



WENTWORTH SHIRE COUNCIL

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 in the **WENTWORTH SHIRE COUNCIL CHAMBERS, SHORT STREET, WENTWORTH**, commencing at **10:00AM**.

The meeting is being livestreamed and/or recorded for on-demand viewing via Council's website and a person's image and/or voice may be broadcast.

Attendance at the meeting is to be taken as consent by a person to their image and/or voice being webcast.

All speakers should refrain from making any defamatory comments or releasing personal information about another individual without their consent.

Council accepts no liability for any damage that may result from defamatory comments made by persons attending meetings – all liability will rest with the individual who made the comments.

The meeting must not be recorded by others without prior written consent of the Council in accordance with the Council's code of meeting practice.

KEN ROSS
GENERAL MANAGER

ORDINARY MEETING AGENDA

17 NOVEMBER 2021

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1 OPENING OF MEETING

THE MAYOR REQUESTS THAT THE GENERAL MANAGER MAKES
ANNOUNCEMENTS 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 20 October 2021 be confirmed as
circulated.

Recommendation

That the Minutes of the Extraordinary Meeting held 3 November 2021 be confirmed as
circulated.



WENTWORTH SHIRE COUNCIL

ORDINARY MEETING MINUTES

20 OCTOBER 2021

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1 OPENING OF MEETING

The Mayor opened the meeting with a prayer at 10:05am

2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

PRESENT:

COUNCILLORS: Councillor Susan Nichols (Mayor)
Councillor Tim Elstone (Deputy Mayor)
Councillor Greg Evans
Councillor Jane MacAllister (via Video Conference)
Councillor Don McKinnon (via Video Conference)
Councillor Peter Nunan (via Video Conference)
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)
Gayle Marsden (Executive Assistant to General Manager)
Jess O'Neill (Business Support Officer)

3 APOLOGIES AND LEAVE OF ABSENCE

Recommendation

That Council notes the apology from Cr Steve Heywood.

Council Resolution

That Council notes the apology from Cr Steve Heywood.

Moved Cr. Evans, Seconded Cr. McKinnon

CARRIED

4 DISCLOSURES OF INTERESTS

Nil

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 15 September 2021 be confirmed as circulated.

Council Resolution

That the Minutes of the Ordinary Meeting held 15 September 2021 be confirmed as amended.

Moved Cr. MacAllister, Seconded Cr. Evans

CARRIED

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/21/598

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Jess O'Neill - Business Support 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

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

Officer Recommendation

That Council notes the list of outstanding matters as at 13 October 2021.

Council Resolution

That Council notes the list of outstanding matters as at 13 October 2021.

Moved Cr. Nunan, Seconded Cr. MacAllister

CARRIED

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/21/459

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. Evans, Seconded Cr. Elstone

CARRIED

**7.2 WILLANDRA LAKES REGION WORLD HERITAGE ADVISORY COMMITTEE
REPORT JULY 2021**

File Number: RPT/21/583

Summary

Report from Willandra Lakes Region World Heritage Advisory Committee of which Councillor MacAllister is the local government representative.

Recommendation

That Council notes the information contained in the report from Councillor MacAllister.

Council Resolution

That Council notes the information contained in the report from Councillor MacAllister.

Moved Cr. MacAllister, Seconded Cr. Elstone

CARRIED

8 REPORTS FROM COMMITTEES

Nil

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGER'S REPORT

File Number: RPT/21/457

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Jess O'Neill - Business Support 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

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
Circulars 21-28 to 21-31
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. McKinnon, Seconded Cr. Evans

CARRIED

9.2 CHRISTMAS LEAVE ARRANGEMENTS

| | |
|-----------------------|---|
| File Number: | RPT/21/571 |
| Responsible Officer: | Ken Ross - General Manager |
| Responsible Division: | Office of the General Manager |
| Reporting Officer: | Glen Norris - Manager Human Resources |
| 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

This report sets out the proposed staffing arrangements for Council offices/areas closing over the Christmas and New Year period.

Recommendation

That Council approves the Christmas and New Year holiday arrangements.

Council Resolution

That Council approves the Christmas and New Year holiday arrangements.

Moved Cr. Wheeldon, Seconded Cr. Elstone

CARRIED

9.3 DRAFT 2020/2021 ANNUAL FINANCIAL STATEMENTS - REFER TO AUDIT

File Number: RPT/21/577

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

Section 413 of the *Local Government Act 1993* (NSW) (the Act) requires Council to prepare its year end Annual Financial Statements as soon as practicable after year end and to refer those statements to audit.

The audit of the 2020/2021 Annual Financial Statements is being conducted by Nexia Australia on behalf of the NSW Audit Office.

The Act requires Council to comply with a number of obligations in relation to the preparation, audit and presentation of the annual financial report and the auditor's report. A number of delegated authorities are also required to expedite the year end process.

Recommendation

That Council certifies:

- That the Annual Financial Statements have been prepared in accordance with:
 - The *Local Government Act 1993* (NSW) (as amended) and the Regulations made there under.
 - The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board.
 - The Local Government Code of Accounting Practice and Financial Reporting.
- To the best of our knowledge and belief, these statements
 - present fairly the Council's operating result and financial position for the 2020/2021 financial year
 - accord with Council's accounting and other records.
- That Council is not aware of any matter that would render these Statements false or misleading in any way.

That Council:

- Adopt the Councillors/Management Statement and resolves that it be signed by the Mayor, Deputy Mayor, the General Manager and the Responsible Accounting Officer and that it is attached to the financial statements.
- Delegates to the General Manager the authority to "finalise the date" at which the auditor's report and financial statements are to be presented to the public.
- Delegates to the General Manager the authority to authorise the year end accounts for issue immediately upon receipt of the auditors' reports.

That Council:

Refers the Draft 2020/2021 Annual Financial Statements to audit.

Council Resolution

That Council certifies:

- That the Annual Financial Statements have been prepared in accordance with:
 - The *Local Government Act 1993* (NSW) (as amended) and the Regulations made there under.
 - The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board.
 - The Local Government Code of Accounting Practice and Financial Reporting.
- To the best of our knowledge and belief, these statements
 - present fairly the Council's operating result and financial position for the 2020/2021 financial year
 - accord with Council's accounting and other records.
- That Council is not aware of any matter that would render these Statements false or misleading in any way.

That Council:

- Adopt the Councillors/Management Statement and resolves that it be signed by the Mayor, Deputy Mayor, the General Manager and the Responsible Accounting Officer and that it is attached to the financial statements.
- Delegates to the General Manager the authority to "finalise the date" at which the auditor's report and financial statements are to be presented to the public.
- Delegates to the General Manager the authority to authorise the year end accounts for issue immediately upon receipt of the auditors' reports.

That Council:

Refers the Draft 2020/2021 Annual Financial Statements to audit.

Moved Cr. McKinnon, Seconded Cr. MacAllister

CARRIED

Cr Wheeldon requested that his vote against the motion be recorded.

9.4 MONTHLY FINANCE REPORT

File Number: RPT/21/579

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 September 2021 were \$751,513.96. After allowing for pensioner subsidies, the total levies collected are now 40.34%. For comparison purposes 39.18% of the levy had been collected at the end of September 2020. Council currently has \$37,499,430.03 in cash and investments.

Recommendation

That Council notes the Monthly Finance Report.

Council Resolution

That Council notes the Monthly Finance Report.

Moved Cr. Wheeldon, Seconded Cr. Nunan

CARRIED

9.5 MONTHLY INVESTMENT REPORT

File Number: RPT/21/581

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Bryce Watson - Accountant

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 September 2021 Council had \$28 million invested in term deposits and \$9,499,430.03 in other cash investments. Council received \$6,994.27 from its investments for the month of September 2021.

In September 2021 Council investments averaged a rate of return of 0.43% and it currently has \$6,736,496.56 of internal restrictions and \$22,890,547.06 of external restrictions.

Recommendation

That Council notes the monthly investment report.

Council Resolution

That Council notes the monthly investment report.

Moved Cr. McKinnon, Seconded Cr. MacAllister

CARRIED

9.6 LICENCE RENEWAL - RAMON DEED VETERANS RETREAT - CROWN RESERVE 78438

File Number: RPT/21/386

Responsible Officer: Matthew Carlin - Director Health and Planning
Responsible Division: Health and Planning
Reporting Officer: Hilary Dye - Property and Land Tenure Officer

Objective: 4.0 Wentworth is a caring , supportive and inclusive community that is informed and engaged in its future
Strategy: 4.6 Collaborate with others to achieve desired outcomes for the local community

Summary

Wentworth & Coomealla Districts Sub Branch have held a licence to occupy part Lot 3 DP853243, Dareton Horse Complex Reserve 78438 since 2008. The current licence expired on 30 July 2021.

The Department of Planning, Industry and Environment - Crown Lands has provided Ministers consent for Council, in its capacity as Crown Land Manager, to exercise the holding over provisions of this Licence from 1 July 2021 up to and including 30 June 2022 until the new Licence has been executed.

This report seeks a resolution of Council to renew the licence to the provisions of the *Crown Land Management Regulation 2018*, securing lawful tenure for the current occupiers.

Recommendation

That Council:

1. Approves the renewal of a Licence to the Wentworth & Coomealla Districts Sub Branch; including the Ramon Deed Veterans Retreat of the Vietnam Veterans, Peacekeepers and Peacemakers Association of Australia NSW Branch Inc. for the occupation of Crown Reserve 78438 Dareton Horse Complex, part Lot 3 DP853243
2. In its capacity as Crown Land Manager authorises the granting of a licence renewal, Pre Plan of Management, for the term of 10years (5+5) under Section 70 Clause (2)(b)(i) of the *Crown Land Management Regulation 2018*., subject to Minister's Consent
3. Continue the annual rent payable as previously set in the expired licence, starting at \$974.76 with an annual Consumer Price Index (CPI) increase the when the licence takes effect, being the date the licence is executed.
4. Affix the Common Seal of Wentworth Shire Council and the Mayor and General Manager be delegated to sign all documentation that requires to be sealed, to give effect to this resolution.

Council Resolution

That Council:

1. Approves the renewal of a Licence to the Wentworth & Coomealla Districts Sub Branch; including the Ramon Deed Veterans Retreat of the Vietnam Veterans, Peacekeepers and Peacemakers Association of Australia NSW Branch Inc. for the

occupation of Crown Reserve 78438 Dareton Horse Complex, part Lot 3 DP853243

2. In its capacity as Crown Land Manager authorises the granting of a licence renewal, Pre Plan of Management, for the term of 10years (5+5) under Section 70 Clause (2)(b)(i) of the *Crown Land Management Regulation 2018.*, subject to Minister's Consent
3. Continue the annual rent payable as previously set in the expired licence, starting at \$974.76 with an annual Consumer Price Index (CPI) increase the when the licence takes effect, being the date the licence is executed.
4. Affix the Common Seal of Wentworth Shire Council and the Mayor and General Manager be delegated to sign all documentation that requires to be sealed, to give effect to this resolution.

Moved Cr. McKinnon, Seconded Cr. Nunan

CARRIED

9.7 INFRASTRUCTURE CONTRIBUTION REFORMS

File Number: RPT/21/574

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

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

The NSW Government introduced the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 into Parliament on 22 June. This Bill has the potential to adversely impact on Council's ability to deliver critical infrastructure services by diverting developer contributions away from Local Government to the NSW Government. If the Bill is passed, the NSW Government will have the authority use these funds however and wherever they see fit, thus potentially leaving Wentworth Shire Council and all other Local Government Organisations in NSW in a position where our infrastructure delivery capability will be destroyed.

Recommendation

That Council

- 1) Calls on the NSW Government to withdraw the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (the Bill) from the NSW Parliament.
- 2) Calls on the NSW Government to undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions system.
- 3) Calls on the NSW Government to de-couple the Independent Pricing and Regulatory Tribunal led review of the rate peg to include population growth from the infrastructure contributions reforms.
- 4) That Council writes to the local State Member Helen Dalton, the Premier the Hon Dominic Perrottet MP, Treasurer the Hon Matt Kean MP, Minister for Planning and Public Spaces the Hon Rob Stokes MP and Minister for Local Government the Hon Shelley Hancock MP seeking them to withdraw the Bill.
- 5) That Council writes to the Shadow Treasurer the Hon Daniel Mookhey MLC, Shadow Minister for Planning and Public Spaces Mr Paul Scully MP, Shadow Minister for Local Government Mr Greg Warren MP, The Greens Mr David Shoebridge MLC, Shooters, Fishers and Farmers Party the Hon Robert Borsak MLC, Animal Justice Party the Hon Emma Hurst MLC, Christian Democratic Party (Fred Nile Group) the Hon Fred Nile MLC, Independent Mr Justin Field, Portfolio Committee Chair The Greens Ms Cate Faehmann, Portfolio Committee Deputy Chair Animal Justice Party the Hon Mark Pearson MLC and Committee members Liberal Party the Hon Catherine Cusack MLC and the Hon Shayne Mallard MLC, The Nationals the Hon Ben Franklin MLC and Australian Labor Party the Hon Rose Jackson MLC and the Hon Adam Searle MLC seeking their support in securing the withdrawal of the Bill from the NSW Parliament and outlining council's concerns with the Bill.

- 6) That Council alerts the local media to the threat of future ratepayer funds being expended rather than developer levies for new infrastructure brought about by increased development under the proposed legislation and shares and promotes these messages via its digital and social media channels and via its networks.
- 7) That Council affirms its support to LGNSW and requests LGNSW continue advocating on our behalf to protect local government from any amendments to infrastructure contributions which leaves councils and communities exposed to expending ratepayer funds on new infrastructure made necessary by new development, currently the responsibility of developers.

Council Resolution**That Council**

- 1) Calls on the NSW Government to withdraw the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (the Bill) from the NSW Parliament.
- 2) Calls on the NSW Government to undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions system.
- 3) Calls on the NSW Government to de-couple the Independent Pricing and Regulatory Tribunal led review of the rate peg to include population growth from the infrastructure contributions reforms.
- 4) That Council writes to the local State Member Helen Dalton, the Premier the Hon Dominic Perrottet MP, Treasurer the Hon Matt Kean MP, Minister for Planning and Public Spaces the Hon Rob Stokes MP and Minister for Local Government the Hon Shelley Hancock MP seeking them to withdraw the Bill.
- 5) That Council writes to the Shadow Treasurer the Hon Daniel Mookhey MLC, Shadow Minister for Planning and Public Spaces Mr Paul Scully MP, Shadow Minister for Local Government Mr Greg Warren MP, The Greens Mr David Shoebridge MLC, Shooters, Fishers and Farmers Party the Hon Robert Borsak MLC, Animal Justice Party the Hon Emma Hurst MLC, Christian Democratic Party (Fred Nile Group) the Hon Fred Nile MLC, Independent Mr Justin Field, Portfolio Committee Chair The Greens Ms Cate Faehmann, Portfolio Committee Deputy Chair Animal Justice Party the Hon Mark Pearson MLC and Committee members Liberal Party the Hon Catherine Cusack MLC and the Hon Shayne Mallard MLC, The Nationals the Hon Ben Franklin MLC and Australian Labor Party the Hon Rose Jackson MLC and the Hon Adam Searle MLC seeking their support in securing the withdrawal of the Bill from the NSW Parliament and outlining council's concerns with the Bill.
- 6) That Council alerts the local media to the threat of future ratepayer funds being expended rather than developer levies for new infrastructure brought about by increased development under the proposed legislation and shares and promotes these messages via its digital and social media channels and via its networks.
- 7) That Council affirms its support to LGNSW and requests LGNSW continue advocating its behalf to protect local government from any amendments to infrastructure contributions which leaves councils and communities exposed to expending ratepayer funds on new infrastructure made necessary by new development, currently the responsibility of developers.

Moved Cr. Elstone, Seconded Cr. Evans**CARRIED**

9.8 WENTWORTH LOCAL ENVIRONMENTAL PLAN 2011 - REVIEW OF RURAL LAND PLANNING CONTROLS PLANNING PROPOSAL

File Number: RPT/21/575

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Michele Bos - Strategic Development Officer

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

Council's Health and Planning Department has prepared a Planning Proposal as an outcome of a Review of Rural Land Planning Controls paper.

The Planning Proposal seeks to amend the following planning provisions in the Wentworth Local Environmental Plan 2011:

- RU1 Primary Production land use table
- Part 4 Principal development standards relating to rural land
- Part 5 Miscellaneous provisions Clause 5.5
- Schedule 1 Additional permitted uses.

This report seeks Council endorsement to submit the Planning Proposal to the Department of Planning, Industry & Environment requesting a Gateway Determination to proceed.

Recommendation

That Council resolves to:

- a) Submit the Planning Proposal to amend the Wentworth Local Environmental Plan 2011 to the Minister for Planning and Public Spaces for consideration of a Gateway Determination in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979.
- b) Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

Council Resolution

That Council resolves to:

- a) Submit the Planning Proposal to amend the Wentworth Local Environmental Plan 2011 to the Minister for Planning and Public Spaces for consideration of a Gateway Determination in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979.
- b) Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

Moved Cr. Wheeldon, 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, MacAllister, McKinnon, Nichols, Nunan and Wheeldon.*

Against the Motion: *Nil.*

9.9 DELEGATED AUTHORITY APPROVALS AS AT END OF SEPTEMBER 2021

File Number: RPT/21/593

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Kerrie Copley - Administration Officer

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 September 2021, a total of 21 Development Applications and two S4.55 Modification Applications were determined under delegated authority by the Director Health and Planning.

The estimated value of the determined developments was \$2,232,602.00. This brings the year to date total to 138 Development Applications and 25 S4.55 Applications approved, with an estimated development value of \$20,701,120.00.

Recommendation

That Council:

- a) Received and notes the report for the month of September 2021.
- b) 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) Call a division in accordance with S375A of the *Local Government Act 1993 (NSW)*.

Council Resolution

That Council:

- a) Received and notes the report for the month of September 2021.
- b) 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) Call a division in accordance with S375A of the *Local Government Act 1993 (NSW)*.

Moved Cr. MacAllister, Seconded Cr. McKinnon

CARRIED

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

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

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

9.10 REDEVELOPMENT OF THE WENTWORTH SHIRE CIVIC CENTRE PROJECT UPDATE

File Number: RPT/21/578

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

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

As part of the Office of Local Government (OLG) Capital Expenditure Review, quarterly project update reports are to be provided to Council. The report includes overall progress of the project, identifies any budget variances that may impact on the project, and also identifies any issues that may have an adverse impact on the works.

Recommendation

That Council receives and notes the information contained within this report.

Council Resolution

That Council receives and notes the information contained within this report.

Moved Cr. MacAllister, Seconded Cr. Elstone

CARRIED

9.11 PROJECTS AND WORKS REPORT UPDATE - SEPTEMBER 2021

File Number: RPT/21/582

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Tarryn Kampman - Coordinator Roads & Engineering

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 projects and major works undertaken by the Roads and Engineering Department which have been completed during the month of September 2021.

Recommendation

That Council notes the major works undertaken for September and the scheduled works for following months.

Council Resolution

That Council notes the major works undertaken for September and the scheduled works for following months.

Moved Cr. McKinnon, Seconded Cr. Evans

CARRIED

10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

Cr Evans acknowledged the General Manager's efforts with the Covid-19 response and how much of his time this has consumed, especially with the breakout of Covid-19 in our own LGA. The staff should be supporting the General Manager in the running of the Council during this time. He would especially like to see teamwork extend throughout the entire staff group.

Cr MacAllister acknowledged and commended the Mayors media presence with the Mayor of Mildura and crossborder representatives. She felt it was topical, relevant and timely and the mayor represented Wentworth well in these discussions and appearances.

Cr Evans suggested that the user group committee for the EDS should be reconvened. Their input was invaluable 6 years ago and it would be ideal to have the committee provide updated information regarding design and function.

10.1 NEW HOSPITAL

Cr Bill Wheeldon requested that we make a representation to Far West Local Health District regarding not having a hospital near Murray House due to Covid-19.

The General Manager responded by advising that Far West Local Health District is currently undertaking clinical care modelling and the collaborative care project which will advise NSW Health and Health Infrastructure on the design, location and services required.

10.2 POSSIBLE FLOODING OF WENTWORTH CARAVAN PARK

Cr Jane MacAllister queried if flooding of the Wentworth Caravan Park was likely with current increasing flows in both the Murray River and Darling River.

Cr Elstone and Cr Evans advised that no accurate advice could be provided on this matter as yet. It is believed that if the catchment area gets further rainfall then there is a strong possibility of this occurring.

10.3 WENTWORTH PUMPOUT STATION

Cr Bill Wheeldon and Cr Peter Nunan questioned the status of the Wentworth and Dareton Effluent Disposal Stations (EDS)

The General Manager advised that \$829,884 in funding has been received for the Wentworth EDS and the project is currently in design and consultation phases. The Dareton EDS is also to be upgraded however funding has not been sourced at this stage.

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 for only 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, the recording of the meeting be suspended, and members of the press and public be excluded from 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 Replacemen - Approval of Tenders for replacement of Plant 664 Ford Ranger & Plant 665 Ford Ranger. (RPT/21/584)

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 Plant Replacement - Approval of Tenders for new plant item - Light Commercial Extra Cab 4x4 Utility. (RPT/21/585)

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 Plant Replacement - Approval of Tenders for replacement of Plant 345 & supply new Light Commercial Dual Cab 4x4 utility. (RPT/21/586)

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.

12.4 Plant Replacement - Approval of Tender for replacement of Plant 650 Isuzu LSU. (RPT/21/587)

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.

12.5 Panel Contract - Supply of Road Construction Materials - PC2122/03. (RPT/21/596)

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.

12.6 Panel Contract - Hire of Construction Plant & Equipment PC2122/02. (RPT/21/597)

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.

12.7 Panel Contract - Supply of Building Trades, Professional & Consultation Services PC2122/01. (RPT/21/599)

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.

12.8 Wentworth Shire Council Bridge Lifts and Maintenance - 12 month period - PT2021/09. (RPT/21/580)

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.

12.9 Wentworth Showgrounds Sewer Upgrade - PT2122/06. (RPT/21/570)

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.

Council Resolution

That Council adjourns into Closed Session, the recording of the meeting be suspended, and members of the press and public be excluded from 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.

Moved Cr. Nunan, Seconded Cr. MacAllister

CARRIED

12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

12.1 PLANT REPLACEMENT - APPROVAL OF TENDERS FOR REPLACEMENT OF PLANT 664 FORD RANGER & PLANT 665 FORD RANGER

File Number: RPT/21/584

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Samantha Wall - Projects Administration

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

REASON FOR CONFIDENTIALITY

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.

The General Manager advised that Council accepted the tender from Davison Motor Group for the supply of two Ford Ranger XL utilities for the total sum of \$132,918.59 inc GST, and accepted the trade price of \$56,000 inc GST for the Council owned Ford Rangers, plant item 664 and plant item 665 with a total changeover price of \$76,918.59 inc GST.

**12.2 PLANT REPLACEMENT - APPROVAL OF TENDERS FOR NEW PLANT ITEM -
LIGHT COMMERCIAL EXTRA CAB 4X4 UTILITY**

File Number: RPT/21/585

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Samantha Wall - Projects Administration

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

REASON FOR CONFIDENTIALITY

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.

The General Manager advised that that Council accepted the tender from Davison Motor Group for the supply of one Ford Ranger XL utility for the sum of \$72,774.80 inc GST.

**12.3 PLANT REPLACEMENT - APPROVAL OF TENDERS FOR
REPLACEMENT OF PLANT 345 & SUPPLY NEW LIGHT COMMERCIAL DUAL
CAB 4X4 UTILITY**

File Number: RPT/21/586

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Samantha Wall - Projects Administration

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

REASON FOR CONFIDENTIALITY

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.

The General Manager advised that Council accepted the tender from Davison Motor Group for the supply of two Ford Ranger XL utilities for the total sum of \$117,492.50 inc GST, and accepted the trade price of \$14,000 inc GST for the Council owned Nissan Navara, plant item 345 with a total changeover price of \$103,492.50 inc GST.

**12.4 PLANT REPLACEMENT - APPROVAL OF TENDER FOR
REPLACEMENT OF PLANT 650 ISUZU LSU**

File Number: RPT/21/587

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Samantha Wall - Projects Administration

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

REASON FOR CONFIDENTIALITY

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.

The General Manager advised that Council accepted the tender from Davison Motor Group for the supply of one Ford Ranger XL utility for the sum of \$52,337.19 inc GST, and accepted the trade price of \$24,500 inc GST for the Council owned Isuzu LSU, plant item 650 with a total changeover price of \$27,837.19 inc GST.

**12.5 PANEL CONTRACT - SUPPLY OF ROAD CONSTRUCTION MATERIALS
- PC2122/03**

File Number: RPT/21/596

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Tarryn Kampman - Coordinator Roads & Engineering

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

REASON FOR CONFIDENTIALITY

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.

The General Manager advised that Council approved the Panel Contract attached to this report for the supply of Road Construction Materials – PC2122/03 for a 12 month period.

**12.6 PANEL CONTRACT - HIRE OF CONSTRUCTION PLANT & EQUIPMENT
PC2122/02**

File Number: RPT/21/597

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Tarryn Kampman - Coordinator Roads & Engineering

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

REASON FOR CONFIDENTIALITY

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.

The General Manager advised that Council approved the Panel Contract attached to this report for the provision of Hire of Construction Plant & Equipment – PC2122/02 for a 12 month period.

**12.7 PANEL CONTRACT - SUPPLY OF BUILDING TRADES,
PROFESSIONAL & CONSULTATION SERVICES PC2122/01**

File Number: RPT/21/599

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Tarryn Kampman - Coordinator Roads & Engineering

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

REASON FOR CONFIDENTIALITY

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.

The General Manager advised that Council approved the Panel Contract attached to this report for the provision of Building Trades, Professional & Consultation Services PC2122/01 for a 12-month period.

**12.8 WENTWORTH SHIRE COUNCIL BRIDGE LIFTS AND MAINTENANCE -
12 MONTH PERIOD - PT2021/09**

File Number: RPT/21/580

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

REASON FOR CONFIDENTIALITY

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.

The General Manager advised that Council in accordance with the provisions of the Local Government (General) Regulation 2005, Section 178(1)(a) accepted the tender from AM Electrical Contracting Pty Ltd, Option 1, to undertake the Bridge Lift and Maintenance contract for a 12 month period for Contract PT2021/09 in the amount of \$365.00 inc GST per bridge lift, and authorise the Mayor and General Manager to sign the contract documentation and affix the Council Seal.

12.9 WENTWORTH SHOWGROUNDS SEWER UPGRADE - PT2122/06

File Number: RPT/21/570

Responsible Officer: Geoff Gunn - Director Roads and Engineering
Responsible Division: Roads and Engineering
Reporting Officer: Bernard Rigby - Manager Engineering Services
Leigh Driscoll - Project Engineer

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

REASON FOR CONFIDENTIALITY

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.

The General Manager advised that Council resolved to:

- a) Approves a budget variation from the Sewer Fund in the amount of \$152,550.00 exc GST for the sewer main connection works outside the Showground Reserve to Council's existing rising main infrastructure.
- b) In accordance with the provisions of the Local Government (General) Regulation 2005, Section 178(1)(a) accepts the tender for Contract PT2122/06, in the amount of \$464,092.41 inc GST submitted from Waters Excavation Pty Ltd and authorises the Mayor and General Manager to sign the contract documentation and affix the Council seal.

13 CONCLUSION OF THE MEETING

Meeting closed at 11:10am

NEXT MEETING

Extraordinary Meeting 3 November 2021

.....
CHAIR



WENTWORTH SHIRE COUNCIL

EXTRAORDINARY MEETING MINUTES

3 NOVEMBER 2021

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1 OPENING OF MEETING

The Mayor opened the meeting with a prayer at 10:06am

2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

PRESENT:

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

STAFF: Ken Ross (General Manager)
Simon Rule (Director Finance and Policy)
Gayle Marsden (Executive Assistant General Manager)

3 APOLOGIES AND LEAVE OF ABSENCE

Council Resolution

That Council notes the apologies and grants the Leave of Absence Request(s) from Cr Nunan and Cr McKinnon.

Moved Cr. Heywood, Seconded Cr. Wheeldon

CARRIED

4 DISCLOSURES OF INTERESTS

Director Roads And Engineering has declared a pecuniary interest in Item 7.1 as his son in law is a Contractor and as such the Director Roads and Engineering has been precluded from the entire Tender process for this item.

Council Resolution

That Council notes the disclosure of interest from the Director of Roads and Engineering.

Moved Cr. MacAllister, Seconded Cr. Evans

CARRIED

5 CONFIRMATION OF MINUTES

Minutes of 20 October 2021 Ordinary meeting to be confirmed at 17 November 2021 meeting.

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

NIL

7 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 for only 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, the recording of the meeting be suspended, and members of the press and public be excluded from 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:-

7.1 Willow Bend Caravan Park Upgrade - PT2122/03. (RPT/21/595)

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.

7.2 Extension to Wentworth Preschool - PT2021/10. (RPT/21/630)

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.

Council Resolution

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. MacAllister, Seconded Cr. Elstone

CARRIED

8 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

7.1 WILLOW BEND CARAVAN PARK UPGRADE - PT2122/03

File Number: RPT/21/595

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Taygun Saritoprak - Project 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

REASON FOR CONFIDENTIALITY

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.

The General Manager advised that during the closed session Council resolved:

- 1) That in accordance with the provisions of the Local Government (General) Regulation 2005, Section 178(1)(a) to accept the lump sum tender for Contract PT20212/03 in the amount of \$3,428,806.73 inc GST submitted from McMahon Services Australia and authorises the Mayor and General Manager to sign the contract documentation and affix the Council Seal; and
- 2) To approve the budget shortfall be funded via an extension to the already approved loan; and

7.2 EXTENSION TO WENTWORTH PRESCHOOL - PT2021/10

File Number: RPT/21/630

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Ivan McKenzie - Infrastructure Projects 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

REASON FOR CONFIDENTIALITY

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.

The General Manager advised that during the closed session Council resolved:

- 1) That in accordance with the provisions of the Local Government (General) Regulation 2005, Section 178(1)(a) accept the lump sum tender for Contract PT2021/10 in the amount of \$874,010.50 inc GST submitted from CPM Building Contractors Pty Ltd and authorises the Mayor and General Manager to sign the contract documentation and affix the Council Seal, and
- 2) To allocate \$209,000 from the capital projects reserve to cover the grant shortfall.

9 CONCLUSION OF THE MEETING

Meeting Closed at 11:46am

NEXT MEETING

17 November 2021

.....
CHAIR

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

NIL

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/21/460

Summary

The purpose of this report is to advise Council of meetings, conferences and appointments undertaken by Mayor Nichols for the period of 21 October 2021 – 9 November 2021.

Recommendation

That Council notes the information contained in the Mayoral report.

Report

The following table lists the meetings attended by Mayor Nichols for the period of 21 October 2021 – 9 November 2021.

| Date | Meeting | Location |
|-------------|--|------------------|
| 21 Oct 2021 | Murray Regional Tourism AGM | Video Conference |
| 26 Oct 2021 | Internal Audit & Risk Management Committee Meeting | Wentworth |
| 26 Oct 2021 | Mayoral Meeting | Wentworth |
| 27 Oct 2021 | FSWJO & FNWJO Board Meeting | Video Conference |
| 29 Oct 2021 | FWJO Board Meeting | Video Conference |
| 2 Nov 2021 | Mayoral Meeting | Wentworth |
| 3 Nov 2021 | Extraordinary Council Meeting | Wentworth |
| 5 Nov 2021 | Country Mayors Meeting | Video Conference |
| 9 Nov 2021 | Mayoral Meeting | Wentworth |

Attachments

Nil

8 REPORTS FROM COMMITTEES

8.1 INTERNAL AUDIT & RISK MANAGEMENT COMMITTEE

File Number: RPT/21/654

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

A meeting of the Internal Audit & Risk Management Committee was held on 26 October 2021. 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 following:

- Approval of the variations to the 2021/2022 Operational Plan

The Committee has also requested Council notes the:

- Notes the Governments response to the ICAC investigation of the former Canterbury Council;
- Notes the Interim Audit Management Letter;
- Notes the new Credit Card Guidelines; and
- Quarterly Operational Plan Progress Report

Officer Recommendation

That Council:

- a) Approves the variations to the 2021/2022 Operational Plan adopted at the Council meeting on 30 June 2021
- b) Notes the Government's response to the ICAC investigation into the former Canterbury Council;
- c) Notes the Interim Audit Management Letter;
- d) Notes the new Credit Card Guidelines; and
- e) Notes the quarterly progress report against the 2021/2022 Operational Plan.

Additional Information

March Quarterly Budget Review

The report and attachments presented to the Committee on the September Quarterly Budget Review are attached to this report. If approved, the net result of variances for the September 2021 quarterly review is a favourable operational variance of \$1,541,000 and an unfavourable capital variance of \$3,762,000. A total unfavourable budget variation of \$2,221,000.

Quarterly Operational Plan Progress Report

A report on the progress with implementing the four year delivery program of Council is required to be presented at least every six (6) months (LGA s404(5)). To streamline the

process and align it with the Quarterly Budget Reporting, this report is now being presented each quarter, to provide a more comprehensive overview of the progress against projects when considering any changes to the budget.

The quarterly progress report on Operational Plan activities for the first quarter of the 2021/2022 financial year is attached. This report reflects on all actions up until 30 September 2021.

Attachments

1. Minutes - Internal Audit & Risk Management Committee 26 October 2021 [↓](#)
2. Quaterly Budget Review Statement 30 June 2021 [↓](#)
3. Operational Plan Progress Report as at 30 September 2021 [↓](#)
4. DPIE Action Plan [↓](#)
5. Interim Audit Management Letter [↓](#)



WENTWORTH SHIRE COUNCIL

INTERNAL AUDIT & RISK MANAGEMENT COMMITTEE MEETING MINUTES

26 OCTOBER 2021

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1 OPENING OF MEETING

2 PRESENT

COUNCILLORS

Councillor Susan Nichols (Mayor)

Councillor Tim Elstone

Councillor Jane MacAllister

Councillor Greg Evans

STAFF (non- voting members)

Simon Rule (Director Finance and Policy)

Bryce Watson (Accountant)

Jess O'Neill (Business Support Officer)

3 APOLOGIES

Councillor Peter Nunan

Ken Ross (General Manager)

4 DECLARATIONS OF PECUNIARY INTEREST AND CONFLICTS OF INTEREST

None Declared

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Recommendation

That the Minutes of the Internal Audit & Risk Management Committee Meeting held 29 July 2021 be confirmed as circulated.

Committee Resolution

That the Minutes of the Internal Audit & Risk Management Committee Meeting held 29 July 2021 be confirmed as circulated.

Moved Cr. Elstone, Seconded Cr. MacAllister

CARRIED

6 REPORTS

6.1 SEPTEMBER QUARTERLY BUDGET REVIEW

File Number: RPT/21/616

Responsible Officer: Simon Rule - Director Finance and Policy
 Responsible Division: Finance and Policy
 Report Author: Simon Rule - Director Finance and Policy
 Bryce Watson - Accountant

Summary

A full analysis of Council's Income, Operating Expenditure and Capital Expenditure has been undertaken. A number of variations have been identified against the original budget as outlined in this report. Council's revenue and expenditure is reviewed on a quarterly basis to identify any potential areas requiring a variation.

| | YTD Actual (30-Sep-2021) | % of Original Budget | % of Revised Budget |
|--------------------------------|--------------------------|----------------------|---------------------|
| Revenue | \$13,037,926 | 31.93% | 29.22% |
| Operational Expenditure | \$6,407,053 | 25.34% | 23.28% |
| Capital Expenditure | \$3,430,805 | 11.44% | 10.16% |

If approved, the net result of variances for the September 2021 Quarter is a favorable operational variance of \$1,541,000 and an unfavorable capital variance of \$2,441,000. Resulting in a total unfavorable budget variation of \$900,000.

Recommendation

That the Internal Audit and Risk Management Committee recommends that Council approves the variations to the 2020/21 Operational Plan adopted at the Council Meeting on 30 June 2021.

Committee Resolution

That the Internal Audit and Risk Management Committee recommends that Council approves the variations to the 2020/21 Operational Plan adopted at the Council Meeting on 30 June 2021.

Moved Cr. MacAllister, Seconded Cr. Elstone

CARRIED

6.2 DELIVERY PROGRAM PROGRESS UPDATE

File Number: RPT/21/617

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

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 progress report on the implementation of Council's 4-year Delivery program is required to be presented at least every six (6) months (LGA s404(5)). This report details the activities implemented under the annual operational plan in the last quarter, as per the Delivery program. It aligns with the expenditure provided in the September Quarterly Budget Review.

Recommendation

The Committee recommends that Council notes the quarterly progress update on the 2021/22 Operational Plan activities.

Committee Resolution

The Committee recommends that Council notes the quarterly progress update on the 2021/22 Operational Plan activities.

Moved Cr. MacAllister, Seconded Cr. Evans

CARRIED

**6.3 GOVERNMENT RESPONSE TO ICAC INVESTIGATION OF THE FORMER
CANTERBURY COUNCIL.**

File Number: RPT/21/620

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Report Author: Simon Rule - Director Finance and Policy

Summary

At the Pre-Council briefing on September 15 2021 the Director Finance & Policy provided Councilors and senior staff with an overview of the recent ICAC investigation into the former Canterbury City Council. As a result of the investigation the Commission made 23 corruption prevention recommendations.

Recommendation

The Committee recommends that Council notes the report.

Committee Resolution

The Committee recommends that Council notes the report.

Moved Cr. MacAllister, Seconded Cr. Elstone

CARRIED

6.4 2020-2021 INTERIM AUDIT MANAGEMENT LETTER.

File Number: RPT/21/621

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Report Author: Simon Rule - Director Finance and Policy

Summary

During the conduct of the 2020-2020 Interim Audit, the Audit Office reviewed eight issues that Council staff were addressing from previous audits and identified one new issue.

At the time of writing this report 4 issues have been addressed and 5 remain a work in progress.

Recommendation

That the Internal Audit and Risk Management Committee notes the report.

Committee Resolution

That the Internal Audit and Risk Management Committee notes the report.

Moved Cr. Elstone, Seconded Cr. Evans

CARRIED

6.5 GUIDANCE ON THE USE AND MANAGEMENT OF CREDIT CARDS

File Number: RPT/21/622

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Report Author: Simon Rule - Director Finance and Policy

Summary

On 13 September 2020 the Office of Local Government release circular 21-29 –guidelines on the use and management of credit cards. Councils are required to take these guidelines into consideration when reviewing or developing their credit card policy. This is to ensure greater consistency across the local government sector in terms of how credit cards are managed and inherent risks are minimised.

The use and management of credits cards in Council are currently governed by the procurement policy and the accompanying procurement manual. The Director Finance & Policy has undertaken an initial review of the guidance material and is confident that the current procedures contained in the procurement manual are consistent with the guidance material contained with part B of the guidelines.

Council currently does not have a stand-alone policy, having reviewed the guidelines and having consulted with the General Manager, the Director Finance & Policy will develop a stand-alone credit card policy.

Recommendation

The Committee recommends that Council notes the report.

Committee Resolution

The Committee recommends that Council notes the report.

Moved Cr. Elstone, Seconded Cr. MacAllister

CARRIED

7 NEXT MEETING

Date to be confirmed.

8 CLOSURE

The meeting was declared closed at 11:27am.

Wentworth Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

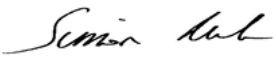
Report by responsible accounting officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

30 September 2021

It is my opinion that the Quarterly Budget Review Statement for Wentworth Shire Council for the quarter ended 30/09/21 indicates that Council's projected financial position at 30/6/22 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed:



date: 19/10/2021

Simon Rule
Responsible accounting officer

Wentworth Shire Council

Quarterly Budget Review Statement

for the period 01/07/21 to 30/09/21

Income & expenses budget review statement

Budget review for the quarter ended 30 September 2021

Income & expenses - Council Consolidated

| | Original budget 2021/22 | Approved Changes | | | | Revised budget 2021/22 | Variations for this Sep Qtr | Notes | Projected year end result | Actual YTD figures | Variance Surplus (Deficit) | Notes |
|--|-------------------------|------------------|--------------------|----------|----------|------------------------|-----------------------------|-------|---------------------------|--------------------|----------------------------|-------|
| | | Carry forwards | Other than by QBRs | Sep QBRs | Dec QBRs | | | | | | | |
| Income | | | | | | | | | | | | |
| Rates and annual charges | 9,370 | | | | | 9,370 | 2,727 | a | 9,370 | 9,377 | 7 | a |
| User charges and fees | 5,286 | | | | | 5,286 | | b | 8,013 | 1,193 | (4,093) | b |
| Other revenues | 1,232 | | | | | 1,232 | | c | 1,232 | 309 | (923) | c |
| Other income | - | | | | | - | | d | - | - | - | d |
| Grants and contributions - operating | 9,850 | | | | | 9,850 | | e | 9,850 | 1,696 | (8,154) | e |
| Grants and contributions - capital | 14,664 | | | | | 14,664 | 1,058 | f | 15,722 | 437 | (14,227) | f |
| Interest and investment revenue | 334 | | | | | 334 | | g | 334 | 27 | (307) | g |
| Net gain from disposal of assets | 100 | | | | | 100 | | h | 100 | - | (100) | h |
| Total income from continuing operations | 40,836 | - | - | - | - | 40,836 | 3,785 | | 44,621 | 13,039 | (27,797) | |
| Expenses | | | | | | | | | | | | |
| Employee benefits and on-costs | 10,291 | | | | | 10,291 | | i | 10,291 | 3,017 | 7,274 | i |
| Borrowing costs | 291 | | | | | 291 | | j | 291 | 35 | 256 | j |
| Materials and services | 4,051 | | | | | 4,051 | 2,244 | k | 6,295 | 568 | 3,483 | k |
| Depreciation and amortisation | 7,123 | | | | | 7,123 | | l | 7,123 | 1,658 | 5,465 | l |
| Other expenses | 3,526 | | | | | 3,526 | | m | 3,526 | 1,129 | 2,397 | m |
| Interest & investment losses | - | | | | | - | | n | - | - | - | n |
| Net Loss from disposal of assets | - | | | | | - | | o | - | - | - | o |
| Total expenses from continuing operations | 25,282 | - | - | - | - | 25,282 | 2,244 | | 27,526 | 6,407 | 18,875 | |
| Net operating result from continuing operations | 15,554 | - | - | - | - | 15,554 | 1,541 | | 17,095 | 6,632 | (8,922) | |
| Discontinued operations - surplus/(deficit) | | | | | | - | | p | - | - | - | p |
| Net operating result from all operations | 15,554 | - | - | - | - | 15,554 | 1,541 | | 17,095 | 6,632 | (8,922) | |
| Net Operating Result before Capital Items | 890 | - | - | - | - | 890 | 483 | | 1,373 | 6,195 | 5,305 | |

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 30/09/2021 and should be read in conjunction with the total QBRs report

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Budget Variations being recommended include the following material items:

[illegible]

Quarterly Budget Review Statement

for the period 01/07/21 to 30/09/21

Wentworth Shire Council

Capital budget review statement

Budget review for the quarter ended 30 September 2021

Capital budget - Council Consolidated

| | Original budget 2021/22 | Approved changes | | | Revised budget 2021/22 | Variations for this Sep Qtr | Notes | Projected year end result | Actual YTD figures | Variance Surplus (Deficit) | Notes |
|--|-------------------------|------------------|--------------------|----------|------------------------|-----------------------------|-------|---------------------------|--------------------|----------------------------|-------|
| | | Carry forwards | Other than by QBRs | Sep QBRs | Dec QBRs | | | | | | |
| Capital expenditure (\$'000's) | | | | | | | | | | | |
| New assets | | | | | | | | | | | |
| - Plant & equipment | 904 | | | | | 904 | a | 979 | 929 | (25) | a |
| - Land & buildings | 3,347 | | | | | 3,347 | b | 3,347 | 157 | 3,190 | b |
| - Other | 1,310 | | | | | 1,310 | c | 1,310 | 103 | 1,207 | c |
| Renewal assets (replacement) | | | | | | | | | | | |
| - Plant & equipment | 1,929 | 320 | | | | 2,249 | d | 2,249 | 278 | 1,971 | d |
| - Land & buildings | 7,577 | 307 | 98 | | | 7,982 | e | 8,080 | 139 | 7,843 | e |
| - Roads, bridges, footpaths | 12,180 | 904 | (128) | | | 12,956 | f | 14,104 | 1,616 | 11,340 | f |
| - Other | 571 | 180 | 30 | | | 781 | g | 781 | 5 | 776 | g |
| Loan repayments (principal) | 635 | | | | | 635 | h | 635 | 78 | 557 | h |
| Water Infrastructure | 642 | 355 | | | | 997 | i | 997 | 107 | 890 | i |
| Sewer Infrastructure | 895 | 375 | | | | 1,270 | j | 1,270 | 18 | 1,252 | j |
| Total capital expenditure | 29,990 | 2,441 | - | - | - | 32,431 | | 33,752 | 3,430 | 29,001 | |
| Capital funding | | | | | | | | | | | |
| Rates & other untied funding | 7,973 | 1,050 | | | | 9,023 | k | 9,286 | 1,306 | (7,717) | k |
| Capital grants & contributions | 14,664 | | | | | 14,664 | l | 15,722 | 551 | (14,113) | l |
| Reserves: | | | | | | | | | | | |
| - External restrictions/reserves | 1,453 | 921 | | | | 2,374 | m | 2,374 | 673 | (1,701) | m |
| - Internal restrictions/reserves | | | | | | - | n | - | - | - | n |
| New loans | 5,900 | | | | | 5,900 | o | 5,900 | 900 | (5,000) | o |
| Receipts from sale of assets | | | | | | | | | | | |
| - Plant & equipment | | | | | | - | p | - | - | - | p |
| - Land & buildings | | | | | | - | q | - | - | - | q |
| Total capital funding | 29,990 | 1,971 | - | - | - | 31,961 | | 33,282 | 3,430 | (28,531) | |
| Net capital funding - surplus/(deficit) | - | (470) | - | - | - | (470) | | (470) | - | 470 | |

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 30/09/2021 and should be read in conjunction with the total QBRs report

Wentworth Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Capital budget review statement
Recommended changes to revised budget

Budget variations being recommended include the following material items:

| Notes | Details |
|-------|--|
| a | New - Plant and Equipment Council Variation Integrated Management System \$75,000 Continuation of the existing purchase order for the implementation of Councils new integrated Management System with Open office holdings |
| b | New - Land & Buildings |
| c | New - Other Assets |
| d | Renewal - Plant and Equipment Carried Forward From 2021 Financial Year Buronga Landfill 11m Tip Truck \$246,000 Buronga Landfill 12m Dog Tipping Trailer \$74,000 |
| e | Renewal - Land & Buildings Carried Forward From 2021 Financial Year Cemetery Shed Upgrades \$38,000 Buronga Riverfront Stage 2 \$22,000 Dareton Travellers Rest \$59,000 CCTV Dareton \$20,000 CCTV Wentworth \$20,000 Wentworth Rowing Club Electrical Upgrade \$25,000 Junction Park Electrical Upgrade \$20,000 Buronga Reserves Electrical Upgrade \$20,000 Pooncarie Parks Toilet Upgrade \$65,000 Dareton Reserves Electrical Upgrade \$18,000 Council Variation Old Curlwaa Hall Demolition \$18,000 Budget needed to demolish the old Curlwaa hall from council approval July 2020 to comply with demolition order Wentworth Riverfront Wall Remediation \$60,000 Due to increase in project scope relating to steel prices and further environmental impact survey costs related to the project Septic System Repair Pooncarie Hall \$20,000 Necessary repairs to the damaged hall septic system |
| f | Renewal - Roads Bridges & Footpaths Carried Forward From 2021 Financial Year High Darling Road \$280,000 Dareton Street Lighting Upgrade \$50,000 Pitman Avenue Shared Path and Ramps \$104,000 Aerodrome Stage 1 \$470,000 |

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Wentworth Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Cash & investments budget review statement

The YTD cash & investment figure reconciles to the actual balances held as follows:

\$ 000's

| | | |
|--|---------------------|---------------|
| Cash at bank (as per bank statements) | | 2,458 |
| Investments on hand | | 35,041 |
| less: unpresented cheques | (Timing Difference) | 26 |
| add: undeposited funds | (Timing Difference) | 7 |
| Reconciled cash at bank & investments | | 37,532 |
| Balance as per QBRS review statement: | | 37,532 |
| Difference: | | - |

Recommended changes to revised budget

Budget variations being recommended include the following material items:

Notes Details

Wentworth Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Key performance indicators budget review statement - Industry KPI's (OLG)

Budget review for the quarter ended 30 September 2021

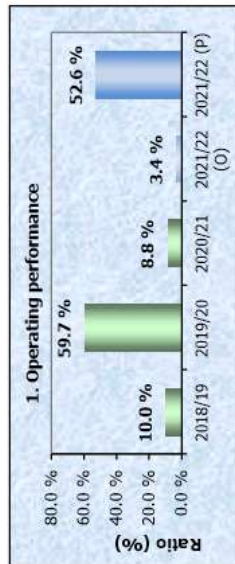
| (\$000's) | Current projection | | Original budget | Actuals prior periods |
|-----------|--------------------|-----------------|-----------------|-----------------------|
| | Amounts 21/22 | Indicator 21/22 | 21/22 | 20/21 19/20 |

NSW local government industry key performance indicators (OLG):

1. Operating performance

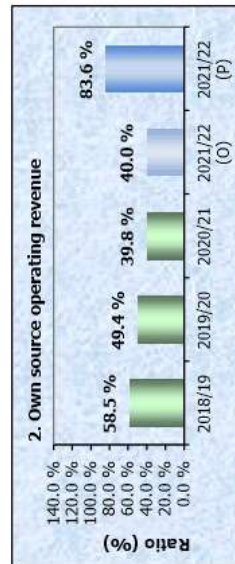
| | | | | |
|--|-------|--------|-------|--------------|
| Operating revenue (excl. capital) - operating expenses | 6632 | | | |
| Operating revenue (excl. capital grants & contributions) | 12602 | 52.6 % | 3.4 % | 8.8 % 59.7 % |

This ratio measures Council's achievement of containing operating expenditure within operating revenue.

**2. Own source operating revenue**

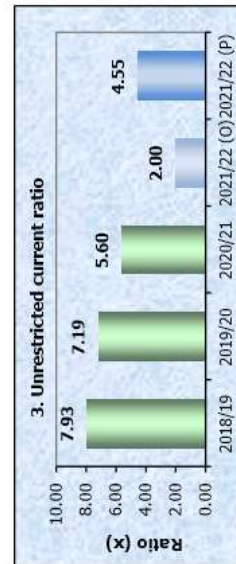
| | | | | |
|---|-------|--------|--------|---------------|
| Operating revenue (excl. ALL grants & contributions) | 10906 | | | |
| Total Operating revenue (incl. capital grants & cont) | 13039 | 83.6 % | 40.0 % | 39.8 % 49.4 % |

This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants & contributions.

**3. Unrestricted current ratio**

| | | | | |
|---|-------|------|------|-----------|
| Current assets less all external restrictions | 14608 | | | |
| Current liabilities less specific purpose liabilities | 3211 | 4.55 | 2.00 | 5.60 7.19 |

To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council.



Wentworth Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Key performance indicators budget review statement - Industry KPI's (OLG)

Budget review for the quarter ended 30 September 2021

| (\$000's) | Current projection | | Original budget | Actuals prior periods |
|-----------|--------------------|-----------|-----------------|-----------------------|
| | Amounts | Indicator | | |
| | 21/22 | 21/22 | 21/22 | 20/21 19/20 |

NSW local government industry key performance indicators (OLG):

4. Debt service cover ratio

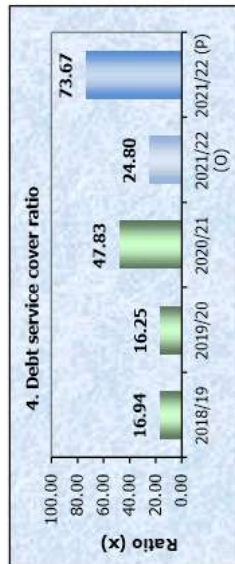
Operating result before interest & dep. exp (EBITDA)
Principal repayments + borrowing interest costs

8325
113

73.67

24.80

47.83 16.25



This ratio measures the availability of operating cash to service debt including interest, principal and lease payments.

5. Rates, annual charges, interest & extra charges outstanding

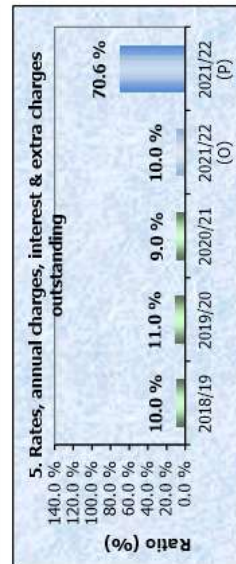
Rates, annual & extra charges outstanding
Rates, annual & extra charges collectible

6620
9377

70.6 %

10.0 %

9.0 % 11.0 %



To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts.

6. Cash expense cover ratio

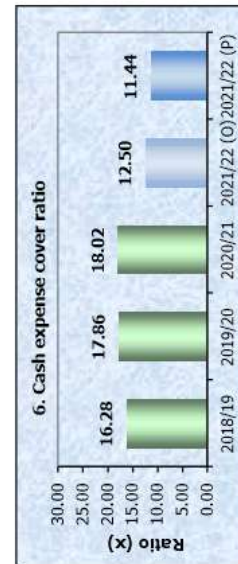
Current year's cash & cash equivalents (incl term deposits)
Operating & financing activities cash flow payments

37499
3279

11.44

12.50

18.02 17.86



This liquidity ratio indicates the number of months a Council can continue paying for its immediate expenses without additional cash inflow.

Wentworth Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Key performance indicators budget review statement - Industry KPI's (OLG)

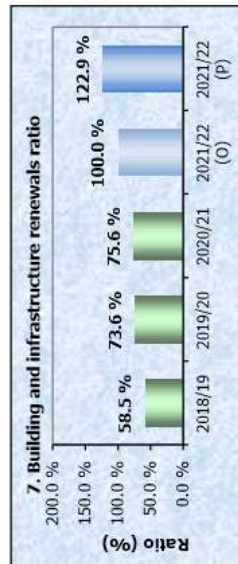
Budget review for the quarter ended 30 September 2021

| (\$000's) | Current projection | | Original budget | Actuals prior periods |
|-----------|--------------------|-----------|-----------------|-----------------------|
| | Amounts | Indicator | 21/22 | 20/21 |

NSW Local Government Infrastructure Asset Performance Indicators (OLG):

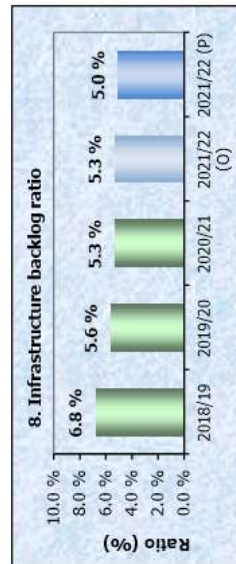
| | | | | |
|--|------|---------|---------|--------|
| 7. Building and infrastructure renewals ratio | | | | |
| Asset renewals (building, infrastructure & other structures) | 2038 | 122.9 % | 100.0 % | 75.6 % |
| Depreciation, amortisation & impairment | 1658 | | | 73.6 % |

To assess the rate at which these assets are being renewed relative to the rate at which they are depreciating.



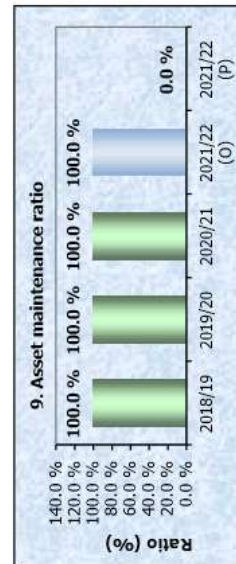
| | | | | |
|---|--------|-------|-------|-------|
| 8. Infrastructure backlog ratio | | | | |
| Estimated cost to bring assets to a satisfactory condition | 21450 | 5.0 % | 5.3 % | 5.6 % |
| Total value of infrastructure, building, other structures & depreciable land improvement assets | 424867 | | | |

This ratio shows what proportion the backlog is against the total value of a Council's infrastructure.



| | | | | |
|-----------------------------------|-----|-------|---------|---------|
| 9. Asset maintenance ratio | | | | |
| Actual asset maintenance | N/A | 0.0 % | 100.0 % | 100.0 % |
| Required asset maintenance | | | | |

Compares actual vs. required annual asset maintenance. A ratio above 1.0 indicates Council is investing enough funds to stop the Infrastructure Backlog growing.



Wentworth Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Key performance indicators budget review statement - Industry KPI's (OLG)

Budget review for the quarter ended 30 September 2021

| (\$000's) | Current projection | | Original budget | Actuals prior periods |
|-----------|--------------------|-----------|-----------------|-----------------------|
| | Amounts | Indicator | 21/22 | 20/21 19/20 |

NSW Local Government Infrastructure Asset Performance Indicators (OLG):

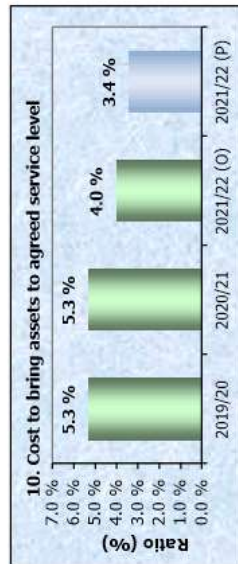
10. Cost to bring assets to agreed service level

Estimated cost to bring assets to an agreed service level set by council

| | | | | |
|-------|-------|-------|-------|-------|
| 21/22 | 21/22 | 21/22 | 20/21 | 19/20 |
| 21450 | 3.4 % | 4.0 % | 5.3 % | 5.3 % |

Gross replacement cost

This ratio provides a snapshot of the proportion of outstanding renewal works compared to the total value of assets under Council's care and stewardship.

**11. Capital expenditure ratio**

Annual capital expenditure

| | | | | |
|-------|-------|-------|-------|-------|
| 21/22 | 21/22 | 21/22 | 20/21 | 19/20 |
| 33752 | 4.7 | N/A | N/A | N/A |

Annual depreciation

To assess the extent to which a Council is expanding its asset base thru capital expenditure on both new assets and the replacement and renewal of existing assets.

Wentworth Shire Council

Quarterly Budget Review Statement

for the period 01/07/21 to 30/09/21

Contracts budget review statement

Budget review for the quarter ended 30 September 2021

Part A - Contracts listing - contracts entered into during the quarter

| Contractor | Contract detail & purpose | Contract value | Start date | Duration of contract | Budgeted (Y/N) | Notes |
|--------------------------------|--|----------------|------------|----------------------|----------------|-------|
| Waters Excavations Pty Ltd | PT2122/01 Wentworth Aerodrome – Stage 3 – Supply of VIC Roads Class 3 Road Base Material | \$252,867.00 | 20/08/21 | 3 Months | Y | |
| Advanced Airport Lighting | PT2122/02 Wentworth Aerodrome – Stage 3 – Lighting and Electrical | \$414,631.82 | 30/09/21 | 6 Months | Y | |
| Sterline Racing Pty Ltd | Design and Construction of Racing Tower for Wentworth Showgrounds | \$149,170.00 | 14/07/21 | 4 Months | Y | |
| Stabilised Pavements Australia | Provision of Stabilisation Services for the 21/22 Heavy Patching Projects | \$61,210.00 | 06/09/21 | 3 Months | Y | |
| Waters Excavations | Stormwater and Erosion Reinstatement Works at Carramar Basin | \$60,318.68 | 26/05/21 | 3 Months | Y | |
| Primal Surfacing | Reseal Program 2021/22 | \$1,327,778.70 | 07/10/21 | 3 Months | Y | |
| LP & J Wilkie Pty Ltd | Daraton Travellers Rest - Supply and Construction | \$124,520.00 | 20/07/21 | 6 Months | Y | |

Notes:

1. Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000 - whatever is the lesser.
2. Contracts listed are those entered into during the quarter being reported and exclude contractors on Council's Preferred Supplier list.
3. Contracts for employment are not required to be included.

This statement forms part of Council's Quarterly Budget Review Statement (QBR) for the quarter ended 30/09/2021 and should be read in conjunction with the total QBR report.

Wentworth Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Consultancy & legal expenses budget review statement

Consultancy & legal expenses overview

| Expense | YTD expenditure (actual dollars) | Budgeted (Y/N) |
|----------------|---|---------------------------|
| Consultancies | 202,822 | Y |
| Legal Fees | 18,329 | Y |

Definition of a consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

Comments

Expenditure included in the above YTD figure but not budgeted includes:

Details

Quarterly Progress Report against 2021/22 Operational Plan

| | Exp Prev Fin Yrs | Proposed Q1 Budget | September Review |
|--|-----------------------|-----------------------|---------------------|
| 1.1 Grow the potential for business and industry to develop and expand | \$392,032.93 | \$359,212.00 | \$123,958.08 |
| Annual Program | | | |
| Building Control Operational Costs | | \$109,212.00 | \$109,352.40 |
| Legal | | | |
| 1930-2999-0018 Land Acquisitions | \$392,032.93 | \$250,000.00 | \$14,605.68 |
| 1.2 Encourage and support population growth and resident attraction | \$7,510,175.55 | \$3,438,328.00 | \$602,794.78 |
| Annual Program | | | |
| 1555-2999-0006 Waste Bins Replacement | \$0.00 | \$12,500.00 | \$0.00 |
| 1865-2999-0010 Sharedways | \$2,612.25 | \$40,000.00 | \$0.00 |
| Housing & Community Amenities Operational Costs | | \$1,365,406.00 | \$293,174.07 |
| Close Out | | | |
| 1865-2999-0025 Active Transport Sharedway Gol | \$97,638.65 | \$0.00 | \$34,087.32 |
| Construction Phase | | | |
| 1445-2999-0005 Cemetery Shed Upgrades | \$2,403.00 | \$38,000.00 | \$4,659.60 |
| 1865-2999-0009 Pitman Ave Shared Path & Ramps | \$2,830.28 | \$104,000.00 | \$39,822.36 |
| 1870-2999-0000 Aerodromes - Capital Works | \$7,371,834.55 | \$1,148,000.00 | \$227,095.59 |
| Pre-construction Phase | | | |
| 1316-2999-0002 WW Extended Day Care | \$32,856.82 | \$670,422.00 | \$3,955.84 |
| 1915-2999-0012 Purchase and Installation of Flagtrax | \$0.00 | \$60,000.00 | \$0.00 |
| 2.1 Grow visitation to the Shire by developing a quality visitor experience and promoting our destination | \$558,668.04 | \$4,241,277.00 | \$301,855.87 |
| Annual Program | | | |
| Economic Affairs Operational Costs | | \$1,454,277.00 | \$252,517.85 |
| 1551-2999-0005 Street Furniture | \$0.00 | \$21,000.00 | \$0.00 |
| Construction Phase | | | |
| 1546-2999-0015 Dareton Travellers Rest | \$2,066.93 | \$124,000.00 | \$5,256.84 |
| 1548-2999-0005 Pooncarie Bird Hides along Camp Ground & River x2 | \$6,026.09 | \$30,000.00 | \$2,081.26 |
| Pre-construction Phase | | | |
| 1960-2999-0003 Willowbend Caravan Park Redevelopment | \$14,413.75 | \$2,512,000.00 | \$8,754.92 |
| Completed | | | |
| 1547-2999-0001 Buronga Riverfront Masterplan | \$313,951.42 | \$100,000.00 | \$20,881.25 |
| 2.2 Enhance access to local health and aged care services | | \$295,505.00 | \$33,448.42 |
| Annual Program | | | |
| Health Services Operational Costs | | \$295,505.00 | \$33,448.42 |
| 2.4 Enhance access to education, skills and training. | \$52,941.54 | \$78,500.00 | \$26,506.99 |
| Annual Program | | | |
| 1505-2999-0001 New & Replacement Bookstocks | \$41,691.83 | \$55,000.00 | \$25,896.29 |
| 1505-2999-0014 Library Local Special Project | \$11,249.71 | \$23,500.00 | \$610.70 |
| 2.5 Maintain/create desirable open spaces and recreation facilities | \$4,436,709.97 | \$5,099,281.00 | \$719,069.12 |
| Annual Program | | | |
| 1555-2999-0003 Tree Replace Under Power Lines | \$5,045.75 | \$25,000.00 | \$0.00 |
| 1555-2999-0005 Tree Management Strategy | \$31,811.49 | \$30,000.00 | \$113.54 |
| 1555-2999-0008 Shire Wide Post & Rail Replacement | \$42,224.73 | \$20,000.00 | \$219.59 |
| Recreation & Culture Operational Costs | | \$2,289,599.00 | \$494,047.25 |
| Close Out | | | |
| 1545-2999-0033 BBQ & Picnic Tables Fotherby Park | \$23,983.93 | \$18,000.00 | \$5,407.03 |
| Construction Phase | | | |
| 1545-2999-0012 Wentworth Riverfront Wall Remediation | \$192,391.31 | \$435,000.00 | \$2,398.47 |
| 1548-2999-0001 Pooncarie Parks Toilet Block | \$105,327.55 | \$65,000.00 | \$120.00 |
| 1556-2999-0004 WW Showground Tower & Shade | \$7,546.58 | \$250,000.00 | \$65,433.78 |
| 1557-2999-0001 Wentworth Sporting Complex | \$372,891.50 | \$200,000.00 | \$544.83 |
| Planning Phase | | | |
| 1535-2999-0004 Wentworth Pool Tiling | \$5,169.26 | \$80,000.00 | \$0.00 |
| 1545-2999-0006 Junction Island Bridge | \$17,645.04 | \$0.00 | \$3,053.66 |
| 1555-2999-0012 CCTV Dareton | \$0.00 | \$20,000.00 | \$0.00 |
| 1555-2999-0013 CCTV Wentworth | \$478.24 | \$20,000.00 | \$0.00 |
| 1556-2999-0003 Wentworth Showgrounds Sewer Upgrade | \$171.92 | \$339,732.00 | \$792.56 |
| 1545-2999-0039 CRIF Astronomy Park | \$0.00 | \$679,316.00 | \$0.00 |
| Pre-construction Phase | | | |
| 1545-2999-0030 WW Rowing Club Building Extension | \$1,669.88 | \$219,187.00 | \$9,303.67 |
| Completed | | | |
| 1545-2999-0023 Wentworth Showgrounds Pavillion | \$1,097,007.00 | \$25,000.00 | \$4,369.09 |
| 1526-2999-0001 Curlwaa Hall Renewal | \$564,201.81 | \$25,000.00 | \$20,077.71 |
| 1528-2999-0001 Anabranah Hall Upgrade | \$195,000.26 | \$0.00 | \$3,669.00 |
| 1543-2999-0003 Carramar Drive Oval Fencing | \$15,360.40 | \$15,000.00 | \$23,909.15 |
| 1545-2999-0031 W/Worth Rowing Club Reserve Electrical Upgrade | \$38,805.83 | \$25,000.00 | \$9,841.24 |
| 1545-2999-0032 Junction Park Reserve Electrical upgrade | \$23,578.40 | \$20,000.00 | \$1,266.22 |
| 1546-2999-0017 Dareton Reserves Electrical Upgrades | \$15,496.49 | \$18,000.00 | \$1,165.27 |
| 1546-2999-0018 BBQ & Picnic Table Dareton | \$8,237.31 | \$0.00 | \$10,706.98 |
| 1547-2999-0008 Buronga Reserves Electrical Upgrade | \$15,496.47 | \$20,000.00 | \$2,390.11 |
| 1547-2999-0009 George Gordon Oval Fencing | \$15,497.47 | \$0.00 | \$246.66 |

Quarterly Progress Report against 2021/22 Operational Plan

| | Exp Prev Fin Yrs | Proposed Q1 Budget | September Review |
|--|------------------------|------------------------|-----------------------|
| 1547-2999-0010 Buronga Riverfront Stage 2 | \$77,258.00 | \$22,000.00 | \$22,742.00 |
| 1549-2999-0001 James King Park Redevelopment | \$954,549.71 | \$0.00 | \$820.67 |
| 1549-2999-0008 Playground Equipment James King Park | \$39,924.07 | \$0.00 | \$2,075.05 |
| 1545-2999-0037 Junction Park Fitness Equipmen | \$15,928.00 | \$37,447.00 | \$0.00 |
| Not Started | | | |
| 1520-2999-0006 Midway Centre Eastern Side Shade Shutters | \$0.00 | \$21,000.00 | \$0.00 |
| Stalled | | | |
| 1545-2999-0025 Wentworth Riverfront BBQ Area | \$158,141.15 | \$0.00 | \$34,228.09 |
| 1547-2999-0018 Bike Safety Track | \$5,642.44 | \$180,000.00 | \$127.50 |
| 3.1 Promote the efficient delivery of water supply, sewer and drainage services for the long term interests of future generations | \$10,346,796.74 | \$7,669,941.95 | \$1,013,894.25 |
| Annual Program | | | |
| 1436-2999-0001 Stormwater Drainage | \$18,756.76 | \$9,000.00 | \$124.10 |
| 2005-2999-0050 Water Stop Valves and Fire Plugs | \$6,799.46 | \$10,000.00 | \$0.00 |
| 2005-2999-0101 Infrastructure Upgrade | \$0.00 | \$291,515.00 | \$0.00 |
| 3005-2999-0101 Infrastructure Upgrade | \$0.00 | \$170,840.00 | \$0.00 |
| 3005-2999-0126 Sewer Main Refurbishment | \$24,048.27 | \$224,000.00 | \$0.00 |
| 3005-2999-0127 Sewer Pit Lids | \$0.00 | \$10,000.00 | \$0.00 |
| 3005-2999-0136 Sewer Design Works | \$0.00 | \$50,000.00 | \$0.00 |
| Environment 3.1 Operational Costs | | \$288,034.00 | \$56,467.48 |
| Sewer Administration Operational Costs | | \$1,377,400.95 | \$308,786.45 |
| Water Supplies Operational Costs | | \$1,993,681.00 | \$465,906.44 |
| Close Out | | | |
| 1436-2999-0014 Neville Street Stormwater | \$288,219.85 | \$36,000.00 | \$37,064.84 |
| 2005-2999-0207 Gol Gol WTP - Process Upgrade | \$2,248,644.50 | \$30,000.00 | \$71,665.71 |
| 3005-2999-0044 Sewer Rationalisation Project Dareton | \$2,119,101.97 | \$10,000.00 | \$146.36 |
| 1436-2999-0021 Moontongue Drainage Excavation | \$0.00 | \$0.00 | \$13,380.64 |
| Construction Phase | | | |
| 1436-2999-0013 Buronga/Gol Gol Stormwater Constraints | \$73,675.12 | \$1,292,000.00 | \$0.00 |
| 1436-2999-0018 Midway Stormwater Upgrade | \$192,112.02 | \$0.00 | \$2,490.23 |
| 1440-2999-0002 EDS Facilities | \$532,304.95 | \$207,471.00 | \$1,611.61 |
| 2005-2999-0200 Trentham Cliffs Water Install | \$396,180.82 | \$355,000.00 | \$0.00 |
| 2005-2999-0234 Mourquong Filtered Water Main | \$50,048.32 | \$175,000.00 | \$24,814.94 |
| 3005-2999-0123 Hendy Road Main Replacement | \$865,061.50 | \$0.00 | \$1,971.01 |
| 2005-2999-0255 GGWTP Power Offset | \$0.00 | \$30,000.00 | \$8,950.00 |
| 2005-2999-0256 WTP Pond Outlet | \$0.00 | \$0.00 | \$1,930.00 |
| 3005-2999-0043 Sewer Rationalisation Project Wentworth | \$2,192,183.88 | \$0.00 | \$4,288.80 |
| Implementation | | | |
| 3005-2999-0121 Integrated Water Cycle MS | \$3,253.08 | \$55,000.00 | \$7,767.13 |
| Planning Phase | | | |
| 1436-2999-0020 Pink Lake Stormwater Design | \$0.00 | \$0.00 | \$0.00 |
| 1440-2999-0005 Wentworth EDS | \$857.04 | \$0.00 | \$134.49 |
| 1436-2999-0004 Woolong Drive Stormwater | \$0.00 | \$50,000.00 | \$0.00 |
| 3005-2999-0139 King Ridge Sewer | | \$100,000.00 | \$0.00 |
| 3005-2999-0140 Septic Receiving Upgrade | | \$40,000.00 | \$0.00 |
| 3005-2999-0142 Sewer Pump Station No 5 | | \$250,000.00 | \$0.00 |
| Pre-construction Phase | | | |
| 1436-2999-0002 Gol Gol Heights Endwall Repair | \$3,760.50 | \$105,000.00 | \$1,657.66 |
| 3005-2999-0200 Trentham Cliffs Sewer Install | \$374,059.81 | \$375,000.00 | \$0.00 |
| 3005-2999-0141 Wood Street Sewer | | \$35,000.00 | \$3,800.00 |
| Completed | | | |
| 1436-2999-0003 Carramar Drv Basin Repair | \$25,252.00 | \$50,000.00 | \$609.53 |
| Not Started | | | |
| 2005-2999-0252 Gol Gol Pump Station Drainage/Stabilisation | \$0.00 | \$50,000.00 | \$0.00 |
| Stalled | | | |
| 1436-2999-0019 Wilga Road Stormwater Upgrade | \$19,935.68 | \$0.00 | \$326.83 |
| 2005-2999-0209 Pooncarie Reservoirs | \$8,837.44 | \$0.00 | \$0.00 |
| 2005-2999-0242 Pooncarie WTP | \$867,089.47 | \$0.00 | \$0.00 |
| 3.2 Plan for and develop the right assets and infrastructure | \$1,374,885.88 | \$28,710,786.78 | \$3,774,590.89 |
| Annual Program | | | |
| Transport Operational Costs | | \$11,010,211.78 | \$2,434,927.04 |
| Close Out | | | |
| 1895-2999-0003 Dareton Street Lights | \$87,356.88 | \$50,000.00 | \$45,123.51 |
| Construction Phase | | | |
| 1825-2999-0006 Upgrade High Darling Sealing | \$229,772.23 | \$1,031,500.00 | \$484,929.13 |
| 1825-2999-0009 Golf Course Road | \$113,992.34 | \$39,000.00 | \$7,914.16 |
| 1825-2999-0010 High Darling Link Road | \$200,906.65 | \$119,000.00 | \$493.36 |
| 1548-2999-0007 CRIF Pooncarie Race Track | \$6,027.09 | \$29,700.00 | \$0.00 |
| 1549-2999-0002 King Ridge Est Open Space | \$0.00 | \$0.00 | \$1,000.00 |
| 1825-2999-0012 Little Manly Road (FLR-R2) | | \$152,544.00 | \$37,748.15 |
| Implementation | | | |
| 2005-2999-0218 Integrated Water Cycle MP | \$11,964.42 | \$55,000.00 | \$0.00 |
| Planning Phase | | | |
| 1005-2999-0017 Wentworth Civic Centre | \$246,479.34 | \$5,250,000.00 | \$6,066.48 |
| Road Renewals Included in Operating expenditure | | \$2,428,644.00 | \$667,844.99 |

Quarterly Progress Report against 2021/22 Operational Plan

| | Exp Prev Fin Yrs | Proposed Q1 Budget | September Review |
|--|------------------------|------------------------|-----------------------|
| 1830-2999-0001 Pooncarie-Menindee Road | \$0.00 | \$6,650,000.00 | \$43,996.61 |
| Pre-construction Phase | | | |
| 1825-2999-0011 Native Ridge Lane (FLR-R2) | | \$319,727.00 | \$2,695.64 |
| Completed | | | |
| 1825-2999-0005 Upgrade Murrumbidgee Street Sealing | \$25,492.99 | \$0.00 | \$24,302.64 |
| 1526-2999-0004 Old Curlew Hall Demolition | \$443,693.94 | \$18,000.00 | \$17,422.23 |
| Not Started | | | |
| 1825-2999-0007 Upgrade Old Wentworth Road Sealing | \$0.00 | \$1,557,460.00 | \$0.00 |
| 3.3 Prepare for natural disasters, biosecurity risks and climate change | | \$71,000.00 | \$6,660.88 |
| Annual Program | | | |
| Environment 3.3 Operational Costs | | \$71,000.00 | \$6,660.88 |
| 3.4 Reduce, reuse and recover waste | \$157,125.74 | \$2,921,267.63 | \$1,300,428.05 |
| Annual Program | | | |
| Environment 3.4 Operational Costs | | \$1,552,167.63 | \$330,274.17 |
| Awaiting Delivery | | | |
| 1421-2999-0028 Buronga Landfill 11m3TipTruck | \$0.00 | \$246,000.00 | \$0.00 |
| 1421-2999-0029 Buronga L/fill 12m3DogTipTrail | \$0.00 | \$74,000.00 | \$0.00 |
| Construction Phase | | | |
| 1421-2999-0019 100,000 Tonnes Upgrade | \$157,125.74 | \$100,000.00 | \$61,297.00 |
| Planning Phase | | | |
| 1421-2999-0018 Community Recycling Centre | \$0.00 | \$45,000.00 | \$256.88 |
| Completed | | | |
| 1421-2999-0026 Buronga Landfill Excavator | \$0.00 | \$260,000.00 | \$261,600.00 |
| 1421-2999-0027 Buronga Landfill Compactor | \$0.00 | \$644,100.00 | \$647,000.00 |
| 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery | \$2,419,042.80 | \$8,393,246.37 | \$1,934,749.24 |
| Annual Program | | | |
| 1005-2999-0014 Office Equipment | \$65.17 | \$100,000.00 | \$4,832.42 |
| 1007-2999-0001 Computer Replacement | \$30,693.00 | \$200,000.00 | \$110,731.74 |
| 1010-2999-0001 Capital Plant Replacement | \$1,046,350.47 | \$1,500,000.00 | \$68,746.40 |
| 1010-2999-0012 Minor Plant Purchases | \$50,201.08 | \$50,000.00 | \$4,274.41 |
| 1010-2999-0015 Asbestos Management Plan | \$8,403.31 | \$0.00 | \$0.00 |
| Community Services Operational Costs | | \$84,002.00 | \$26,011.50 |
| Finance and Policy Administration Operational Costs | | \$1,890,036.69 | \$580,239.55 |
| Governance & GMO Administration Operational Costs | | \$2,549,596.68 | \$434,486.26 |
| Public Order & Safety Operational Costs | | \$1,166,952.00 | \$202,697.63 |
| Roads & Engineering Administration Operational Costs | | \$177,696.00 | \$106,764.17 |
| Implementation | | | |
| 1005-5100-0005 Loan Repayments - Midway | \$210,354.53 | \$110,071.00 | \$29,974.56 |
| 1005-5100-0015 Loan Repayments WWCC - Loan \$850k | \$114,295.52 | \$43,990.00 | \$10,961.00 |
| 1005-5100-0016 Loan Repayments WWCC - Loan \$3.3m | \$0.00 | \$87,217.00 | \$0.00 |
| 1005-5100-0017 Loan Repayments - Stormwater - T-Corp | \$0.00 | \$45,792.00 | \$0.00 |
| 1007-2999-0014 Integrated Management System | \$554,003.79 | \$75,000.00 | \$19,977.00 |
| 1421-5100-0001 Landfill Capital Loan Repayments | \$264,327.97 | \$96,320.00 | \$23,565.76 |
| 1421-5100-0002 Landfill Capital Loan Repayments #2 Loan | \$140,347.96 | \$53,446.00 | \$13,486.84 |
| 1421-5100-0003 Landfill Capital Lease Payments | \$0.00 | \$117,335.00 | \$0.00 |
| Grand Total | \$27,248,379.19 | \$61,278,345.73 | \$9,837,956.57 |



**Planning,
Industry &
Environment**

Office of the Secretary

IRF21/3328

Mr Philip Reed
Chief Executive Officer
Independent Commission Against Corruption (NSW)
GPO Box 500
SYDNEY NSW 2001

Via email: icac@icac.nsw.gov.au ; apedroza@icac.nsw.gov.au

Dear Mr Reed

Thank you for your correspondence of 24 March 2021.

As required by section 111E of the *Independent Commission Against Corruption Act 1988*, attached is the Department of Planning, Industry and Environment's (the Department) plan of action in response to the Commission's recommendations 1-2, 4-6, 8, 10-20 and 22 in its report on Operation Dasha.

The measures in this plan, which have been approved by the Premier under delegation, should, in concert, address the risks identified by the Commission in its report in relation to Operation Dasha and ensure that our respective portfolios remain fit for purpose and robust against corruption.

I note that the Department of Premier and Cabinet will respond separately in relation to the recommendations for which it is responsible for.

If you would like to meet with us to discuss our plan, please contact Ms Teresa Hislop, Acting Director, State and Regional Economy at the Department on 9274 6210 or teresa.hislop@dpi.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink that reads 'Jim Betts'.

**Jim Betts
Secretary**

Encl: DPIE's Response and Action Plan – ICAC Operation Dasha Recommendations

Sensitive: Legal

DPIE RESPONSE AND ACTION PLAN - ICAC OPERATION DASHA RECOMMENDATIONS

| ICAC Recommendation | Action(s) to be taken | Further comments and reason for action if different to ICAC recommendation |
|---|---|--|
| Recommendation 1 That the DPIE amends the <i>Guidelines for the Appointment and Oversight of General Managers</i> to recommend that the performance agreements of general managers include performance indicators related to ethical culture. Specific measures that could be promoted include the conduct and measurement of outcomes from staff surveys and the promotion of whistleblowing procedures. | Implement the recommendation as described in the report DPIE will, in consultation with the parties to the <i>Local Government (State) Award</i> , update the <i>Guidelines for the Appointment and Oversight of General Managers</i> to recommend that the performance agreements of general managers include performance indicators related to ethical culture. As part of the review of the Guidelines, additional guidance will be provided that councils should include performance indicators in performance agreements relating to the promotion of an ethical culture (eg through staff surveys and activities to promote the <i>Public Interest Disclosures Act 1994</i> and information on how to report wrongdoing). Timeframe: 30 June 2022 <i>DPIE lead - Office of Local Government</i> | The Office of Local Government (OLG) has established an Employment Matters Reference (EMR) Group whose membership comprises of the parties to the <i>Local Government (State) Award</i> . These include Local Government NSW (the employer representative) and the three local government unions, (the United Services Union, the Local Government Engineers Association and the Development and Environmental Professionals' Association). The Group is designed to advise OLG of emerging employment issues in the local government sector that may warrant a policy response by government and to facilitate consultation on policy development impacting on councils' employment practices. OLG is currently reviewing the standard contracts of employment for general managers and senior staff in consultation with the EMR group and their memberships. |
| Recommendation 2 That the DPIE conducts a review into the no "reason" termination provision in the Standard Contract, which should canvass options such as requiring a two-thirds majority vote of a council, an absolute majority vote or the availability of mediation. | Implement the recommendation as described in the report DPIE will, in consultation with the parties to the <i>Local Government (State) Award</i> , review the "no reason" termination provisions in the standard contracts for general managers and senior staff of councils. OLG has commenced a review of the general managers' and senior staff contracts in consultation with the Employment Matters Reference Group and their memberships. Timeframe: 30 June 2022 | |

Sensitive: Legal

| | | |
|--|---|---|
| <p>Recommendation 4 That the DPIE clarifies what constitutes "consultation" with council by the general manager for the purpose of appointment and dismissal of senior staff as required by s 337 of the LGA. The clarification should:</p> <ul style="list-style-type: none"> • detail acceptable consultation processes and procedures • in the absence of compelling reasons to the contrary, recommend restricting or, preferably, prohibiting councillor-dominated interview panels. | <p><i>DPIE lead - Office of Local Government</i></p> <p>Implement the recommendation as described in the report</p> <p>DPIE will prepare supplementary guidance on what constitutes "consultation" with councils by general managers for the purpose of the appointment and dismissal of senior staff as required by s 337 of the <i>Local Government Act 1993</i>.</p> <p>The revised guidance will also be incorporated into new Guidelines on the Appointment and Oversight of Senior Staff to be developed in consultation with the parties to the <i>Local Government (State) Award</i> (see recommendation 5).</p> <p>Timeframe: 30 June 2021 (circular) and 30 June 2022 (new Guidelines on the Appointment and Oversight of Senior Staff).</p> <p><i>DPIE lead - Office of Local Government</i></p> | <p>OLG has already taken steps to address this issue. In 2019, Circular No. 19-17 was published. The circular advises:</p> <p>"Under section 337 of the Act, general managers are also required to consult with the council before appointing or dismissing the holders of "senior staff" positions. While this need not necessarily occur at a formal council meeting, where consultation occurs outside of a council meeting, the requirement to consult with the "council" under section 337 necessarily requires that this be undertaken in a way that ensures that all members of the governing body are informed of the proposed decision and have the opportunity to provide comment. When consulting the council in making a decision to appoint or dismiss a senior staff member, the general manager should consider the views of councillors. However, the ultimate decision to appoint or dismiss senior staff rests with the general manager and not the governing body. It is therefore not open to the governing body of the council to direct the general manager on the appointment or dismissal of senior (and any other) staff."</p> |
| <p>Recommendation 5 That the DPIE introduces guidelines under s 23A of the LGA concerning the appointment of senior staff. The guidelines should address the following:</p> <ul style="list-style-type: none"> • that a senior human resources manager, or external recruitment consultant, be involved in recruitment processes, and have a role in verifying that council processes and procedures were followed in the appointment of senior staff | <p>Implement the recommendation as described in the report</p> <p>DPIE will develop new Guidelines for the Appointment and Oversight of Senior Staff in consultation with the parties to the <i>Local Government (State) Award</i>.</p> <p>Timeframe: 30 June 2022</p> <p><i>DPIE lead - Office of Local Government</i></p> | |

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| <ul style="list-style-type: none"> the inclusion of subject matter experts on interview panels for the appointment of senior staff, especially for high-risk positions that require specialised technical knowledge the provision of independent assurance through the involvement of internal audit in conducting periodic reviews into senior staff recruitment processes the appropriate avenues for reporting concerns about process or complaints about suspected corrupt conduct. | | |
| <p>Recommendation 6</p> <p>That the DPIE amends the <i>Model Code of Meeting Practice for Local Councils in NSW</i> to require that council business and briefing papers include a reminder to councillors of their oath or affirmation, and their conflict of interest disclosure obligations.</p> | <p>Implement the recommendation as described in the report</p> <p>There is an existing robust regime for the disclosure and management of conflicts of interest, prescribed under the <i>Model Code of Conduct for Local Councils in NSW</i>, the current version of which was prescribed in 2020 (the Code of Conduct has been in place since 2005).</p> <p>DPIE will amend the <i>Model Code of Meeting Practice for Local Councils in NSW</i> to require that council business and briefing papers include a reminder to councillors of their oath or affirmation, and their conflict of interest disclosure obligations.</p> <p>Timeframe: 31 July 2021</p> <p><i>DPIE lead - Office of Local Government</i></p> | <p>The <i>Local Government Act 1993</i> was amended in 2016 to introduce a requirement for a prescribed oath or affirmation for councillors to be made at the first meeting of the council after the councillors are elected. The purpose of the oath is to reinforce to councillors the serious nature of their role. This oath or affirmation is given once in the four-year term that a councillor is elected to office.</p> <p>The proposed amendment to the Model Code of Meeting Practice can provide corruption prevention measures as identified by ICAC because:</p> <ol style="list-style-type: none"> 1. it reminds councillors of the conduct expected of them and helps them to make the right decisions 2. it may provide honest councillors with the moral authority to encourage their peers to comply with the requirements for disclosure, and 3. it helps ensure councillors cannot claim ignorance regarding the rules that govern their conduct. |
| <p>Recommendation 8</p> <p>That the DPIE, following a reasonable period of consultation, issues guidelines under s</p> | <p>Implement the recommendation as described in the report</p> | |

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| <p>23A of the LGA to introduce measures to enhance transparency around the lobbying of councillors. The guidelines should require that:</p> <ul style="list-style-type: none"> councils provide meeting facilities to councillors (where practical) so that they may meet in a formal setting with parties who have an interest in a development matter councils make available a member of council staff to be present at such a meeting and to prepare an official file note of that meeting to be kept on the council's files (any additional notes made by the member of council staff and/or the councillor should also be kept as part of the council's records) all councillors be invited when a council conducts formal onsite meetings for controversial re-zonings and developments council officers disclose in writing to the general manager any attempts by councillors to influence them over the contents or recommendations contained in any report to council and/or relating to planning and development in the local government area. | <p>DPIE will, in consultation with the local government sector, issue guidelines under s 23A of the <i>Local Government Act 1993</i> to enhance transparency around the lobbying of councillors and a non-mandatory model policy on implementation of the guidelines.</p> <p>OLG has commenced the process of developing a suite of model policies to address areas that consistently pose challenges to councils as a way of promoting better governance practice in councils.</p> <p>In developing the policies, OLG has sought examples of councils' existing policies to identify best practice in the sector and to reflect this in each of the model policies. The policies are designed to be flexible so that they can be adapted by councils to suit their operating environments.</p> <p>Timeframe: 30 June 2022</p> <p>DPIE lead - Office of Local Government</p> | |
| <p>Recommendation 10 That the DPIE reviews the concept of "assumed concurrence", including the avenues that exist for clause 4.6 in each council's LEP, to be used as a de facto plan-making device when concurrence is assumed.</p> | <p>Implement the intent of the recommendation in an alternative way</p> <p>Local and Regional Planning panels will continue to provide expert and merit-based decisions in the determination of development applications involving certain variations to development standards.</p> <p>DPIE will work with stakeholders to develop a new risk-based monitoring framework using data from the NSW</p> | <p>A number of changes have been implemented in recent years to strengthen integrity and oversight of decision making in the planning system. The proposed actions are in addition to the measures already undertaken.</p> <p>DPIE has reviewed the current structure of delegations and assumed concurrence as part of the broader framework for concurrences under clause 4.6(4)(b). DPIE considers that an</p> |

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| | <p>Planning Portal which will further reduce the risk of corruption by ensuring misuse is more easily detected. It is proposed the new framework will include the following:</p> <ul style="list-style-type: none"> • Collection of variation data for all councils through ePlanning including reasons for decisions • Publication and maintenance of a comprehensive register of all variation data • Data monitoring and investigation of procedural, and decision making issues • These actions will provide improved accountability and oversight in the variations system. <p>Timeframe: 31 December 2021</p> <p><i>DPIE lead - Planning and Assessment</i></p> | <p>appropriate level of oversight, and improved transparency for all stakeholders, can be achieved more effectively through a monitoring and reporting framework utilising data obtained through the NSW Planning Portal.</p> <p>The Explanation of Intended Effect "Varying Development Standards – A Case for Change" was exhibited from 31 March to 12 May 2021. The EIE sought feedback on a proposed revised Clause 4.6; strengthened reporting requirements to improve transparency and accountability when varying development standards.</p> <p>The EIE proposed that the requirement for the Secretary's concurrence to be obtained/granted prior to the determination of a variation request should be removed for the following reasons:</p> <ul style="list-style-type: none"> • the Department's role in determining variations has been substantially reduced over time; • the delegated authority to assume the Secretary's concurrence now predominantly sits with local councils and Local and Regional Planning Panels. According to NSW Planning Portal data, the Department has only received 18 concurrence applications to date in 2021 and 32 in 2020 representing 2.9% and 7.5% of all variation requests made through the NSW Planning Portal respectively. • LPPs are responsible for reviewing and determining development applications involving departures from development standards (greater than 10% in most LGAs where LPPs are constituted). Expert and merit-based decision making will be maintained for more significant variation requests through the ongoing role of the independent planning panels; |
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| <p>Recommendation 11 That the DPIE identifies the circumstances and establishes criteria to determine when the secretary's assumed concurrence will be granted and when it will be withdrawn from councils, which takes into account:</p> <ul style="list-style-type: none"> the potential for clause 4.6 to be used as a de facto plan-making device that the risk of the improper use of clause 4.6 extends to all local government areas in NSW. | | <p>The EIE proposed to strengthen reporting requirements to replace the requirement for the Secretary's concurrence as this is not adequately fulfilling the role of mitigating corruption. e. It is proposed consent authorities will be required to publish reasons for refusal or approval on the NSW Planning Portal when determining variation requests.</p> <p>The details for the implementation of this recommendation have not been finalised but will be developed as part of the Department's review of clause 4.6.</p> |
| <p>Implement the intent of the recommendation in an alternative way As above (see response to Recommendation 10). Timeframe: 31 December 2021 <i>DPIE lead - Planning and Assessment</i></p> | | <p>It is proposed to remove the requirement for the Secretary's concurrence to be obtained prior to the determination of a variation request as this is not fulfilling the role of mitigating corruption. This will consequently remove the need for assumed concurrences.</p> <p>As discussed in respect of Recommendation 10, the role of the concurrence mechanism has changed substantially since its introduction and it is considered its oversight intent can be achieved more effectively through the implementation of a monitoring and reporting framework utilising data obtained through the NSW Planning Portal supported by continued decision making by independent panels.</p> <p>Additional benefits of the proposed approach include:</p> <ul style="list-style-type: none"> Increased reliance on expert and merit-based decision making from independent planning panels Improved transparency of how consent authorities are using Clause 4.6 by making data |

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| | | <p>more readily available to all stakeholders including the community</p> <ul style="list-style-type: none"> • Less work for councils by removing the need to maintain, report and upload individual registers of variation information • Removal of duplication and complexity in the variation system, and in development assessment more generally • Improved DA processing times • Comprehensive oversight through monitoring and investigation <p>Clearer and more thorough tests to vary a development standard supported by a guideline will enable consistency of application and reduce potential scope for misuse.</p> |
| <p>Recommendation 12</p> <p>That the DPIE prepares and, following a period of public consultation, makes public new guidelines on varying development standards for councils that consider the criteria for assessing variations to development standards that are applicable to clause 4.6.</p> | <p>Implement the recommendation as described in the report</p> <p>DPIE will prepare guidance material to support implementation of clause 4.6. Regular reviews will be undertaken to ensure that the guidance material remains current.</p> <p>The Explanation of Intended Effect "Varying Development Standards – A Case for Change" sought feedback on proposed criteria for assessing variations under clause 4.6 and matters that should be covered in guidance material.</p> <p>Timeframe: 31 December 2021</p> <p><i>DPIE lead - Planning and Assessment</i></p> | |
| <p>Recommendation 13</p> <p>That the DPIE establishes a clear process to ensure that guidelines for councils on varying development standards are subject to regular review and can accommodate advice or</p> | <p>Implement the recommendation as described in the report</p> <p>As above (see response to Recommendation 12). Regular reviews will be undertaken and any required updates will be</p> | |

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| <p>changes arising from decisions of the NSW courts.</p> | <p>made to the Guidance material to ensure that it remains current.</p> <p>Timeframe: 31 December 2021</p> <p><i>DPIE lead - Planning and Assessment</i></p> | |
| <p>Recommendation 14</p> <p>That the DPIE prepares and publicises guidelines that establish a framework for conducting risk-based audits on the use of clause 4.6 by consent authorities. These guidelines should include:</p> <ul style="list-style-type: none"> the scope and frequency of audits conducted to monitor the use of clause 4.6, including the circumstances for conducting any special audits a requirement that the matters to be examined in an audit reinforce the objectives of conducting the audit an outline of the audit methodology clear instructions for the staff undertaking the audit a requirement to publish ongoing records of the audits and their results, observations and recommendations the necessary skills required by staff conducting the audits. | <p>Implement the recommendation as described in the report</p> <p>DPIE will work with stakeholders to develop a new risk-based monitoring framework using data from the NSW Planning Portal which will further reduce the risk of corruption by ensuring misuse is more easily detected. It is proposed the new framework will include the following:</p> <ul style="list-style-type: none"> Collection of variation data for all councils through ePlanning including reasons for decisions Publication and maintenance of a comprehensive register of all variation data Data monitoring and investigation of procedural, and decision making issues. <p>These actions will provide improved accountability and oversight in the variations system.</p> <p>The new framework will be developed to encourage better oversight by the audit and risk committees of councils. ePlanning variations data collected as part of the Online DA services process through the NSW Planning Portal will be instrumental in designing thresholds to trigger investigations by DPIE staff as part of the new framework.</p> <p>The details for the implementation of this recommendation have not been finalised at this stage but will be implemented as part of the Department's review of clause 4.6.</p> <p>Timeframe: 31 December 2021</p> | |

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| <p>Recommendation 15 That the DPIE provides advice to councils regarding the inclusion of clause 4.6 in the cycle of audits conducted by the audit and risk committees of councils.</p> | <p><i>DPIE lead - Planning and Assessment</i></p> <p>Implement the recommendation as described in the report</p> <p>As above (see response to Recommendation 14).</p> <p>Timeframe: 31 December 2021</p> <p><i>DPIE lead - Planning and Assessment</i></p> | |
| <p>Recommendation 16 That the DPIE:</p> <ul style="list-style-type: none"> considers the circumstances in which the application of both maximum height of building development standards and maximum floor space ratio (FSR) development standards should be mandatory in LEPs establishes clear, robust and objective criteria to determine when it is impractical to pair maximum height of building development standards with maximum FSR development standards in LEPs. | <p>Implement the recommendation as described in the report</p> <p>DPIE will prepare updated guidance on height and floor space ratio development standards.</p> <p>The existing LEP practice note (PN08-001) establishes a strong recommendation that both maximum height of building and maximum floor space ratio development standards should apply in strategic centres, in smaller centres where increased densities are planned and in other sensitive locations.</p> <p>DPIE will also continue to work with councils on the review of local environmental plans to ensure development standards are aligned to strategic plans and fit for purpose.</p> <p>Timeframe: 30 June 2022</p> <p><i>DPIE lead - Planning and Assessment and PDPS</i></p> | |
| <p>Recommendation 17 That the DPIE:</p> <ul style="list-style-type: none"> applies a risk-based assessment that considers corruption risks prior to the drafting of Gateway Determinations authorising councils to make LEPs | <p>Implement the recommendation as described in the report</p> <p>DPIE will establish a program of auditing of compliance with Gateway Determination conditions. This will be undertaken with the work on Recommendation 14.</p> | <p>In circumstances when the Minister (or delegate) is the Local Plan Making Authority (LPMA), DPIE verifies that the planning proposal has complied with the Gateway determination when finalising the planning proposal.</p> |

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| <ul style="list-style-type: none"> takes measures to verify that councils have complied with Gateway Determination conditions establishes a program of regular risk-based auditing of council processes relating to the making of LEP amendments to help provide assurance over systems and to establish whether gateway conditions were met (the outcome of audits should inform future Gateway Determinations authorising councils to make LEPs). | <p>Any perceived corruption risks by DPIE teams are reported to the Commission. DPIE will continue to work with the Commission to determine how corruption prevention measures can be best incorporated into the plan making process.</p> <p>Timeframe: 30 June 2022</p> <p><i>DPIE lead – Planning and Assessment</i></p> | |
| <p>Recommendation 18</p> <p>That the method for calculating fees associated with local development applications be reviewed by the DPIE with the aim that estimated cost of works is no longer relied on. Instead fees should be:</p> <ul style="list-style-type: none"> determined by criteria that are clear, robust and objective capable of easy verification by consent authorities. | <p>Implement the recommendation as described in the report</p> <p>DPIE will examine opportunities for alternative methodologies to calculate fees associated with local development applications.</p> <p>This review will consider methodologies utilised in other jurisdictions to better understand any opportunities and constraints of various fee calculation methods from an operational and governance perspective. The type of guidance and support provided to enable easy verification of fees by consent authorities will also be reviewed.</p> <p>Timeframe: 30 June 2022</p> <p><i>DPIE lead – Planning and Assessment</i></p> | |
| <p>Recommendation 19</p> <p>That the DPIE considers a clear, robust and verifiable alternative to capital investment value as a jurisdictional threshold for planning panels.</p> | <p>Implement the recommendation as described in the report</p> <p>DPIE will examine the appropriateness of capital investment value as a metric for planning applications and pathways and possible clear, robust and verifiable alternatives.</p> | <p>The value trigger for referral of DAs to the District and Regional Planning Panel remains the CIV, however as a consequence of the 2018 reforms to the EP&A Act, local planning panels are mandatory for all councils in Greater Sydney, Wollongong and the Central Coast.</p> |

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| | <p>This work will be undertaken with the work on Recommendation 18.</p> <p>Timeframe: 30 June 2022</p> <p><i>DPIE lead – Planning and Assessment</i></p> | <p>The Minister has the power to direct which development applications are referred to local planning panels for determination. The Local Planning Panels Direction dated 23 February 2018 provides that development applications are to be determined by local planning panels where they involve a conflict of interest, more than a specified number of objections, a breach of a development standard by more than 10% or a non-numerical standard, or sensitive development (defined to include apartments to which SEPP 65 applies).</p> |
| <p>Recommendation 20</p> <p>That the DPIE strengthens guidance for councils and planning panels to help ensure development applications are not split by development proponents into multiple applications to avoid referrals to planning panels.</p> | <p>Implement the recommendation as described in the report</p> <p>DPIE agrees that single and comprehensive assessment is the better approach. However, the planning legislation allows proponents to determine the development proposals that are lodged. Provided all the statutory requirements are met planning authorities are required to assess and determine them as lodged.</p> <p>Within the current legislative framework, DPIE will work with the Commission to develop guidance for consent authorities to:</p> <ul style="list-style-type: none"> • encourage proponents to bring forward single and comprehensive assessment • ensure consent authorities are wary of unusual circumstances where the split of a proposed development changes the role of the consent authority • ensure corruption prevention measures are considered. <p>Timeframe: 30 June 2022</p> <p><i>DPIE lead – Planning and Assessment</i></p> | |
| <p>Recommendation 22</p> <p>That the DPIE issues a practice note, or other similar guidance, on the topic of local</p> | <p>Implement the recommendation as described in the report</p> | <p>The existing guidelines for local plan making are split into two guides: Local Environmental Plans – a guide to preparing local environmental plans and</p> |

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| <p>councils obtaining specialist advice about planning matters, including obtaining urban design studies. The practice note should address:</p> <ul style="list-style-type: none"> • what constitutes proper interactions between councils and consultants engaged to provide advice • when specialist advice, independent of a development proponent, should be requested and relied on. | <p>DPIE will prepare guidance for councils in relation to obtaining specialist advice in relation to plan making and development assessment.</p> <p>Timeframe: 30 June 2022</p> <p><i>DPIE lead – Planning and Assessment and PDPS</i></p> | <p>Planning Proposals – a guide to preparing planning proposals. The Department is remodelling these guidelines into one concise document. The new Local Plan-Making Guideline will be a guide and clarify the Gateway and plan-making process, circumstances for review, roles and functions for stakeholders, and requirements for preparing a planning proposal.</p> <p>The OLG Model Code of Conduct for Councils also provides that council officers are not to act in a way that may give rise to a reasonable suspicion of partial performance of their duties nor take advantage of their position to obtain a private benefit, and are required to comply with their council's procurement policy.</p> |
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Mr Ken Ross
General Manager
Wentworth Shire Council
PO Box 81
WENTWORTH NSW 2648

Contact: Manuel Moncada
Phone no: 02 9275 7333
Our ref: D2115984/1806

4 August 2021

Dear Mr Ross,

**Management Letter on the Interim Phase of the Audit
for the Year Ended 30 June 2021**

The interim phase of our audit for the year ended 30 June 2021 is complete. This letter outlines:

- matters of governance interest we identified during the current audit
- unresolved matters identified during previous audits
- matters we are required to communicate under Australian Auditing Standards.

We planned and carried out our audit to obtain reasonable assurance the financial statements are free from material misstatement. Because our audit is not designed to identify all matters that may be of governance interest to you, there may be other matters that did not come to our attention.

The audit is ongoing and we will inform you if we identify any new matters of governance interest as they arise.

The Management Letter may be sent to the Minister, if the Minister requests it.

For each matter in this letter, we have included our observations, risk assessment and recommendations. The risk assessment is based on our understanding of your business. Management should make its own assessment of the risks to the organisation.

We have kept management informed of the issues included in this letter as they have arisen. This letter includes management's formal responses, the person responsible for addressing the matter and the date by which this should be actioned.

If you would like to discuss any of the matters raised in this letter, please contact me on 9275 7333 or Brett Hanger on 02 9251 4600.

Yours sincerely

A handwritten signature in black ink, appearing to read "Manuel Moncada".

Manuel Moncada
Delegate of the Auditor-General of New South Wales

cc: Councillor Susan Nichols, Mayor



Interim management letter

for the year ended 30 June 2021

Wentworth Shire Council



FINANCIAL AUDIT

INSIGHTS FOR BETTER GOVERNMENT

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We have rated the risk of each issue as 'Extreme', 'High', 'Moderate' or 'Low' based on the likelihood of the risk occurring and the consequences if the risk does occur.

The risk assessment matrix used is broadly consistent with the risk management framework in [TPP12-03 'Risk Management Toolkit for the NSW Public Sector'](#).

This framework may be used as better practice for councils.

| | | CONSEQUENCE | | | |
|------------|----------------|-------------|--------|------|-----------|
| | | Low | Medium | High | Very high |
| LIKELIHOOD | Almost certain | M | M | H | E |
| | Likely | L | M | H | H |
| | Possible | L | M | M | H |
| | Rare | L | L | M | M |

The risk level is a combination of the consequences and likelihood. The position within the matrix corresponds to the risk levels below.

| RISK LEVELS | MATRIX REFERENCE |
|-------------|------------------|
| ⊗ Extreme: | E |
| ! High: | H |
| — Moderate: | M |
| ✓ Low: | L |

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For each issue identified, we have used the consequence and likelihood tables from [TPP12-03](#) to guide our assessment.

Consequence levels and descriptors

| Consequence level | Consequence level description |
|-------------------|---|
| Very high | <ul style="list-style-type: none"> Affects the ability of your entire entity to achieve its objectives and may require third party intervention; Arises from a fundamental systemic failure of governance practices and/or internal controls across the entity; or May result in an inability for the auditor to issue an audit opinion or issue an unqualified audit opinion. |
| High | <ul style="list-style-type: none"> Affects the ability of your entire entity to achieve its objectives and requires significant coordinated management effort at the executive level; Arises from a widespread failure of governance practices and/or internal controls affecting most parts of the entity; or May result in an inability for the auditor to issue an unqualified audit opinion. |
| Medium | <ul style="list-style-type: none"> Affects the ability of a single business unit in your entity to achieve its objectives but requires management effort from areas outside the business unit; or Arises from ineffective governance practices and/or internal controls affecting several parts of the entity. |
| Low | <ul style="list-style-type: none"> Affects the ability of a single business unit in your entity to achieve its objectives and can be managed within normal management practices; or Arises from isolated ineffective governance practices and/or internal controls affecting a small part of the entity. |

Likelihood levels and descriptors

| Likelihood level | Frequency | Probability |
|------------------|--|---|
| Almost certain | The event is expected to occur in most circumstances, and frequently during the year | More than 99 per cent |
| Likely | The event will probably occur once during the year | More than 20 per cent and up to 99 per cent |
| Possible | The event might occur at some time in the next five years | More than 1 per cent and up to 20 per cent |
| Rare | The event could occur in exceptional circumstances | Less than 1 per cent |

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Summary of issues

| Issue | Detail | Likelihood | Consequence | Risk assessment |
|--|--|------------|-------------|-----------------|
| Prior year matters not resolved by management | | | | |
| 1 | Information technology general controls | Possible | Medium | ⚠ Moderate |
| 2 | Master-file maintenance | Possible | Medium | ⚠ Moderate |
| 3 | Excessive annual leave balances | Possible | Medium | ⚠ Moderate |
| 4 | Security of payment file | Possible | Medium | ⚠ Moderate |
| 5 | Contract management policy | Possible | Medium | ⚠ Moderate |
| 6 | Improvement opportunities – governance | Possible | Medium | ⚠ Moderate |
| 7 | Receipting procedures | Possible | Low | ✓ Low |
| 8 | Mail remittances | Possible | Low | ✓ Low |
| Current year matters | | | | |
| 1 | Tipping site operations - Buronga landfill | Possible | Medium | ⚠ Moderate |

Appendix


[Review of matters raised in prior year management letters that have been addressed](#)

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Prior year matters not resolved by management

Issue 1: Information technology general controls

| Likelihood | Consequence | Systemic issue | Category | Risk assessment |
|------------|-------------|----------------|----------|--|
| Possible | Medium | No | IT |  Moderate |

Observation

Our review of the information technology general control environment identified the following issues:

(1) Audit logs of privileged users:

We noted that several privileged users had access to the key system (Practical Plus). Audit logs of privileged IT access activities within the system exist. However, the log has not been produced and independently reviewed.

(2) Conflicting system access levels

During our audit, we reviewed user access levels to major modules of the financial management software, Practical Plus, including general ledger, accounts payable, and bank reconciliations. We noted staff with conflicting access levels. Two Finance officers are set up as system administrators for Practical Plus, which allows full access to major modules including general ledger, accounts payable, and bank reconciliations. They are also authorised cheque signatories.

Lack of formal process for changes to existing access profiles; email or verbal instructions are used.

Implications

(1) If audit logs of privileged IT access activities are not maintained and secured from amendment, there is an increased risk of inappropriate activities or transactions occurring, which may go undetected.

(2) Inappropriate system access increases the risk of fraud, creating opportunities for both erroneous and inappropriate actions. For example, unauthorised changes may be processed by staff with conflicting access levels.

Informal user access provisioning controls increase the likelihood of users (including contractors and service providers) gaining/retaining unnecessary and inappropriate system access.

Recommendation

(1) For those users assigned with 'super user' / administrator IT access privileges, we recommend Council consider the following controls:

- audit logs maintained for an appropriate period of time
- Privileged access audit logs reviewed regularly by a suitably independent and qualified individual, with appropriate action taken when required.

(2) Segregation of duties is critical to effective internal control. To reduce the potential risk of fraud, system access levels of system users should be reviewed and altered as appropriate.

For changes in user access profiles for existing users, the process should be formalised whereby a documented form with approval from a responsible manager being used.

Management response

Agree

In progress. Councils new In-house IT Department have commenced reviewing and updating this control.

| Person responsible: | Date (to be) actioned: |
|--|------------------------|
| Richard Waters - Manager Technology Services | 30/09/2021 |

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Issue 2: Master-file maintenance

| Likelihood | Consequence | Systemic issue | Category | Risk assessment |
|------------|-------------|----------------|-------------|-----------------|
| Possible | Medium | No | Operational | Moderate |

Observation

Accounts payable and payroll staff are responsible for the maintenance of all details within their respective sub-systems including bank account details, creation of new suppliers/employees and in the case of payroll changes to pay rates. Similarly, the rates officer is responsible for all maintenance within the rates system, such as classification changes, write-offs and abandonments.

There is a process to validate changes in master-files whereby supporting documentation is provided by the preparer to another officer for review. However, the audit report from the subsystem listing all changes made to master-files is not generated. There is risk that changes not advised by the preparer (by error or fraud) are not independently reviewed. The control implemented by management addresses the accuracy of the changes, but not the completeness of changes.

Implications

Unauthorised changes may be processed without review.

Recommendation

The review of the master-file maintenance audit report is an important internal control function to ensure that changes made to bank account details, creation of new suppliers and employees, and changes to pay rates are correct and appropriate. In the case of rates, it is important that critical changes including property reclassifications and abandonments are reviewed.

Audit reports listing key changes in master-files are available for the accounts payable and payroll systems. In respect to the rates system, critical changes are included in both master-file and transaction listings. These reports should be generated and reviewed on a regular basis by an officer independent of the respective sub-systems and evidenced by way of signature.

Management response

Agree


This has already been actioned and completed.

| Person responsible: | Date (to be) actioned: |
|--|------------------------|
| Simon Rule - Director Finance & Policy | 31/7/2021 |

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Issue 3: Excessive annual leave balances

| Likelihood | Consequence | Systemic issue | Category | Risk assessment |
|------------|-------------|----------------|------------------------|--|
| Possible | Medium | No | Operational/Compliance |  Moderate |

Observation

We identified 24 employees with accrued annual leave balances in excess of 300 hours (i.e. 40 days). The total headcount for staff eligible for annual leave was 115 as at 31 May 2021.

Council should aim for employees to have, as a minimum, less than 40 days of accrued annual leave at any point in time in accordance with the Local Government Award.

Implications

Excessive annual leave balances can result in:

- higher future employee liabilities as a result of salary increases. This means that accrued leave will be paid at higher rates
- increased risk that staff performing key control functions are not rotated. It may also conceal fraud or further inefficiencies
- work, health and safety implications and reduced productivity.

Recommendation

Council should monitor and manage excessive annual leave balances on a regular basis and establish individual leave management plans to reduce the leave balances over time.

Management response

Agree

Council continued to make a concerted effort over the last 12 months to reduce overall leave balances, however in order to maintain continuity of service due to operational requirements it will take a number of years for some staff to be able to reduce their balances.

Council will continue to implement leave plans that have been agreed to with individual staff. Overall Council's total annual leave balance at 30 June 2021 was less than the same time in 2020.

Person responsible:

Date (to be) actioned:

Ken Ross - General Manager

Already in progress - ongoing action.


Simon Rule - Director Finance & Policy

Glen Norris - Manager Human Resource

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Issue 4: Security of payment file

| Likelihood | Consequence | Systemic issue | Category | Risk assessment |
|------------|-------------|----------------|-------------|--|
| Possible | Medium | No | Operational |  Moderate |

Observation

The electronic funds transfer (EFT) payment files are un-encrypted files, meaning the data can be altered before being remitted to the relevant financial institution. It is also noted that the EFT file is accessible by accounts payable and payroll officers after creation.

Implications

There is a higher risk of fraud.

Recommendation

Management should:

- encrypt the electronic funds transfer files to prevent unauthorised changes
- ensure file access is not accessible officers responsible for the respective sub-systems.

Management response

Agree

Further investigation is being undertaken to identify a suitable solution. In the meantime Council has implemented an interim measure to ensure that there are no changes made to the EFT file without the approval of the Director Finance and Policy.

Person responsible:

Date (to be) actioned:


Simon Rule - Director Finance & Policy
Richard Waters - Manager Technology Services

30/09/2021

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Issue 5: Contract management policy

| Likelihood | Consequence | Systemic issue | Category | Risk assessment |
|------------|-------------|----------------|-------------|--|
| Possible | Medium | No | Operational |  Moderate |

Observation

Council does not have a contract management policy. We have been advised that work on a contract management framework is currently in progress.

Implications

There is an increased risk of non-compliance with key contractual terms, which may result in unnecessary variations to contracted prices.

Recommendation

We recommend that Council finalise the development of a contract management framework/policy and train key staff members involved in the contract management process.

Management response

Agree

In progress. Framework is in draft format currently undergoing internal stakeholder review prior to a final draft being presented to the General Manager. Once the Framework has been approved internal training will be provided to key staff.

Person responsible:

Date (to be) actioned:


Simon Rule - Director Finance & Policy

30/09/2021

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Issue 6: Improvement opportunities – governance

| Likelihood | Consequence | Systemic issue | Category | Risk assessment |
|------------|-------------|----------------|-------------|--|
| Possible | Medium | No | Operational |  Moderate |

Observation

We have previously collected data on several key areas across the Council sector to be incorporated into the Auditor General's Report to Parliament for Local Government. Our findings included:

Governance

- New starters do not complete a conflicts of interest declaration and existing staff do not complete a conflicts of interest declaration annually. Existing staff do not sign off on the code of conduct annually. Council does not report on fraud control activities in their annual report. Council does not include information (e.g. on its website) so the public know how to report suspected fraud; and
- Council has a gift and benefits policy. However, the policy does not address conflicts of interest and it does not outline measures to be taken when an employee breaches the policy. The gifts and benefit register does not capture whether there have been any gifts exceeding the value of \$50 accepted and whether there have been any 'cash-like' gifts. We have been advised by management that the policy will be reviewed and updated prior to 30 June 2022 to address above issues.

Implications

Council may be exposed to a greater risk of non-compliance and issues with governance processes and cyber security.

Recommendation

Management should assess the risks arising from the observations above and prioritise the implementation of relevant policies and procedures.

Management response

Agree

Council will review its process and documentation and make the necessary changes.

Person responsible:

Date (to be) actioned:

Simon Rule - Director Finance & Policy
Glen Norris - Manager Human Resources

31/12/2021

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Issue 7: Receipting procedures

| Likelihood | Consequence | Systemic issue | Category | Risk assessment |
|------------|-------------|----------------|-----------------------|-----------------|
| Possible | Low | No | Operational/Reporting | Low |

Observation

We have reviewed customer service receipting procedures. It is noted that receipts are issued from manual receipt books in the event that the computerised receipting system is unavailable. However, manual receipt books are not reviewed to ensure that all manual receipts are processed into system.

Implications

Without review of manual receipts, receipts may be omitted from the receipting system. Potential misappropriation of Council funds.

Recommendation

An officer independent of the receipting function should periodically review the manual receipt books ensuring that all manual receipts are accounted for and correctly processed in the receipting system. This review should be evidenced by way of signature.

Management response

Agree

This has already been actioned and completed.

Person responsible:

Date (to be) actioned:


Annette Fraser - Team Leader Customer Services

31/07/2021

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Issue 8: Mail remittances

| Likelihood | Consequence | Systemic issue | Category | Risk assessment |
|------------|-------------|----------------|-------------|---|
| Possible | Low | No | Operational |  Low |

Observation

During our review of mail remittances, it was observed that only one officer opens the mail. Remittances are then handed over to a second officer for recount and receipting.

Implications

With only one officer opening the mail, there is a risk of cheques being misappropriated or misused.

Recommendation

Two officers should be involved in opening the mail and recording the number of value of mail remittances. Both officers should sign the mail remittance slip confirming to the total number and value of the remittances received.

Management response

Disagree

Due to the size of our Shire and the small number of cheques received, we do not have enough staff to allocate 2 individuals to open the mail. Generally the person opening the mail (receiving) is not the person processing the cheque into Practical/Receipting. The only time that they receive and process is when they receive a cheque over the counter from a customer. On these occasions a receipt is always issued to a customer, so if they did not bank the cheque the end of day balance would not reconcile. As we do not always have 2 staff on the front counter over lunch breaks or when staff are doing the mail/banking, it would not be possible for us to always have someone receive the cheque and a different person process it. Given the size of our organisation, and the minimum number of cheques we receive, management is of the opinion that the risk to Council is minimal.

Person responsible:

n/a

Date (to be) actioned:

n/a

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Current year matters

Issue 1: Tipping site operations - Buronga landfill

| Likelihood | Consequence | Systemic issue | Category | Risk assessment |
|------------|-------------|----------------|-------------|--|
| Possible | Medium | No | Operational |  Moderate |

Observation

We have reviewed the operations at the Buronga tipping site. It was noted that there is no boom gate installed. We have been advised that there is CCTV on site. It was also noted that only the team leader has access to cancel vouchers. Certain type of waste are not charged for in accordance with Council's Fees and Charges. End-of-day takings are provided to Customer Service at Council for receipting. We have been advised that there is no independent review of cancellations and transactions with nil charges to ensure legitimacy.

Implications

Without independent review of cancellations and transactions with nil charges, there is an increased fraud risk where transactions may be inappropriately cancelled or charges inappropriately waived.

Recommendation

Listings of cancelled vouchers should be produced as part of the cashier balancing report. These reports should be reviewed by an officer independent of the tipping function, irrespective of whether any cancellations were performed. The reviewer should confirm the validity of the cancellations and evidence the review by way of signature. Listings of transactions with nil charges should be produced on a regular basis and reviewed by an officer independent of the tipping function to ensure legitimacy.

Management response

Agree

Council will review its processes and make the necessary changes.

The majority of the Nil transactions are for the disposal of Green Waste and Garden Organics, Council has introduced a new charge for this applicable from 1 July 2021 which should significantly reduced the number of Nil balance transactions.

Person responsible:

Date (to be) actioned:

Simon Rule - Director Finance & Policy

31/08/2021

Don McKinnon - Team Leader Landfill Operations





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Appendix

Review of matters raised in prior year management letters that have been addressed

The issues in this appendix were raised in previous management letters.

| Prior issues raised | Risk assessment | Assessment of action taken | Recommendation |
|--|--|---|-------------------------|
| Information Technology general controls <ul style="list-style-type: none"> Council does not have an Incident & Problem Management policy; and Council does not have an IT risk register. |  Moderate | Matter has been addressed by management | Nil as matter addressed |
| Improvement opportunities - Governance and cyber security: <ul style="list-style-type: none"> Council does not have a documented legislative compliance policy; Council has an enterprise risk register; Council does not have a Fraud Control Plan. Council does not perform a fraud control health check (within the last three years). Council does not conduct fraud awareness training for all staff at regular intervals (at least every 2-3 years). Council's risk register does not include the risk of a cyberattack. This will be reviewed as Council updates the risk register; Council did not perform penetration testing during 2019–20; Council does not have a separate budget to spend on cyber security; Council does not have a central register of cyber incidents. |  Moderate | Matter has been addressed by management | Nil as matter addressed |
| Account reconciliations |  Low | Matter has been addressed by management | Nil as matter addressed |
| Receipting procedures: <ul style="list-style-type: none"> Customer Service staff have the option to use receipting codes or general ledger accounts for receipting; and We have been advised that cancelled receipts are not |  Low | Matter has been addressed by management | Nil as matter addressed |

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independently reviewed as part of
end of day closing procedures.

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGER'S REPORT

File Number: RPT/21/458

Responsible Officer: Ken Ross - General Manager
 Responsible Division: Office of the General Manager
 Reporting Officer: Jess O'Neill - Business Support 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

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
Circulars 21-33 to 21-35
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.

Detailed Report

1. OLG Circulars

1.1 Circular 21-33

Compliance with records management provisions and transfer of local government records to the State Archives Collection.

- Under section 12 of the State Records Act 1998 (SR Act), a council must make and keep full and accurate records of its activities and maintain a records management program that conforms with standards and codes of best practice.
- All staff, councillors and council officials should be made aware of their responsibilities to make and keep records.
- Councils should review their records management program and systems against DPC Circular C2021-05 and the RMA for compliance with obligations under the SR Act, with particular consideration to the increasing use of records in digital format and digitally stored records.
- Under section 11 of the SR Act, councils must ensure that records are safely stored, protected and preserved.
- Councils should undertake disposal of their records. Those records required as State archives should be transferred to the State Archives Collection once they are no longer in active use.

- Using the Transfer Tool will help councils gain better visibility of records required as State archives and assist planning for the transfer of those to SARA as part of the State Archives Collection.

1.2 Circular 21-34

Updated guidance on COVID-19 restrictions and council meetings

What this will mean for councils in the “general area”

Resumption of in-person meetings

- Councils in the “general area” are no longer subject to stay home restrictions and councils can resume meeting in person.
- As advised in Circular 21-02 issued on 1 April 2021, the Local Government (General) Regulation 2021 has been amended to temporarily exempt councils from the requirement under clause 5.2 of the Model Code of Meeting Practice for Local Councils in NSW and the equivalent provision in each council’s code of meeting practice for councillors to be personally present at a meeting in order to participate in it.
- This means that, regardless of the Public Health Order, it continues to be open to councils and joint organisations (but not county councils) to continue to meet by audio-visual link and to permit individual councillors to participate in meetings by audio-visual link should they choose to do so.

Attendance by members of the public at meetings

- The relaxation of stay at home restrictions means that there is nothing to prevent members of the public from attending meetings in person. Councils are required under section 10 of the Local Government Act 1993 (the Act) to permit members of the public to attend meetings in person. Councils that continue to meet by audio-visual link must provide a physical venue that members of the public can attend to observe meetings in person.
- Councils can limit the number of members of the public attending meetings to comply with the Public Health Order and to ensure appropriate social distancing.
- Councils are not permitted under the Public Health Order to allow more persons to attend a meeting than the number of persons equal to one person per four square metres of space at the meeting venue. Councillors and council staff are not to be counted when calculating the space available for each person at the meeting venue and the number of persons who are attending a meeting. Guidance on calculating the number of persons permitted to attend meetings is available [here](#).
- The number of persons permitted to attend meeting venues under the Public Health Order is the maximum permissible. Councils should continue to ensure appropriate social distancing is practiced at meetings and should undertake their own risk assessment of meeting venues and apply whatever COVID mitigation strategies may be necessary to ensure appropriate social distancing is practiced at meetings. Guidance on practicing social distancing is available [here](#).
- The Public Health Order restricts access to certain premises by persons who are not fully vaccinated (ie who have not had two doses of the vaccine). These restrictions do not apply to council meetings. However, it remains open to councils to restrict access to meetings by members of the public who are not fully vaccinated where they are satisfied that this is necessary to ensure the health and safety of other meeting attendees. It is also open to councils to require members of the public to demonstrate their vaccination status as a condition of attending a meeting in person to ensure the health and safety of other meeting attendees.

- Where councils are required to limit the number of members of the public attending meetings or to exclude them from attending in person because of their vaccination status, they should consider livestreaming their meetings to ensure excluded members of the public can view them in real time.

Attendance by staff at meetings

- There is nothing to prevent council staff from continuing to attend meetings by audio-visual link.
- Attendance by staff at meetings is at the discretion and direction of the general manager subject to the following requirements under the Public Health Order:
 - For councils in Greater Sydney and for Central Coast and Wollongong and Shellharbour City Councils, staff who are not fully vaccinated are not permitted to attend meetings in person for the purposes of work, unless they are required to attend the meeting and it is not reasonably practicable for them to attend by audio-visual link from their home. Staff who are fully vaccinated must be permitted to attend meetings by audio-visual link from their home if it is reasonably practicable for them to do so.
 - For regional councils, before 1 November 2021, staff who have not been vaccinated (ie they have not received a single or both doses of the vaccine) are not permitted to attend meetings in person for the purposes of work, unless they are required to attend the meeting and it is not reasonably practicable for them to attend by audio-visual link from their home. Staff who are fully vaccinated or who have received a single dose of the vaccine must be permitted to attend meetings by audio-visual link from their home if it is reasonably practicable for them to do so. From 1 November, staff who are not fully vaccinated will not be permitted to attend meetings in person for the purposes of work unless they are required to attend the meeting and it is not reasonably practicable for them to attend by audio-visual link from their home.

Attendance by unvaccinated councillors at meetings

- As noted above, there is nothing to prevent councillors from continuing to attend meetings by audio-visual link.
- Councillors who have not been vaccinated are not prevented under the Public Health Order from attending meetings in person. However, councillors who have not been fully vaccinated should consider attending meetings by audio-visual link from their home or other premises to ensure the health and safety of other meeting attendees until they are fully vaccinated or until the rules applying to unvaccinated persons are further relaxed (currently expected to be 1 December 2021).

Wearing of masks at meetings

All persons attending meetings are required to wear face masks. It is permissible under the Public Health Order for councillors, staff and others to remove their masks for the purposes of addressing the meeting but must wear masks at all other times.

What this will mean for councils in “stay at home areas”

Stay at home requirements in stay at home areas

- As noted above, as of 11 October 2021, no councils are in “stay at home areas”. However, the status of a council’s area may change. The Chief Health Officer may identify an area as a “stay at home area” by notice published on the NSW Health website. Councils should monitor this website for any change to their status.

- Under the Public Health Order, persons in “stay at home areas” must not be away from their place of residence without a reasonable excuse as specified in Schedule 2 of the Order.
- Reasonable excuses include the following:
 - work- a person may leave their place of residence for work if it is not reasonably practicable for the person to work at their place of residence (clause 2)
 - legal obligations – a person may leave their place of residence to fulfil legal obligations (clause 13).

Attendance by councillors at meetings in stay at home areas

- As noted above, there is currently nothing to prevent any or all councillors from participating in meetings by audio-visual link.
- In stay at home areas, councillors who can attend meetings by audio-visual link from their place of residence, should do so to comply with the Public Health Order.
- Where councillors are not able to attend meetings by audio-visual link from their places of residence, for example because of a lack of suitable equipment or a poor internet connection, they may have a reasonable excuse for leaving their places of residence to attend meetings in person for the purposes of clauses 2 and 13 of Schedule 2 of the Public Health Order.

Attendance by staff at meetings in stay at home areas

- As noted above, there is nothing to prevent staff from attending meetings by audio-visual link.
- Under the Public Health Order, employers must require an employee whose place of residence or usual place of work is in a stay at home area to work at the employee's place of residence unless it is not reasonably practicable to do so.
- Affected staff should therefore not be required to attend meetings in person unless it is necessary for them to do so to support the meeting.
- The general manager should determine which staff are necessary to support the meeting.

Attendance by members of the public at meetings in stay at home areas

- As previously noted in Circular 21-14 issued on 28 June 2021, the Public Health order does not override the requirements of section 10 of the Act for councils to permit members of the public to attend meetings in person.
- However, under the Public Health Order, members of the public in stay at home areas will not be permitted to leave their places of residence for the purposes of attending council and committee meetings.
- Councils may wish to seek their own legal advice on their obligations under section 10 of the Act in circumstances where members of the public are not permitted to attend meetings under the Public Health Order.

Future easing of restrictions

- The Government has foreshadowed a further relaxation of restrictions over coming weeks.
- Based on current information, under the rules expected to apply from 1 December 2021:

- meeting venues will be able to operate at a 1 person per 2 square metres of space ratio
- masks will no longer be required to be worn at meetings
- in-person attendance by council staff at meetings will be at the general manager's discretion.

1.3 Circular 21-35

2021 Model Code of Meeting Practice for Local Councils in NSW

- Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code within 12 months of the local government elections. A council's adopted meeting code must not contain provisions that are inconsistent with the mandatory provisions.
- A council's adopted meeting code may also incorporate the non-mandatory provisions of the Model Meeting Code and any other supplementary provisions adopted by the council.
- Councils and committees of councils of which all the members are councillors must conduct their meetings in accordance with the code of meeting practice adopted by the council.
- Under section 361 of the Local Government Act 1993, before adopting a new code of meeting practice, councils must first exhibit a draft of the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code. This requirement does not apply to joint organisations.

2. Meetings

Following is a list of meetings or events attended by the General Manager for the period of 21 October 2021 – 5 November 2021.

| Date | Meeting | Location |
|-------------|--|------------------|
| 22 Oct 2021 | Joint Balranald and Wentworth LEMC Meeting | Video Conference |
| 22 Oct 2021 | Wentworth Collaborative Care Project Meeting | Video Conference |
| 23 Oct 2021 | Meeting with Minister Pitt and Minister Pavey | Menindee |
| 25 Oct 2021 | Joint Balranald and Wentworth LEMC Meeting | Video Conference |
| 26 Oct 2021 | Internal Audit & Risk Management Committee Meeting | Wentworth |
| 26 Oct 2021 | Mayoral Meeting | Wentworth |
| 27 Oct 2021 | Joint Balranald and Wentworth LEMC Meeting | Video Conference |
| 27 Oct 2021 | Steering Committee – River Reflections Conference | Video Conference |
| 28 Oct | Lower Darling Fishways Working Group Meeting | Video Conference |
| 28 Oct 2021 | Wentworth Hospital Redevelopment Update | Video Conference |
| 28 Oct 2021 | Murray Socio Economic Activation Taskforce | Video Conference |
| 29 Oct 2021 | Joint Balranald and Wentworth LEMC Meeting | Video Conference |
| 29 Oct 2021 | FWJO Board Meeting | Video Conference |
| 29 Oct 2021 | LEMC Welfare Subgroup Balranald and Wentworth | Video Conference |

| | | |
|------------|---|------------------|
| 1 Nov 2021 | Joint Balranald and Wentworth LEMC Meeting | Video Conference |
| 2 Nov 2021 | Mayoral Meeting | Wentworth |
| 3 Nov 2021 | Joint Balranald and Wentworth LEMC Meeting | Video Conference |
| 3 Nov 2021 | LEMC Welfare Subgroup Balranald and Wentworth | Video Conference |
| 3 Nov 2021 | Extraordinary Council Meeting | Wentworth |
| 4 Nov 2021 | Essential Energy Council Engagement Session | Video Conference |
| 5 Nov 2021 | LEMC Welfare Subgroup Balranald and Wentworth | Video Conference |

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 |
|-------------|------------------------------|--------------------|------------------|
| 26 Nov 2021 | FWJO General Manager Meeting | General Manager | Video Conference |
| 30 Nov 2021 | Native Title Webinar | General Manager | Video Conference |

4. Other items of note

Nil

Attachments

1. OLG Circular 21-33[↓](#)
2. OLG Circular 21-34[↓](#)
3. OLG Circular 21-35[↓](#)



Office of
Local Government

Circular to Councils

| | |
|-----------------------------|--|
| Circular Details | 21-33 / 21 October 2021 / A786297 |
| Previous Circular | N/A |
| Who should read this | Councillors / General Managers / All council staff / Governance and records management staff |
| Contact | Council Governance Team / 02 44284100 / olg@olg.nsw.gov.au |
| Action required | Information |

Compliance with records management provisions and transfer of local government records to the State Archives Collection

What's new or changing

- The Department of Premier and Cabinet (DPC) has issued a circular, [C2021-05 Managing Records in NSW Government](#), providing advice on the making, keeping, and safeguarding of records.
- To assist public offices, including councils, NSW State Archives and Records (SARA) has released the
 - [Records Management Assessment Tool \(RMAT\)](#) for assessing records management performance and maturity and planning for improvements, and
 - [Transfer Tool](#) to identify and forecast records required for transfer to the State Archives Collection.

What this will mean for your council

- Under section 12 of the *State Records Act 1998* (SR Act), a council must make and keep full and accurate records of its activities and maintain a records management program that conforms with standards and codes of best practice.
- All staff, councillors and council officials should be made aware of their responsibilities to make and keep records.
- Councils should review their records management program and systems against DPC Circular C2021-05 and the RMAT for compliance with obligations under the SR Act, with particular consideration to the increasing use of records in digital format and digitally stored records.
- Under section 11 of the SR Act, councils must ensure that records are safely stored, protected and preserved.
- Councils should undertake disposal of their records. Those records required as State archives should be transferred to the State Archives Collection once they are no longer in active use.
- Using the Transfer Tool will help councils gain better visibility of records required as State archives and assist planning for the transfer of those to SARA as part of the State Archives Collection.

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

Key points

- Records are at the core of local government business and are valuable assets.
- Councils should review their records management program and systems against DPC Circular C2021-05 and the RMA.
- Councils should transfer records required as State archives to SARA as part of the State Archives Collection.

Where to go for further information

- [SARA](#) has a range of guidance, including detailed information on [transferring records](#), and other resources relating to all aspects of the DPC Circular on its website, as well as [resources specific to local government](#).
- The RMA and the Transfer Tool are available on SARA's website.
- Contact SARA's Agency Services team at transfer@records.nsw.gov.au for further advice on transfer and other records related queries.



William Power
Acting Coordinator General, Planning Delivery and Local Government

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468



Office of
Local Government

Circular to Councils

| | |
|-----------------------------|--|
| Circular Details | 21-34 / 27 October 2021 / A793785 |
| Previous Circular | 21-14 COVID-19 restrictions and council meetings |
| Who should read this | Councillors / General Managers / All council staff |
| Contact | Council Governance / 02 4428 4100 / olg@olg.nsw.gov.au |
| Action required | Council to Implement |

Updated guidance on COVID-19 restrictions and council meetings

What's new or changing

- The Minister for Health and Medical Research, the Hon. Brad Hazzard MP, has made the *Public Health (COVID-19 General) Order 2021* (the Public Health Order). The Public Health Order took effect from **Monday, 11 October 2021** and has since been amended.
- The Public Health Order relaxes previous stay at home restrictions in areas that are not "stay at home areas" (the "general area"). As of Monday **11 October 2021**, no areas have been prescribed as "stay at home" areas under the Order and all councils are in the "general area".
- The Public Health Order also contains directions that apply to "stay at home areas". The Chief Health Officer may identify an area as a "stay at home area" by notice published on the [NSW Health website](https://www.health.nsw.gov.au). Councils should monitor this website for any change to their status.

What this will mean for councils in the "general area"

Resumption of in-person meetings

- Councils in the "general area" are no longer subject to stay home restrictions and councils can resume meeting in person.
- As advised in Circular [21-02](#) issued on 1 April 2021, the *Local Government (General) Regulation 2021* has been amended to temporarily exempt councils from the requirement under clause 5.2 of the *Model Code of Meeting Practice for Local Councils in NSW* and the equivalent provision in each council's code of meeting practice for councillors to be personally present at a meeting in order to participate in it.
- This means that, regardless of the Public Health Order, it continues to be open to councils and joint organisations (but not county councils) to continue to meet by audio-visual link and to permit individual councillors to participate in meetings by audio-visual link should they choose to do so.

Attendance by members of the public at meetings

- The relaxation of stay at home restrictions means that there is nothing to prevent members of the public from attending meetings in person. Councils are required under section 10 of the *Local Government Act 1993* (the Act) to permit members of the public to attend meetings in person. Councils that continue to meet by audio-visual link must provide a physical venue that members of the public can attend to observe meetings in person.
- Councils can limit the number of members of the public attending meetings to comply with the Public Health Order and to ensure appropriate social distancing.

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E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

- Councils are not permitted under the Public Health Order to allow more persons to attend a meeting than the number of persons equal to one person per four square metres of space at the meeting venue. Councillors and council staff are not to be counted when calculating the space available for each person at the meeting venue and the number of persons who are attending a meeting. Guidance on calculating the number of persons permitted to attend meetings is available [here](#).
- The number of persons permitted to attend meeting venues under the Public Health Order is the maximum permissible. Councils should continue to ensure appropriate social distancing is practiced at meetings and should undertake their own risk assessment of meeting venues and apply whatever COVID mitigation strategies may be necessary to ensure appropriate social distancing is practiced at meetings. Guidance on practicing social distancing is available [here](#).
- The Public Health Order restricts access to certain premises by persons who are not fully vaccinated (ie who have not had two doses of the vaccine). These restrictions do not apply to council meetings. However, it remains open to councils to restrict access to meetings by members of the public who are not fully vaccinated where they are satisfied that this is necessary to ensure the health and safety of other meeting attendees. It is also open to councils to require members of the public to demonstrate their vaccination status as a condition of attending a meeting in person to ensure the health and safety of other meeting attendees.
- Where councils are required to limit the number of members of the public attending meetings or to exclude them from attending in person because of their vaccination status, they should consider livestreaming their meetings to ensure excluded members of the public can view them in real time.

Attendance by staff at meetings

- There is nothing to prevent council staff from continuing to attend meetings by audio-visual link.
- Attendance by staff at meetings is at the discretion and direction of the general manager subject to the following requirements under the Public Health Order:
 - For councils in Greater Sydney and for Central Coast and Wollongong and Shellharbour City Councils, staff who are not fully vaccinated are not permitted to attend meetings in person for the purposes of work, unless they are required to attend the meeting and it is not reasonably practicable for them to attend by audio-visual link from their home. Staff who are fully vaccinated must be permitted to attend meetings by audio-visual link from their home if it is reasonably practicable for them to do so.
 - For regional councils, before **1 November 2021**, staff who have not been vaccinated (ie they have not received a single or both doses of the vaccine) are not permitted to attend meetings in person for the purposes of work, unless they are required to attend the meeting and it is not reasonably practicable for them to attend by audio-visual link from their home. Staff who are fully vaccinated or who have received a single dose of the vaccine must be permitted to attend meetings by audio-visual link from their home if it is reasonably practicable for them to do so. From 1 November, staff who are not fully vaccinated will not be permitted to attend meetings in person for the purposes of work unless they are required to attend the meeting and it is not reasonably practicable for them to attend by audio-visual link from their home.

Attendance by unvaccinated councillors at meetings

- As noted above, there is nothing to prevent councillors from continuing to attend meetings by audio-visual link.
- Councillors who have not been vaccinated are not prevented under the Public Health Order from attending meetings in person. However, councillors who have not been

Office of Local Government
 5 O'Keefe Avenue NOWRA NSW 2541
 Locked Bag 3015 NOWRA NSW 2541
 T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
 E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

fully vaccinated should consider attending meetings by audio-visual link from their home or other premises to ensure the health and safety of other meeting attendees until they are fully vaccinated or until the rules applying to unvaccinated persons are further relaxed (currently expected to be 1 December 2021).

Wearing of masks at meetings

- All persons attending meetings are required to wear face masks. It is permissible under the Public Health Order for councillors, staff and others to remove their masks for the purposes of addressing the meeting but must wear masks at all other times. Guidance on wearing face masks is available [here](#).

What this will mean for councils in “stay at home areas”

Stay at home requirements in stay at home areas

- As noted above, as of **11 October 2021**, no councils are in “stay at home areas”. However, the status of a council’s area may change. The Chief Health Officer may identify an area as a “stay at home area” by notice published on the [NSW Health website](#). Councils should monitor this website for any change to their status.
- Under the Public Health Order, persons in “stay at home areas” must not be away from their place of residence without a reasonable excuse as specified in Schedule 2 of the Order.
- Reasonable excuses include the following:
 - work- a person may leave their place of residence for work if it is not reasonably practicable for the person to work at their place of residence (clause 2)
 - legal obligations – a person may leave their place of residence to fulfil legal obligations (clause 13).

Attendance by councillors at meetings in stay at home areas

- As noted above, there is currently nothing to prevent any or all councillors from participating in meetings by audio-visual link.
- In stay at home areas, councillors who can attend meetings by audio-visual link from their place of residence, should do so to comply with the Public Health Order.
- Where councillors are not able to attend meetings by audio-visual link from their places of residence, for example because of a lack of suitable equipment or a poor internet connection, they may have a reasonable excuse for leaving their places of residence to attend meetings in person for the purposes of clauses 2 and 13 of Schedule 2 of the Public Health Order.

Attendance by staff at meetings in stay at home areas

- As noted above, there is nothing to prevent staff from attending meetings by audio-visual link.
- Under the Public Health Order, employers must require an employee whose place of residence or usual place of work is in a stay at home area to work at the employee’s place of residence unless it is not reasonably practicable to do so.
- Affected staff should therefore not be required to attend meetings in person unless it is necessary for them to do so to support the meeting.
- The general manager should determine which staff are necessary to support the meeting.

Attendance by members of the public at meetings in stay at home areas

- As previously noted in [Circular 21-14](#) issued on 28 June 2021, the Public Health order does not override the requirements of section 10 of the Act for councils to permit members of the public to attend meetings in person.

Office of Local Government
 5 O’Keefe Avenue NOWRA NSW 2541
 Locked Bag 3015 NOWRA NSW 2541
 T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
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- However, under the Public Health Order, members of the public in stay at home areas will not be permitted to leave their places of residence for the purposes of attending council and committee meetings.
- Councils may wish to seek their own legal advice on their obligations under section 10 of the Act in circumstances where members of the public are not permitted to attend meetings under the Public Health Order.

Future easing of restrictions

- The Government has foreshadowed a further relaxation of restrictions over coming weeks.
- Based on current information, under the rules expected to apply from 1 December 2021:
 - meeting venues will be able to operate at a 1 person per 2 square metres of space ratio
 - masks will no longer be required to be worn at meetings
 - in-person attendance by council staff at meetings will be at the general manager's discretion.

Where to go for further information

- More information on the Public Health Order is available [here](#).
- For further information please contact the Council Governance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.



William Power
Acting Coordinator General
Planning Delivery and Local Government

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468



Office of
Local Government

Circular to Councils

| | |
|-----------------------------|--|
| Circular Details | 21-35 / 29 October 2021 / A796782 |
| Previous Circular | 21-02 <i>Temporary exemption from the requirement for councillors to attend meetings in person</i> |
| Who should read this | Mayors / Councillors / General Managers / Joint Organisation Executive Officers / Council governance staff |
| Contact | Council Governance Team / 02 4428 4100 / olg@olg.nsw.gov.au |
| Action required | Council to Implement |

2021 Model Code of Meeting Practice for Local Councils in NSW

What's new or changing

- Following extensive consultation, the new *Model Code of Meeting Practice for Local Councils in NSW* (Model Meeting Code) has been finalised.
- The new Model Meeting Code has been published in the Government Gazette and is expected to be prescribed under the *Local Government (General) Regulation 2021* (the Regulation) on or before **Friday 19 November 2021**. The new Model Meeting Code is available on the Office of Local Government's (OLG) website [here](#).
- The new Model Meeting Code contains new provisions that allow councils to permit individual councillors to attend meetings by audio-visual link and to hold meetings by audio-visual link in the event of natural disasters or public health emergencies. The provisions governing attendance at meetings by audio-visual link are non-mandatory. Councils can choose not to adopt them or to adapt them to meet their own needs.
- Amendments have also been made to the provisions governing the webcasting of meetings and disorder at meetings to reflect amendments to the Regulation since the previous iteration of the Model Meeting Code was prescribed.
- An amendment has also been made to the Model Meeting Code implementing recommendation 6 in ICAC's report in relation to its investigation of the former Canterbury City Council (Operation Dasha). ICAC recommended that the Model Meeting Code be amended to require that council business papers include a reminder to councillors of their oath or affirmation of office, and their conflict of interest disclosure obligations.
- A Word version of the new Model Meeting Code is available on OLG's website showing the amendments in track changes.
- The repeal date for section 237 of the Regulation which exempts councils from the requirement under clause 5.2 of the previous iteration of the Model Meeting Code for councillors to be personally present at meetings in order to participate in them has been extended to **30 June 2022**. This is to allow councils additional time to exhibit and adopt new codes of meeting practice containing provisions allowing attendance by audio-visual link at meetings. If councils have not adopted a new meeting code that allows councillors to attend meetings by audio-visual link, they will not be permitted to do so after that date.

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5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

What this will mean for your council

- Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code within 12 months of the local government elections. A council's adopted meeting code must not contain provisions that are inconsistent with the mandatory provisions.
- A council's adopted meeting code may also incorporate the non-mandatory provisions of the Model Meeting Code and any other supplementary provisions adopted by the council.
- Councils and committees of councils of which all the members are councillors must conduct their meetings in accordance with the code of meeting practice adopted by the council.
- Under section 361 of the *Local Government Act 1993*, before adopting a new code of meeting practice, councils must first exhibit a draft of the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code. This requirement does not apply to joint organisations.

Key points

- The Model Meeting Code has two elements:
 - mandatory provisions (indicated in black font)
 - non-mandatory provisions (indicated in red font) covering areas of meeting practice that are common to most councils but where there may be a need for some variation in practice between councils based on local circumstances. The non-mandatory provisions also operate to set a benchmark based on what OLG sees as best practice for the relevant area of practice.
- The Model Meeting Code also applies to meetings of the boards of joint organisations and county councils. The provisions that are specific to meetings of boards of joint organisations are indicated in blue font.
- In adopting the Model Meeting Code, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".
- In adopting the Model Meeting Code, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

Where to go for further information

- The new Model Meeting Code is available on OLG's website [here](#).
- For more information, contact the Council Governance Team by telephone on 02 4428 4100 or by email at olg@olg.nsw.gov.au.



William Power
Acting Coordinator General, Planning Delivery and Local Government

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9.2 EASY TO DO BUSINESS - SERVICE NSW

File Number: RPT/21/619

Responsible Officer: Ken Ross - General Manager
 Responsible Division: Office of the General Manager
 Reporting Officer: Jess O'Neill - Business Support Officer

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 21 November 2018 Ordinary meeting of Council a resolution was passed to enter into a Memorandum of Understanding with Service NSW for the Easy to do Business program. Service NSW have provided a new Partnership Agreement to replace the Memorandum of Understanding.

Recommendation

That Council

1. Delegate authority to the General Manager to enter into a Partnership Agreement with Service NSW for the Easy to do Business initiative and sign the documentation.

Detailed Report

Purpose

The purpose of this report is to provide background information and seek support to enter into another contract with Service NSW for the Easy to do Business program. Service NSW have provided a reviewed contract for Council's approval.

Background

This program provides the opportunity for participating councils to implement programs that support small business, share resources and information with other participating councils and promote this to the local business community.

Report Detail

The Small Business Commissioner and Services NSW have developed the "Easy to do Business" program. This free program provides a number of benefits for Councils:

- Increased productivity with 'decision ready' applications and reduced transaction costs
- Effective tools to help boost our local economy, enabling more jobs in the region

The initiative will provide a customer, with a single point of contact within Service NSW who will help them navigate all the required approvals to operate the business, for example registering the business, obtaining an ABN, and required Council approvals.

In addition to the digital portal and free business concierge offering for Cafe, Restaurant and Small Bar, Service NSW is now helping tradies, builders and developers navigate the process by letting them know what they need, saving time and money.

The overall offering focuses on small businesses and is aimed at helping them in the following areas:

- Choosing a business structure
- Starting a business
- Applying for housing construction licences

- Taking out insurance and contracts
- Setting up workers
- Dealing with customers

Those looking to start up business can benefit from Council being involved in Easy to do Business:

- Get a unique digital profile that can help fast track the approval process across local, state and federal government
- Receive step by step guidance through the application process
- Have the support of a dedicated Business Concierge who can answer questions, liaise with council, and review applications to ensure they are 'decision ready'
- Know upfront the time, fees and effort involved.

The intention of the program is to build awareness of specialist advice services available, ensure Council staff can direct enquiries to these and provide applicants with the skills to be better informed and researched prior to lodging any applications.

Options

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

1. To provide delegated authority to enter into a contract with Service NSW for the Easy to do Business program
2. Not enter into a contract for the program and advise Service NSW

Implications

1. Financial Implications
This program is at no cost to council to participate. Support material, training and advice is provided by Service NSW at no cost. Implementation of the program should lead to reduced processing times and costs relating to applications to Council.
2. Legislative Implications
Council would still undertake all assessments as per appropriate legislation.
3. Other Implications
By Council supporting this initiative, the local business community and potential business investors can have some confidence that Council is supportive of small business and is actively trying to reduce the costs associated with small business startup.

Conclusion

Participation in the Easy to do Business program is important and will support the creation of new businesses within the Shire.

Attachments

1. Easy to Do Business Partnership Agreement[📄](#)



PARTNERSHIP AGREEMENT

Between **Service NSW** (ABN 37 552 837 401) and the **Wentworth Shire Council** (the '**Council**')
(the '**Parties**')

Last Updated: 27 July 2021

1. Purpose

1.1. The purpose of this Agreement is to:

- A. Provide the services of Service NSW for Business, which is a division of Service NSW with a mandate of being the one front door for businesses in NSW to access government information and services.
- B. Provide the framework within which Services will be delivered;
- C. Document the responsibilities of Service NSW and the Council on the provision of Services;
- D. Provide mechanisms to manage the relationship between the Parties;
- E. Promote a collaborative approach to working together in a timely and effective manner and to act in good faith.

This Agreement is not legally binding.

2. Background

- 1) Service NSW is a Division of the Government Service established under the Service Act. The functions of Service NSW include the exercise of customer service functions, within the meaning of the Service Act; other functions conferred by statute; and other functions relating to the delivery of Government services, as directed by the Minister responsible for Service NSW.
- 2) Section 7 of the Service Act makes provision for customer service functions to be delegated by other NSW Government agencies to the Chief Executive Officer ('CEO').
- 3) The functions of the CEO are exercised by the staff of Service NSW.
- 4) Section 8 of the Service Act enables the CEO to enter into Agreements with local government agencies for the exercise of a non-statutory customer service function of the agency; or with respect to the exercise of a customer service function delegated to the CEO.
- 5) Subsection 8(4) of the Service Act provides that an Agreement with a council, a county council or a joint organisation within the meaning of the *Local Government Act 1993* must be approved by a resolution of the council, county council or joint organisation, must be approved before it is entered into.
- 6) Service NSW partners with the Council to promote and deliver the services of Service NSW for Business to businesses across NSW.

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7) the purpose of this collaboration is to ensure awareness and access to Government services to all businesses in NSW.

8) the Services of Service NSW for Business are free for the Council and for customers.

9) The PPIP Act and the HRIP Act set out information handling principles that apply to public sector agencies (as defined in section 3 of the PPIP Act). As public sector agencies, the parties must not do anything, or engage in any practice, that contravenes a privacy principle that applies to them.

10) Section 14 of the Service Act makes provision for the disclosure and use of information, including personal information, for the purposes of the exercise of customer service functions by the CEO. Section 14 has effect despite the provisions of any other Act, including the PPIP Act and the HRIP Act.

11) Section 15 of the Service Act makes provision for the collection of personal information for the purposes of the PPIP Act and the HRIP Act, by Service NSW.

12) Section 16 of the Service Act enables an Agreement made under the Service Act, or a delegation of a customer service function by an agency to the CEO, to provide for the exercise by Service NSW of functions relating to access to information under the Government Information (Public Access) Act 2009 and functions relating to the State Records Act 1998, in connection with the functions of the council concerned. The responsibilities of Agencies under the *State Records Act 1998* include making and keeping full and accurate records of their office.

13) The Parties have agreed to enter into an Agreement under section 8 of the Service Act, incorporating the terms on this Agreement..

3. Guiding Principles

3.1. The Parties will:

- A. Work collaboratively and in good faith in a timely and effective manner, with open communication to achieve shared objectives;
- B. Facilitate a partnership relationship that promotes and achieves continuous improvement and accountability;
- C. Ensure that each of its Personnel complies with this Agreement and all applicable laws and policies relating to the Services, including the *Work Health and Safety Act 2011*;
- D. Comply with the agreed timelines for meeting obligations to ensure efficient and effective delivery of Services;
- E. Work together to identify and manage shared risks;
- F. Work together to prioritise initiatives and enhancements, particularly where there are limitations on time and resources; and
- G. Work together to respond to the media, advise Ministers, and consult each other when developing communications that impact on Services.

4. Roles and Responsibilities

4.1. Service NSW will:

- A. Provide the Services in accordance with the terms of this Agreement, subject to any Change Request;
- B. Exercise the required standard of skill, care and diligence in its performance of the Services and ensure that its Personnel have appropriate qualifications and skills to provide the Services;
- C. Take responsibility for the management of records it creates or holds as a result of the exercise of a customer service function, where required; and
- D. Take responsibility for performing necessary maintenance of its systems and data managing the impact on customers from Service NSW system outages and working in conjunction with the Council.

4.2. The Council will:

- A. Provide Service NSW with all information, inputs, resources and subject matter expertise in a timely manner as required to enable Service NSW to provide the Services as set out in the Agreement;
- B. Take responsibility for the management of records it receives or holds following the exercise of a customer service function by Service NSW.

4.3. The Parties undertake to maintain open channels of communication by:

- A. Making available Personnel, data, reports and computer systems for the purposes of resolving customer issues;
- B. Appointing a Relationship Manager with responsibility for managing the contractual and operational aspects of the Services. The Relationship Manager may be varied.

5. Services

A. Service NSW will:

- (i) provide the relevant information and contacts to Council to ensure its local businesses are aware and can access the Service NSW for Business services
- (ii) provide a single point of contact for Council to ensure it can access Service NSW for Business services.

B. the Council will:

- (i) refer eligible customers to the Program;
- (ii) provide guidance to Service NSW staff to assist in responding to inquiries;
- (iii) inform customers and Service NSW of the outcome of relevant applications in line with privacy requirements
- (iv) provide updates on changes to local government policies, guidelines or other matters which may affect the Program;
- (v) identify local opportunities to inform customers of the program;
- (vi) provide Service NSW with feedback on the effectiveness and performance of the Program.

6. Liability

- 6.1. To the full extent permitted by law, neither Council or Service NSW will be liable to the customer for the customer's actions or responsible for any liability, loss or cost suffered directly or indirectly by the business in connection with the Service NSW for Business service.

7. Data and Data Security

- 7.1. Each party retains ownership of its Data.
- 7.2. Except as required by law, neither party must, and must ensure that its Personnel will not:
- A. use the Data belonging to the other party for any purpose other than the performance of its obligations under this Agreement; or
 - B. sell, commercially exploit, let for hire, assign rights in or otherwise dispose of any Data. or
 - C. Make the other party's Data available to a third party including another government agency or body, other than an approved Subcontractor, and only to the extent required under this Agreement.
- 7.3 Each party must establish and maintain safeguards against the destruction, loss or alteration of either party's Data in the possession or control of that party which are is consistent with and no less rigorous than those maintained by either party to secure its own data; and comply with all applicable laws and policies.
- 7.4 In particular, the Parties will ensure the secure transmission and storage of data, at standards no less than those recommended by Cyber Security NSW.

8. Confidential Information

- 8.1. The Parties must, in respect of any Confidential Information:
- A. Keep the Confidential Information confidential and not disclose that information to any person without the prior written consent of the disclosing party, other than to its Personnel, professional advisors or contractors requiring access to the Confidential Information in connection with providing the Services;
 - B. Use the Confidential Information solely for the purpose of carrying out its obligations;
 - C. Not permit the Confidential Information to be reproduced except to the extent reasonably required to carry out its obligations;
 - D. Not do anything that would cause the disclosing party or its Personnel to breach their obligations under Privacy Law; and
 - E. Notify the other party as soon as possible upon becoming aware of any breach of this clause.

9. Privacy

- 9.1 Each party and its Personnel must:
- A. Comply with Privacy Laws; and
 - B. Do all that is reasonably necessary to enable the other party to comply with Privacy Laws, including the development of documentation to demonstrate compliance with Privacy Laws, as agreed between the parties;
- 9.2. In particular, Service NSW acknowledges that:
- A. The collection of personal or health information will take place in compliance with the Privacy Laws, as modified by section 15 of the Service Act; and

- B. the use, disclosure, storage and retention of such information will be in accordance with the Privacy Laws, and in accordance with applicable policies.

Schedule 3 documents the respective responsibilities of Service NSW and the Council in relation to the collection, storage, use, retention and disclosure of personal information.

- 9.4 Personal and health Information collected, used, disclosed or retained between the parties will be managed and retained by the parties in accordance with the *State Records Act 1998* (NSW) and all other applicable laws, including Privacy Laws.
- 9.5 Once either of the Parties has reasonable grounds to believe there has been unauthorised access to, unauthorised disclosure of, or a loss of Personal or Health Information, dealt with in connection with this Agreement ('**Data Incident**'):
 - A. The party must immediately (but in any event, no later than 72 hours of becoming aware of the Data Incident) notify the other party of that contravention together with all relevant information relating to the contravention;
 - B. Consult with the other party as to which party should have primary responsibility for investigating and dealing with the breach or possible breach;
 - C. Consider, having regard to the scope of the Data Incident and the nature of the personal or health information involved, together with any other relevant factors, whether the Data Incident is serious.
 - D. The party with primary responsibility for the breach must notify the Privacy Commissioner as soon as practicable that a serious Data Incident has occurred; and
 - E. The parties must co-operate and collaborate in relation to assessment and investigation of the Data Incident, and action required to prevent future Data Incidents.
- 9.6 If either of the Parties receives a complaint or request for an internal review of conduct in relation to a breach or alleged breach of a Privacy Law, including under section 53 of the PPIP Act, (a '**Complaint**'), the following will apply:
 - A. It is the responsibility of the party that receives the Complaint to perform a preliminary investigation to determine the party responsible for the conduct;
 - B. If responsibility lies wholly with the party that received the Complaint, then that party is responsible for responding to the complaint or conducting the internal review of conduct;
 - C. If, after performing the investigation, the relevant party reasonably considers that the Complaint should be transferred to the other party, it will (after obtaining the consent of the customer) promptly transfer the Complaint and any further information obtained by the party from its preliminary investigation, to the other party, no later than 20 days after receipt of the original Complaint;
 - D. If the Complaint relates jointly to the conduct of both parties, then the party that received the Complaint will (after obtaining the consent of the Customer) notify the other party no later than 20 days after its receipt of the original Complaint and provide any further information obtained by that party from its preliminary investigation. The parties will then work together to coordinate a joint response from the parties within 60 days of receipt of the Complaint. This response may include an internal review of conduct.

10. Intellectual Property

- 10.1 Each party will retain the Intellectual Property Rights in its Existing Material.
- 10.2 Each party agrees to grant to the other party a non-exclusive and royalty free licence to use, sublicense, adapt, or reproduce:
 - A. Their Existing Material; and
 - B. All methodologies, processes, techniques, ideas, concepts and know-how embodied in their Existing Material,
 - C. To the extent their Existing Material is required for use by the other party, solely in connection with provision of the Services.
- 10.3 Each party represents and warrants to the other party that it has all required rights and consents for its Existing Material to be used for the Services.
- 10.4 Intellectual Property Rights in all New Contract Material will vest in the Council.
- 10.5 The Council grants a perpetual, worldwide, irrevocable and royalty free licence to the Intellectual Property Rights in all New Contract Material to Service NSW for the purpose of performing the Services.
- 10.6 Subject to clauses 10.1 and 10.4, Service NSW will own all Intellectual Property Rights in the provision of the Services, including any solution and service design.

11. Performance Management and Continuous Improvement

- 11.1 Service NSW for Business does not require any provisions in relation to performance management
- 11.2 Service NSW for Business will work collaboratively with Council to ensure continuous improvement of its services to Council.
- 11.3 Any future extension of this Agreement by Service NSW with Council will specify the relevant performance management and continuous improvement provisions required.

12. Reporting

- 12.1 Service NSW for Business does not require any reporting arrangements
- 12.2 Any future arrangements that require reporting will be outlined in a Schedule to this Agreement.

13. Change Management

- 13.1 Each party will comply with the Change Management Process set out in Schedule 4.
- 13.2 The parties agree to complete a Change Request in the form set out in Schedule 4 to add to or vary the Services.

14. Governance

- 14.1 The parties agree to comply with the Governance Framework.

15. Business Continuity and Disaster Recovery

- 15.1 Each party will maintain Business Continuity and Disaster Recovery Plan arrangements to ensure that each party is able to continue to perform its obligations under this Agreement, or where performance is not possible, resume performance as soon as reasonably practicable in the event of a Disaster.

16. Dispute Resolution

- 16.1 In the event of a dispute between the parties, a party will:
- Raise the dispute with the other party's Relationship Manager and use best efforts to resolve the dispute;
 - If the dispute is not resolved within a reasonable period, the Chief Executive of the Council or their delegate will meet with the Chief Executive Officer of Service NSW (or their delegate) with a view to resolving the dispute.
 - If the dispute is not resolved under clauses 16.1(b) within a reasonable period, attempt to resolve any dispute in accordance with the Premier's Memorandum M1997-26.
- 16.2 Despite the existence of a dispute, each party must continue to perform its obligations.

17. Termination

- 17.1 Either party may terminate this Agreement in whole or in part by giving the other party 90 days written notice or as otherwise agreed.
- 17.2 On notice of termination or where Service NSW is otherwise required to cease to perform some or all of the Program, the parties will work together in good faith to finalise and agree a transition out plan to facilitate smooth and orderly transition of the relevant Program to the Council or the Council's nominated third party. Where the parties cannot agree, the dispute resolution provisions in clause 16 will apply.
- 17.3 Upon termination, each party agrees to return all Data and property belonging to the other party within 30 days of the termination date and comply with the transition out plan agreed under clause 17.2.

18. Miscellaneous

- 18.1 Entire Agreement

This Agreement supersedes all previous Agreements, understandings, negotiations, representations and warranties and embodies the entire Agreement between the Parties about its subject matter.

- 18.2 Survival

The following clauses survive termination or expiry of the Agreement: Clauses 4, 6, 7, 8, 9, 10, 14, 15, 16, 17, 18, 19 and any other clause which by its nature is intended to survive termination or expiry of the Agreement.

18.3 Notices

A notice under this Agreement must be in writing and delivered to the address or email address of the recipient party.

18.4 Variation

All variations to this Agreement and all consents, approvals and waivers made under this Agreement must be evidenced in writing and variations signed by both parties.

18.5 Waiver

If a party does not exercise (or delays in exercising) any of its rights, that failure or delay does not operate as a waiver of those rights.

10.6. Applicable law

The Agreement is governed by, and is to be construed in accordance with, the laws in force in NSW.

18.7 Counterparts

The Agreement may consist of a number of counterparts and if so, the counterparts taken together constitute one and the same instrument.

19. Execution

Wentworth Shire Council has reviewed and accepts this Agreement

| Signed for and on behalf of Wentworth Shire Council by its authorised signatory | Signed for and on behalf of Service NSW by its authorised signatory |
|--|--|
| Name: | Name: |
| Title: | Title: |
| Date: | Date: |
| Signature: | Signature: |
| Witness: | Witness: |
| Signature: | Signature: |

Schedules

Schedule 1 - Definitions

In these Partnership Agreement, except where a contrary intention appears:

Business Continuity and Disaster Recovery Plan means a business continuity and disaster recovery plan which documents the back-up and response actions each of the parties will take to continue its obligations if a Disaster occurs;

Change Request means the request for a change to the scope of Services in the form set out in Schedule 4;

Commencement Date means the date of start of this Agreement.

Confidential Information of a party means any written or oral information of a technical, business or financial nature disclosed to the other party, including its employees or agents, by the disclosing Party (whether orally or in writing) whether before or after the Commencement Date, that:

- A. is by its nature confidential; or
- B. is designated as confidential; or
- C. the other party knows or ought to know is confidential,
- D. but does not include information which:
 - a. is or becomes public knowledge other than by breach of this Agreement; or
 - b. is in the lawful possession of the Party without restriction in relation to disclosure before the date of receipt of the information; or
 - c. is required to be disclosed by Law, government policy or legal process.

Contact Centre has the meaning set out in Schedule 2;

Continuous Improvement Principles have the meaning set out in Schedule 2;

Continuous Improvement Process has the meaning set out in Schedule 2;

Data means the data of each party and all data and information relating to their operations, Personnel, assets, customers and systems in whatever form that may exist, including Confidential Information;

Disaster means an event that causes, or is likely to cause, a material adverse effect on the provision of the Services that cannot be managed within the context of normal operating procedures including interruption, destruction or other loss of operational capacity;

Existing Material means any material that is developed prior to entering into a Partnership Agreement, or developed independently of a Partnership Agreement, and includes any enhancements and modifications to its Existing Material created as part of a Partnership Agreement;

HRIP Act means the *Health Records and Information Privacy Act 2002* (NSW);

Instrument of Delegation means the instruments of delegation (including its terms and conditions) made by the Council in relation to the Delegated Functions.

Intellectual Property Rights includes patent, knowhow, copyright, moral right, design, semi-conductor, or circuit layout rights, trademark, trade, business or company names or other proprietary rights and any rights to registration of such rights, whether created before or after the Commencement Date, in Australia or elsewhere;

Middle Office has the meaning set out in Schedule 2;

Moral Rights means the right of integrity of authorship and the right not to have authorship falsely attributed, as confined by the *Copyright Act 1968* (Cth) and the rights of similar nature anywhere in the world, whether in existence before or after the Commencement Date;

New Contract Material means new data created, other than the solution or service design;

Partnership Agreement means these terms and conditions and includes Schedules 1, 2, 3 and 4.

Personal Information has the meaning given to it in the Privacy Laws, as amended from time to time;

Personnel means the person or persons employed or otherwise contracted by either party under this Agreement, as the context requires;

PIIP Act means the *Privacy and Personal Information Protection Act 1998* (NSW);

Privacy Law means any law that applies to either or both of the parties which affect privacy or any personal information or any health information (including its collection, storage, use or processing) including:

- A. the PPIP Act; and
- B. the HRIP Act.

Program means the Easy to do Business program;

Quarterly Forecast has the meaning set out in Schedule 2;

Relationship Manager means the nominated relationship managers of either party, as set out in the Service Agreement, or as otherwise nominated by a party from time to time;

Service Act means the *Service NSW (One-stop Access to Government Services) Act 2013* (NSW);

Service Centre has the meaning set out in Schedule 2;

Service NSW Standard Operating Conditions means the standard operating conditions met by Service NSW in the usual course of its performance of the Services set out in Schedule 2;

Subcontractor means a third party to which Service NSW has subcontracted the performance or supply of any Services;

Schedule 2

1. Service NSW Standard Operating Conditions

In addition to the Partnership Agreement this section covers the standard omnichannel service inclusions.

1.1. Service Centre

Similar services as those available at Service Centres may be offered through Mobile Service Centres. The Mobile Service Centre timetable is published regularly on the Service NSW website.

| Inclusion | Description |
|---|--|
| Concierge and digital assisted services | A Service NSW Concierge will greet and direct customers to the appropriate channel and dispense a ticket where applicable. If the transaction can be completed online, a Digital Service Representative will assist the customer to complete the transaction |
| Customer sentiment surveys | Before leaving the centre, customers will be offered the option of leaving feedback via a digital terminal |

1.2. Contact Centre

Similar services (to that of phone-based) may be offered through a web chat feature accessible via the Service NSW website.

| Inclusion | Description |
|-------------------------------|---|
| Virtual hold call back system | During high volume periods, customers will be offered the option of leaving their details with an Interactive Voice Response (IVR) auto attendant. Customers can hang up while holding their place in the queue. Their call will be returned by the next available operator |
| Inbound number | Service NSW will answer all inbound enquiries on 13 77 88 as 'Service NSW' |
| Call coding | A Customer Service Representative will record the customer's reason for calls and the outcome |
| Customer sentiment surveys | Once the call is complete, customers will be offered the option of leaving feedback via an automated IVR system |

1.3. Middle Office

| Inclusion | Description |
|-----------|-------------|
|-----------|-------------|

| | |
|----------------|---|
| Enquiry triage | Service NSW will triage enquiries received to info@service.nsw.gov.au or via Service NSW website 'Contact Us' page and <ul style="list-style-type: none"> - Resolve these enquiries or; - Refer it to the appropriate business area at the Council |
| Enquiry coding | A Customer Service Representative will record the customer's reason for enquiring and the outcome |

1.4. Service NSW Website and Mobile App

| Inclusion | Description |
|---|---|
| Scheduled maintenance and planned outages | Service NSW will conduct regularly scheduled maintenance of the website and mobile app. 10 business days of notice will be provided regarding outages from planned and scheduled maintenance Maintenance activities with negligible impact or outage, such as enhancements to optimise for cybersecurity or performance, may occur without notification to the Council |

1.5. Service NSW for Business

Service NSW for Business provides a multi-channel service including digital, phone and face-to-face services for metro and regional businesses in NSW and develops relationships with councils and business associations to promote the offering to local businesses.

| Inclusion | Description |
|---|--|
| Relationship management | Business Customer Service staff initiate and maintain relationships with councils and business associations to promote awareness and use of the service offering by such stakeholders and their local business community. It may include, but is not limited to, information sharing, regular liaison at events and stakeholder premises and issue of surveys. |
| Scheduled Maintenance and Planned Outages | Digital products controlled by Service NSW for Business will be regularly updated, upgraded and maintained without any outages. |

1.6. Training

Service NSW will provide appropriately trained Personnel to deliver the Services.

1.7. Language

Service NSW will provide services in English and may arrange translation and interpreter services for customers from non-English speaking backgrounds if required.

1.8. Branding

Unless otherwise set out in the Partnership Agreement, Service NSW channels are singularly branded. Marketing communication is limited to Service NSW led or co-led campaigns and programs.

1.9. Contractors and Agents

Service NSW may use contractors and agents in connection with the delivery of Services. Such agents and contractors are approved persons under Part 2 Section 12 of the Service Act.

1.10. Out of Scope Services

Any item, service or deliverable that is not specified in a Partnership Agreement is deemed to be out of scope for Service NSW.

2. Operational Framework

Service NSW operational framework outlines how operations are managed on a day-to-day basis.

| Operational Support | Description |
|---------------------------------------|--|
| Knowledge Management | Service NSW creates and maintains support material (knowledge articles) for serving customers. These will be sent to the Council for endorsement of content accuracy bi-annually |
| Complaints Management | Service NSW will record complaints and its supporting information unless resolved at the outset. Service NSW will contact the Council where assistance is required |
| Issues Management | Issues relating to existing products and services should be raised via partnerships@service.nsw.gov.au or directly with the Relationship Manager The Relationship Manager will assess the issue and facilitate a resolution within Service NSW, providing regular updates |
| Quality control framework/ compliance | Service NSW has a quality control framework that governs transactional activities in line with risk assessment at the time of onboarding The framework includes: <ul style="list-style-type: none"> - Regular review of contact centre calls, including being assessed against procedure and process used by the agent during the call - Daily quality checks of transactions undertaken by the service centre - Quarterly compliance reviews and certifications provided by all service delivery channels |

2.1. IT Operations & Support

Service NSW runs a 24/7, 365 days a year service desk. Unplanned interruptions or degradations in quality of service should be raised to the Service NSW Service Desk on 1300 697 679 (option 2) or servicedesk@service.nsw.gov.au

Incident response times in our production environment are prioritised based upon urgency and impact, with associated response and resolution times.

| Priority Code | Service Level Target Response/Resolution Time |
|---------------|---|
| P1 - Critical | Response: Immediate response, action/update within 15 minutes Resolution: 2 hours |
| P2 - High | Response: Immediate response, action/update within 30 minutes Resolution: 4 hours |
| P3 - Medium | Response: 8 hours Target Resolution: 10 working days |
| P4 - Low | Response: Email notification of call being logged within 2 days. Response by email or phone within 2 working days Target Resolution: 20 working days |

Where vendors or other government platforms are involved, Service NSW utilises a best practice vendor governance framework for service level Agreements and for priority 1 and 2 incidents.

2.2. System and Security Maintenance

Service NSW complies with the NSW Government Cyber Security Policy and operates an information security management system that is certified against ISO 27001. These engagement Terms do not extend the certification scope to the Council's specific activities.

3. Customer Payments

Service NSW will collect payments from customers for transactions set out in the Service Agreement. Cash, cheque, money order, credit or debit card may be accepted and merchant fees plus GST will be recovered.

Service NSW will provide remittances and reconciliation files to the Council which include:

- A. Credit T+2 value for cash, cheques* and bank card payments
- B. Credit T+2 value for AMEX payments
- C. Debit any cheques dishonoured
- D. Debit any card payment chargebacks
- E. Debit any refunds processed on behalf of the Council

Cheque payments received over \$50,000 will be remitted back to the Council once the funds clear the Service NSW remitting bank account.

4. Business Continuity and Disaster Recovery

Service NSW will maintain an Enterprise Risk Management Framework focused on managing risks to Service NSW, including mitigation of the likelihood and impact of an adverse event occurring. As a function of risk management, business continuity management will enable Service NSW to minimise disruptive risks and restore and recover its business-critical services within acceptable predefined timeframes should an adverse event or other major business disruption occur.

Recovery and timeframes may be impacted when events or disruptions are related to dependencies on partner Agencies. The Parties will agree on Recovery Point Objectives and Recovery Time Objectives and associated charges prior to designing the system and will periodically review these objectives.

All systems and technology provided by Service NSW internally and through third-party vendors, operate through multiple data centres to achieve high availability. Service NSW systems are architected, where practicable and possible, to ensure continuity of service in the event of a data centre disruption or outage.

Definitions

Recovery Point Objectives means the age of files that must be recovered from backup storage for normal operations to resume if a computer, system, or network goes down as a result of a hardware, program, or communications failure.

Recovery Time Objectives means the targeted duration of time and a service level within which a business process must be restored after a disaster (or disruption) in order to avoid unacceptable consequences associated with a break in business continuity.

5. Continuous Improvement

Service NSW regularly reviews improvement ideas from employees and customers. We will provide you with any ideas relevant to your agency for consideration.

'Continuous Improvement' refers to identifying a process, system or policy opportunities that will deliver a benefit for our people, our customers or the NSW government. These improvements may be delivered in house where possible or by engaging our partnering agencies where further input or decisions are required under policy or legislation. A Continuous Improvement:

- A. Puts the customer first
- B. Makes the customer service job easier
- C. Improves a step in a process
- D. Changes the way a task is completed so that it doesn't take as long
- E. Reduces handling time and is cost effective
- F. Allows others to benefit from best practices
- G. Allows us to do things better locally, regionally or organisation-wide
- H. Is a low-investment process change and not a policy change
- I. Improves accountability within the various stages of the process
- J. Removes steps that don't add any value to a process

Service NSW will consider several factors such as cost to implement, cost savings, customer experience, team member experience and operational efficiency in prioritising continuous improvements.

5.1. Continuous Improvement Process

The parties will identify new continuous improvement initiatives on an annual basis, with a 6-monthly check-in on ongoing continuous improvement initiatives.

When establishing a new continuous improvement initiative, the parties will classify the initiative based on

whether it can be implemented as:

- A. part of the ongoing 'business as usual' services (cost and resourcing to be absorbed by Service NSW;
or
- B. a new project initiative (cost and resourcing to be agreed by the parties).

A prioritisation process will be agreed upon between the parties to prioritise initiatives (for Service NSW, this will be performed by the Partnerships team).

The Council may be required to effect policy, system or regulatory changes to assist in delivering the service process improvement, as agreed with Service NSW. Where a review of Council policy, system or regulatory changes is requested by Service NSW from the Council, these should be conducted within timeframes agreed between the respective Relationship Managers.

Schedule 3 – Privacy and Data Security

(a) General

- (i) Service NSW may collect, use, disclose, store and retain personal information when exercising functions for the Council:
- (ii) Where Service NSW exercises functions for the Council, Service NSW can share information it obtains with the Council without separately requesting the customer's consent. Service NSW can also share the information it obtains with any person that the Council is authorised or required to disclose the information to in accordance with the Service Act.

(b) Access to Agency Systems

- (i) The Parties agree that Service NSW will not have access to the Council's information system.

(c) Collection of information

- (i) Service NSW may incidentally collect Personal Information via call recordings in the course of answering queries on behalf of Council or referring customers to Council. Personal Information collected may include: full name, address, contact number or email address.
- (ii) Service NSW will take reasonable steps to ensure that the Personal or Health Information it collects on behalf of the Council is, relevant, accurate, up-to-date and complete.
- (iii) Service NSW will provide a privacy collection notice to customers whenever it collects their information.
- (iv) If Service NSW collects personal information for its own internal purposes, when exercising functions for the Council, it will ensure that the privacy collection notice meets the requirements of section 10 of the *PIPA Act* in light of section 15(3) of the *Service Act*.
- (v) The notice will address each of the matters that a privacy collection notice is, by law, required to address. Service NSW will develop the content of the notice in consultation with the Wentworth Shire Council.

(d) Internal records maintained by Service NSW

- (i) Under the *Service Act*, Service NSW is permitted to collect, maintain and use the following records for its internal administrative purposes, including for the purposes of its interactions with customers for whom functions are exercised:
 - Details of transactions between customers and Service NSW
 - The preferences of customers for transacting matters with Service NSW and the Wentworth Shire Council, and
 - Other information about customers.
- (ii) Service NSW collects, maintains and uses the following information for its internal administrative purposes:
 - Details of transactions between customers and Service NSW
 - The preferences of customers for transacting matters with Service NSW and the Wentworth Shire Council, and

- Other information about customers.

(e) Use of information

- (i) Service NSW can use information in accordance with the *Service Act*, PPIP Act and HRIP Act.
- (ii) Service NSW uses Personal Information for the purposes of assisting customers in directing queries to Council, training and quality purposes.

(f) Disclosure

- (i) Service NSW can disclose information in accordance with the *Service Act*, PPIP Act and HRIP Act.
- (ii) Where Service NSW performs a transaction for a customer, when exercising functions for the Council, it will ask the customer for consent before sharing that information with a different agency,

(g) Retention

- (i). Personal Information collected via call recordings is stored in Genesys. The length of data retention will be directly related to the purpose for which it was collected and retained. Data is maintained for the minimum period required. Call recordings are available for 3 months and subsequently archived. **(h)**

(h) Data Security

- (i). Personal Information stored in Genesys follows a comprehensive User Access Matrix controlled by Government Technology Platforms Virtual Contact Centre Team. Role based access to the system is granted to users at the minimum level required to perform their duties and to protect against unauthorised access, use, modification or disclosure. Access vi SSO with dfsi.okta.com. The Genesys PureCloud environment is whitelisted and only users on the corporate network or VPN can access the platform. The User Access Matrix is reviewed monthly and a detailed review is conducted every 6 months. The User Access Matrix is a comprehensive document that shows details such as the time of last login, date the account was disabled, date of termination, date of extension, date of role review, name of the reviewer.

(i) Privacy Management plans

The parties agree to update and periodically review their privacy management plans or other relevant policy documents so that any person can ascertain whether Service NSW or the Council holds personal information relating to that person and if so, the nature of the information, the main purposes for which it is used and the person's entitlement to access the information, in relation to the services covered by this Agreement.

(j) Access to and amendment of Personal Information

- (i) Service NSW agrees that it will provide any individual who requests it with access to their own personal information without excessive delay and without any expense, in relation to information it holds as a result of exercising functions for the Council.

(k) Privacy Officer

The parties have nominated a Privacy Officer who is the point of contact for dealing with complaints, applications for internal reviews, data breaches, employee education and other privacy matters.

Privacy Officers can be contacted as follows:

Service NSW:

Privacy Officer

Service NSW

2-24 Rawson Place, Sydney NSW 2000

Phone: 13 77 88

Email: privacy@service.nsw.gov.au

Wentworth Shire Council:

[Name of Council Privacy Officer]:

Schedule 4- Change Management

1. Change Management Process

Change is defined as any alteration to services, process, technology or product. Changes may be initiated by Service NSW or the Council. Where a change to the Services is requested by a party, set out below is the following process:

- 1.1. The party requesting the change will notify the other party's Relationship Manager as soon as possible;
- 1.2. The Relationship Managers will meet within 5 days to discuss the requested change;
- 1.3. The Relationship Managers will work collaboratively to conduct a high-level change assessment of the change, and agree and draft a Change Request, considering the following factors:
 - A. Current state and desired future state outcomes;
 - B. Impacts on customers and both parties informed by end-to-end customer journey;
 - C. Additional resource effort; potential cost and timing of implementation;
 - D. Implementation and testing requirements;
 - E. Legislation/policy that may be required;
 - F. Whether variation to the Partnership Agreement will be required; and
 - G. Continuous Improvement Principles
- 1.4. The parties will sign the Change Request, which will be incorporated into this Agreement.

Where a change relates to Service NSW's IT systems, the Council will notify Service NSW within a reasonable period to outline the proposed change and requested timeframes. Service NSW will consider the change and advise whether an increased cost to implement the change is required.

Service NSW will assess the results and implement corrective action to ensure sustainability of the change to the Services. Changes to the Services will be reported on in the monthly management meeting between Relationship Managers.

2. Change Request Template

| This Change Request is created in accordance with the Partnership Agreement | |
|---|--------|
| Date of Change Request | |
| Originator of Change Request | |
| Proposed Implementation Date | |
| Cost | <Cost> |
| Summary and scope: | |
| | |
| Service NSW responsibilities: | |
| | |

| |
|---|
| |
| Council responsibilities: |
| |
| Change plan: |
| |
| Change impact (Including the effect on service levels): |
| |
| Assumptions and exclusions: |
| |
| List of documents forming part of this change request: |
| |
| Clauses affected by this change request: |

9.3 AUSTRALIA DAY 2022 AWARDS

File Number: RPT/21/659

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: 4.7 Promote the celebration of the region's rich cultural and social heritage

Summary

This year Council requested nominations for the following categories:

- Citizen of the Year (must be 18 years or over on 26 January 2022)
- Young Citizen of the Year (must be under 18 years on 26 January 2022)
- Sportsperson of the Year (must be 18 years or over on 26 January 2022)
- Young Sportsperson of the Year (must be under 18 years on 26 January 2022)
- Environmental Award (individuals or groups)

Nominations were received for three categories. There were no nominations for the Sportsperson of the Year or the Environmental Award.

Recommendation

That Council determines the individual award recipients through a secret ballot and that the results remain confidential until announced at the official Australia Day event at the Coomealla Club.

Detailed Report

Purpose

The purpose of this report is to determine the individual award recipients for Australia Day awards 2022 by secret ballot with the results to remain confidential until announced at the official Australia Day event at the Coomealla Club.

Conclusion

A vote by secret ballot for the individual award recipients in each of the four categories for which nominations were received enables the result to remain confidential until being announced on Australia Day.

Attachments

1. Secret Ballot Paper Australia Day 2022 [⇒](#) (Under Separate Cover)

9.4 MONTHLY FINANCE REPORT

File Number: RPT/21/655

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 October 2021 were \$230,404.05. After allowing for pensioner subsidies, the total levies collected are now 42.39%. For comparison purposes 43.6% of the levy had been collected at the end of October 2020. Council currently has \$37,063,117.47 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 October 2021

The reconciliation has been carried out between the Cash Book of each fund and the Bank Pass Sheet as at 31 October 2021.

| | Combined Bank Account |
|---|-------------------------|
| Cash Balance as at 1 October 2021 | \$ 2,458,683.47 |
| Add: Receipts for the Period Ending 31 October 2021 | \$ 3,366,711.67 |
| Rates, Debtors, Miscellaneous | |
| Less: Payments for the Period Ending 31 October 2021 | |
| Cash Book entries for this Month | \$ 3,797,280.77 |
| Cash Balance at at 31 October 2021 | \$ 2,028,114.37 |
| Investments | |
| Total Investments as at 31 October 2021 | \$ 35,035,003.10 |
| TOTAL | \$ 37,063,117.47 |

Collection of Rates and Charges

Rates and Charges collections for the month of October 2021 were \$ 230,404.05. After allowing for pensioner subsidies, the total levies collected are now 42.39%. A summary of the Rates and Charges situation as at 31 October 2021 is as follows.

| | Rates and Charges | |
|---|-------------------|------------------|
| Levies | | |
| Balance Outstanding at 30 June 2021 - Rates / Water | 957,794.11 | |
| Rates and Charges Levied 20 July 2021 | 9,545,527.09 | \$ 10,503,321.20 |
| + Additional Water Charges | 572,424.80 | |
| + Supplementary Rates and Charges | 10,937.51 | |
| + Additional Charges | 25,204.99 | |
| - Credit Adjustments | 12,667.79 | |
| - Abandonments | 619.73 | \$ 11,098,600.98 |
| Deductions | | |
| - Payments | 4,528,695.35 | |
| - Less Refunds of Payments | 0.00 | \$ 4,528,695.35 |
| | | \$ 6,569,905.63 |
| - Pensioner Subsidy | | |
| Government Subsidy | 96,728.68 | |
| Council Subsidy | 79,141.65 | \$ 175,870.33 |
| Total Rates/Water Charges Outstanding | | \$ 6,394,035.30 |

Note: For comparison purposes 43.6% of the levy had been collected at the end of October 2020.

Rates/Water write offs and adjustments

Rates and charges that have been written off or adjustments made under the delegated authority of the General Manager for the month of October 2021.

| Account | Date | Amount | Comment |
|---|------------|---------|--|
| Debtors | | | |
| Cleanaway | 26.10.2021 | 543.84 | Landfill Incorrectly charged at weighbridge |
| Rates | | | |
| 22.10.2021 | 22.10.2021 | 3.41 | Write off interest, ratepayer paid into water instead of rates |
| The following transaction is not a write off, it is a credit adjustment that Council made to comply with the Local Government Act | | | |
| Murdi Paaki Regional Housing Corp | 11.10.2021 | 8951.82 | Credit adjustment made on 21 properties owned by Murdi Paaki Regional Housing as they are registered as a Public Benevolent Institution and therefore Council is unable to levy General Rates. |

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 | \$ 361,740.02 | 30/01/2025 |
| Loan 202 | ANZ Bank | Civic Centre | 3.470% Fixed | \$ 850,000.00 | \$ 647,920.46 | 21/10/2026 |
| Loan 203 | National Australia Bank | Midway Centre | 3.586% Fixed | \$ 1,900,000.00 | \$ 1,616,705.92 | 28/04/2023 |
| Loan 204 | Bendigo Bank | Buronga Landfill | 5.290% Fixed | \$ 1,500,000.00 | \$ 1,290,258.39 | 12/05/2037 |
| CFWC31 0604 | T-Corp | Trentham Cliffs Sewer | 1.82% Fixed | \$ 750,000.00 | \$ 750,000.00 | 4/06/2031 |
| CFWC31 0624 | T-Corp | Burong/Gol Gol Stormwater | 1.79% Fixed | \$ 1,250,000.00 | \$ 1,250,000.00 | 24/06/2031 |
| Loan 205 | National Australia Bank | Willowbend Caravan Park | Fixed 2.2% | \$ 1,500,000.00 | \$ 1,500,000.00 | 25/01/2027 |
| Loan 206 | Bendigo Bank | Buronga Landfill #3 | Fixed 1.85% | \$ 900,000.00 | \$ 900,000.00 | 25/09/2028 |
| | | | | | | |
| | | | | TOTAL | \$ 8,316,624.79 | |

Overtime and Travelling

| | | | | | | |
|---------------------|-----------------|-------------|-------------|-------------|----------------------|-----------|
| Month October | | Pay Periods | 7&8 | | | |
| Overtime | | | | | | |
| | Time and a Half | | Double Time | | Double Time and Half | |
| Department | Hours | Amount | Hours | Amount | Hours | Amount |
| Animal Services | 8.50 | \$ 422.60 | 12.00 | \$ 782.28 | | |
| Civil Works | 14.00 | \$ 683.00 | 7.00 | \$ 482.07 | | |
| Parks & Gardens | 10.00 | \$ 474.55 | 14.50 | \$ 863.17 | | |
| Roads - Council | 87.00 | \$ 3,795.99 | 88.50 | \$ 5,457.00 | | |
| Roads - RMS | 98.50 | \$ 4,966.06 | 77.25 | \$ 4,889.42 | | |
| Roads & Eng Indoor | 20.75 | \$ 1,475.83 | 12.00 | \$ 1,127.85 | | |
| Tourism | 4.25 | \$ 238.79 | | | | |
| Waste Management | 21.00 | \$ 1,076.41 | 14.50 | \$ 1,175.31 | | |
| Water & Waste Water | 55.50 | \$ 2,805.77 | 73.50 | \$ 5,312.43 | 1.50 | \$ 126.22 |
| Total | 319.50 | 15939.00 | 299.25 | 20089.53 | 1.50 | 126.22 |
| Travel Allowance | | | | | | |
| Department | Kms | Amount | | | | |
| Health & Planning | 777 | \$ 606.06 | | | | |
| Water & Waste Water | | | | | | |
| Total | 777.00 | \$ 606.06 | | | | |
| | | 36,760.81 | | | | |

Conclusion

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

Attachments

Nil

9.5 MONTHLY INVESTMENT REPORT

File Number: RPT/21/657

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

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 October 2021 Council had \$28 million invested in term deposits and \$9,063,117.47 in other cash investments. Council received \$7,525.34 from its investments for the month of October 2021.

In October 2021 Council investments averaged a rate of return of 0.43% and it currently has \$6,981,190.94 of internal restrictions and \$23,106,943.69 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 October 2021 Council had \$37,063,117.47 invested with ten (10) financial institutions and two (2) Treasury Corporations.

Breakdown of Total Funds Available

| Financial Institution | Amount | Percentage of Available Funds |
|---------------------------|----------------|-------------------------------|
| AMP | \$3,019,970.85 | 8.15% |
| Bank of Queensland | \$1,000,000.00 | 2.70% |
| Bendigo Bank | \$4,028,114.37 | 10.87% |
| Commonwealth Bank | \$5,000,000.00 | 13.49% |
| IMB Bank | \$1,000,000.00 | 2.70% |
| Macquarie Bank | \$7,016,322.46 | 18.93% |
| Members Equity Bank | \$1,000,000.00 | 2.70% |
| National Australia Bank | \$5,000,000.00 | 13.49% |
| Westpac | \$5,000,000.00 | 13.49% |
| Suncorp | \$3,000,000.00 | 8.09% |
| Northern Territory T-Corp | \$1,000,000.00 | 2.70% |

| | | |
|---------------------------|-------------------------|----------------|
| New South Wales T-Corp IM | \$998,709.79 | 2.69% |
| TOTAL | \$ 37,063,117.47 | 100.00% |

Investments on Hand as at 31 October 2021

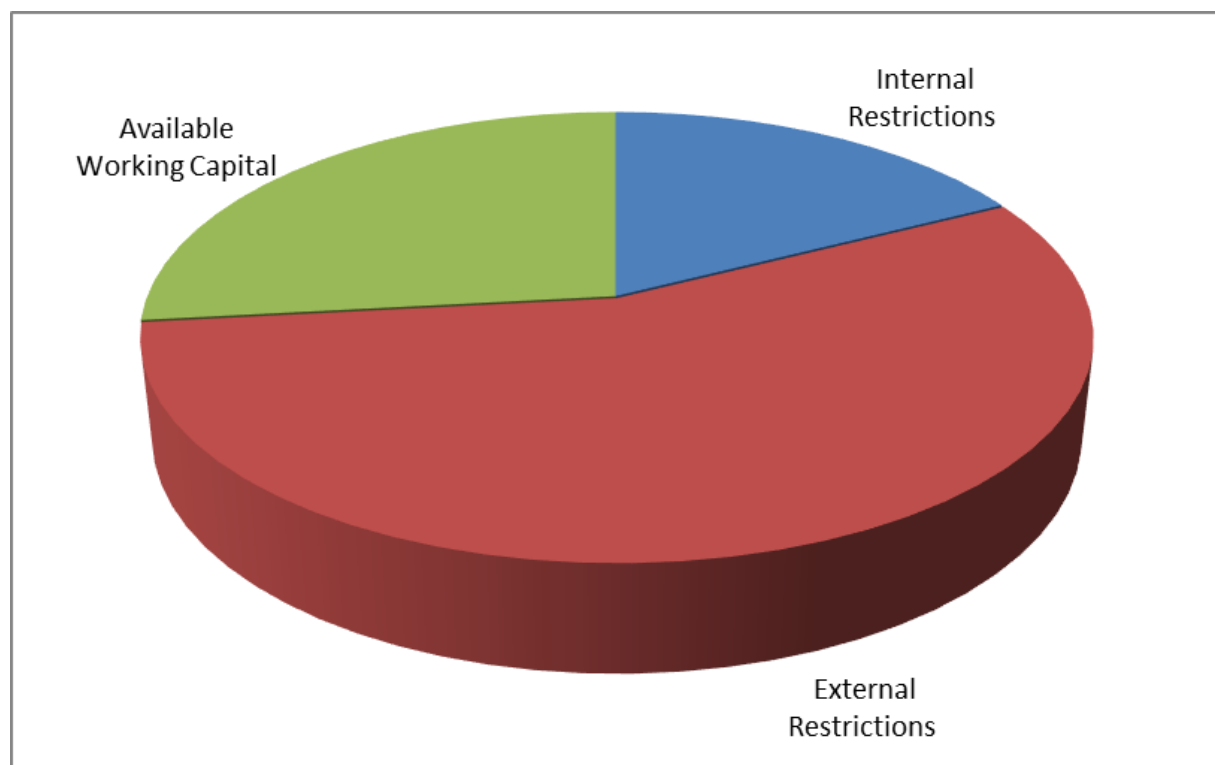
| Wentworth Shire Council | | | | | | |
|---|---------------|------------------|-------------------------|-----------------|------------------|---------|
| Investments on Hand as at 31st October 2021 | | | | | | |
| Investee | Date Invested | Date of Maturity | Effective Interest Rate | Investment Type | Amount Invested | Rating |
| AMP Bank | 22/09/2021 | 22/09/2022 | 0.80% | Term Deposit | \$ 1,000,000.00 | A2/BBB+ |
| Bank of Queensland | 9/06/2021 | 7/12/2021 | 0.40% | Term Deposit | \$ 1,000,000.00 | A2/BBB+ |
| Bendigo Bank | 29/03/2021 | 27/09/2021 | 0.30% | Term Deposit | \$ 1,000,000.00 | A2/BBB+ |
| Bendigo Bank | 27/09/2021 | 27/06/2022 | 0.30% | Term Deposit | \$ 1,000,000.00 | A2/BBB+ |
| Commonwealth Bank | 11/08/2021 | 8/04/2022 | 0.32% | Term Deposit | \$ 1,000,000.00 | A1+/AA- |
| Commonwealth Bank | 20/05/2021 | 20/05/2022 | 0.39% | Term Deposit | \$ 1,000,000.00 | A1+/AA- |
| Commonwealth Bank | 15/06/2021 | 15/06/2022 | 0.40% | Term Deposit | \$ 1,000,000.00 | A1+/AA- |
| Commonwealth Bank | 14/07/2021 | 14/07/2022 | 0.46% | Term Deposit | \$ 1,000,000.00 | A1+/AA- |
| Commonwealth Bank | 27/08/2021 | 27/05/2022 | 0.37% | Term Deposit | \$ 1,000,000.00 | A1+/AA- |
| IMB Bank | 9/09/2021 | 9/12/2021 | 0.97% | Term Deposit | \$ 1,000,000.00 | A2/BBB |
| Macquarie Bank | 7/10/2021 | 24/08/2022 | 0.40% | Term Deposit | \$ 1,000,000.00 | A1/A+ |
| Macquarie Bank | 10/06/2021 | 10/03/2022 | 0.40% | Term Deposit | \$ 1,000,000.00 | A1/A+ |
| Macquarie Bank | 3/09/2021 | 3/12/2021 | 0.40% | Term Deposit | \$ 1,000,000.00 | A1/A+ |
| Members Equity Bank | 9/06/2021 | 9/03/2022 | 0.45% | Term Deposit | \$ 1,000,000.00 | A2/BBB |
| National Australia Bank | 18/08/2021 | 19/04/2022 | 0.32% | Term Deposit | \$ 1,000,000.00 | A1+/AA- |
| National Australia Bank | 26/04/2021 | 22/11/2021 | 0.30% | Term Deposit | \$ 1,000,000.00 | A1+/AA- |
| National Australia Bank | 23/02/2021 | 19/01/2022 | 0.35% | Term Deposit | \$ 1,000,000.00 | A1+/AA- |
| National Australia Bank | 25/02/2021 | 21/01/2022 | 0.35% | Term Deposit | \$ 1,000,000.00 | A1+/AA- |
| National Australia Bank | 28/06/2021 | 25/03/2022 | 0.30% | Term Deposit | \$ 1,000,000.00 | A1+/AA- |
| NT T-Corp | 16/09/2021 | 15/12/2021 | 1.35% | Fixed Bond | \$ 1,000,000.00 | A1+/AA- |
| Suncorp Bank | 13/05/2021 | 9/12/2021 | 0.32% | Term Deposit | \$ 1,000,000.00 | A1/A+ |
| Suncorp Bank | 10/06/2021 | 10/06/2022 | 0.33% | Term Deposit | \$ 2,000,000.00 | A1/A+ |
| Westpac Banking Corporation | 8/03/2021 | 8/11/2021 | 0.30% | Term Deposit | \$ 1,000,000.00 | A1+/AA- |
| Westpac Banking Corporation | 24/02/2021 | 24/11/2021 | 0.30% | Term Deposit | \$ 1,000,000.00 | A1+/AA- |
| Westpac Banking Corporation | 3/03/2021 | 3/12/2021 | 0.32% | Term Deposit | \$ 1,000,000.00 | A1+/AA- |
| Westpac Banking Corporation | 25/03/2021 | 25/02/2022 | 0.33% | Term Deposit | \$ 1,000,000.00 | A1+/AA- |
| Westpac Banking Corporation | 28/05/2021 | 28/02/2022 | 0.32% | Term Deposit | \$ 1,000,000.00 | A1+/AA- |
| Total | | | | | \$ 28,000,000.00 | |
| Other Cash Investments | | | | | | |
| Investee | Date Invested | Date of Maturity | Effective Interest Rate | Amount Invested | Rating | |
| Bendigo Bank - Operating A/c | N/A | Ongoing | | \$ 2,028,114.37 | A2/BBB+ | |
| AMP (11) | 23/10/2020 | Ongoing | 0.55% | \$ 2,019,970.85 | A2/BBB+ | |
| Macquarie Bank (4) - Ongoing | 3/12/2020 | Ongoing | 0.35% | \$ 4,016,322.46 | A1/A+ | |
| NSW T - Corp IM Short Term Cash | 28/10/2021 | Ongoing | 0.55% | \$ 998,709.79 | A1/AA+ | |
| Total Funds Available | | | | | \$ 37,063,117.47 | |

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

Restrictions

| | | |
|-----------------------------------|------------------|-------------------------|
| Internal Restrictions | | |
| - Employee Entitlements | \$ 2,504,306.67 | |
| - Doubtful Debts | \$ 124,556.00 | |
| - Future Development Reserve | \$ 1,076,217.20 | |
| - Trust Account | \$ 576,111.07 | |
| - Capital Projects | \$ 1,200,000.00 | |
| - Plant Replacement Reserve | \$ 1,500,000.00 | \$ 6,981,190.94 |
| External Restrictions | | |
| - Water Fund | \$ 10,367,680.00 | |
| - Sewer Fund | \$ 4,259,053.60 | |
| - T-Corp Stormwater | \$ 1,357,000.00 | |
| - Developer Contributions Reserve | \$ 663,375.97 | |
| - Unexpended Grants | \$ 5,645,405.14 | |
| - Crown Reserves Reserve | \$ 257,688.11 | |
| - Loan Guarantee Reserve | \$ 3,460.91 | |
| - Prepayments Cemeteries | \$ 553,279.96 | \$ 23,106,943.69 |
| Day to Day Liquidity | | \$ 6,974,982.84 |
| Total Funds Available | | \$ 37,063,117.47 |

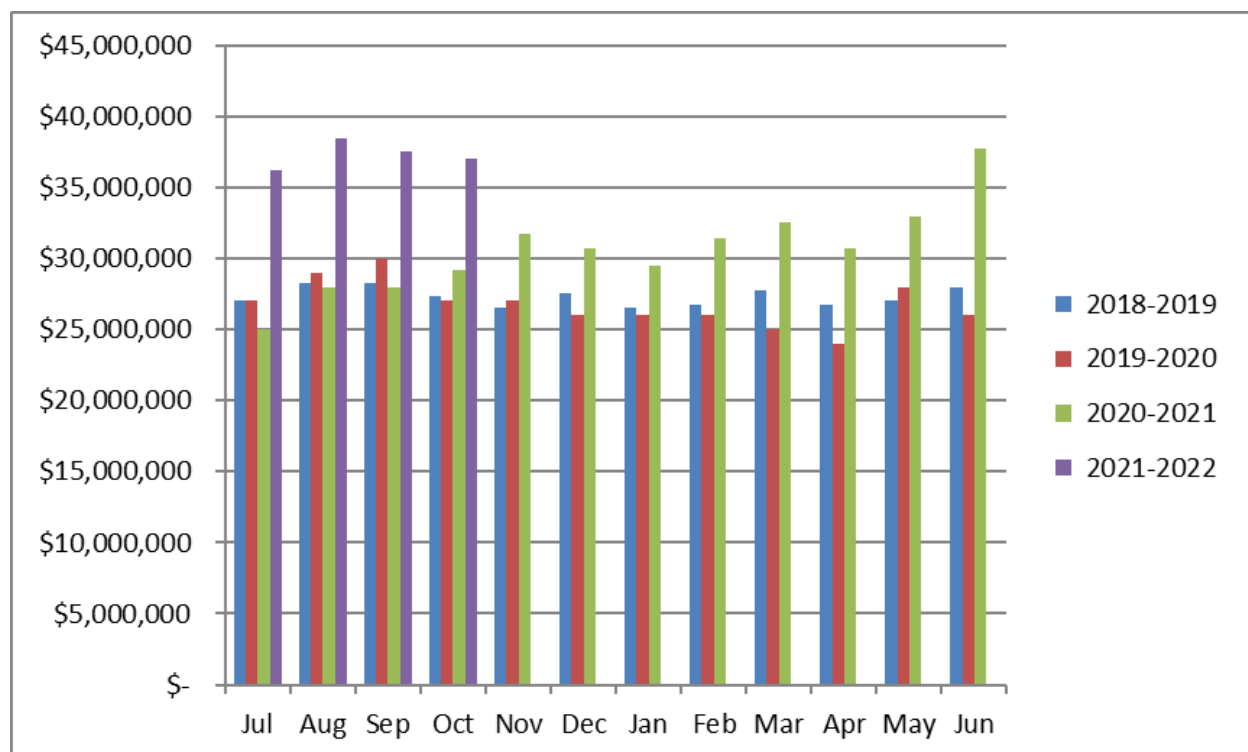
Breakdown



Summary – Unexpended Grants as at 31 October 2021

| Grant | Amount |
|---|-----------------------|
| Library Infrastructure Grant | \$500,000.00 |
| Resources for Regions VIC Relocation | \$470,512.00 |
| Wentworth Extended Day Care | \$115,355.89 |
| Local Roads and Community Infrastructure Phase 1 | \$131,384.21 |
| Local Roads and Community Infrastructure Phase 2 | \$157,916.14 |
| SCCF Wentworth Rowing Club | \$66,849.98 |
| Crown Reserve Improvement Fund Astronomy Park | \$679,316.00 |
| Crown Reserve Improvement Fund Pooncarie Racecourse | \$29,700.00 |
| Resources For Regions Junction Island Bridge | \$166,208.36 |
| Wentworth Showgrounds Sewer Upgrade | \$314,505.50 |
| Main Road Block Grant | \$658,779.85 |
| Crown Reserve Improvement Fund Wentworth Caravan Park Grant | \$1,000,000.00 |
| Effluent Disposal Grant | \$123,876.62 |
| Murray Darling Basin Upstairs Area | \$487,539.00 |
| Fixing Local Roads Grants | \$743,461.59 |
| Total | \$5,645,405.14 |

Total Funds Invested



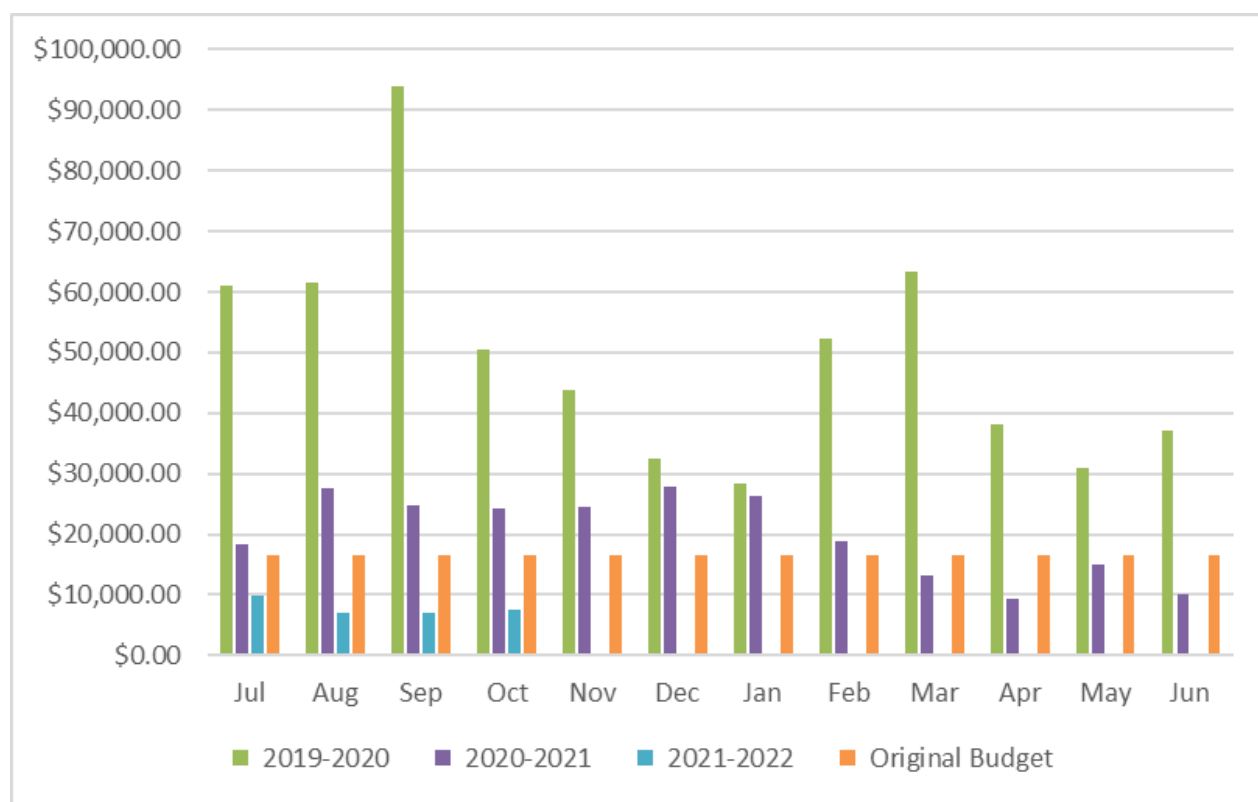
Two (2) term deposits and three (3) other accounts matured or provided interest in October earning Council \$7,525.34 in interest. The budget for October was \$16,666.67. Year to date Council has received \$31,525.94 in interest. The budget for the current financial year is currently set at \$200,000.00.

Currently on the back of the new investment policy approval council is restructuring their investments into longer term deposits, bonds and managed investments from which we hope to see increased returns by end of financial year 2022.

Investment Revenue in October 2021

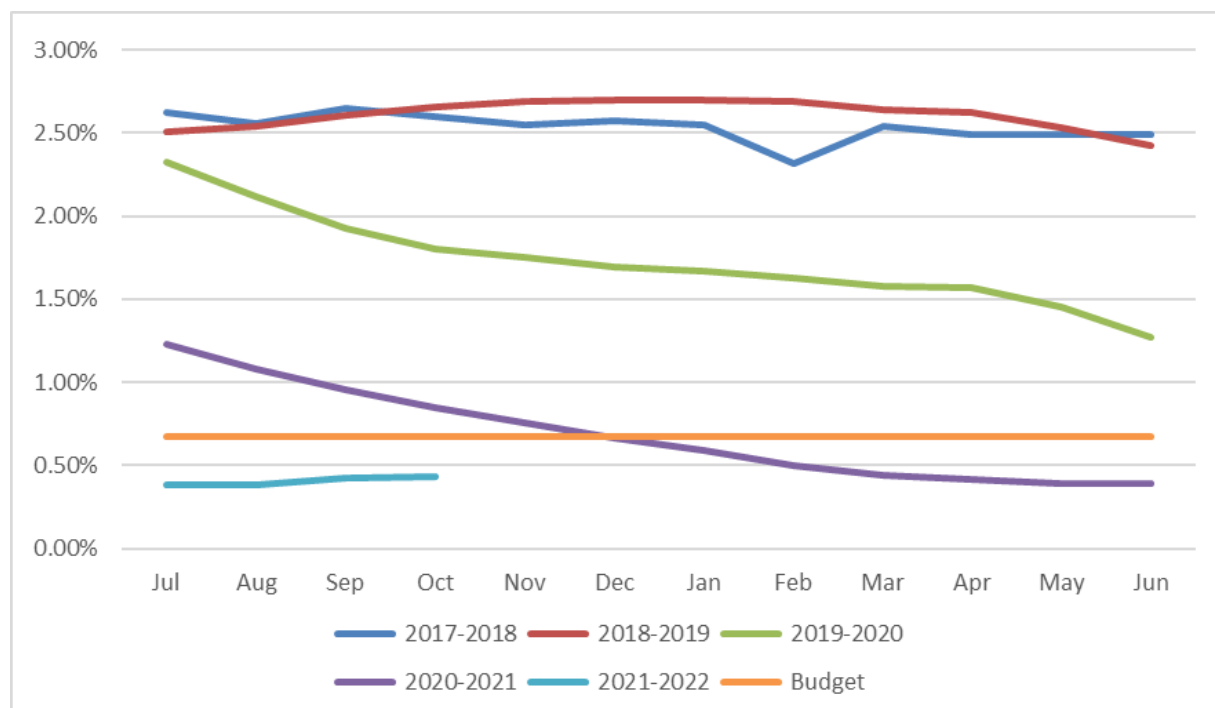
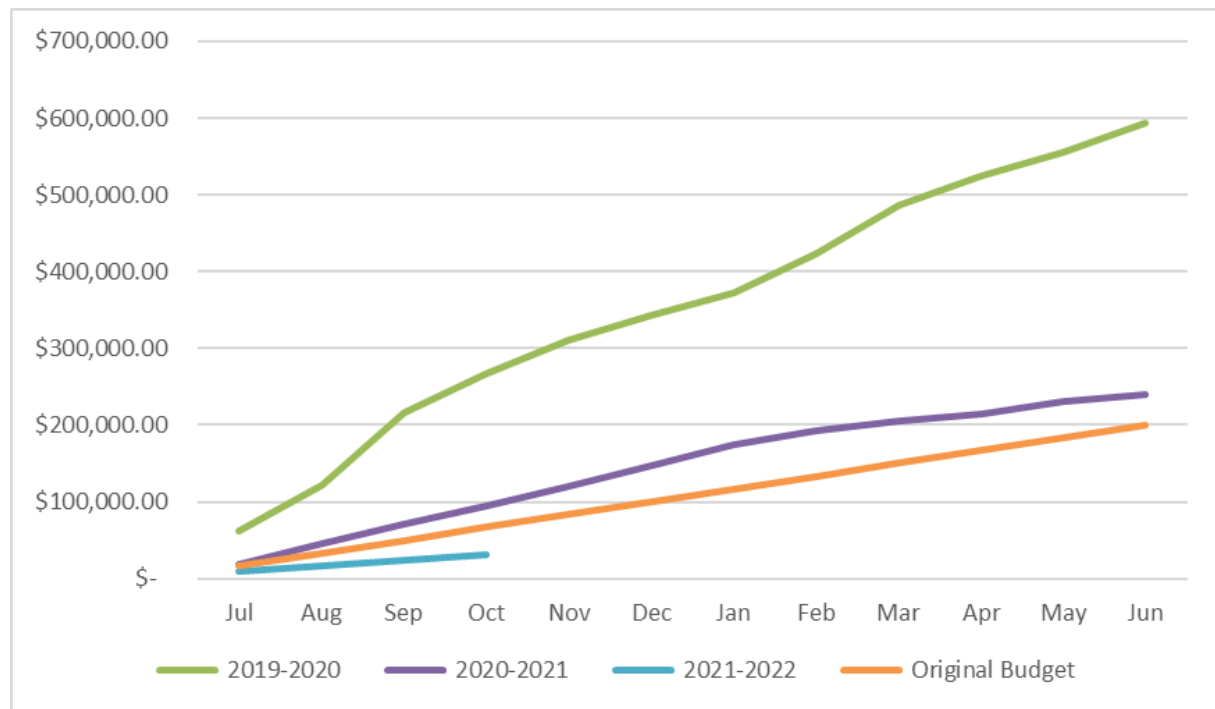
| Investee | Date Invested | Date of Maturity | Effective Interest Rate | Amount Invested | Interest Earned |
|-------------------------------|---------------|------------------|-------------------------|-----------------|-------------------|
| Term Deposits | | | | | |
| Macquarie Bank | 8/04/2021 | 7/10/2021 | 0.35% | \$1,000,000.00 | \$1,745.21 |
| Commonwealth Bank (3) | 29/01/2021 | 26/10/2021 | 0.40% | \$1,000,000.00 | \$2,958.90 |
| Other Cash Investments | | | | | |
| AMP (11) | 23/10/2020 | Ongoing | 0.55% | \$2,019,058.13 | \$912.72 |
| Macquarie Bank (4) - Ongoing | 3/12/2020 | Ongoing | 0.35% | \$4,016,322.46 | \$1,364.00 |
| Members Equity | 1/12/2020 | Ongoing | 0.40% | Redeemed | \$544.51 |
| Total | | | | | \$7,525.34 |

Investment Revenue received October 2021



Total Interest received July 2021 – June 2022

For October 2021 Council's investments returned an effective average rate of 0.43%. Year to date the effective average rate has been 0.41%. The budget for 2021-2022 was set at 0.67%.



Conclusion

The Director Finance & 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

9.6 PRESENTATION OF ANNUAL FINANCIAL STATEMENTS TO COUNCIL AND THE PUBLIC

File Number: RPT/21/636

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 annual audit of Council's Financial Statements was carried out by Nexia Australia on behalf of the Audit Office of New South Wales. Brett Hanger, Director, Audit and Assurance Services from Nexia Australia and Manuel Moncada from the Audit Office will join the meeting via video conference to assist in the presentation about the 2020/2021 audit to Council and the public.

Public notice of the presentation was given by advertising in the Sunraysia Daily, with the audited Financial Statements and the Auditor's Report made available at the Wentworth Shire Office's and on Council's website as required under Section 418 of the *Local Government Act 1993 (NSW)* (the Act).

Recommendation

That Council notes the presentation of the Annual Financial Statements and the movements in Council's internal and external reserves.

Detailed Report

Purpose

The purpose of this report is to inform Council that, in accordance with Section 418(1)(b) of the Act, public notice has been given that the audited Financial Statements of the Wentworth Shire Council for the period ending 30 June 2021 will be presented at the Ordinary Council meeting on 17 November 2021.

Background

A draft set of Annual Financial Statements was reported to Council at the Ordinary Council meeting held on 20 October 2021. Nexia Australia on behalf of the Audit Office of New South Wales have completed the audit and the Annual Financial Statements for 2019/20 are now ready to be presented to Council and the public as required by Section 418(1)(a) of the Act.

In accordance with Section 420 of the Act, any persons may make a submission in writing to Council with respect to the Annual Financial Statements or Auditor's Report within seven days after the date on which the statements are presented to the public. All submissions received will be referred to the auditor for consideration.

Matters under consideration

Income Statement

The income statement details a comparison with the previous financial year. The statement excludes capital expenditure and includes non-cash items such as depreciation and does not differentiate between income received for restricted or non-restricted purposes e.g. specific purpose grants and contributions.

The 2020/2021 financial year resulted in Wentworth Shire Council posting a \$12,527,000 surplus, this was an increase of \$4,892,000 on the 2019/2020 result, and was \$598,000 more than what was originally budgeted.

Revenue for the year was \$3,385,000 up on the previous year. Notable revenue figures included user fees and charges exceeding budget expectations by \$2,556,000 as a result of increasing revenue from the Buronga Landfill operations and fee for service works for Transport for NSW on the State Highways.

Overall Grants and Contributions increased by \$3,501,000 on last financial year, this was driven largely by an increase in capital grants of \$3,424,000 which reflects the increase in grant projects that Council has been working on over the last couple of years. This is anticipated to continue for the next couple of years.

Council's investment revenue has been heavily impacted by the significant reduction of interest rates that occurred during recent years. The current cash rate has remained at 0.10% for more than 12 months. While Council's investment portfolio has remained relatively stable during the financial year Council's interest and investment revenue for 2020/2021 fall by \$341,000. This was also impacted by the NSW Government's decision to freeze interest rates on overdue rates and annual charges for 6 months during the financial year. The approximate impact to Council was approximately \$80,000.

Expenditure for the year increased by \$1,507,000, the main contributor to this was the increase in materials and contracts which was largely attributable to the increase on work on the State Highways for Transport for NSW.

Council was able to reduce its depreciation and amortisation expense by \$864,000 as it continues to review the useful lives of its assets. Council's interest in the Far West Joint Organisation decreased by \$219,000

COVID-19 Impact

COVID-19 and even more so the associated government measures to slow the spread of the virus have had a significant impact on global and local economies and across communities and individuals.

Council has not been isolated from the direct and indirect effects of COVID-19 and has therefore had to react to the impacts of COVID-19 during the 2020/2021 financial year.

Council has been fortunate that the direct net impact of the pandemic on operations for the 2020/2021 financial year was approximately \$120,000.

Indirectly Council has experienced significant delays in the delivery of a number of projects caused by supply chain issues as a result of reduced working capacity and/or shutdown of suppliers. Council has also seen a significant increase in the cost of materials in recent months and expects this to continue for some time to come.

Balance Sheet

The balance sheet details a summary of Council's total assets, liabilities and total equity as at 30 June 2021. The net assets of Council (total assets less total liabilities) have increased by \$13,107,000 during the 2020/2021 financial year.

Total current assets have increased by \$8,044,000. Infrastructure property plant and equipment increased by \$11,489,000, reflecting asset purchases, capital works and revaluations being greater than the increase in accumulated depreciation. Council's total infrastructure assets are written down to 65% of their current replacement value.

Current Liabilities include payables, borrowings and employee leave entitlements. The overall current liabilities increased by \$4,600,000 due mainly to an increase in contract liabilities as at 30 June which reflects that large amount of capital grant income that Council has been paid in advance of undertaking the working.

Non-current liabilities increased by \$1,607,000 due mainly to a \$1,490,000 increase in the borrowings.

Available Cash and Cash Equivalents

The available working capital of Council has decreased from \$2,413,000 at 30 June 2020 to \$2,363,000 at 30 June 2021. Investments increased by \$10,030,000 to \$36,030,000. It is considered that \$2,363,000 is more than adequate to manage day to day operating requirements and provides Council with capacity to respond to unforeseen events and opportunities.

The spread of investments throughout a large number of financial institutions allows Council to spread its risk while endeavouring to maximise its returns. It also allows for ready access to funds due to multiple maturity dates.

Financial Indicators

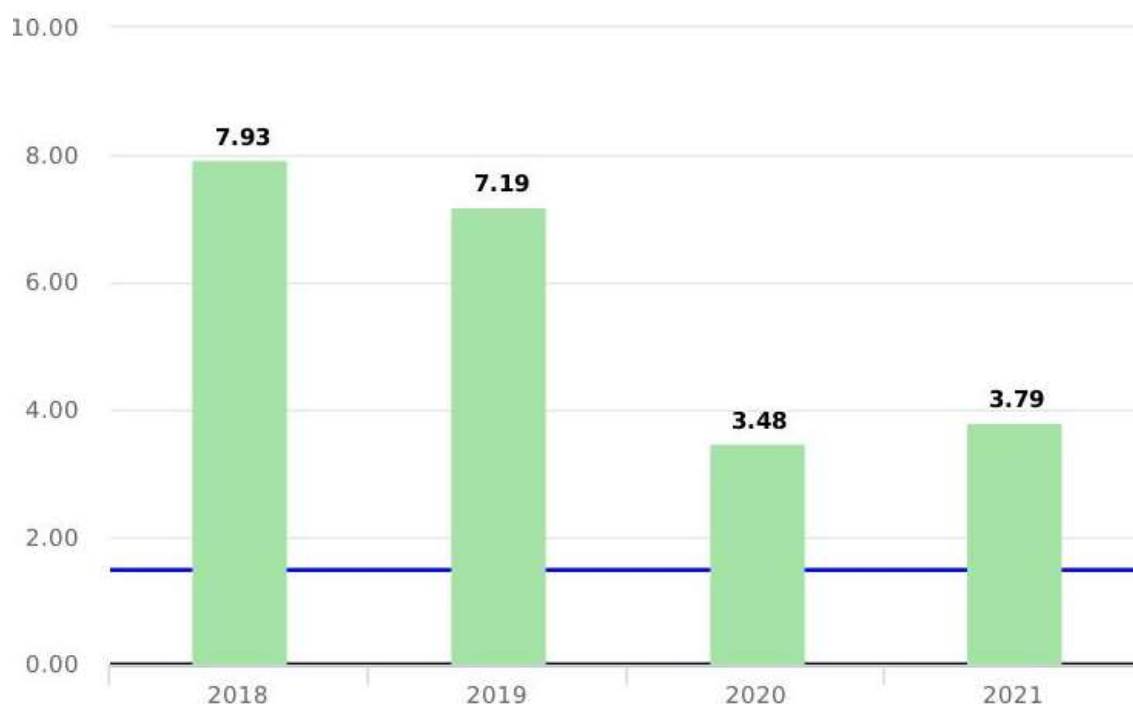
There are a number of key ratios included in the financial reports that provide an indication of liquidity and financial capacity of Council. These are presented below and graphically illustrate the movement over the last four years.

Unrestricted Current Ratio

This ratio provides an assessment of the adequacy of working capital and the ability to satisfy obligations in the short term for the unrestricted activities of Council. The ratio measures current assets (less restricted assets) divided by current liabilities (less specific purpose liabilities).

The benchmark figure for this ratio is 1.50x. This ratio increased during the 2020/2021 financial year to 3.79x and continues to be well above the benchmark ratio.

Unrestricted current ratio

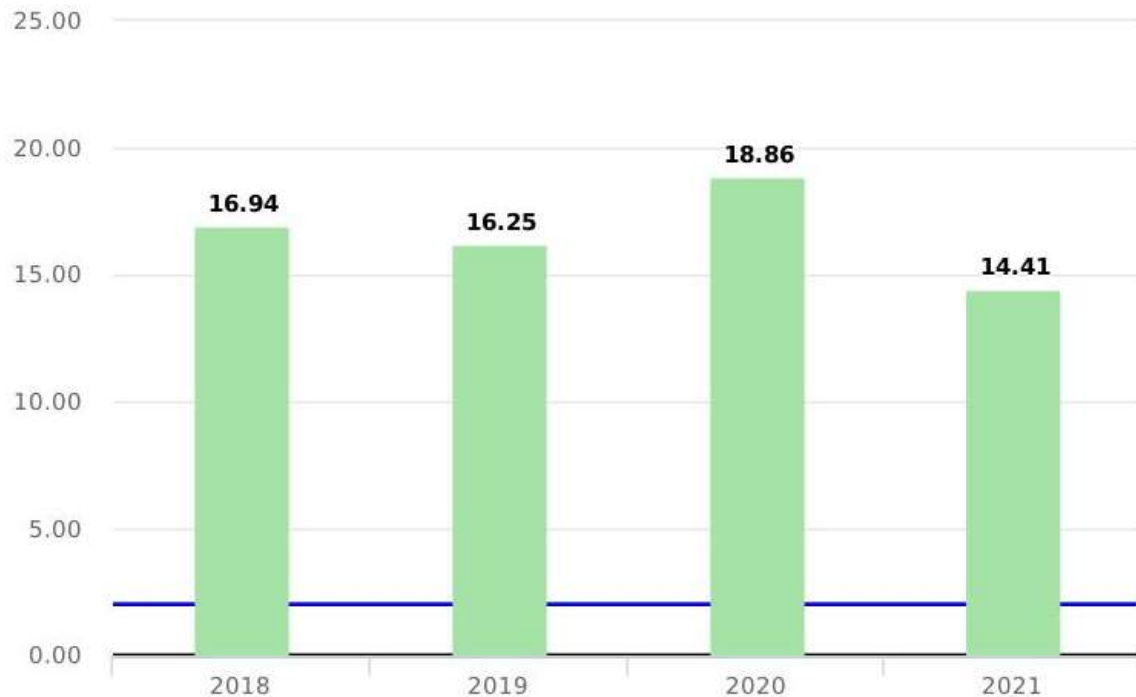


Benchmark: > 1.50

Debt Service Cover Ratio

The Debt Service Cover Ratio measures the availability of operating cash to service debt including interest, principal and lease payments. The ratio is calculated by dividing the operating result before capital excluding interest and depreciation by total loan payments for the year (principal and interest).

The benchmark figure for this ratio is 2x. Council continues to have sufficient operating cash to service current debt levels.

Debt service cover ratio

Benchmark: >2.00

Rates, Annual Charges, Interest & Extra Charges Outstanding Percentage Ratio

This ratio assesses the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts. The ratio is calculated by dividing rates, annual & extra charges outstanding by rates, annual & extra charges collectible.

The benchmark figure for this ratio is 10%. Council's ratio improved from 11.42% to 9.74% in 2020/2021.

Rates, annual charges, interest and extra charges Outstanding Percentage



Benchmark: <10%

Operating Performance Ratio

This ratio measures Council's ability to contain operating expenditure within operating revenue. This ratio is calculated by dividing total continuing operating revenue excluding capital grants and contributions minus operating expenditure by totalling continuing operating revenue excluding capital grants. The benchmark figure for this rate is 0%. Council's result for 2020/2021 was 3.12%.

Operating performance ratio

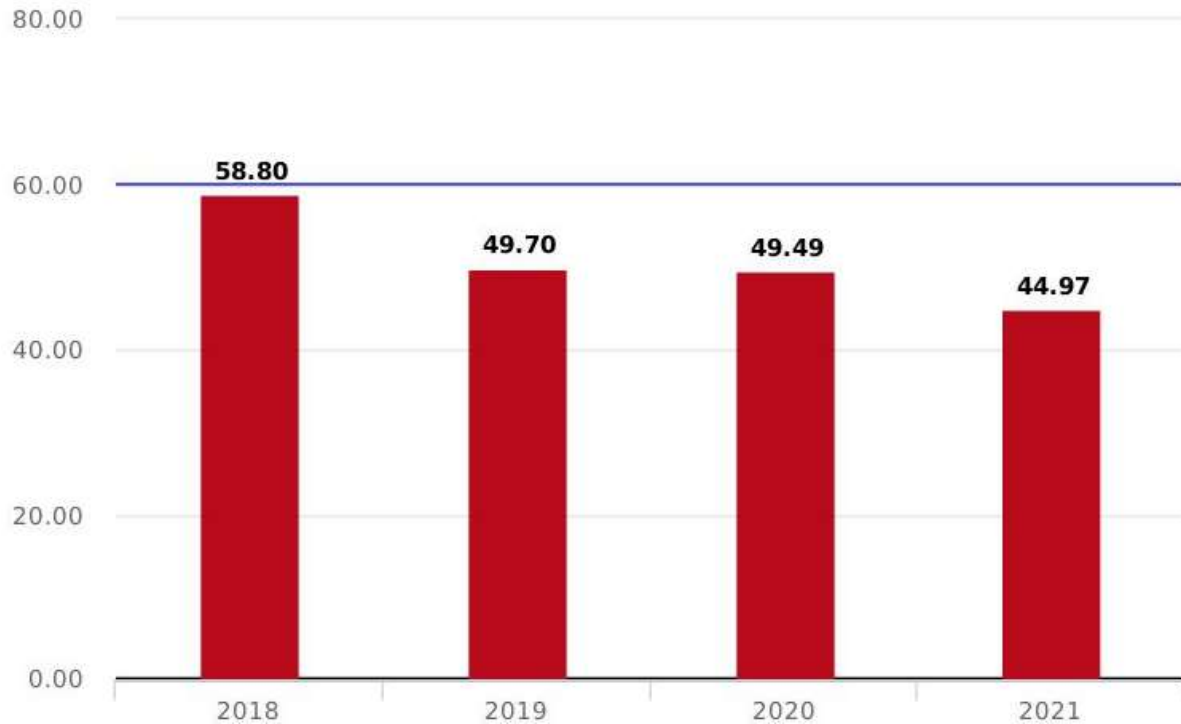


Benchmark: 0%

Own Source Operating Ratio

This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions. This ratio is calculated by dividing total contributing operating revenue less all grants by total continuing operating revenue. The benchmark figure for this ratio is 60%. The ratio for 2020/2021 decreased to 44.97%.

Own source operating revenue ratio

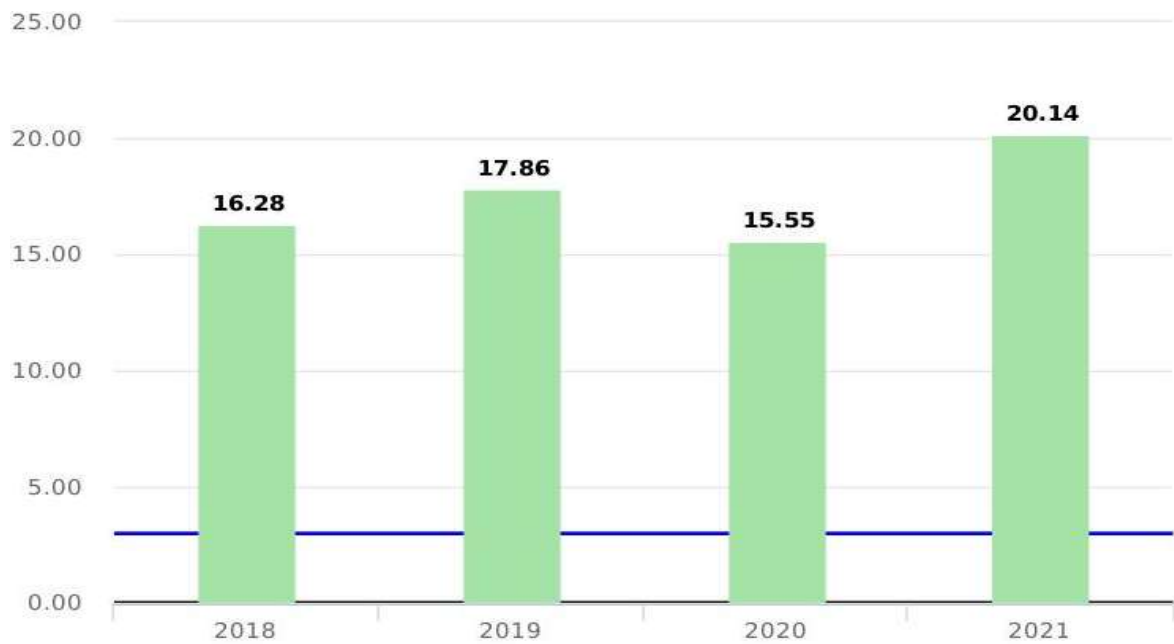


Benchmark: >60%

Cash Expense Cover Ratio

This liquidity ratio indicates the number of months a Council can continue paying for its immediate expenses without additional cash inflow. The ratio is calculated by dividing the current year's cash and cash equivalents plus deposits by payments from cash flow of operating and financing activities. The benchmark figure for this ratio is 3.0.

Cash expense cover ratio



Benchmark: >3.00

Reserves

The following table represents all transfers in and out of Council's reserves

| Reserves Transfer Schedule 2020/2021 | | | | |
|--------------------------------------|-----------------|---------------------|-----------------------|-----------------|
| Reserve | Opening Balance | Transfer to Reserve | Transfer from Reserve | Closing Balance |
| | \$'000 | \$'000 | \$'000 | \$'000 |
| Employee Leave Entitlements Reserve | 2,448 | 57 | | 2,505 |
| Cemeteries Fees Received in Advance | 505 | 34 | | 539 |
| Doubtful Debts | 115 | 10 | | 125 |
| Developer Contribution Reserve | 640 | 23 | | 663 |
| Plant Replacement Reserve | 1,500 | | | 1,500 |
| Future Development Reserve | 1,113 | | 37 | 1,076 |
| Unexpended Grants Reserve | 3,561 | 897 | | 4,458 |
| Trust Account | 576 | 55 | | 631 |
| Capital & Major Project Reserve | 1,000 | 200 | | 1,200 |
| Crown Land Reserve | 333 | | 75 | 258 |
| T-Corp Loan Balance | - | 2,000 | 643 | 1,357 |
| Bank Guarantee Reserve | 3 | | | 3 |
| | | | | |
| | | | | |
| | \$ 11,794 | \$ 3,276 | \$ 755 | \$ 14,315 |

Conclusion

Council has satisfied all of its statutory financial reporting obligations for the 2020/2021 Financial Year. The auditor will be available to answer questions on the day.

Attachments

1. 2020/2021 Annual Financial Statements [⇒](#)

9.7 AF003 REQUESTS FOR FINANCIAL ASSISTANCE

File Number: RPT/21/649

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Ricki Martin - Administration Officer Finance & 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

Council has provided an allocation of \$160,000.00 for the 2021/22 financial year for the consideration by Council, for the funding of requests from the community for financial assistance. In this financial year, \$101,890.00 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 \$19,750.00.

The total value of requests for this November 2021 funding application period totals \$10,812.00, which if granted in full, would leave a balance in the Donations, Contributions and Grants fund of \$27,548.00.

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.

Detailed Report

Purpose

The purpose of this report is to consider requests for financial assistance that have been received within the current application period.

Background

Council's ability to make financial contribution and/or in-kind assistance are set out in Section 356 of the *Local Government Act 1993*. To assist Council in its compliance requirement, Council has adopted a Donations, Contribution and Grants Policy (AF003), and has provided a funding allocation of \$160,000.00 for the 2021/22 financial year. In this financial year \$101,890.00 has been granted to a variety of organisations through the annual fees and charges "Exemption from the Application" process, as outlined in Appendix A – Bodies Granted Exemptions, Fees and Charges 2021/22.

Matters under consideration

In this current application period, there have been seven (7) requests for assistance received from community organisations. The total value of the requests under consideration is \$10,812.00, which if granted in full would leave a balance of \$27,548.00 for the remainder of 2021/22.

Options

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

- (a) consider granting the full value of all requests; or
- (b) consider reducing or declining some applications.

Attachments

1. DCG Donations Contributions & Grants Applications List [↓](#)
2. DCG Donations Contributions & Grants Applications (Under Separate Cover) [⇒](#)

DONATIONS, CONTRIBUTIONS AND GRANTS - NOVEMBER 2021

| Organisation/Recipient | Type of Request | \$ Value | \$ Amounts granted in 2020/21 | Details of Request |
|---|------------------------|---------------------|--------------------------------------|---|
| Darling Junction Branch of The Country Women's Association of Victoria Inc. | Fee Waiver | \$ 245.00 | \$ 233.00 | Request for Fee Waiver for hire of Memorial Rooms for monthly meetings |
| Murray House Aged Care | Fee Waiver | \$ 48.00 | \$ 4,933.80 | Request for Fee Waiver for hire of Wentworth Town Hall for board meeting |
| Vintage Machinery Society of Sunraysia | Grant | \$ 798.00 | \$ - | Request for Grant towards the upgrade of meeting room kitchen facilities at the Wentworth Showgrounds Engine Shed |
| Great Murray Darling Junction Interpretative Facility Inc. | Grant | \$ 2,985.00 | \$ - | Request for Grant for development fees of Junction Island viewing platform |
| Wentworth & District RSL Sub Branch | Grant | \$ 1,443.00 | \$ 6,860.00 | Request for Grant for relocation of Memorial Plaques from old Curlwaa Memorial Hall |
| Wentworth District Community Medical Centre Inc | Fee Waiver | \$ 293.00 | \$ 5,243.62 | Request for Fee Waiver for hire of Memorial Rooms and Licence to Occupy Memorial Rooms Fee |
| Wentworth Catholic Parish / Saint Francis Xavier Church | Grant | \$ 5,000.00 | \$ - | Request for Grant towards the restoration of the Saint Francis Xavier Church Flooring |
| | TOTAL | \$ 10,812.00 | | |

9.8 CODE OF CONDUCT COMPLAINT STATISTICS FOR THE PERIOD ENDED 30 SEPTEMBER 2021

File Number: RPT/21/635

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 Procedures for the Administration of the Model Code of Conduct requires a report to be presented to Council within three months of the end of September each year on Code of Conduct complaints.

The information contained in the report pertains to the period ended 30 September 2021.

Recommendation

That Council notes the reporting of the Code of Conduct complaints statistics for the period ended 30 September 2021.

Detailed Report

Purpose

The purpose of this report is to report on Code of Conduct complaints received from 1 October 2020 to 30 September 2021 as required under section 11.1 of the Procedures for Administration of the Model Code of Conduct.

The Code of Conduct report has been attached to this report for the information of Councillors and the public.

Conclusion

Council has complied with its Code of Conduct reporting obligations.

Attachments

1. Annual Code of Conduct Complaints Report [↓](#)

Model Code of Conduct Complaints Statistics Wentworth Shire Council

Number of Complaints

| | | | |
|---|---|---|---|
| 1 | a | The total number of complaints received in the period about councillors and the General Manager (GM) under the code of conduct | 0 |
| | b | The total number of complaints finalised in the period about councillors and the GM under the code of conduct | 0 |

Overview of Complaints and Cost

| | | | |
|---|---|--|---|
| 2 | a | The number of complaints finalised at the outset by alternative means by the GM or Mayor | 0 |
| | b | The number of complaints referred to the Office of Local Government (OLG) under a special complaints management arrangement | 0 |
| | c | The number of code of conduct complaints referred to a conduct reviewer | 0 |
| | d | The number of code of conduct complaints finalised at preliminary assessment by conduct reviewer | 0 |
| | e | The number of code of conduct complaints referred back to GM or Mayor for resolution after preliminary assessment by conduct reviewer | 0 |
| | f | The number of finalised code of conduct complaints investigated by a conduct reviewer | 0 |
| | g | The number of finalised complaints investigated where there was found to be no breach | 0 |
| | h | The number of finalised complaints investigated where there was found to be a breach | 0 |
| | i | The number of complaints referred by the GM or Mayor to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police | 0 |
| | j | The number of complaints being investigated that are not yet finalised | 0 |
| | k | The total cost of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs | 0 |

| Preliminary Assessment Statistics | |
|-----------------------------------|--|
| 3 | The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions: |
| a | To take no action (clause 6.13(a) of the 2018 and 2020 Procedures) <input type="text" value="0"/> |
| b | To resolve the complaint by alternative and appropriate strategies (clause 6.13(b) of the 2018 and 2020 Procedures) <input type="text" value="0"/> |
| c | To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies (clause 6.13(c) of the 2018 and 2020 Procedures) <input type="text" value="0"/> |
| d | To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police (clause 6.13(d) of the 2018 and 2020 Procedures) <input type="text" value="0"/> |
| e | To investigate the matter (clause 6.13(e) of the 2018 and 2020 Procedures) <input type="text" value="0"/> |
| Investigation Statistics | |
| 4 | The number of investigated complaints resulting in a determination that there was no breach , in which the following recommendations were made: |
| a | That the council revise its policies or procedures <input type="text" value="0"/> |
| b | That a person or persons undertake training or other education (clause 7.37 of the 2018 Procedures or clause 7.40 of the 2020 Procedures) <input type="text" value="0"/> |
| 5 | The number of investigated complaints resulting in a determination that there was a breach in which the following recommendations were made: |
| a | That the council revise any of its policies or procedures (clause 7.36(a) of the 2018 Procedures or clause 7.39 of the 2020 Procedures) <input type="text" value="0"/> |
| b | In the case of a breach by the GM, that action be taken under the GM's contract for the breach (clause 7.36(h) of the 2018 Procedures or clause 7.37(a) of the 2020 Procedures) <input type="text" value="0"/> |
| c | In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 (clause 7.36(i) of the 2018 Procedures or clause 7.37(b) of the 2020 Procedures) <input type="text" value="0"/> |
| d | In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 and that the matter be referred to OLG for further action (clause 7.36(j) of the 2018 Procedures or clause 7.37(c) of the 2020 Procedures) <input type="text" value="0"/> |
| 6 | Matter referred or resolved after commencement of an investigation (clause 7.20 of the 2018 or 2020 Procedures) <input type="text" value="0"/> |

| Categories of misconduct | |
|---------------------------|---|
| 7 | The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct: |
| a | General conduct (Part 3) <input type="text" value="0"/> |
| b | Non-pecuniary conflict of interest (Part 5) <input type="text" value="0"/> |
| c | Personal benefit (Part 6) <input type="text" value="0"/> |
| d | Relationship between council officials (Part 7) <input type="text" value="0"/> |
| e | Access to information and resources (Part 8) <input type="text" value="0"/> |
| Outcome of determinations | |
| 8 | The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewers recommendation <input type="text" value="0"/> |
| 9 | The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by OLG <input type="text" value="0"/> |

9.9 END OF TERM REPORT

File Number: RPT/21/453

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

In June 2017 Council endorsed (on behalf of the Community) the 2017-2027 Wentworth Region Community Strategic Plan. The Integrated Planning and Reporting (IP&R) Legislation for Local Government requires Council to produce an End of Term report on the implementation and effectiveness of the Community Strategic Plan during its term of office.

The accompanying pages to this report provide an account of the overall progress that has been made towards the Community Vision, the 4 Goals and 19 Strategies that were established in the Community Strategic Plan.

The Community Strategic Plan is a whole of community document summarising the community's aspirations for the future. It is the primary driver of a suite of key documents developed by Council. While Council has a custodial role in initiating, preparing and maintaining the Community Strategic Plan it is not wholly responsible for its implementation. Other partners such as State agencies and community groups may also be engaged in delivering the long term objectives of the plan.

Recommendation

That Council endorses the End of Term Report for publication in the Annual Report.

Detailed Report

Purpose

The purpose of this report is to present Council's End of Term Report to the Community.

Background

Under the NSW Government's Integrated Planning and Reporting Framework, Council is required to produce a report on its progress in implementing the Community Strategic Plan during each term of Council.

The End of Term Report provides an update to the Wentworth community on how Council is progressing towards achieving the social, environmental, economic and civic leadership goals of the Community Strategic Plan.

The report has been prepared for presentation to the final meeting of the outgoing council before the local government elections are held in December.

Report Detail

The End of Term report sets the scene for the newly elected Council in its requirement to undertake a review of the Community Strategic Plan which is an essential component of the IP&R process.

Due to the effects of the Corona Virus Pandemic the Council elections have been postponed from September 2020 until December 2021. Therefore, this end of term reports covers an additional 12 months up till 30 June 2021.

This End-of-Term report provides comments about Council's role, achievements and progress during the life of the Delivery Program. During the life of the Delivery Program, Council identified 248 actions to be undertaken as either an annual action across the life of the program or an individual action to be undertaken in a particular year.

Across the life of this delivery program Council has successfully completed 164 actions resulting in a completion rate of 66%. 31 actions were still in progress at 30 June 2021, a number of these actions will carry forward to the next delivery program.

What we achieved

| | |
|-------------------------------|------------------------------|
| Planned Actions 248 | ✓ Completed 164 |
| ? In Progress 31 | ✗ Not Commenced 53 |

As part of the Community Engagement process for the development of the new Community Strategic Plan, consideration will need to be given to the 53 actions that did not commence to see if are still a priority to the Community.

Council has worked towards achieving the objectives and goals as set out in the Community Strategic Plan through the implementation of the four year Delivery Program, Resourcing Strategy and annual Operational Plans.

To measure the progress of those action the following symbols have been used:

- ✓ Commenced and Completed
- ✗ Has not commenced/no action taken
- ? Commenced and in progress.

2017/2018 – 2020/2021

| | | ✓ | ? | ✗ |
|--------------------|------------|-----------|-----------|-----------|
| Economic | 17 | 7 | 3 | 7 |
| Social | 57 | 43 | 4 | 10 |
| Environment | 100 | 75 | 11 | 14 |
| Governance | 74 | 39 | 13 | 22 |

Our Capital Works investment has been significant during this term of Council with more than \$63 million spent on building, renewing and maintaining our assets. This investment in our assets has been driven by an unprecedented increase in State and Federal grants. Major Projects that have completed or are in progress include the following:

- More than a million dollars invested into infrastructure improvements at Willowbend Caravan
- Completion of Stage two of the James King Park Master Plan
- Completion of Stage one of the O'Donnell Park and Curlwaa Boat Ramp Master Plan
- \$2,500,000 redevelopment of the Midway Centre in Buronga
- Supporting the Community to Construct a Skate Park in Wentworth
- \$4,500,000 investment to rationalise Sewer Treatment Plants in Wentworth and Dareton
- Installation of a bore and upgrade of the Pooncarie Water Treatment Plant to guarantee future supply of water to the Community
- Stage one of the Wentworth Aerodrome Expansion at a cost of more than \$7,000,000.
- Significant upgrade of public amenities and halls
- Construction of new hall at Curlwaa and the Wentworth Community Pavillion at the Wentworth Showgrounds
- \$13,800,000 million spent on road renewals, rehabilitation and upgrades
- In partnership with Transport for NSW \$10,200,000 has been spent maintaining and upgrading the Sturt and Silver City Highways.

Our achievements have not only been limited to capital expenditure projects but as a Council we were successful in hosting the Murray Darling Association Annual Conference in May 2021. The conference was an outstanding success bringing many delegates to the junction of Australia's two greatest rivers for the first time, giving them the opportunity to witness first-hand the issues facing the Darling-Barkaa River and the Menindee Lakes system.

Council has developed a number of strategic plans in recent years with the aim to generate economic activity and development across our Shire.

Council has spent this term of office implementing recommendations from those plans which has seen an additional 261 properties created with a further 1,000 to come on board over the next couple of years.

While this growth has been encouraging, the pace at which it has occurred, has created some challenges to Council to keep up with the pace of the development. The new Council will need to be proactive going forward to ensure that it can provide the required infrastructure to ensure that this growth does not stagnate.

Conclusion

As Council commences the process of community consultation and revising the Community Strategic Plan it is hoped that this report will lay a sound platform for the review of the aspirations embedded within the Community Strategic Plan.

Attachments

1. End Of Term Report 2021 - Wentworth Shire Council 2016 - 2021 [↓](#)



WENTWORTH SHIRE COUNCIL END OF TERM REPORT 2016-2021

WENTWORTH
SHIRE COUNCIL



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**Wentworth Shire Council would like to
acknowledge the Traditional Custodians of
the Land and pay their respects to Elders
past, present and emerging.**



WENTWORTH SHIRE COUNCIL END OF TERM REPORT 2016-2021

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| Our leadership | 22 |

INTRODUCTION

Under the NSW Government's Integrated Planning and Reporting Framework, Council is required to produce a report on its progress in implementing the Community Strategic Plan during each term of Council.

The End of Term report will assist the incoming Council to review the Community Strategic Plan and prepare Council's next Delivery Program.

The Community Strategic Plan is a whole of community document summarising the community's aspirations for the future. It is the primary driver of a suite of key documents developed by Council.

While Council has a custodial role in initiating, preparing and maintaining the Community Strategic Plan it is not wholly responsible for its implementation. Other partners such as State agencies and community groups may also be engaged in delivering the long term objectives of the plan.

Council's Delivery Program outlines the priorities that Council will pursue to meet the aspirations of the Community Strategic Plan.

The Operational Plan includes Council's annual budget and provides information on the range of projects Council will undertake each financial year. After engagement and consultation with the community in 2017, Wentworth Shire Council adopted the Community Strategic Plan 2017-2027 in June 2017.

Having undertaken extensive consultation to develop the 2013 Community Strategic Plan, the focus of reviewing and updating this iteration of the plan revolved around ensuring that the plan continues to clearly articulate the goals of the community.

As a result of the consultation and engagement undertaken Council was able to formulate the following vision for the region:

A thriving region, supported by a robust economic base, distinctive open spaces, and strong local governance and leadership.

Responding to issues raised throughout the community engagement process, the Community Strategic Plan was structured around four themes that are aligned to the quadruple bottom line which emphasises the balancing of social, environmental and economic wellbeing with good governance as the foundation for sustainable development and management.

These themes are clearly interwoven and impact upon each other.

They are the cornerstone for our community's progress and success.

1

Economic - Wentworth is a vibrant, growing and thriving Shire.

2

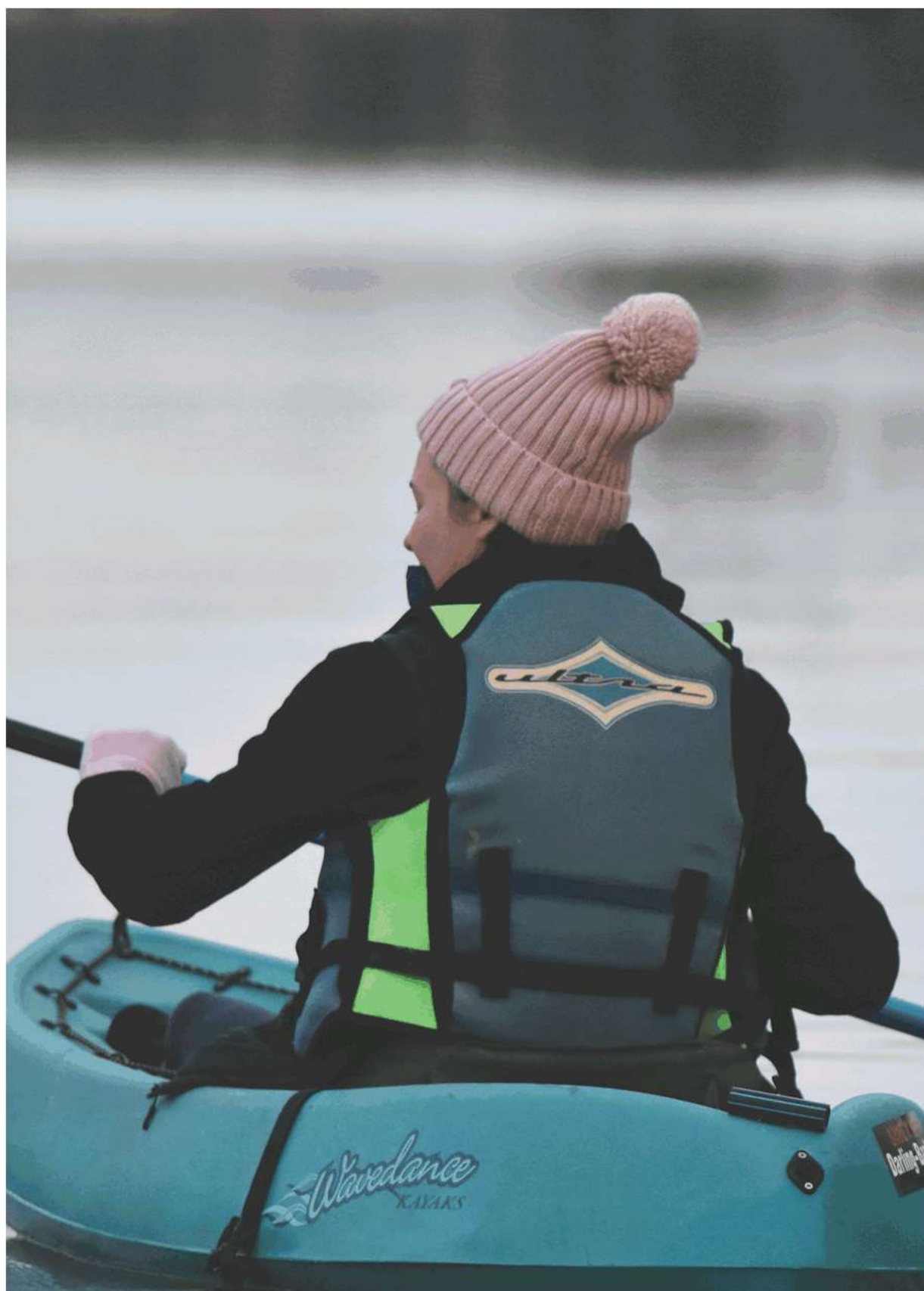
Social - Wentworth is a desirable Shire to visit, live, work and invest.

3

Environment - Wentworth is a community that works to enhance and protect its physical and natural assets.

4

Governance - Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future.



Message from the Mayor

A WORD FROM WENTWORTH SHIRE MAYOR ON BEHALF OF THE COUNCIL

It is with pleasure that we present the Wentworth Shire Council End of Term Report for the 2016-2021 term of Council.

This End of term report includes the progression of Wentworth Shire Council towards the vision articulated in the Community Strategic Plan.

The vision of Wentworth being a thriving region, supported by a robust economic base, distinctive open spaces and strong local governance and leadership has been an encouraging impetus for Council over the last five years.

The last 18 months of Council's term has not been without its challenges as Council and the Community as a whole has come to grips with impact of the COVID-19 Pandemic.

The Capital Works investment has been significant during this term of Council with more than \$63 million spent on building, renewing and maintaining our assets.

This investment in our assets has been driven by an unprecedented increase in State and Federal grants.

Major projects that have been completed or are in progress include the following:

- More than a million dollars invested into infrastructure improvements at Willow Bend Caravan Park
- Completion of Stage two of the James King Park Master Plan
- Completion of Stage one of the O'Donnell Park and Curlwaa Boat Ramp Master Plan
- \$2,500,000 redevelopment of the Midway Centre in Buronga
- Supporting the Community to Construct a Skate Park in Wentworth

- \$4,500,000 investment to rationalise Sewer Treatment Plants in Wentworth and Dareton
- Installation of a bore and upgrade of the Pooncarie Water Treatment Plant to guarantee future supply of water to the Community
- Stage one of the Wentworth Aerodrome Expansion at a cost of more than \$7,000,000
- Significant upgrade of public amenities and halls
- Construction of a new hall at Curlwaa and the Wentworth Community Pavillion at the Wentworth Showgrounds
- \$13,800,000 million spent on road renewals, rehabilitation and upgrades
- In partnership with Transport for NSW \$10,200,000 has been spent maintaining and upgrading the Sturt and Silver City Highways.

Significant time has been invested in planning the following projects that will see a further \$20,000,000 invested in community infrastructure over the next 18 months.

These projects include:

- Pooncarie – Menindee Road
- Wentworth Civic Centre
- Willow Bend Caravan Park

Council's achievements have not only been limited to capital expenditure projects but as a Council we were successful in hosting the Murray Darling Association Annual Conference in May 2021.

The conference was an outstanding success, bringing many delegates to the junction of Australia's two greatest rivers for the first time, giving them the opportunity to witness first hand



the issues facing the Darling-Baarka River and the Menindee Lakes system.

Being located adjacent to the Victorian regional city of Mildura presents significant economic opportunities with potential for Council to increase employment and career pathways locally as well as within the region.

Council has developed a number of strategic plans in recent years with the aim to generate economic activity and development across our Shire.

Council has spent this term of office implementing recommendations from those plans which has seen an additional 261 properties created with a further 1,000 to come on board over the next couple of years.

While this growth has been encouraging, the pace at which it has occurred has created some challenges for Council to keep up with the speed of the development.

The new Council will need to be proactive going forward to ensure that it can provide the required infrastructure to ensure that this growth does not stagnate.

As Council commences the process of community consultation and revising the Community Strategic Plan it is hoped that this report will lay a sound platform for the review of the aspirations embedded within the Community Strategic Plan.

To our General Manager Ken Ross, thank you for your support, we are heading in the right direction, and while we are still encountering difficulties in some areas your pragmatic approach is helping to resolve these issues.

Also to former Mayor Melisa Hederics, who started this term in the position, thank you for your hard work and dedication to the region over your time on Council.

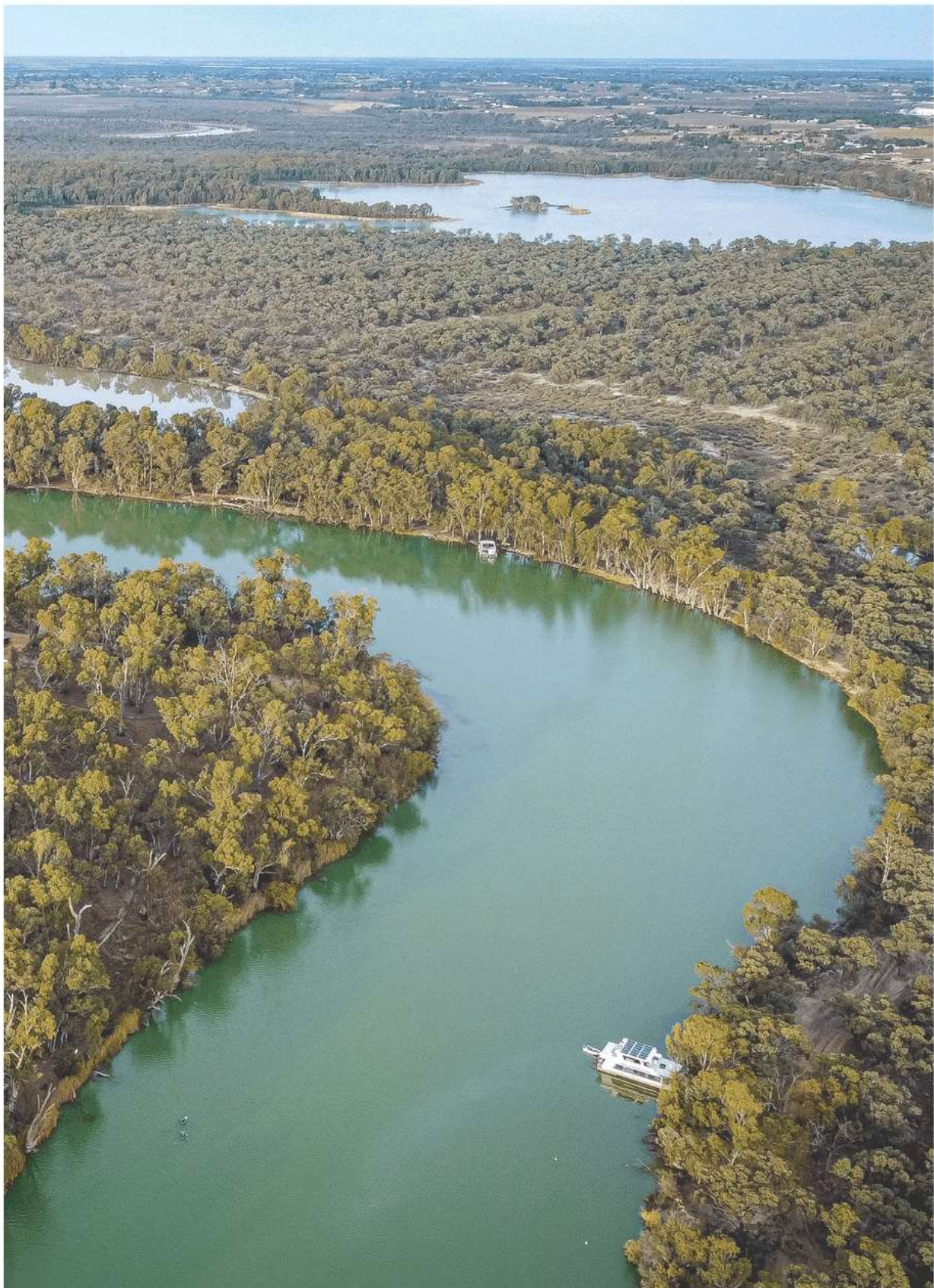
Finally to our staff, the Wentworth Shire Council is only ever going to be as good as the staff

we have, Council thanks each and everyone of you for your commitment to our Shire and its residents.

The past five years have been extremely busy, challenging, interesting and rewarding and we are proud of what Council has achieved and the strong financial position that Wentworth Shire Council is in.

This will allow Council to continue to meet the ongoing commitments to our community .

Going forward the new Council will continue to focus on ensuring that residents and ratepayers are proud of where they live, that they feel safe and engaged in the community and that they have equitable access to facilities that ensure that the community leads a healthy and enjoyable lifestyle.



Shire profile

The Wentworth Region – Australia's Murray Darling Heartland covers an area of 26,000 sq kms and has a population of approximately 8,000.

The southern boundary of the region has the greatest population density with the townships of Wentworth, Dareton, Buronga and Gol Gol.

The remote township of Pooncarie is located on the Darling-Baarka River, approximately 120km from Wentworth.

A couple of hours drive north of Wentworth is the historic town of Broken Hill.

The region is an area of great diversity and offers visitors the opportunity to explore an introduction to Outback Australia.

Combined with cross-border neighbour Mildura, the closest commercial centre to Wentworth, the region attracts over 300,000 visitors annually.

At the heart of this wonderful region is the confluence of Australia's two greatest rivers the Murray and Darling-Baarka, leaving Wentworth

sandwiched between their flowing waters and the world heritage Willandra Lakes region, encompassing the culturally-significant Mungo National Park.

Wentworth Shire is home to vibrant communities, a diverse agricultural sector, unique natural environments, and significant Cultural Heritage.

Strategically located bordering NSW and SA, and at the cross-roads of the Sturt, Silver City and Calder Highways, Wentworth Shire provides important linkages to the major ports of Sydney (1,075km), Melbourne (585km) and Adelaide (420km).





End of term report

END OF TERM REPORT 2016-2021

This End-of-Term report provides comments about Council's role, achievements and progress during the life of the Delivery Program.

During the life of the Delivery Program, Council identified 248 actions to be undertaken as either an annual action across the life of the program or an individual action to be undertaken in a particular year.

Across the life of this delivery program Council has successfully completed 164 actions resulting in a completion rate of 66%.

31 actions were still in progress at 30 June 2021, a number of these actions will carry forward to the next delivery program.

What we achieved

| | |
|-------------------------------|------------------------------|
| Planned Actions 248 | ✓ Completed 164 |
| ? In Progress 31 | ✗ Not Commenced 53 |

As part of the Community Engagement process for the development of the new Community Strategic Plan, consideration will need to be given to the 53 actions that did not commence to see if they are still a priority for the Community.

Council has worked towards achieving the objectives and goals as set out in the Community Strategic Plan through the implementation of the four year Delivery Program, Resourcing Strategy and annual Operational Plans.

To measure the progress of those actions the following symbols have been used:

- ✓ Project has been commenced and completed
- ✗ Project has not commenced or had action taken
- ? Project is in progress

| 2017-2018 – 2020-2021 | | | | |
|-----------------------|-----|----|----|----|
| | | ✓ | ? | ✗ |
| Economic | 17 | 7 | 3 | 7 |
| Social | 57 | 43 | 4 | 10 |
| Environment | 100 | 75 | 11 | 14 |
| Governance | 74 | 39 | 13 | 22 |

Contributing factors for actions not completed by the due date include:

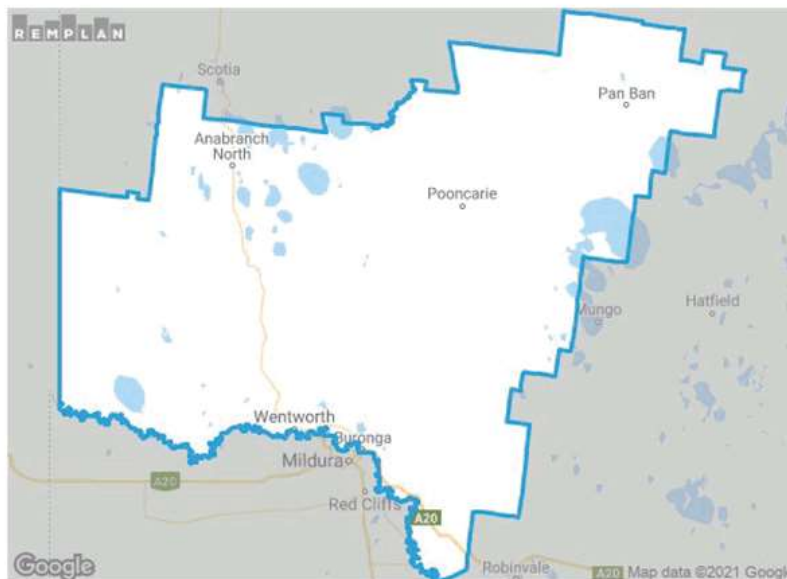
- Delays caused by weather/external partners or staff resources
- Change in Council priorities
- Significant change in State and Federal policy (substantial increase in available grant funding)
- COVID-19 Pandemic

The end of term report incorporates the 2020-2021 financial year due to the postponement of the Local Government Elections until 2021 due to the COVID-19 Pandemic.

Demographic Overview

The following report provide a demographic overview for Wentworth (A). Headline data and information is provided regarding the areas key statistics for population, age structure, education, employment and housing.

Wentworth (A)



This area is defined by the boundary of Wentworth (A) (LGA 18200)

| | |
|---|---------------------|
| ABS 2020 Estimated Residential Population: | 7,090 |
| ABS Census Place of Usual Residence Population: | 6,798 |
| Annualised Population Growth Rate (2011–2016): | 0.6% |
| Land Area (ha): | 2,625,623.98 |
| Census Population Density (persons / ha): | 0 |
| Median Age: | 44 years |
| Median Weekly Income: | \$555 (\$28,871 pa) |
| Labour Force Participation Rate: | 53.72% |

*Data provided by Remplan



Council commitment

A robust local economy is important for the future of the region. Council plays a key role in community development with the aim of assisting to grow resilient, vibrant and thriving communities.

Council has a very important role to play in setting the right conditions to allow business to flourish and in encouraging people to move to town or to visit as tourists.

However, it is important to realise that Council has limitations in its role in economic development which is influenced by a number of external trends that are often beyond Council's influence.

What the community told us

- Streamline development process to encourage developers to the region
- Increase new and diversified industry to increase employment opportunities
- Attract, retain, maintain facilities and capitalise on opportunities
- Create a place where people want to come and live

Delivery Program progress

| | 2017-2018 – 2020-2021 | | |
|-------------------|-----------------------|---|---|
| Number of actions | ✓ | ? | ✗ |
| 17 | 7 | 3 | 7 |

Achievements

Notable actions undertaken include:

- Completed Buronga – Gol Gol Structure Plan
- Purchased and operated the Willowbend Caravan Park Business
- Development of the Local Strategic Planning Statement and the Community Participation Plan
- Continued to contribute to the ongoing activities of Murray Regional Tourism
- Contributed to the development of the Western Murray Regional Economic Development Strategy
- Contributed to the development of the Destination NSW Riverina Murray Destination Management Plan

| Top 4 Industry sectors based on economic output ¹ | | |
|--|--|-------|
| Industry Sector | Wentworth (A) (2019 Release1) \$M % | |
| Agriculture, Forestry & Fishing | \$283.438 | 24.3% |
| Manufacturing | \$204.518 | 17.6% |
| Mining | \$189.784 | 16.3% |
| Rental, Hiring & Real Estate Services | \$75.194 | 6.5% |
| Top 4 Industry sectors based on employment ¹ | | |
| Industry Sector | Wentworth (A) (2019 Release1) Jobs % | |
| Agriculture, Forestry & Fishing | 789 | 27.8% |
| Health Care & Social Assistance | 220 | 7.8% |
| Manufacturing | 214 | 7.5% |
| Education & Training | 207 | 7.3% |

¹ Source www.remolan.com.au.au



Council commitment

To sustain a community, we need to sustain the people living there and enhance their wellbeing and quality of life.

Valuing and respecting the contribution of all community members regardless of age, gender, ability, ethnicity, cultural background or length of residency; and generating opportunities for the active participation by all residents in community life are important cornerstones for Council to encourage and support.

Council manages community spaces, including formal and informal areas within the shire that allow people to gather for a variety of purposes. Council's role involves providing equitable

public facilities, responding to leisure and recreation needs of residents, maintaining public facilities to ensure that they are presentable and safe, as well as advocating for a range of recreation resources and facilities.

What the community told us

- Celebrate and promote our unique location.
- Improved promotion of the region for tourism, employment, work and living
- Involve our youth in everything we do
- Nurture the talents and capabilities within our Shire

Delivery Program progress

| | 2017-2018 – 2020-2021 | | |
|-------------------|-----------------------|---|----|
| Number of actions | ✓ | ? | ✗ |
| 57 | 43 | 3 | 11 |

Achievements

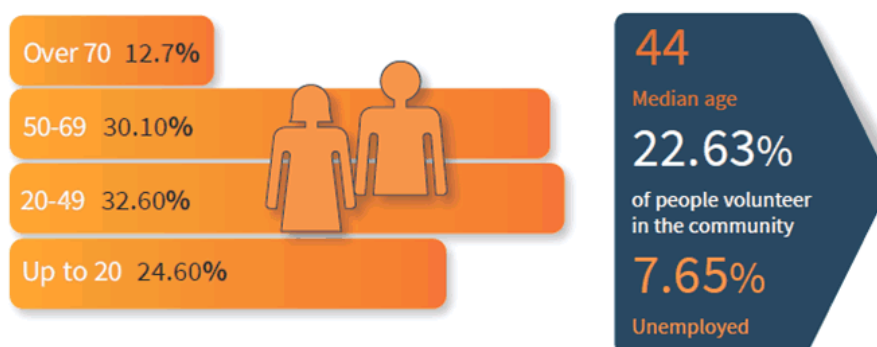
Notable actions undertaken include:

- Maintained Visitor Information Centre Operations
- Investigated expanded VIC operations in the new Civic Centre Redevelopment
- Undertook a full review of the PS Ruby Operations
- Undertook agreed maintenance of PS Ruby
- Celebrated the PS Ruby 110th Birthday
- Advocated for the inclusion of Arumpo Road into Regional tourism plans
- Investigated and installed RV Dump points in Pooncarie and Wentworth
- Continued to advocate for additional aged care facilities within the Shire
- Supported Wentworth Pre-school to expand services in line with recommendations of

- Wentworth Child Care Study.
- Completed redesign of Palm Island traffic Island at Wentworth
- James King Park Stage 2 development
- O'Donnell Park and Curlwaa Boat Ramp Stage 2
- Midway Centre Re-Development
- Supported the Skate Park Committee for proposed Skate Park in Wentworth and secured funding for its installation
- Installation of new shared ways and footpaths
- Held a Seniors Expo
- Held a Youth Expo
- Held a Small Business Expo
- Acquired land for development of a 2nd Oval at the George Gordon Sporting Complex
- Continued to support the NSW Rural Doctors Network through the annual Bush Bursary Scheme
- Advocated for and partnered with stakeholder

groups for the provision of Health Services in Wentworth

- Supported the work of the Wentworth Interagency Group
- Delivered road safety program initiatives
- Partnered in the delivery of the Work Readiness for Women Program
- Constructed Skate Park in Wentworth
- Continued to deliver Library Service across the Shire
- Willowbend Caravan Park Infrastructure upgrades



| Community Assets | |
|---------------------|------------------|
| Sporting Facilities | Halls |
| 10 | 7 |
| Boat Ramps | Public Amenities |
| 10 | 50 |

**WENTWORTH IS A COMMUNITY
THAT WORKS TO ENHANCE AND
PROTECT ITS PHYSICAL AND
NATURAL ASSETS**

Our environment

Council commitment

As a region we are the custodians of our environment.

We are clear on our resolve that our future generations will enjoy the benefits of our considered land use and inherit a healthy natural environment that is not compromised by the economic imperatives of maintaining our community.

Elements of spaces that are conducive to healthy community interaction include natural and built features of the environment.

A healthy natural environment encourages physical activity, social connections and can

affect a community's health and wellbeing.

Our community values the natural and built environment, it values history and the efforts of those who have helped to create this community.

What the community told us

- Better utilise and promote our natural attractions
- Provide safe, reliable water supply and water management
- Our historic past needs to be retained and promoted

Delivery Program progress

| 2017-2018 – 2020-2021 | | | |
|-----------------------|----|----|----|
| Number of actions | ✓ | ? | ✗ |
| 100 | 75 | 11 | 14 |

Achievements

Notable actions undertaken include:

- Completed Buronga – Gol Gol Drainage Strategy
- Carbone Court Retention Basin Conversion
- Hendy Road Sewer Main Upgrade
- Buronga Sewer Pump Station upgrades
- Secured funding for Buronga and Wentworth EDS upgrades
- Completed Sewer Treatment Plant Rationalisation project
- Pooncarie Water Treatment Plant upgrade
- Repainted the Darling-Baarka River Bridges at Pooncarie
- Continued to advocate for the development of rail freight links to Broken Hill
- Continued to advocate for the construction of a second bridge crossing over the Murray

River

- Finalised business case for future expansion options for the Wentworth Aerodrome
- Secured funding for Wentworth Aerodrome Expansion.
- Undertook expansion of Wentworth Aerodrome.
- Annual Building Maintenance Program
- Completed scope of works and Secured funding for Curlwaa Hall Replacement
- Upgraded Public Amenities
- Commenced process to upgrade capacity of Buronga Landfill
- Continued to support the activities of the Murray Darling Association
- Continued to lobby for the sustainable management of the Menindee Lakes
- Undertake actions as outlined in the Western Weeds Action Plan
- Undertook upgrade of Pooncarie, Pomona,

Anabranah and Wilkinson Halls

- Installed new Lights at Carramar Drive Sporting Complex
- Commenced upgrade of Wentworth Sporting Complex
- Replaced Barrett Pavilion and renamed to Wentworth Community Pavilion (below)
- Installation of additional netball courts at

George Gordon Sporting Complex

- Secured funding for upgrade of Pooncarie – Menindee Road
- Hosted 2021 Murray Darling Association Annual Conference
- Completed Curlwaa Hall Replacement
- Dareton Street Light Upgrade



**WENTWORTH IS A CARING,
SUPPORTIVE AND INCLUSIVE
COMMUNITY THAT IS INFORMED
AND ENGAGED IN ITS FUTURE**

**Service Centre
& Library
Entrance**

Our Leadership

Council commitment

Listening to the needs of the community and ensuring that the decisions that Council makes are fair and equitable for the whole community.

Council strives to empower community members through involvement in decision-making and by applying principles of fairness, equity, transparency and probity in all its dealings.

The concept of diversity involves acceptance and respect of individual differences.

Acceptance and inclusiveness of diversity demonstrates that a community has respect for a range of lifestyles and beliefs.

Social inclusion of this nature is vital in ensuring that groups are not disadvantaged through marginalisation.

Council aims to be a highly effective local government body, providing best value to residents and ratepayers by delivering quality services, identifying innovative solutions to issues, supporting local groups and

organisations, prudently managing resources and safeguarding community assets.

Council staff and elected representatives act as a conduit between the community and other tiers of government plus other strategic partners to lobby and advocate for the delivery of services to the local community.

Civic leadership is a key pillar to establishing an ecologically sustainable future embracing the principles of sustainable management and development. As such, it is integral to the ongoing prosperity of our community today and in the years ahead.

What the community told us

- Councillors need to listen more, be more visible and involved in what the community wants
- Enlist the support of all levels of government to resolve issues
- Inform and advocate for everything that we do. Celebrate what we achieve as a Council and a Community
- Recognition of the traditional custodians and tribal heritage

Delivery Program progress

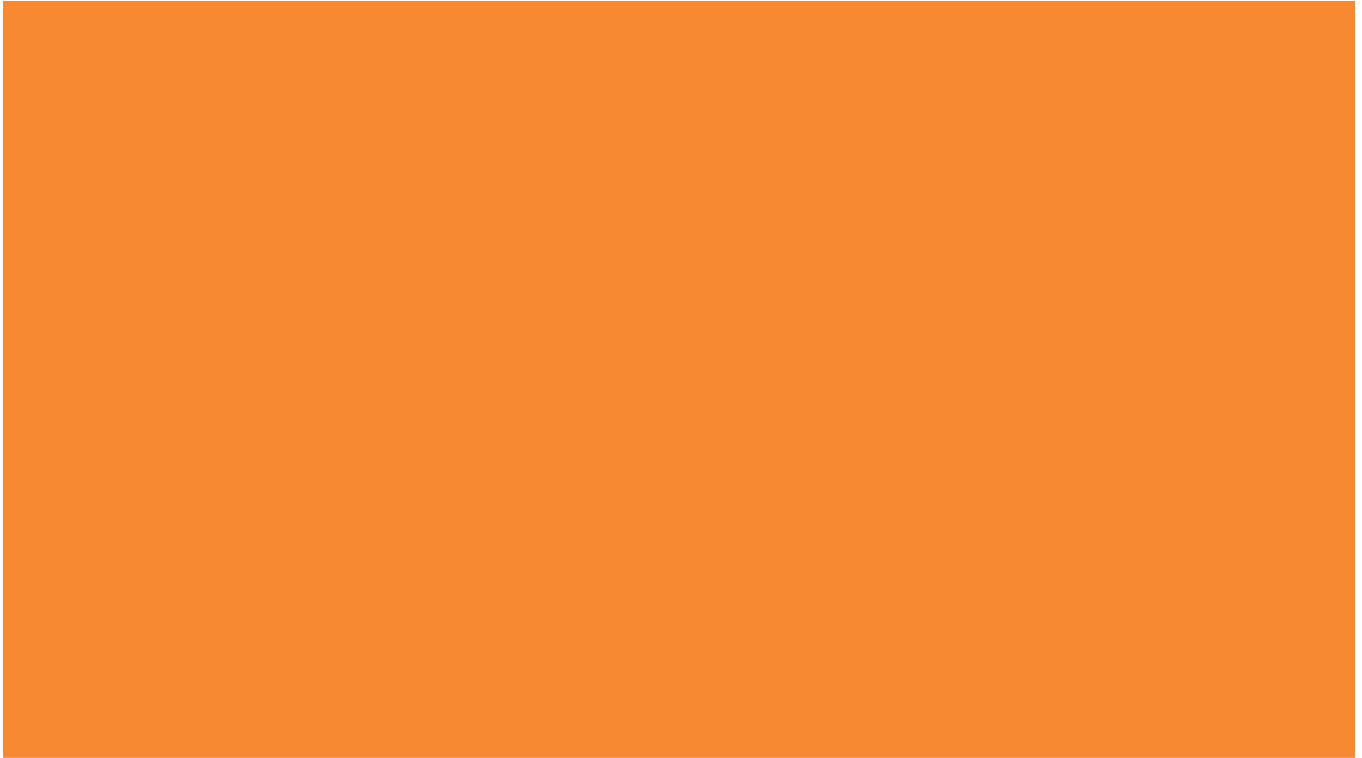
| | 2017-2018 – 2020-2021 | | |
|-------------------|-----------------------|----|----|
| Number of actions | ✓ | ? | ✗ |
| 74 | 39 | 13 | 22 |

Achievements

Notable actions undertaken include:

- Redesigned and updated Council's website
- Developed Midway Centre Customer Service Centre and Library operations
- Reviewed Contractor Management practices
- Continued to work with the Cross Border Commissioner to identify and resolve cross border issues

- Continue to undertake Citizenship Ceremonies
- Partnered with Services NSW for delivery of Easy to Do Business program
- Advocated for a new Wentworth Hospital
- Ongoing advocacy for the community on Murray-Darling Basin Issues
- Advocacy to ensure regional councils continue to be sustainable
- Advocated for and supported Pooncarie residents on water issues



**WENTWORTH
SHIRE COUNCIL**

Our values: Honesty and Integrity | Accountability and Transparency | Respect | Quality | Commitment



9.10 CLASSIFICATION OF LAND

File Number: RPT/21/629

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Hilary Dye - Property and Land Tenure 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

Summary

Section 31(2) of the *Local Government Act 1993* notes that before Council acquires land, or within three months after it acquires land, Council may classify the subject land by resolution.

The purpose of classification is to clearly identify land which should be kept for use by the general public (community) and that land for Council purposes (operational).

All processes have been followed with no objections received during the 28 day public submission period.

A resolution of Council, within the time frame prescribed in the *Local Government Act 1993* is required to finalise the classification of land as Operational. Should the classification process not be completed, the land will default to Community Land which restricts its use.

Recommendation

That Council classifies the following parcels of land as Operational Land:

- Lot 106 Deposited Plan 1232727
- Lot 100 Deposited Plan 1252704
- Lot 100 Deposited Plan 1253778
- Lot 100 Deposited Plan 1252699
- Lot 5101 Deposited Plan 720104
- Lot 1 Deposited Plan 1133980

Detailed Report

Purpose

The purpose of this report is to seek approval from Council to reconfirm Council's intention to classify the acquired land listed in this report as Operational Land.

Background

At the start of the acquisition process there was a report to Council which resolved to acquire the land and for it to be classified as operational once acquired

Within that three-month period it is a statutory requirement under s34 of the *Local Government Act 1993* to advertise, providing notice of a "proposed resolution" to classify the land as Operational with a public exhibition period of not less than 28 days during which submissions may be made to Council.

After the 28 day statutory period ends, Council is able to assess all the comments received before a further report is necessary to reclassify the land.

In the absence of any objections Council is now being requested to formally resolve the following parcels the operational classification.

| WSC Ref | Purpose | Lot / DP | Gazette Date |
|---------------------------------|-------------------------------------|-------------|--------------|
| A23 Emily Street | Sewer Pump Station | 106/1232727 | 17/9/2021 |
| A38 Ryder Crescent | Sewer Pump Station | 100/1252704 | 17/9/2021 |
| A40 Adams Street | Riverboat Effluent Disposal Station | 100/1253778 | 24/9/2021 |
| A25 Adelaide Street | Sewer Pump Station | 100/1252699 | 24/9/2021 |
| A37 Airport Aerodrome Expansion | Airport / Aerodrome | 5101/720104 | 24/9/2021 |
| A6 Buronga Drainage Basin 3 | Drainage Basin | 1/1133980 | 1/10/2021 |

Matters under consideration

A resolution of Council, within the time frame prescribed in the *Local Government Act 1993*, is required to finalise the classification of land as Operational. Should the classification process not be completed, the land will default to Community Land restricting Councils use of the land.

The two classifications available:

1. **Community Land** – land in Council's ownership which is held for and on behalf of the Community, subject to the Community Land provisions of the *Local Government Act 1993*. i.e. Community land would ordinarily comprise land such as a public park, and
2. **Operational Land** – land which Council owns for operational purposes, as a business entity or upon which it conducts Council business which may not be open to the general public,

The advantage of community land is it will restrict the use of the land, thereby protecting the public interest.

Operational land on the other hand has no special restrictions other than those that may apply to any parcel of land. The advantage of operational land is to afford Council flexibility in its use and any future dealings.

Land incorrectly classified (via resolution or by default) will require reclassification to operational land. This involves an application to amend the Local Environmental Plan under the Environmental Planning and Assessment Act 1979 which is both time and cost prohibitive.

Community Engagement

In accordance with Section 34 of the *Local Government Act 1993*, public notices of Council's intention to classify the land as Operational was placed in the Sunraysia Daily's Community Noticeboard on various dates allowing 28 days for written submissions. No submissions were received during the advertising period.

Options

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

- a) Classify the land as Operational Land.
- b) Do nothing and the land will default to Community Land.

Conclusion

After considering the information provided in this report the most appropriate course of action is for Council to classify the land identified as operational land.

Attachments

Nil

9.11 NEW LICENCE - DARETON MEN IN A SHED - CROWN RESERVE 85836

File Number: RPT/21/387

Responsible Officer: Matthew Carlin - Director Health and Planning
 Responsible Division: Health and Planning
 Reporting Officer: Hilary Dye - Property and Land Tenure Officer

Objective: 4.0 Wentworth is a caring , supportive and inclusive community that is informed and engaged in its future
 Strategy: 4.2 Encourage locals to volunteer their time within their local community

Summary

Australian Men's Shed Association is recognised as one of Australia's largest male-based community development organisation that operates as a non-profit/non-commercial organisation. It is accessible to all men and whose primary activity is the provision of a safe and happy environment where men are welcome to work on community projects, specific Men's Shed projects or a project of their choice in their own time. The Dareton Men in a Shed Inc. have secured funding to construct a new purpose-built community building on part Lot 101 DP1232722 the Dareton Swimming Pool, Crown Reserve 85836.

The Minister for Water, Property & Housing has granted Land Owners Consent to lodge the Development Application for approval under the *Environmental Planning and Assessment Act 1979*, and any other legislation, for the Construction of a new Men's Shed and recommend that a licence agreement be in place prior to the start of construction to secure occupation of the land.

This report seeks a resolution of Council to authorise a new licence for the Dareton Men in a Shed Inc. securing lawful tenure of Crown Reserve 85836 before construction begins.

Recommendation

That Council:

1. Endorses a new licence agreement to the Dareton Men in a Shed for occupation of Crown Reserve 85836 Dareton Swimming Pool, being part Lot 101 DP1232722
2. In its capacity as Crown Land Manager, authorises the granting of a new licence, Pre Plan of Management, for the term of 20 years (10+10) tenure under Clause 70(2)(d)(i)(ii) of the *Crown Land Management Regulation 2018*
3. Set rent in accordance with Council's fees and charges including an annual increase of 5% that takes effect the date the licence is executed
4. Affixes to all documentation the Common Seal of the Wentworth Shire Council, which may be required to be sealed to give effect to this resolution
5. Authorises the General Manager and Mayor be delegated to sign any related documentation

Detailed Report

Purpose

The purpose of this report is to endorse a new licence for the Dareton Men in a Shed Inc. on Crown Land Reserve 85836, Dareton Swimming Pool being part Lot 101 DP1232722 to secure occupation of the land before the construction begins.

Crown land managers must have lease or licence agreements in place with all users of Crown reserves held under management.

Background

Australian Men's Shed Association is recognised as one of Australia's largest male-based community development organisation that operates as a non-profit/non-commercial organisation. It is accessible to all men and whose primary activity is the provision of a safe and happy environment where men are welcome to work on community projects, specific Men's Shed projects or a project of their choice in their own time. The Men's Shed movement has now become one of the most powerful tools in addressing health and wellbeing and helping men to once again become valued and productive members of our community. Men's Sheds deliver a wide range of services with the aim to improve the health and wellbeing of members and reduce the number of men who are at risk from preventable health issues but also positively engage within their community, for the benefit of their community.

The Dareton Men in a Shed have outgrown their current location and actively sourced funding to construct a new purpose-built Centre in Dareton. The building will be built on a portion of the Dareton Swimming Pool Reserve 85836 and is envisaged to be available for the wider community, encompassing meeting rooms, kitchen and museum becoming a major drawcard for the district.

The status of the land is vacant and already cleared, the development will not require the removal of vegetation, trees or any native species. There are no licences over the land, which makes the reserve an ideal location for a community building and significant asset to the Dareton township.

Council has provided support of the design concept and approval of the proposed site being Lot 101 DP1232722 part of Reserve 85836 Dareton Swimming Pool (Council resolution August 2020).

Land Owners Consent has been granted by the Minister for Water, Property & Housing to lodge the Development Application for approval under the Environmental Planning and Assessment Act 1979, and any other legislation, for the Construction of a new Men's Shed and recommends that a licence agreement be in place prior to the start of construction to secure occupation of the land.

The reserve is managed by Wentworth Shire Council, pre Plan of Management, Council as the Crown Land Manager can authorise the occupation of a 21year maximum tenure through a Crown Land Manager Licence, authorised under Clause 70(2)(d)(i)(ii) of the Crown Land Management Regulation 2018.

Matters under consideration

Lease or licence

Leases or licences for Crown Land managed by Council are to be prepared in accordance with the *Crown Land Management Act 2016* and *Local Government Act 1993*, to ensure there is legal and suitable occupation of Crown land.

A licence is a contractual agreement that grants the licensee a personal right to occupy and use land for a particular purpose. It does not grant exclusive possession of the land, as is the case with a lease, and may permit the land to be used by other persons. The purpose of this new building will be for the benefit of the Community as well as a new home for the Dareton Men in a Shed, therefore under these conditions a licence will be offered.

The purpose of the licence must also be compatible with the reservation/dedication, land classification, plan of management and permitted use under the Local Environmental Plan. It must also be established as to whether the licence will benefit or provide a service or facility to reserve users. For Crown Land, these issues must be addressed by the Council Crown Land

Manager and details provided that clearly demonstrate the proposal is not inconsistent with and does not interfere with the reserve purpose/s of Public Recreation and Conservation.

Pre Plan of Management (PoM)

Council in its capacity as Crown Land Manager can grant tenure to a maximum of 21 years, under Clause 70(2)(d)(i)(ii) of the *Crown Land Management Regulation 2018*, and subject to Minister's consent.

Under this clause, The Dareton Men in a Shed Inc. must demonstrate they are a not-for-profit organisation or a community group, and demonstrate this in the application to be granted a maximum term of 21 years under these regulations. If the organisation does not fit these criteria, then the maximum term permitted is 5 years.

Term

Under the above regulation, Council can approve a maximum term up to 21 years, including any option for the grant of a further term (i.e.10+10).

The Dareton Men in a Shed will be projecting considerable capital investment into this near vacant reserve to construct a new purpose-built Centre Community facility which will provide enormous community benefit and meet the needs of the community.

The licence terms recognise the need for Council to respond to changing community needs over time, as well as the need for tenants to have certainty of tenure if they are seeking to invest in capital improvements to a facility.

The maximum term may be justified in cases where major capital investment is involved and the licensor (Council Crown Land Manager) is directly associated with the existence of the reserve.

Inclusion of an option clause which extends the term of the licence beyond 20 years is not recommended except in exceptional circumstances. Holding over clauses are to be limited to a maximum term of 12 months.

In recent years Council has issued short-term Licences to community organisations / groups occupying crown reserves for a period of 12 months. This does not provide the security of land tenure.

Rent

Holders of leases, licences and permits to occupy Crown Land are required to pay rent, this is a standard condition in leasing agreements.

Subject to a resolution of the Council and the consideration of factors such as identified community benefit, the applicable licence rental may have a rebated rental amount imposed because the lessee/licensee is a charitable or non-profit organization. Such rental should still be realistic and should not be less than the statutory minimum rental as advertised in Council's annual Fees & Charges Schedule at that time.

Rent can be set in accordance with Council's fees and charges with an annual increase of 5% that takes effect the date the licence is executed.

Council seeks to ensure that costs associated with rental charges and subsidies are transparent for community facilities. It provides subsidies to community organisations based on their ability to raise revenue and the subsequent level of support required from Council.

Licence agreements should provide for regular periodic redetermination of the rent at intervals of not more than 5 years.

Options - Term

The Licence terms recognise the need for Council to respond to changing community needs over time, as well as the need for tenants to have certainty of tenure if they are seeking to

invest in capital improvements to a facility. The licence terms also recognise the need for Council to minimise risk associated with the management of its assets.

The options available are: *(at the discretion of Council, providing it does not exceed 21years).*

- a) 5 year term
- b) 10 year term
- c) Maximum of 21 years
- d) Anything in between

An option for renewal of a further term (i.e.10+10) may also be included.

Options - Rent

The options available are:

- a) Subsidies amount - set in accordance with Council's fees and charges, with an annual increase of 5%, or
- b) Market Rent Value - the amount of annual rent if the accommodation had been let in a competitive market with an annual increase of Consumer Price Index.

Conclusion

Having consideration to the content of this report, the most appropriate course of action is for Council to grant a new licence to the Dareton Men in a Shed Inc. providing the security of land tenure for the occupation of part Crown Reserve 85836 Dareton Swimming Pool, for a term of 10 years with the option to renew of 10 years (10+10).

Rent to be set in accordance with Council's advertised annual Fees & Charges Schedule consistent with the Lessees categorisation as a charitable or non-profit organisation.

Attachments

- 1. Land Owners Consent granted - construction of a new Men in a Shed[↓](#)
- 2. Crown Land Fact Sheet - pre Plan of Management[↓](#)
- 3. Revised MH2 concept plan[↓](#)
- 4. Proposed Layout Men in a Shed[↓](#)



**Planning,
Industry &
Environment**

Our reference: 21/03770
LOC No: 628058

Vanessa Woodham
Phone: 02 6883 5433
vanessa.woodham@crowmland.nsw.gov.au

Men in a Shed Dareton Inc
PO Box 79
DARETON NSW 2717

Via Email: rnmor@bigpond.com & council@wentworth.nsw.gov.au

Dear Sirs

**Consent for
Development
Comprising:
Crown Land**

Construction of a new Men's Shed

Part Lot 101 DP 1232722

Crown reserve

R85836 for Public Baths & Public Recreation, notified
1 July 1966

**Parish
County**

Mourquong
Wentworth

Consent is granted by the Minister for Water, Property & Housing to the lodgement of applications for approval under the *Environmental Planning and Assessment Act 1979*, and other associated applications required under other legislation, for the development proposal described above.

The Land Owner Consent is granted conditional to the following:

1. Land Owner Consent will expire after a period of 12 months from the date of this letter if not acted on within that time. Extensions of this consent may be sought
2. You are required to forward a copy of the DA approval to the NSW Department of Planning, Industry & Environment – Crown Lands ("the Department") after approval and prior to commencing works.
3. You are required to ensure that the approval provided is consistent with this Land Owner Consent.
4. You must apply to the Wentworth Shire Council (Crown Land Managers) for authority to occupy the Crown land. Crown land cannot be occupied prior to this authority being granted.
5. The Land Owner Consent is provided for the works detailed on the plans provided by you and retained by the Department as DOC21/120396.

Land Owner Consent is granted in accordance with the following:

- Land Owner Consent is given without prejudice so that consideration of the proposed development may proceed under the *Environmental Planning and Assessment Act 1979* and any other relevant legislation;
- The grant of this Land Owner Consent does not guarantee that any subsequent authority to occupy will be granted;

Far West Area, West Region
NSW Department of Planning, Industry and Environment, Crown Lands
45 Wingewarra Street, Dubbo NSW 2830 - PO Box 2185, Dangar NSW 2309
Tel: 02 6883 5400 - www.dpie.nsw.gov.au - ABN: 72 189 919 072

- Land Owner Consent does not imply the concurrence of the Minister for Water, Property & Housing for the proposed development and does not provide authorisation under the Crown Lands Act 1989 for this proposal;
- The issue of Land Owner Consent does not prevent the Department from making any submission commenting on, supporting or opposing an application;
- The Minister reserves the right to issue Land Owner Consent for the lodgement of applications for any other development proposals on the subject land concurrent with this Land Owner Consent;
- Any changes made to the proposal, including those imposed by the consent authority, must be consistent with the Land Owner Consent and therefore if modifications are made to the proposed development details must be provided to the Department for approval;
- Land Owner Consent also allows application to any other approval authority necessary for this development proposal.

This letter should be submitted to the relevant consent or approval authority in conjunction with the development application and/or any other application. You are responsible for identifying and obtaining all other consents, approvals and permits required under NSW and Commonwealth laws from other agencies for the proposed development.

It is important that you understand your obligations relating to Condition 3. If any alterations are made to the application (whether in the course of assessment, by conditions of consent, or otherwise), it is your responsibility to ensure the amended or modified development remains consistent with this Land Owner Consent. If there is any inconsistency or uncertainty you are required to contact the Department before undertaking the development to ensure that the Department consents to the changes. A subsequent LOC application may incur additional application fees.

It is advised that the Department will provide Wentworth Shire Council a copy of this Land Owner Consent and will request that Wentworth Shire Council notify the Department of the subsequent development application, for potential comment, as part of any public notification procedure.

Authority to occupy Crown land in this instance refers to the right under the Crown Land Management Act 2016 to either use or manage the land.

For further information, please contact Vanessa Woodham via the details given in the letter head.

Yours sincerely



Vanessa Woodham
Property Services Officer
Department of Planning, Industry & Environment
Crown Lands, Far West Area

24 June 2021





Council Crown Land Manager Fact Sheet

Granting leases and licences over pre-PoM Crown land

Introduction

Under the *Crown Land Management Act 2016* (CLM Act), Council Crown land managers (CLMs) are able to generally administer Crown land under the public land provisions of the *Local Government Act 1993* (LG Act). This includes issuing leases and licences.

For all Crown land that is classified as community land under s.3.23 (7) of the CLM Act, Council is required to have an adopted plan of management (PoM) by 30 June 2021. Under the LG Act, leases, licences and other estates can only be issued on land that is classified as community land where an expressed authorisation is provided in an adopted PoM withstanding filming activities, the provision of public utilities and associated works, and connections of adjoining premises to council or other public utility facilities,

To facilitate continued access to and use of the land while a PoM is being developed, the CLM Regulation 2018 provides interim arrangements for the granting of certain leases and licences¹.

Lease and licence templates

Leases generally enable exclusive use of land for a specified term and purpose (for example, a bowling green for 15 years). Licences generally enable non-exclusive use for a specified term and purpose (for example, the use of a hall at a showground on the first weekend of every month for six months).

To assist councils in the management of its Crown land, the department has developed standard lease and licence templates. The templates should be used as a base and adapted to meet the specifics of the lease or licence being granted. Lease and licence templates for Council CLMs are available at:

<https://www.olg.nsw.gov.au/content/council-crown-land-managers-resources>

What must a council consider when granting a lease or licence on Crown land?

Before granting a lease or licence on Crown land, council CLMs should consider the following:

- Compliance with relevant legislation, Crown land management rules, policies, regulations, guidelines and fact sheets.
- Regard and compliance with tenure provisions under the Local Government Act, 1993
- Compatibility of the lease or licence with the reserve purpose (other than short term licences for prescribed purposes). If you are not sure that a proposed lease or licence is consistent with the reserve purpose, contact the department for advice.
- Consistency of the lease or licence with any existing plan of management adopted by Crown lands².

*pre-PoM Crown land comprises Crown land managed by a Council Crown Land Manager that has not been classified as operational land with Minister's consent or is subject to an adopted a plan of management for the land for the purposes of Division 3.4 of the Crown Land Management Act 2016.

¹ See Clause 70 (2) Crown Land Management Regulation 2018

*pre-PoM Crown land comprises Crown land managed by a Council Crown Land Manager that has not been classified as operational land with Minister's consent or is subject to an adopted a plan of management for the land for the purposes of Division 3.4 of the Crown Land Management Act 2016.

² See Clause 70 (2) Crown Land Management Regulation 2018



Council Crown Land Manager Fact Sheet

- Environmental impacts of the proposed activity and the ability of the land to support the activity.
- Whether the term of the tenure is appropriate.
- Impacts from proposed tenure to the current and future use of the land.
- Development consents or any other consents required under the Environmental Planning and Assessment Act 1979.
- Allow provisions for conducting rent reviews (at least every three years) and provisions for consumer price index rent increases annually.
- Following community engagement requirements set out in the Local Government Act 1993.
- Aboriginal interests (more on this below).

What tenure can Council grant pre-PoM?

Table 1 below summarises Council CLM authorisations and requirements Clause 70 of the *Crown Land Management Regulation 2018*.

Table 1: Summary of lease and licence options for Council CLMs pre-PoM

| Type | Term | Minister's consent | Applying condition | Applicable CLM Regulation 2018 |
|--|-----------------|--------------------|---|-----------------------------------|
| Short-term licence | Up to 12 months | Not required | A licence must be consistent with any of the prescribed purposes set out in clause 31 (1) of CLM Regulation | Clause 70(2)(a), and 31 (1) (a-w) |
| Lease or licence renewal | Up to 21 years | Not required | A lease or licence must have been in effect prior to 1 July 2018, and the proposed tenure cannot add additional purposes that were not in the existing lease. | Clause 70(2)(b) |
| New lease or licence for an existing purpose | Up to 21 years | Not required | A lease or licence must have been in effect prior to 1 July 2018, and the proposed tenure cannot add additional purposes that were not in the previous lease. | Clause 70(2)(c) |
| New lease or licence for emergency services, not-for-profit or community group | Up to 21 years | Required | The lessee or licensee must be an emergency services organisation*, a not-for-profit organisation or community group. | Clause 70(2)(d) |
| New lease (for other types of organisations) | Up to 5 years | Required | Negotiations between council and lessee were, in the opinion of the minister, substantially completed prior to 1 July 2018. | Clause 70(2)(e) |



Council Crown Land Manager Fact Sheet

| Type | Term | Minister's consent | Applying condition | Applicable CLM Regulation 2018 |
|--|----------------|--------------------|---|--------------------------------|
| New lease or licence authorised under a plan of management adopted by Crown lands prior to 1 July 2018 | Up to 21 years | Not required | The lease or licence could, in the opinion of the minister, have been granted before 1 July 2018. | Clause 70(2)(f) |

* meeting the definition of an emergency services organisation within the *State Emergency Services and Rescue Management Act 1989*

What if the proposed tenure scenario is not covered in Table 1?

If the proposed lease or licence scenario is not covered by Table 1 above, contact the department to discuss options for your reserved Crown land as early as possible.

What if my reserve isn't classified as community land?

If a council has obtained the written consent of the Minister to manage the land as if it were operational land under s.3.22 (3) of the CLM Act, the council can issue leases and licences over the reserve in accordance with the provisions of the LG Act for operational land.

If the reserve is under devolved management, s.48 of LG Act applies. This land is not required to be classified or categorised under the LG Act nor a PoM developed, and the council is not able to issue any tenure of the land as a Crown land manager.

Aboriginal interests and Crown land

Crown land has significant spiritual, social, cultural and economic importance to the Aboriginal people of NSW. The CLM Act recognises and supports Aboriginal rights, interests and involvement in Crown land.

When considering a lease or licence, Council must comply with any applicable requirements of the Commonwealth *Native Title Act 1993* and have regard for any existing claims over the land under the NSW *Aboriginal Land Rights Act 1983*. At a minimum Council CLMs must consider the below.

Native Title

Councils are required to employ or engage a native title manager under the CLM Act.

Council Crown land managers must obtain written advice from a qualified native title manager that any proposed lease or licence arrangements comply with any applicable provisions of the Commonwealth *Native Title Act 1993*. This includes any lease or licence issued in accordance with the CLM Regulation.

Further information on native title rights and interests and the role of native title managers is available on the department's website (<https://www.industry.nsw.gov.au/lands/what-we-do/our-work/native-title>).

Specific information on the interaction of tenure, land rights and what Council CLMs need to consider when issuing tenure can be found here;

https://www.industry.nsw.gov.au/data/assets/pdf_file/0015/143061/Native-title-applications-and-options-for-interest-holders-fact-sheet.pdf



Council Crown Land Manager Fact Sheet

Aboriginal Land Rights

If land is subject to an undetermined Aboriginal land claim under the *NSW Aboriginal Land Rights Act 1983*, tenure should not be granted if:

- the proposed tenure activity could prevent the land being transferred to an Aboriginal Land Council (ALC) in the event that an undetermined claim is granted
- the proposed tenure could impact or change the physical/environmental condition of the land, unless the council Crown land manager or tenure applicant has written consent from the claimant ALC to carry out the proposed work or activity or a written statement confirming that the ALC has withdrawn the land claim, or has amended the land claim to exclude the proposed tenure area.

While the above request to the ALC can be made, the claimant ALC is under no obligation to grant consent.

If in doubt, contact the department to seek advice about any potential land claims affecting Crown land.

Example scenarios

The following tenure scenarios provide some common examples relevant to this fact sheet.

Scenario 1: New lease, following an expired lease

A lease for the purpose of a kiosk was in effect over reserved Crown land prior to the commencement of the CLM Act on 1 July 2018. The lease expires in February 2020 with no option of renewal. Council wishes to enter into a new lease commencing February 2020 with no additional permitted uses than those authorised under the previous lease.

Tenure outcome

Under Regulation 70 (2)(c), the Council is authorised to grant a new lease from February 2020 for up to 21 years, as an existing lease was in place prior to the commencement of the CLM Act and there are no additional permitted uses of the land.

Scenario 2: Lease extension/renewal

In 2016, Council issued a Request for Offer for a lease over reserved Crown land. The successful applicant entered into a 5-year lease commencing 1 January 2018 which expires on 31 December 2022. Council has been contacted by the current tenant wishing to extend the current lease.

Tenure outcome

Council cannot extend an existing lease under the transitional arrangements. However, the lessee has the option to surrender the existing lease after which Council may issue a new lease under Regulation 70 (2)(c) for a maximum of 21 years, provided that there are no additional permitted uses of the land.

Scenario 3: Short term licence

Council wishes to grant a licence for a short-term market to occur on reserved Crown land under its management.

Tenure outcome

Under Regulation 70 (2)(a), Council may grant a short-term licence over pre-PoM Crown land, providing the licence meets the prescribed purpose under clause 31 of the Regulation (of which market is a prescribed purpose).



Council Crown Land Manager Fact Sheet

Scenario 4: Negotiations for lease occurred prior to 1 July 2018

Negotiations for a lease over reserved Crown land took place, and were substantially completed, prior to commencement of the CLM Act on 1 July 2018. Council would now like to issue the lease.

Tenure outcome

Under Regulation 70 (2)(e), Council can grant a new lease (with Minister's consent) over pre-PoM Crown land for a term not exceeding the maximum term (5 years in this case), as there is evidence that negotiations for the lease were substantially completed before 1 July 2018. Council would have to provide sufficient evidence to the Minister demonstrating that the negotiations were substantially completed for consideration when determining whether to give consent to the lease. This may include a council resolution, documentation of agreement, a lease executed by both parties prior to obtaining Ministers consent etc.

Scenario 5: New lease or licence under an existing PoM

A Council CLM managed coastal caravan and camping park has an approved PoM, that was adopted by Crown lands in January of 2018. The adopted PoM authorised leasing of a tennis facility, this lease has yet to be executed.

Tenure outcome

As the lease for the tennis facility was under a PoM adopted prior to July 2018, the lease can be granted by council for up to 21 years under 70(2)(f) of the CLM regulation, without Ministers consent.

Scenario 6: New lease for an emergency service facility

A Council CLM is approached by a local Rural Fire Service (RFS) Brigade requesting to lease a small reserve for emergency vehicle storage for 4 years.

Tenure outcome

As the proposed tenure holder is an emergency services provider, under 70(2)(d) the Council CLM is authorised to grant the lease with Ministers consent.

Scenario 7: New lease for Surf Life Saving Club

A Council CLM is approached by Surf Life Saving NSW requesting a new lease for 20 years.

Tenure outcome

As the proposed tenure holder is an emergency services organisation, under 70(2)(d) the Council CLM is authorised to grant the lease with Ministers consent.

Contact us

For more information please contact your local Crown lands office, or alternatively contact us at:

PO Box 2155
DANGAR NSW 2309

Tel: 1300 886 235

Fax: 02 4925 3517

Email: council.clm@crownland.nsw.gov.au

Web: www.crownland.nsw.gov.au





9.12 WARRAKOO STATION COMPLEX, CAL LAL ROAD, RUFUS - STATE HERITAGE REGISTER NOMINATION

File Number: RPT/21/631

Responsible Officer: Matthew Carlin - Director Health and Planning
 Responsible Division: Health and Planning
 Reporting Officer: Michele Bos - Strategic Development Officer

Objective: 4.0 Wentworth is a caring , supportive and inclusive community that is informed and engaged in its future
 Strategy: 4.7 Promote the celebration of the region's rich cultural and social heritage

Summary

Wentworth Shire Council has received advice from the Department of Premier and Cabinet – Heritage NSW of a State Heritage Register nomination for the Warrakoo Station Complex on Cal Lal Road, Rufus.

The advice provided was that the nomination was considered by the State Heritage Register Committee at its meeting held on 5 October 2021. The committee resolved that despite the Warrakoo Station Complex likely being of State heritage significance, the nomination will not be progressed.

Recommendation

That Council notes the content of this report.

Detailed Report

Purpose

The purpose of this report is to advise Council of the State Heritage Register nomination of the Warrakoo Station Complex and the outcome of that nomination following consideration by the State Heritage Register Committee.

Report Detail

Council has received correspondence from the Department of Premier and Cabinet – Heritage NSW advising of a State Heritage Register nomination for the Warrakoo Station Complex on Cal Lal Road, Rufus.

The property is listed as I15 in Schedule 5 Environmental heritage list in the Wentworth Local Environmental Plan 2011.

Refer to Attachment 1 Letter from Heritage NSW.

The State Heritage Register Committee has determined that, despite the possibility or likelihood that the complex is of state heritage significance, due to the site not being a current priority for listing on the State Heritage Register, the nomination will not progress any further, at this stage.

In addition, the correspondence has requested that Council revise the local listing of Warrakoo Homestead to include all of the historic buildings within the complex precinct.

The Health & Planning Division will include acting upon this request as part of a 'housekeeping' or 'anomalies' review of the Wentworth LEP 2011.

Conclusion

This report has been prepared for the information of Councillors and the Wentworth local government community.

Attachments

1. Letter Warrakoo Station Complex [↓](#)



Reference: DOC21/929598

Mr Matthew Carlin
Director Health & Planning
PO Box 81
WENTWORTH NSW 2648
By email: council@wentworth.nsw.gov.au

Dear Mr Carlin

Warrakoo Station Complex

I am writing to you about the State Heritage Register (SHR) nomination that was received by the Heritage Council of NSW for the Warrakoo Station Complex located at Cal Lal Road, Rufus.

The nomination was considered by the State Heritage Register Committee (SHRC) of the Heritage Council of NSW at its meeting on 5 October 2021. After careful consideration, the SHRC resolved that while Warrakoo Station Complex is likely to be of State heritage significance, it is not a current priority for listing on the SHR and will not be progressed. The nomination may be reconsidered in the future.

The SHRC also requested that the Wentworth Shire Council consider revising the local listing for the 'Warakoo Homestead' (I15) on Schedule 5 of the Wentworth Local Environment Plan (LEP) 2011 to expand the curtilage to include all the historic buildings in the Warrakoo Station Complex precinct. The LEP lists Lot 1/134721, however Warakoo Homestead curtilage extends over Lots 31/756184 and 32/756184. I have attached a copy of the Warrakoo Station Complex curtilage map for your consideration.

For further information, please contact Ashley Edwards, Senior Heritage Operations Officer at Heritage NSW, Department of Premier and Cabinet on 0472 865 267 or ashley.edwards@environment.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Harvey Johnston'.

Harvey Johnston
Senior Team Leader, South West
Regional Heritage Operations, Heritage NSW
Department of Premier and Cabinet
25 October 2021

Level 6, 10 Valentine Ave Parramatta NSW 2150 ■ Locked Bag 5020 Parramatta NSW 2124
P: 02 9873 8500 ■ E: heritagemailbox@environment.nsw.gov.au

Proposed curtilage map



9.13 DELEGATED AUTHORITY APPROVALS AS AT END OF OCTOBER 2021

File Number: RPT/21/652

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Kerrie Copley - Administration Officer

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 October 2021, a total of 30 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 \$5,974,337.00. This brings the year to date total to 167 Development Applications and 28 S4.55 Applications approved, with an estimated development value of \$26,675,457.00.

Recommendation

- a) That Council receives and notes the report for the month of October 2021.
- 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 the Attachment, determined under delegated authority by the Director Health and Planning for the month of October 2021, 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 \$5,974,337.00 for the month of October 2021. The average determination time was 45 days.

Attachments

1. Delagated Authority Report October 2021 [↓](#)

DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF OCTOBER 2021

| FILE NUMBER | OWNER | LOCATION | DESCRIPTION | VALUE (EX GST) | DETERMINATION DATE | ACTIVE DAYS |
|--------------------------|-----------------------------------|--|--|----------------|--------------------|-------------|
| DA2021/134 PAN 129695 | Mark Lenton | 221 Pooncarie Road Lot 7 DP 1270097 Wentworth | Storage shed | \$30,000.00 | 1/10/2021 | 38 |
| DA2021/137 PAN 133870 | Eric & Veronica Chapple | 31 Thomas Street Lot 31 DP 1259103 Gol Gol | Dwelling with garage & storage shed | \$442,590.00 | 05/10/2021 | 41 |
| DA2021/124 PAN 123072 | Crown Land NSW - WSC Trustee | 36-38 Murray Street Lot 14 Section 9 DP 759074 Wentworth | Shade sail structures x 2 | \$12,850.00 | 6/10/2021 | 54 |
| DA2021/135 PAN 130692 | Colin Lampard | 3 Gol Gol North Road Lot 44 DP 1038712 Gol Gol | Storage shed | \$50,000.00 | 8/11/2021 | 45 |
| DA2021/140 PAN 134327 | John & Maryanne Sneddon | 427 Gunya Road Lot 1 DP 1182993 Coomealla | Verandah attached to dwelling | \$29,900.00 | 11/10/2021 | 46 |
| DA2021/139 PAN 133157 | Ian Roberts | 15A Modica Crescent Lot 1 DP 1194971 Buronga | Industrial storage shed | \$402,270.00 | 11/10/2021 | 47 |
| DA2021/142 PAN 137283 | Jordan Mattiacci | 5 Lee Court Lot 62 DP 1259103 Gol Gol | Garden shed | \$3,000.00 | 12/10/2021 | 39 |
| DA2021/141 PAN 133611 | Craig Mills | 19 Morrison Court Lot 21 DP 1274486 Gol Gol | Dwelling with garage & storage shed | \$400,000.00 | 12/10/2021 | 47 |
| DA2021/147 PAN 134647 | Daniel Macleod & Aaron St Leon | 17 Livingstone Drive Lot 52 DP 1229757 Gol Gol | Dwelling with garage & storage shed | \$320,000.00 | 12/10/2021 | 35 |

DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF OCTOBER 2021

| | | | | | | |
|------------------------------|---|---|---|----------------|------------|-----|
| DA2021/149 PAN 137947 | Paul Fraser | 26 Katrina Court Lot 20 DP 1038712 Gol Gol | Storage shed | \$19,970.00 | 12/10/2021 | 34 |
| DA2021/144 PAN 136731 | Benn Vandenberg | 35 Trawalla Road Lot 321 DP 756961 Coomealla | Farm Shed | \$420,500.00 | 12/10/2021 | 39 |
| DA2021/109 PAN 116170 | Luke Cini | 79 Corbett Avenue Lot 91 DP 756964 Buronga | Change of use from 1a to 1b - Boarding House | \$0.00 | 13/10/2021 | 85 |
| DA2021/130 PAN 116126 | Due Mogli Superannuation, Fratelli x Superannuation - Luke Cini | 140 Melaleuca Street Lot 164 DP 756946 Buronga | Change of use from 1a to 1b - Boarding House | \$0.00 | 14/10/2021 | 52 |
| S4-55/2021/021 PAN 139885 | Kerrie Pitt | 62 Hendy Road Lot 1 DP 853492 Buronga | Modify DA2019/101 Dwelling extension | \$0.00 | 14/10/2021 | 30 |
| DA2021/143 PAN 134582 | Buronga Hill Pty Ltd | 557B Silver City Highway Lot 1215 DP 48327 Mourquong | Storage shed | \$59,785.00 | 14/10/2021 | 41 |
| DA2021/091 | Dareton Men in A shed Inc - Crown Land NSW | Matong Street Lot 101 DP 1232722 Dareton | Purpose built shed for community based Men in a shed & related activities | \$1,112,000.00 | 22/10/2021 | 115 |
| DA2021/148 PAN 125878 | Mario Simonetta | 56 Hendy Road Lot 1 DP 110500 Buronga | Change of use from dwelling to tourist accommodation | \$0.00 | 25/10/2021 | 48 |
| DA2021/154 PAN 140393 | Tyler Finch | 392 Delta Road Lot 1 DP 1265137 Curlwaa | Dwelling with garage | \$413,000.00 | 22/10/2021 | 35 |
| DA2021/150 PAN 114244 | Pauline Tallent | West Road Lot 2 DP 1268334 Buronga | Storage shed | \$64,375.00 | 22/10/2021 | 43 |

DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF OCTOBER 2021

| | | | | | | |
|------------------------------|------------------------------------|--|--|--------------|------------|----|
| DA2021/152 PAN 126881 | John & Jennifer Tilley | Waratah Court Lot 10 DP 1248641 Gol Gol | Storage shed | \$25,000.00 | 22/10/2021 | 36 |
| DA2021/153 PAN 1428585 | Adrian Channing | 38 Yankabilly Road Lot 1 DP 1123230 Pomona | Storage shed | \$90,000.00 | 22/10/2021 | 35 |
| DA2021/145 PAN 134348 | Jeffrey & Sharon King | 50 Coonah Road Lot 1 DP 1253531 Coomealla | Extension to existing dwelling | \$158,000.00 | 25/10/2021 | 49 |
| DA2021/158 PAN 140253 | John Fumberger & Fiona Harley | 113 Adelaide Street Lot 221 DP 43587 Gol Gol | Extension to existing dwelling | \$150,000.00 | 26/10/2021 | 35 |
| DA2021/155 PAN 141029 | Kenneth Ross | 6 Morrison Court Lot 12 DP 1267581 Gol Gol | Dwelling with garage, swimming pool & storage shed | \$691,825.00 | 26/10/2021 | 39 |
| DA2021/156 PAN 143904 | Alinga Grove / Ian & Karen Kerr | 13 Morrison Court Lot 18 DP 1274486 Gol Gol | Dwelling with garage & storage shed | \$359,380.00 | 26/10/2021 | 36 |
| DA2021/157 PAN 144958 | Christopher Byrnes | 3676 Anabranth Mail Road Lot 498 DP 761441 Anabranth South | Demolition & replacement of existing workers dwelling | \$182,430.00 | 27/10/2021 | 37 |
| DA2021/160 PAN 143160 | Joshua Stokes | 173 Boronia Crescent Lot 1 DP 1077464 Coomealla | Storage shed | \$119,272.00 | 27/10/2021 | 35 |
| DA2021/161 PAN 144735 | Isabella De Blasio | Cudjee Road Lot 5 DP 1054799 Coomealla | Farm shed | \$9,460.00 | 27/10/2021 | 34 |
| S4-55/2021/023 PAN 143005 | Aaron Duck | 27 Mitchell Court Lot 22 DP 1229757 Gol Gol | Modify DA2020/081 Dwelling garage & storage shed | \$0.00 | 28/10/2021 | 35 |
| S4-55/2021/022 PAN 140017 | Bradley Farley | 226 Ellerslie Road Lot 63 DP 40599 Ellerslie | Modify DA2018/138 Machinery storage shed | \$0.00 | 28/10/2021 | 36 |

DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF OCTOBER 2021

| | | | | | | |
|--------------------------|------------------------------|--|---|--------------|------------|-----|
| DA2021/103 PAN 117894 | Terence Belleville | 62B Cudmore Road Lot 7 DP 740361 Wentworth | Mooring site | \$0.00 | 28/10/2021 | 106 |
| DA2021/159 PAN 143246 | Dayle Cook & Renee Royall | 20 Morrison Court Lot 25 DP 1274486 Gol Gol | Dwelling with garage & storage shed | \$378,730.00 | 28/10/2021 | 37 |
| DA2021/165 PAN 153062 | Gloria & Bob Stephenson | 11 Perry Street Lot 3 DP 590184 Wentworth | Demolition & replacement of existing verandah - construction of new storage shed | \$30,000.00 | 29/10/2021 | 21 |

9.14 PROJECTS AND WORKS REPORT UPDATE - NOVEMBER 2021

File Number: RPT/21/658

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Tarryn Kampman - Coordinator Roads & Engineering

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 projects and major works undertaken by the Roads and Engineering Department which have been completed during the month of October 2021.

Recommendation

That Council notes the major works undertaken for October and the scheduled works for following months.

Detailed Report

Refer below for updates of the works completed in October and planned activities scheduled for November 2021.

Projects and Works Update for October 2021

Roads

- As part of the capital works renewal 32 local, rural and regional roads throughout the Shire have been re-sealed with line marking to be completed November.
- High Darling Rd - Clean up complete. Final seal to be completed by March 2022.
- Bunnerungee Bridge - All excavation work and sediment control has been completed.
- Little Manly Road first stage completed, with a second stage included to cost savings and will be completed by February 2022.
- Native Ridge Lane - Major roadworks underway with road realignment, widening and base completed. Signs and road furniture to be installed over coming months. Seal and minor works to be completed in the new - year.

Maintenance Grading

Planned maintenance grading was undertaken on the following roads throughout October: Arumpo and Top Hut, Wamberra and Petro Mail Road.

Traffic Monitoring Program

Locations traffic counters were placed for the month of October;

- Garston Road - 30m from Low Darling Rd
- High Darling Road - 40m south of all-weather mine road int
- High Darling Road - 100m south from Polia Rd int
- High Darling Road - 140m from Silver City Hwy

- Milkengay Road - 140m from Nob Rd
- Nob Road - 1.9km from Polia Rd
- Nob Road - 1km west of Ginko-Nob Rd Nth int
- Nob Road - 4.5km from High Darling Rd
- Nob Road - 120m north of Haul Rd int
- Nob Road - 120m south from Haul Rd int
- Old Broken Hill Road - 40m from Silver City Hwy - south end
- Old Broken Hill Road - 120m east of 183 Dam
- Old Broken Hill Road - 100m from Silver City Hwy - north end
- Polia Road - 9km from High Darling Road
- Pomona Road - 100m from Silver City Hwy
- Roo Roo Road - 2nd grid from Haul Rd int.

Road Safety Officer Program Working closely with Principals and school communities, WSC has been successful in securing \$183,722 of Federal and State Government's Stimulus Commitment Road Safety Program, School Zone Infrastructure Sub Program Round 2. Transport for NSW is pleased to confirmed we were successful in the following projects:

Wentworth, Dareton, Buronga, Gol Gol, Palinyewah and Pomona Public Schools including upgrading 4 existing crossings to raised platform "wombat" crossings and relocating 2 existing crossings, new shared ways, upgrading footpaths, additional marked parking spaces and pedestrian fencing.

Projects Wentworth Aerodrome Upgrade

- NOTAM in place for full closure of runway 17/35 to allow for works, runway 08/26 will remain open with periodic closure to accommodate the works being undertaken on runway 17/35.
- Earthworks continuing.
- Contract documentation for the supply and installation of lighting (PT2122/02), has been issued, to contractor along with purchase order for works.
- Completion of pedestrian fence installation.

Buronga Effluent Disposal System (EDS)

Pump station commissioned and opened in September. Essential Energy supply lines faults have occurred on site which have been rectified by the power supplier. Overall, facility is operating as intended.

Buronga and Gol Gol Shared Paths

- Summer Drive path 85% complete.

Buronga Pump Track

- Contractors to commence works post lockdown – pending travel clearances with COVID.

Dareton Travellers Rest – extended to December 2021

- Survey & set out completed
- The final draft on the interpretative story board panels confirmed.

Flagtrax banners/ flag systems

- Quote for 60 flags has been received.
- WSC currently seeking quotations for level 3 design works before Essential Energy approval is granted for installation work on their assets.

Integrated Water Cycle Management Strategy

- Meeting held recently with DPIE Water and Public Works representatives, WSC continuing with data collection for Public Works.
- Public works have started reviewing information and putting together components of the issues report.

James King Park – Waterfront

- Design proposal under development.
- Proposal to include retaining wall at river side of existing beachfront footpath and reduced slope of beach to prevent erosion.
- Reshaping of existing beach completed to allow for interim use.

Mourquong Water Main Extension – completion November 2021

- Pipeline placement continuing.

Sewer Rationalisation Dareton - Wildlife Fence

- Damage occurred to Council's newly erected gate and perimeter fence, with a Kubota ATV dumped in the sewer lagoon over the weekend of the 23 & 24 October.
- Old fencing has been pulled down and removed from site.
- Kubota ATV vehicle retrieved from lagoon 1.
- A new quote for the fence repair was received and completed by the 29 October.
- Edges of lagoon were graded and levelled on completion of works. Air Valve replacements quotes received and replacement parts being ordered.

Pooncarie Hall amenities block (septic replacement)

- Investigated potential options for replacement of the damaged septic system for the amenities block at the Pooncarie Hall.
- Determined that new system with tank located closer to amenities block with soakage area adjacent tennis courts would be suitable.
- Land capability assessment completed.
- Installation of new system planned to be completed before Christmas, dependent on material supply.

Sewerage Rationalisation Scheme - Wentworth

- Contractor submitted demolition plan for sewer treatment plant, WSC reviewing.
- Contractor coordinating a revised project schedule and timing for further works, current program has been delayed for finalisation in March 2022 (previously December 2021).
- Switchboard factory acceptance testing (FAT) currently underway for SPS#1 switchboard.

Wentworth All Day Care Centre

- Report provided to the October extraordinary meeting, with Council awarding the works.

Wentworth Riverfront BBQ and Nature Play Area

- Works on hold – awaiting cross border playground contractor.

Wentworth Rowing and Houseboat Mooring - completion December 2021

- All sheet piling in place and mooring bollards are in place.
- House boat mooring area concrete concourse boxed up for pouring of concrete.
- High water level is impacting on completion at the rowing club area frontage, causing delays to the completion of pile capping. Rowing Club members have been kept informed throughout.

Wentworth Rowing Club Extension

- Project quotations closed 29 October 2021.
- BW&A engaged as Building Surveyor.

Wentworth Shire – School Zone Infrastructure Program

- Designs have been developed for works at the following school zones:

| | |
|-------------------------|--------------------------|
| Gol Gol Primary School | Buronga Primary School |
| Dareton Primary School | Pomona Public School |
| Palinyewa Public School | Wentworth Primary School |

- Designs have been submitted to Transport for NSW for approval.

Wentworth Showgrounds Sewer Upgrade – completion March 2022

- Tenders have been evaluated and presented at the October Council meeting for approval to award.

Wentworth Showgrounds Tower & Shade Structures

- Shade structure construction delayed due to proximity of quarantine facility to worksite.
- Tower awaiting updated designs.

Projects and Works scheduled for November and December 2021

Roads

- Native Ridge Lane, Gol Gol – sealing and road furniture to be completed in February 2022.
- Stuart Highway Segment 40 Stage 2 Reconstruction - Excavation works to begin 9/11/21 with traffic to be down to one lane for the duration of the project. Delivery of select fill and class 1 materials has commenced with the project expected to be completed end February 2022.

Maintenance Grading

- Planned maintenance grading will be undertaken on the following roads throughout November: Anabbranch Tooperoopna, Old Broken Hill Road.

Traffic Monitoring Program

Scheduled locations for November:

- Anabbranch Mail Road - 1.6km south of Tooperoopna Rd int
- Anabbranch Mail Road - 1.85km north of Anabbranch Hall Rd int
- Anabbranch Mail Road - 770m from Silver City Hwy
- Anabbranch Mail Road - 40m from Renmark Rd
- Belvedere Road - 50m from Silver City Hwy
- Milpara Road - 120m from Anabbranch Mail Rd
- Milpara Road - 120m from Silver City Hwy
- Nanya Road - 2.75km from Springwood Rd
- Nulla Road - 120m from Renmark Road
- Nulla Road - 120m from Springwood Rd
- Pine Camp Road - 40m from Renmark Rd
- Pine Camp Road - 780m from Nulla Rd
- Silver City Highway - 230m west of Delta Rd int
- Silver City Highway - 200m east of Hospital Rd int
- Springwood Road - 50m from Silver City Hwy
- Springwood Road - 120m from Nulla Rd
- Sturt Highway - 170m north of Fayer Ln int
- Tarawi Road - 30m from Springwood Rd
- Tooperoopna Road - 700m from Renmark Rd
- Tooperoopna Road - 160m from Anabbranch Mail Rd.

Projects

Wentworth Aerodrome Upgrade – completion February 2022

- Completion pavement construction.
- Sealing and line marking scheduled to commence beginning November, weather permitting.
- Installation of lighting works continuing.

Buronga Effluent Disposal System (EDS)

The outbound flow meter has arrived and will be installed while the facility is operational. The flow meter is used to record the total waste discharged from the facility. The item isn't required for functionality but for Council's monitoring purposes

Buronga Pump Track

- Contractors to commence works 17 November with a scheduled two weeks for completion of works.

Buronga and Gol Gol Shared Paths

- Summer Drive path works to be complete mid-November.

Dareton Travellers Rest – extended to December 2021

- Footings for the pergola structure have been poured.
- Contractor will commence construction 8 November.

Gol Gol School Shared Path – completion November 2021

- Pedestrian island has arrived. To be installed approximately end of November.

Mourquong Water Main Extension – completion November 2021

- Urban H2O have completed the construction of the water main, including majority of the property connections.
- Commissioning of the main commenced Friday 5 November with flushing and hydrostatic pressure testing.
- Disinfection and water quality testing will commence 8 November.

Pooncarie Hall amenities block (septic replacement)

- Construction expected to commence end November/early December, dependent on contractor receiving materials supply.

Wentworth Bowling Green

- Berry Bowling Systems have advised Council that base works will commence 22 November, with the synthetic installation towards the second week of January.

Wentworth Riverfront BBQ and Nature Play Area

- Playground audit and works to be undertaken once interstate travel restrictions have eased.
- Softfall to be installed post final playground works.
- Project completion to be determined post COVID restrictions with SA.

Wentworth Shire - School Zone Infrastructure Program

- Designs expected to be approved by late November.
- Requests for quote to be sent post approval.

Wentworth Showgrounds Tower & Shade Structure – completion January 2022

- Shade structure construction to commence dependent on removal of isolation facilities from showgrounds.

Wentworth Showgrounds Sewer Upgrade – completion March 2022

- Contract has been awarded to successful contractor.
- Contract for the sewer pump station electrical switchboard has been awarded to Aquatec.
- Work is due to commence 15 November.

Attachments

1. Attachment 1 - Projects and Works Photo Update [↓](#)



**Mourquong Water Main
Extension pipeline installation
26/10/21**

Commissioning of the main, water flushing and pressure testing – 5/11/21





Dareton Travellers Rest – pouring concrete for footings - 5/11/21



Dareton Sewer Wildlife Fence – damage caused to fence 26/10/21



Repair works to fence – 29/10/21



Wentworth Sewer Rationalisation – installation of switchboard 28/10/21



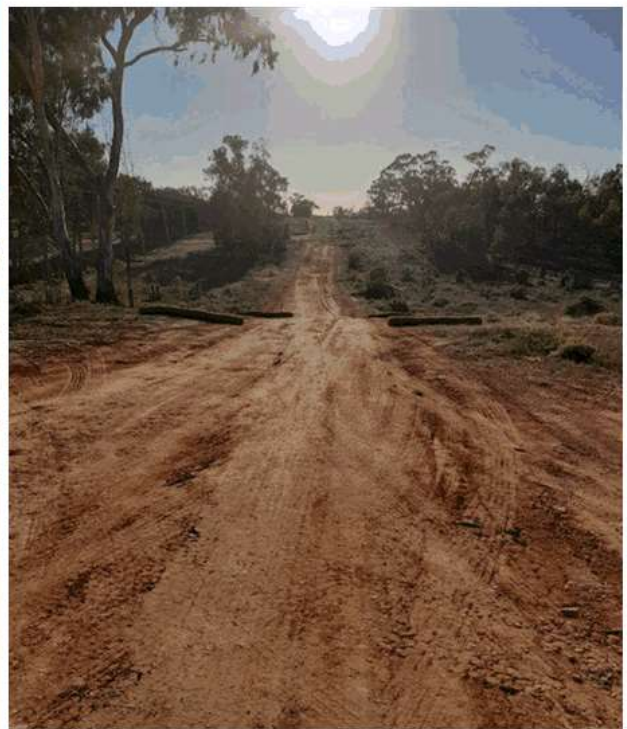
Before and proposed after of treatment to be installed as part of the school funding received



Wentworth Aerodrome – Stage 3 construction works



Bunnerungee Bridge reinstatement works



10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

Nil

11 CONCLUSION OF THE MEETING

NEXT MEETING

10 January 2022