicle is a vehicle located on Council-owned roads used in connection with the preparation and/or sale of food.

It includes vehicles used for on-site food preparation (e.g.; hamburgers, hot dogs and kebabs), one-step food preparation (e.g.; popcorn, fairy floss, coffee) and the sale of any type of food, including pre-packaged food.

For the purposes of the Policy, the term “mobile food vending vehicle” refers to both food trucks and food vans, being vehicles that are registered within the meaning of the Road Transport Act 2013.

All mobile food vending vehicles require an approval issued by Council prior to operating.

(b) A food truck is a vehicle used for the purposes of on-site preparation and sale of hot and cold food (considered a medium to high risk food category).

(c) A food van is a vehicle used for the purposes of selling tea, coffee, drinks, cakes, sweets or other similar food (low risk food category).

(d) A food cart is a unit/vehicle which may or may not be powered, that is for the purpose of selling food or drink which operates within Council-owned roads and does not meet the definition of a food truck or food van (Note: food carts are not supported under the Policy).

(e) Council-owned roads includes all of the land used for vehicular traffic, plus any footway, shoulder, kerb and gutter.

P.10 Explanations of notes in the text

The notes in text boxes are explanatory notes and do not form part of the Policy.

The notes are provided to assist with the understanding of the Policy.

P.11 Other relevant documents

The following documents are related to the Policy:

- *Local Government Act 1993*
- *Food Act 2003*
- *Roads Act 1993*
- Food Standards Code
- Mobile Food Vending Vehicles – Operation, construction and food handling

- guidelines, January 2017 (available on the NSW Government Food website
- <http://www.foodauthority.nsw.gov.au/>)
- Department of Local Government Street Vending Control Guidelines 2017

P.12 Scope

(a) The Policy applies to Council owned roads and other public places within the Wentworth Shire Local Government Area.

(b) This Policy does not apply to Mobile Food Vending Vehicles;

- i. trading in accordance with a development consent or the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 on private land
- ii. trading on public land in accordance with an approved event
- iii. not operating as a food business

P.13 Responsibilities

Council is responsible for developing this Policy in accordance with the provisions of the Local Government Act 1993, and ensuring good governance, including open and transparent consultation during its development and review. Authorised officers of council will issue approvals to operate a mobile food vending vehicle, enforce conditions of approval, and monitor and regulate non-compliances with this Policy and relevant legislation.

Operators of mobile food vending vehicles are responsible for ensuring they have approval to operate on Council owned roads prior to trading at those locations. Operators must comply with the requirements of this Policy and relevant legislation while trading on Council owned roads.

P.14 Consultation

In accordance with section 160 of the Local Government Act 1993 will undergo a public consultation process and formal consideration of comments prior to adoption.

PART 1: EXEMPTIONS FROM THE NECESSITY TO OBTAIN APPROVAL

1.1 Exemptions under the Policy

There are no exemptions under the Policy for mobile food vending vehicles.

Note: Section 158(3) of the Local Government Act 1993 requires a Local Approvals Policy to specify the circumstances (if any) in which a person would be exempt from the necessity to obtain a particular approval from Council.

To ensure the safety of food for human consumption, there will be no exemptions for compliance with the Policy in relation to mobile food vending vehicles.

PART 2: CRITERIA COUNCIL MUST CONSIDER WHEN DETERMINING APPLICATIONS FOR MOBILE FOOD VENDING VEHICLES

2.1 General requirements of mobile food vending vehicles

- (a) Approval under the Local Government Act 1993 is required prior to commencement of operation of a mobile food vending vehicle on a Council owned road. The operation of a mobile food vending vehicle without the required approval is an offence.
- (b) An application for approval to use a mobile food vending vehicle is to be made on the approved form. The prescribed fee is also to be paid before the application is assessed.
- (c) Prior to the issue of an approval under this Policy, the mobile food vending vehicle is to be made available for inspection by Council's Regulatory Services officer/s. Council will charge a fee for inspecting the mobile food vending vehicle as per Council's adopted Fees and Charges Schedule. Based on The Food Regulation Partnership adopted in July 2018, Council may choose to not inspect the vehicle, if the applicant is able to produce a satisfactory operational inspection report from their home jurisdiction council.
- (d) All Approvals will be issued with an end date of 30 June each year, to enable an annual review.
- (e) Operators are to notify the food business to Council using a Food Business Update Form
- (f) The criteria to be used in the assessment of a mobile food vending vehicle for approval will include all the relevant provisions contained in the standards as set out in Part 2 of the Policy, the Food Act 2003 and associated regulations, and the Food Standards Code.
- (g) Approvals will be issued subject to conditions, including but not limited to compliance with the Policy.
- (h) Only the sale of foodstuffs and drinks will be allowed from mobile food vending vehicles. No sale of alcohol, cigarettes or other products from mobile food vending vehicles will be approved.
- (i) The applicant is to submit a copy of a public liability insurance indemnifying the applicant against any actions, suits, claims, demands or proceedings for death or injury to any third party or parties or loss of, or damage to, any property, with an indemnity amount of not less than \$20,000,000 per occurrence and noting Council as an interested party. The Insurance is to be valid at all times from the date of approval through to the date the approval lapses.
- (j) The applicant is to submit copies of valid insurance policies that protect the applicant:

I. Against any injury to any third party or parties under Compulsory Third Party Insurance as required by the Motor Accidents Compensation Act 1999

II. Against loss of, or damage to, any property whatsoever caused by the use of the vehicle when being driven by the Licensee, an employee of the Licensee, an independent contractor or any other person (including a person not employed by the Licensee). The policy is to have a limit of indemnity of not less than \$20,000,000 and shall be extended to include "CTP Gap Coverage Endorsement" cover. The policy shall note the interest of the Council as an insured.

The Insurance is to be valid at all times from the date of approval through to the date the approval lapses.

2.2 General requirements in accordance with Food Safety Standard 3.2.3

The design and construction of a mobile food vending vehicle is to:

- (a) Be appropriate for the types of food produced and activities conducted
- (b) Provide adequate space for all activities and for all equipment to be used or stored
- (c) Allow easy cleaning/sanitising procedures of all structures and equipment
- (d) Prevent entry of pests, dust, fumes, smoke and other contaminants
- (e) Exclude favourable sites for pests to harbour (live and breed).

Further details on these requirements are contained within Mobile Food Vending Vehicles – Operation, construction and food handling guidelines, prepared by the NSW Food Authority. All mobile food vending vehicles approved by Council are required to comply with these guidelines.

PART 2A: CRITERIA COUNCIL MUST CONSIDER WHEN DETERMINING AN APPLICATION TO OPERATE A FOOD TRUCK

2A.1 Location

Food trucks may only operate in the areas specified in Appendix 1.

Note: Council will use the following principles in determining the suitability of any additional food truck locations to those specified in Appendix 1:

- Land use zoning and permissible uses within that zone (compatibility considerations)
- Proximity to residential properties (potential residential amenity impacts)
- Proposed hours of operation (consideration of other food and drink premises in proposed location)
- Road, road-user and pedestrian safety
- Availability of alternate locations

Food trucks permitted to operate on Council-owned roads are to:

Be located within existing lawful parking spaces; and

- a) Comply with the local parking restrictions
- b) Comply with the relevant road rules; and
- c) Not operate directly in front of a residential building (house or apartment) on the same side of the road as the frontage of the residential building.

2A.2 Parking

Food trucks are to operate so as to:

- a) Ensure access to pedestrian ramps and footpaths are not compromised; and
- b) Ensure that access or egress from any building is not restricted by the operation of the food truck; and
- c) Ensure access to public street furniture such as seats, bicycle parking, drinking fountains, rubbish bins, fire hydrants, telephone booths and post boxes or the like.

2A.3 Deliveries

Food trucks are to arrive at a location fully equipped. Deliveries are not to be made to a food truck while it is in operation.

PART 3: OTHER MATTERS RELATING TO APPROVALS FOR MOBILE FOOD VENDING VEHICLES

Note: Approval of a mobile food vending vehicle is subject to compliance with the requirements of the Food Act 2003, Food Standard Codes and all other conditions of approval.

The mobile food vending vehicle approval issued by Council is to be displayed in a location that is clearly visible to customers at all times during operation. A copy of the full approval document is to be kept within the vehicle at all times and made available to an authorised Council officer upon request.

Failure to adhere to any condition of approval and/or legislative requirement may result in modification, suspension or revocation of an approval, in addition to the potential issuing of fines.

3.1 Permitted days and hours of operation

The use of Council-owned roads for the purpose of operating a mobile food vending vehicle is restricted to set out in Appendix 1 for each location, inclusive of set up and set down times.

Mobile food vending vehicles are not to remain in any location overnight. Failure to comply with this requirement may result in an approval being refused or revoked.

3.2 Serving

Mobile food vending vehicles are not to operate with their serving window opening onto any part of a vehicular carriageway or a cycleway.

3.3 Customer seating

The placement of tables, chairs or other seating apparatus is not permitted at any time.

3.4 Waste management and recycling

Provisions for waste management are to include the following:

- (a) Mobile food vending vehicle operators are responsible for the waste materials generated during the trading period. Waste materials such as food packaging should be collected in bins or suitable receptacles, bagged or contained, and stored and disposed of at the cost of the operator
- (b) Any waste produced by the operation of the mobile food vending vehicle is to be removed from the site via the mobile food vending vehicle at the end of the trading period
- (c) The trading area is to be left in a clean and tidy condition at the end of each trading interval
- (d) The trading approval holder is liable to reimburse Council for any cleaning cost incurred by Council during the duration of the trading period as a result of the operation of the mobile food vending vehicle.
- (e) Disposal of all liquid wastes generated within the food van is to be discharged to the sewer or as approved by an authorised Council Officer. Under no circumstances is liquid waste to be discharged to the ground or in the stormwater drain.
- (f) Details of liquid waste and garbage disposal arrangements must be supplied with the application for the mobile food vending vehicle.

3.5 Signage

An Approval under the Policy does not infer any approval for the erection or display of any sign or sign structure not directly attached to the mobile food vending vehicles.

The Policy does not allow the use of any temporary signage (e.g.; A-frame boards) in association with the operation of any mobile food vending vehicle.

3.6 Animals and pests

All practicable measures are to be taken to prevent pests (including birds, spiders and flying insects) from entering or remaining in the vehicle.

No animal is permitted to enter any vehicle, whether the vehicle is in operation or not.

3.7 Water supply

The vehicle must be provided with an adequate supply of potable water stored in approved containers and suitably protected against contamination, for hand washing, cleaning equipment and for use of food preparation. There must also be an adequate supply of hot water for these purposes.

The vehicle is to be equipped with a waste water tank external to the vehicle, of at least 50 litre capacity with an outlet of sufficient diameter to facilitate easy flushing and cleaning.

All hot water for washing purposes is to be supplied from a suitable hot water system and should be piped so it can be mixed with cold water.

3.8 Control of pollution

Operators are to comply with the *Protection of the Environment Operations Act 1997*, which contains provisions relating to pollution, including prevention of offensive noise, smoke, odour and waste water discharges.

3.9 Noise

The emission of noise associated with the use of the vehicle, including the operation of any mechanical plant and equipment, is to comply with the following:

- (a) The use of the vehicle must be controlled so that any emitted noise is at a level so as not to create an "offensive noise" as defined in the *Protection of the Environment Operations Act 1997*
- (b) If any noise complaints are received and substantiated by an authorised Council officer, the officer may direct that the use of the food truck/business is to be suspended or moderated to prevent nuisance until attenuation measures are completed and Council has confirmed in writing that the use may resume.
- (c) The operation of a mobile food vending vehicle is not to involve the use of any bell, music or other sound device to attract customers, nor while the vehicle is stationary.

3.10 Odour

If any odour or smoke complaints are received and substantiated by an authorised Council officer, then the use of the vehicle or apparatus is to be moderated as directed by an authorised Council officer as deemed necessary to prevent nuisance.

3.11 Food Handling

The requirements for the handling of food for sale and human consumption are outlined in the standards set by the NSW Food Authority's website (www.foodauthority.nsw.gov.au). The requirements also apply to pre-packaged food and low-risk food.

Fact Sheets and user guides are available on the Food Standards Australia New Zealand website (www.foodstandards.gov.au).

3.12 Preparing food at home

A separate approval may be required for the preparation of food as part of a home business.

3.13 Use of separate premises

Where the operation of the mobile food vending vehicle involves the use of premises within the Wentworth Shire Local Government Area, for the storage or preparation of food in conjunction with a mobile food vending vehicle, a Development Consent for such use may be required under the *Environmental Planning and Assessment Act 1979*.

Any change in the permanent facilities is to be notified to Council.

3.14 Maintenance

The vehicle and its associated fixtures, fittings and equipment must be kept clean and in a good state of repair and working order, free from dirt, fumes, smoke, foul odours and other contaminants.

3.15 Non-compliance

Council's Authorised Officers may issue penalty infringement notices, orders, clean up notices prevention notices or court attendance notices for non-compliance with the Policy and all related offences. Serious pollution incidences can also be prosecuted by state agencies such as the NSW Environment Protection Authority.

Contact Information

Please contact Council or the NSW Food Authority for further information relating to information contained within the Policy.

Wentworth Shire Council

Tel: (03) 5027 5027

Website: www.wentworth.nsw.gov.au

NSW Food Authority

Tel: 1300 552 406

Fax: (02) 9647 0026

Website: <http://www.foodauthority.nsw.gov.au>

Email: contact@foodauthority.nsw.gov.au

Food Standards Australia New Zealand

Website: <http://foodstandards.gov.au>

Approved by Council and signed by
General Manager of Wentworth Shire Council

Signed & Dated

APPENDIX 1: Permitted Trading Locations

1. Wentworth – Junction Park, Cadell Street

*First two (2) car spaces on entry to right side car park
(please refer to the maps provided below)*

- a) Trading will be limited to the hours of 7:00am to 10:00pm each day of the week;
- b) A maximum of two (2) traders may operate from the designated bays, as set out below:

Street View:



Aerial View (outdated image, for general location purposes only):



2. Curlwaa – O'Donnell Park Car Park, Silver City Highway

*First two (2) car spaces to the right side of the toilet block
(please refer to the maps provided below)*

- a) Trading will be limited to the hours of 7:00am to 10:00pm each day of the week;
- b) A maximum of one (1) trader may operate from the designated bays, as set out below:

Road View:**Aerial View** *(outdated image, for general location purposes only):*

3.

Dareton – Sturt Park, Sturt Place

*First two (2) on either end of the car spaces surrounding Sturt Park
(please refer to the map provided below)*

- a) Trading will be limited to the hours of 8:00am to 8:00pm each day of the week;
- b) A maximum of two (2) traders may operate from the designated bays, as set out below:

Aerial View:



Dareton – Boat Ramp Car Park, Golf Course Road

*First two (2) car spaces on entry to car park
(please refer to the map provided below)*



4. Buronga – Bus Interchange, Silver City Highway

*End two (2) car spaces in car park
(please refer to the map provided below)*

- a) Trading will be limited to the hours of 7:00am to 10:00pm each day of the week;
- b) A maximum of two (2) traders may operate from the designated bays, as set out below:

Street View:



Aerial View:



5. Gol Gol – James King Park Car Park, Silver City Highway

(NOTE: This has been deferred by Council and not currently permitted)

One (1) equivalent car space on grassed area adjacent to the car parking bays

(please refer to the map provided below)

- a) Trading will be limited to the hours of 7:00am to 10:00pm each day of the week;
- b) A maximum of two (2) traders may operate from the designated bays, as set out below; and

Park View:**Aerial View** (outdated image, for general location purposes only):

9.11 PROJECTS AND WORKS REPORT UPDATE - JUNE 2020

File Number: RPT/20/334

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Allan Eastmond - Manager Works

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural assets

Strategy: 3.2 Plan for and develop the right assets and infrastructure

Summary

This report provides a summary of the major works undertaken by the Roads and Engineering Division which have been completed during the month of May 2020 and the planned works for June 2020.

Recommendation

That Council notes the major works undertaken for May and the proposed works for June 2020.

Detailed Report

During May, the Roads and Engineering Division continued with maintenance grading on identified roads to remove known hazards and improve surface conditions.

Other projects

June will see major works continuing on the Gol Gol Water Treatment Plant electrical and process upgrade, Wentworth and Dareton Sewer Upgrades and the Wentworth Aerodrome.

Aerodrome Update

The project is running to schedule with construction of drainage and electrical works underway and the runway stabilisation to commence mid-June.

Safe and Secure Water Funding - Poongcarie Bores

Final works continuing; including the completion of the Raw Water river supply change over works and system testing procedures.

Attachments

1. Attachment 1 - Project and Works Update [↓](#)
2. Attachment 2 - Project and Works Photos [↓](#)

Works ongoing during May 2020**Roads**

- Construction on a 500m section of segment 130 Sturt Highway Trentham Rehabilitation has been completed.
- Palm Island Garden Upgrade Works Wentworth, works commenced 6 May, all works complete with remaining plants on order and scheduled to be planted mid-July.
- 20.4km of the Pooncarie Road has been resealed as part of the Regional Roads program.
- Linemarking of specified roads within Shire have had first coat, with second (final) coat scheduled for June.

Maintenance Grading

- Due to the rainfall in May Roads and Engineering have scheduled continued maintenance grading to remove known hazards and improve the conditions of the roads on the following roads; Full length grade of – Nulla, Polia, Pooncarie-Menindee, Rufus River, Renmark and Tooperoopna Road.

Projects**Wentworth Aerodrome**

- Tenders closed Friday 22 May for the supply and installation of the aerodrome runway and apron lighting tender.
- Evaluation and tender assessment completed for the installation of the aerodrome runway and apron lighting tender and submitted to the June Council meeting for approval.
- Delivery of all drainage materials complete.
- Construction of the drainage and electrical works underway.
- Installation of drainage culverts underway, scheduled completion mid-June.
- Installation of Runway Lighting Duct Banks underway, scheduled completion mid-June.
- Earthworks construction continuing, scheduled completion mid-June.
- Delivery of pavement material continuing, 25,000 tonne delivered to site.

Dareton Sewer Upgrade

- Power poles and infrastructure delivered to site for Golf Course Road pump station upgrade, works to be completed by end June.
- Approved repair method for defective Lagoon lining confirmed, materials ordered for the new liner, with works to start end June.
- Works to commence on Lagoon inlet valves and diversion main mid-June.

Wentworth Sewer Upgrade

- 95% of pipeline in ground, All State Earthworks (ASE) awaiting final confirmation with RMS for works approval to under bore Silver City Highway at Francis Street.
- Eastern side pipeline from Chainage 1960 to 4825 has been pressure tested and approved.
- Lagoon 1 geofabric liner installed and earth bottom 90% completed.
- Inlet works, removal of existing 50% completed, whilst boxing new inlet works has commenced.
- Electrical switchboards works ongoing with ASE continuing to work with Council to implement SCADA.
- changes required.

Gol Gol Water Treatment Plant Electrical and Process upgrade

- New cabling continues to be run to new switch room from various process sites.
- Handrailing completed around clear water pit, lagoon pier extensions.
- Inlet works concrete slab, electrical conduits, stormwater systems and dosing ductways completed.
- Factory Acceptance Testing (FAT) continue on switchboards as they arrive to site.
- Midway, new cabling from ground to top of reservoir clamped to new catenary system.
- Raw water pump station new shed slab poured, with electrical works being conducted to keep system running and to allow for new switchboard changeover works to be completed.
- Tree trimming and tree removal has been completed at Balance Tank site, whilst services have been proven in readiness for boxing and concrete pours.
- Lagoon 2 refurbishment works underway with pond cleaning works completed, preparing base in readiness for geofabric and new HDPE liner.

Buronga EDS

- Express Engineering have recommenced works week of 25 May.
- Existing pumping infrastructure removed.

Buronga Riverfront

- Design works have been awarded to Ochre Landscape.
- Feature survey undertaken.

Wentworth Riverfront

- Design Well Landscaping and Architecture concept designs for the landscaped area are expected 12 June for Council's review.
- Tender documentation will be prepared on completion of concept design.
- Full survey of Riverfront completed by MH2.
- Concept plan for retaining wall structure under design.
- Ongoing discussion with stakeholders feeding into design.
- Review of Environmental Factors completed for the project.

Safe and Secure Water Funding**Pooncarie Bores:**

- EMM Consulting, Hydrogeologist visit was successful, collecting data and conducting variable rate testing and constant rate testing at all Pooncarie bore sites.
- Hydrogeologist finalising the ground water management plan, and final report for estimated water usage, report to be used to apply to DPI water for WSC's Water Access License for the bores.
- Works still required, finalising design for new RWPS electrical switchboard, raw water dosing system, automatic filter system, and Racecourse options report, solar vs electricity.
- Reservoir platforms deck replacement and pipework modifications, hard stand areas around bores sheds, perimeter fencing and some tidy up works.

Toilet Upgrades**Secondary Tiling Works**

- Floor tiling at O'Donnell Park toilets in Curlwaa has been completed
- The last of the tiling locations are McLeod Oval, Short Street, Pitman Avenue, Lions Park, Wentworth Sporting Complex and O'Donnell Park to be finished 11 June.
- James King Park Toilet opened, disabled toilet scheduled to be opened mid-June, delay due to water pressure issue.
- Grass seed to be planted around toilet perimeter in spring.

Painting Works**Paint locations remaining**

- Short Street – painting and internal fit out completed and hand dryer installed.
- Gol Gol Cemetery – painting completed.
- Midway Centre – painting completed.
- Wetlands – scheduled to be painted.

Darling Street

- Underground plumbing works completed.
- C section roof beams installed.
- Concrete pad for extension installed.
- Works scheduled for completion mid-July.

Wentworth & Dareton Pool Tiling

- Tiling contract awarded to The Tile People.
- Works to commence at Dareton Pool mid-June, Wentworth Pool tiling will commence after Dareton Pool completed. All works scheduled for completion 31 August 2020.

Willow Bend Caravan Park Upgrade

- Works involve the upgrade of the existing Essential Energy high voltage power supply at the caravan park. This works will involve a level 3 Accredited Service Provider to undertake the design works for approval by Essential Energy. The works have been awarded to Vertex Power and Process.
- A new, larger transformer will also be installed in the process to cater for the proposed demand.
- Stage 2 design works commenced mid-May.
- Trenches and conduits have been completed.

Stronger Country Communities Grant Funded Projects**Barrett Pavilion**

- Fire tanks installed
- Exterior (Sheet roofing and wall cladding) including verandas has been erected.
- Majority of underground service installation complete including full septic system.
- Finalisation of door cut outs continuing.
- Installation of insulation in roofing completed.
- Updated construction program being prepared for distribution.

George Gordon Netball Courts

- Fence works around court perimeter have been completed.
- Light poles and fittings erected early April, with plans to make final alignment adjustments when the lux readings are undertaken. The lux readings have been delayed due to interstate travel restrictions.
- Players boxes awaiting painting and installation of concrete pads.
- Spectator seating arrived end of May for installation.

Wentworth Sporting Complex

- Final pavement layer completed
- Class 4 Road base installation and testing complete.

Works ongoing during June 2020

- Roads**
- Palm Island Garden Upgrade Works Wentworth, remaining plants on order and scheduled to be planted mid-July.
 - Devenport and Neilpo Street footpath installation, scheduled to be completed end June.

Maintenance Grading

- Scheduled maintenance grading to remove known hazards and improve the conditions of the roads on the following roads; Belvedere, Old Broken Hill, Pinecamp, Springwood Road.

Projects Wentworth Aerodrome

- Lime Stabilisation works on Runway and Taxiway commencing 22 June.
- The Tender documentation for the Bitumen, Asphalt and Linemarking works will be advertised with tenders closing 2 July.
- Tender recommendation of the Aerodrome runway and apron lighting tender to be submitted to the June Council meeting for approval. The awarding of the Tender and finalisation of the Contract documentation will follow the approval.
- Runway material supply due to be completed by mid-June 2020.
- Pavement construction of taxiway, runway and apron areas to commence second week July.
- Completion of stormwater culvert installation to be completed end June.

Dareton Sewer Upgrade

- Works to commence on rectification of lagoon liners.
- Inlet valve and diversion main works to be completed end June.
- Power upgrade works for Golf Course Road pump station to be completed end June.

Wentworth Sewer Upgrade

- Begin installation of new pumps and switchboard upgrade at SPS 1.
- Finalise works on third lagoon.
- Complete crossing of Silver City Highway with under road bore.
- Neville Street stormwater upgrade works due to commence in coming weeks.

Gol Gol Water Treatment Plant Electrical and Process upgrade

- Commence modifications to Raw Water Pump Station switch room.
- Commence installation of Balance tank drainage and telemetry mast.
- Complete modifications to storm water drainage at Inlet works area.
- Complete Factory Acceptance Testing (FAT) of switchboards scheduled completion end of June.
- Lagoon 2 refurbishment –cleaning out of lagoon to be completed, Geofabric Liner and HDPE Liner to be installed – scheduled to be installed end of June.

Buronga EDS

- Existing gangway and pontoon infrastructure to be decommissioned.
- New piles to be driven.
- Earthworks to commence around slab.

Buronga Shed Extension

- Shed construction complete.
Electrical fit out to be completed mid-June.
Gravel to be spread around shed perimeter week commencing 22 June.

Toilet Upgrades

Paint locations remaining scheduled to commence May

- Coomealla Cemetery – painting complete.
- O'Donnell Park – painting complete.
- McLeod Oval – to be completed by 17 June
- James King Park - to be completed by 17 June.
- Darling Street - to be completed by 17 June.

Wentworth & Dareton Pool

- Tiling to be completed by mid-June.

Willow Bend Caravan Park Upgrade

- Three switchboards to be installed and underground low voltage supply mains to be pulled through conduits mid-June.
- Stage 1 and 3 still awaiting approval from Essential Energy, expected end of July - early August.

Stronger Country Communities Grant Funded Projects**Barrett Pavilion**

- Internal (ceiling and wall cladding) installation due to start end of June.
- Plumbing and Electrical rough in occurring.
- Carpenters to commence internal walls.

George Gordon Netball Courts

- Bollards to be installed in June.
- Remaining concrete works (path and player's boxes pads) to be completed June.
- Synthetic turf to be installed late June.
- Players boxes awaiting painting and installation of concrete pads.

Wentworth Sporting Complex

- Ditch walls and steel capping to be finalised June.
- Final pavement layers to be installed June.
- Synthetic turf works to be completed July.

June Project Update – Photos



Image 1 – Gol Gol Water Treatment Plant construction of raw water pump station



Image 2 - Gol Gol Water Treatment Plant construction of raw water pump station



Image 3 – Gol Gol Water Treatment Plant



Image 4 – Pooncarie Bore Project



Image 5 – Wentworth Wastewater Lagoons liner



Image 6 - Gol Gol WTP Lagoon 2 liner construction



Image 7 – Surfacing and Linemarking works at Ski Reserve car park



Image 8 – Segment 130 Sturt Highway Trentham Rehabilitation new Linemarking



Image 9 – Wentworth Sporting Complex – retaining wall of bowling green



Image 10 - Neilpo and Devenport Street – footpath installation



Image 11 – Buronga Shed Extension



Image 12 & 13 – James King Park Toilet Upgrade Works





Image 14, 15, 16 & 17 – Wentworth Aerodrome – runway and drainage works



Image 18 – Palm Island Garden Upgrade Works

10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE**10.1 NOTICE OF MOTION FROM COUNCILLOR WHEELDON**

File Number: RPT/20/347

Councillor Wheeldon has indicated his intention to move the following motion:

Motion

That council writes to state government representatives in the Agriculture and Planning portfolios requesting that all allotments in the Rural Zones identified within the maps of WLEP 2011 previously categorised as prime horticultural land, but in reality have little or no horticultural benefit, with an area of less than 10 hectares be given the entitlement to build a dwelling thereon.

Attachments

1. Draft response from Health and Planning [↓](#)

From: Michele Bos
Sent: Tuesday, 16 June 2020 5:20 PM
To: Matthew Carlin <Matthew.Carlin@wentworth.nsw.gov.au>
Cc: Executive Assistant General Manager <gmea@wentworth.nsw.gov.au>; Ken Ross <Ken.Ross@wentworth.nsw.gov.au>
Subject: Cr Wheeldon's motion for dwelling permissibility on small rural lots

Hi Matthew

In response to Cr Wheeldon's proposed motion, at the next Council meeting, regarding dwelling permissibility on small rural lots or lots less than 10 hectares, I suggest something similar to the following:

Council is supportive of development on rural lots as outlined in the Local Strategic Planning Statement. The current land use controls in the RU1 Primary Production zone prohibit flexibility for development that is not related to rural activity. We are currently working closely with DPIE to finalise the Rural Land Use and Rural Residential Strategy. This document, together with a thorough review of the Wentworth LEP 2011, will aim to provide greater flexibility for dwelling and tourism development on rural zoned land. Council is confident that the outcomes of these projects will satisfy the demand for non-agricultural related development and provide a long term and sustainable economic benefit to the Shire community.

Make any necessary changes as you deem necessary.

Should you have any questions regarding the contents of this email, please do not hesitate to contact me or respond to the email address below.

Regards

Michele Bos
Strategic Development Officer

3

10.2 QUESTIONS WITH NOTICE

11 CONFIDENTIAL BUSINESS – ADJOURNMENT INTO CLOSED SESSION

Despite the right of members of the public to attend meetings of a council, the council may choose to close to the public, parts of the meeting that involve the discussion or receipt of certain matters as prescribed under section 10A(2) of the Local Government Act.

With the exception of matters concerning particular individuals (other than councillors) (10A(2)(a)), matters involving the personal hardship of a resident or ratepayer (10A(2)(b)) or matters that would disclose a trade secret (10A(2)(d)(iii)), council must be satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

The Act requires council to close the meeting formonly so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security being protected. (section 10B(1)(a))

Section 10A(4) of the Act provides that a council may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Section 10B(4) of the Act stipulates that for the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:-

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

Recommendation

That Council adjourns into Closed Session and members of the press and public be excluded from the meeting of the Closed Session, and that access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld unless declassified by separate resolution.

This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the following provisions:-**12.1 Plant Replacement - Approval of Tenders for Replacement of plant 645 - Super Cab Tipping Body 4x2 Utility. (RPT/20/326)**

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. On balance, the public interest in preserving the confidentiality of information about the tender outweighs the public interest in maintaining openness and transparency in council decision-making because disclosure of this information would reveal pricing and confidential information submitted via the tender process which if disclosed would prevent council from achieving its 'value for money' objectives.

12.2 Wentworth Aerodrome Upgrade - Supply and Installation of the Aerodrome Lighting PT1920/06. (RPT/20/336)

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct)

business. On balance, the public interest in preserving the confidentiality of information about the tender outweighs the public interest in maintaining openness and transparency in council decision-making because disclosure of this information would reveal pricing and confidential information submitted via the tender process which if disclosed would prevent council from achieving its 'value for money' objectives.

12.3 Easement Acquisition for the Buronga Sewer Pump Station #1 and Hendy Road Sewer Stage 1 and 2 Upgrade Works. (RPT/20/340)

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (a) personnel matters concerning particular individuals (other than councillors) and (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. On balance, the public interest in preserving the confidentiality of information about the tender outweighs the public interest in maintaining openness and transparency in council decision-making because disclosure of this information would reveal pricing and confidential information submitted via the tender process which if disclosed would prevent council from achieving its 'value for money' objectives.

12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

The Mayor will invite the General Manager to report on the deliberations of council during the Closed Session.

12.1 PLANT REPLACEMENT - APPROVAL OF TENDERS FOR REPLACEMENT OF PLANT 645 - SUPER CAB TIPPING BODY 4X2 UTILITY

File Number: RPT/20/326

Responsible Officer: Geoff Gunn - Director Roads and Engineering
Responsible Division: Roads and Engineering
Reporting Officer: Allan Eastmond - Manager Works

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural assets
Strategy: 3.2 Plan for and develop the right assets and infrastructure

12.2 WENTWORTH AERODROME UPGRADE - SUPPLY AND INSTALLATION OF THE AERODROME LIGHTING PT1920/06

File Number: RPT/20/336

Responsible Officer: Geoff Gunn - Director Roads and Engineering
Responsible Division: Roads and Engineering
Reporting Officer: Tarryn Kampman - Administration Officer

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural assets
Strategy: 3.2 Plan for and develop the right assets and infrastructure

12.3 EASEMENT ACQUISITION FOR THE BURONGA SEWER PUMP STATION #1 AND HENDY ROAD SEWER STAGE 1 AND 2 UPGRADE WORKS

File Number: RPT/20/340

Responsible Officer: Geoff Gunn - Director Roads and Engineering
Responsible Division: Roads and Engineering
Reporting Officer: Rachael Withers - Project Administration Officer

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural assets
Strategy: 3.1 Promote the efficient delivery of water supply, sewer and drainage services for the long term interests of future generations

13 CONCLUSION OF THE MEETING

NEXT MEETING

15 July 2020