

# 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 **7:00 PM**.

*The meeting is being livestreamed and/or recorded for on-demand viewing via Council's website. 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.*

*Councillors & staff are obligated to declare Conflicts of Interest as required under the Local Government Act 1993 and Councils adopted Code of Conduct.*

*Councillors are reminded of their Oath of Office whereby they have declared and affirmed that they will undertake the duties of the Office of Councillor in the best interests of the people of Wentworth Shire and the Wentworth Shire Council and that they will faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act to the best of their ability and judgment.*

**KEN ROSS**  
**GENERAL MANAGER**

## **ORDINARY MEETING**

## **AGENDA**

## **16 NOVEMBER 2022**

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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 26 October 2022 be confirmed as  
circulated.



# **WENTWORTH SHIRE COUNCIL**

## **ORDINARY MEETING MINUTES**

**26 OCTOBER 2022**



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**1 OPENING OF MEETING**

The Mayor opened the meeting with a prayer at 7:01pm.

**2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY****PRESENT:**

**COUNCILLORS:** Councillor Tim Elstone  
Councillor Brian Beaumont  
Councillor Steve Cooper  
Councillor Peter Crisp  
Councillor Steve Heywood  
Councillor Daniel Linklater  
Councillor Jane MacAllister  
Councillor Susan Nichols  
Councillor Jo Rodda

**STAFF:** Ken Ross (General Manager)  
Geoff Gunn (Director Roads and Engineering)  
Simon Rule (Director Finance and Policy)  
Gayle Marsden (Executive Assistant to General Manager)

**3 APOLOGIES AND LEAVE OF ABSENCE**

Matthew Carlin Director of Health and Planning is an apology.

**Council Resolution**

That Council notes the apologies and grants the Leave of Absence  
Request From Cr Heywood from 11-18 November 2022

**Moved Cr. MacAllister Seconded Cr. Cooper**

**CARRIED UNANIMOUSLY**

**4 DISCLOSURES OF INTERESTS****5 CONFIRMATION OF MINUTES****Recommendation**

That the Minutes of the Ordinary Meeting held 28 September 2022 be confirmed as  
circulated.

**Council Resolution**

That the Minutes of the Ordinary Meeting held 28 September 2022 be confirmed as  
circulated.

**Moved Cr Beaumont, Seconded Cr. Heywood**

**CARRIED UNANIMOUSLY**

**Recommendation**

That the Minutes of the Extraordinary Meeting held 17 October 2022 be confirmed as circulated.

**Council Resolution**

That the Minutes of the Extraordinary Meeting held 17 October 2022 be confirmed as circulated.

**Moved Cr Crisp, Seconded Cr Rodda**

**CARRIED UNANIMOUSLY**

## 6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

### 6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/22/643

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

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

#### Summary

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

#### Officer Recommendation

That Council receives and notes the list of outstanding matters as at 18 October 2022.

#### Council Resolution

That Council receives and notes the list of outstanding matters as at 18 October 2022.

**Moved Cr Crisp, Seconded Cr Rodda**

**CARRIED UNANIMOUSLY**

## **7 MAYORAL AND COUNCILLOR REPORTS**

### **7.1 MAYORAL REPORT**

File Number: RPT/22/644

#### **Recommendation**

That Council receives and notes the information contained in the Mayoral report.

#### **Council Resolution**

That Council receives and notes the information contained in the Mayoral report.

**Moved Cr. Elstone, Seconded Cr Linklater**

**CARRIED UNANIMOUSLY**

Further to the Mayoral Report Mayor Elstone provided an overview of the meetings he and the General Manager attended in Sydney.

## **8 REPORTS FROM COMMITTEES**

Nil

## 9 REPORTS TO COUNCIL

### 9.1 GENERAL MANAGERS REPORT

File Number: RPT/22/645

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

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

#### **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  
Circular 22-28 to 22-29
2. Meetings  
As listed
3. Upcoming meetings or events  
As listed
4. Other items of note

#### **Recommendation**

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

That Council approves Simon Rule, Director Finance and Policy to be the Acting General Manager from 29 October 2022 to 13 November 2022.

#### **Council Resolution**

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

That Council approves Simon Rule, Director Finance and Policy to be the Acting General Manager from 29 October 2022 to 13 November 2022.

**Moved Cr. Nichols, Seconded Cr Beaumont**

**CARRIED UNANIMOUSLY**

**9.2 MONTHLY FINANCE REPORT**

File Number: RPT/22/625

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 2022 were \$891,240.86. After allowing for pensioner subsidies, the total levies collected are now 40.37%. For comparison purposes 40.34% of the levy had been collected at the end of September 2021. Council currently has \$46,802,777.67 in cash and investments.

**Recommendation**

That Council receives and notes the Monthly Finance Report.

**Council Resolution**

That Council receives and notes the Monthly Finance Report.

**Moved Cr Crisp, Seconded Cr Linklater**

**CARRIED UNANIMOUSLY**



### 9.3 MONTHLY INVESTMENT REPORT

File Number: RPT/22/626

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Bryce Watson - Accountant

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner

Strategy: 4.5 Adopt practices of prudent asset, financial and human resource management across Council to ensure long-term sustainability and efficiency

#### **Summary**

As at 30 September 2022 Council had \$37 million invested in term deposits and \$9,802,777.67 in other cash investments. Council received \$35,590.82 from its investments for the month of September 2022.

In September 2022 Council investments averaged a rate of return of 2.34% and it currently has \$8,326,740.55 of internal restrictions and \$27,170,039.14 of external restrictions.

#### **Recommendation**

That Council receives and notes the monthly investment report.

#### **Council Resolution**

That Council receives and notes the monthly investment report.

**Moved Cr Linklater, Seconded Cr Cooper**

**CARRIED UNANIMOUSLY**

#### 9.4 ANNUAL DISCLOSURE OF INTERESTS RETURNS

File Number:	RPT/22/638
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 Shire is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner
Strategy:	4.2 A strong, responsible and representative government

#### **Summary**

Council's Code of Conduct Policy requires Councillors and Designated Persons to disclose their personal interests by completing a publicly available return of interests.

The annual returns are required to be lodged within three (3) months following 30 June and must be tabled no later than the first available Council meeting in October.

As required by the Office of Local Government and the *Government Information (Public Access) Act 2009* (NSW) the returns will be made available on Council's website after they have been noted by Council.

#### **Recommendation**

That Council notes the tabling of the Disclosure of Interest Returns for Councillors and Designated Persons for the period 01/07/2021 to 30/06/2022.

#### **Council Resolution**

That Council notes the tabling of the Disclosure of Interest Returns for Councillors and Designated Persons for the period 01/07/2021 to 30/06/2022.

**Moved Cr. Heywood, Seconded Cr. MacAllister**

**CARRIED UNANIMOUSLY**

**9.5 LAND ACQUISITION - A45 DARETON ACCESS**

File Number: RPT/22/623

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**

A Council Resolution is required to commence the acquisition of Crown Land, being Lot 395 DP 1216729 at Dareton, Wentworth NSW, for the purpose of essential infrastructure.

**Recommendation**

1. That Council proceed to acquire Lot 395 DP 1216729 by the compulsory process under the terms of the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) and by authority contained in the Local Government Act 1993 (NSW)
2. That the land is to be acquired for the public purpose of essential infrastructure
3. That minerals are to be excluded from this acquisition
4. That the acquisition is not for the purpose of resale
5. That the necessary applications be made to the NSW Minister for Local Government and the Governor of NSW for approval to compulsorily acquire the Crown land for the public purpose
6. That compensation is paid to Crown Lands for the acquisition of the subject land as determined by the Valuer General of NSW
7. That post acquisition, the land be classified as Operational Land
8. That the Common Seal of Wentworth Shire Council be affixed to all documentation required to be sealed to give effect to this resolution and that Mayor and General Manager be delegated to sign any related documents.

**Council Resolution**

1. That Council proceed to acquire Lot 395 DP 1216729 by the compulsory process under the terms of the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) and by authority contained in the Local Government Act 1993 (NSW)
2. That the land is to be acquired for the public purpose of essential infrastructure
3. That minerals are to be excluded from this acquisition

4. That the acquisition is not for the purpose of resale
5. That the necessary applications be made to the NSW Minister for Local Government and the Governor of NSW for approval to compulsorily acquire the Crown land for the public purpose
6. That compensation is paid to Crown Lands for the acquisition of the subject land as determined by the Valuer General of NSW
7. That post acquisition, the land be classified as Operational Land
8. That the Common Seal of Wentworth Shire Council be affixed to all documentation required to be sealed to give effect to this resolution and that Mayor and General Manager be delegated to sign any related documents.

**Moved Cr. Nichols, Seconded Cr. MacAllister**

**CARRIED UNANIMOUSLY**

**9.6 DELEGATED AUTHORITY APPROVALS AS AT END OF SEPTEMBER 2022**

File Number: RPT/22/641

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Kerrie Copley - Administration Officer

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

Strategy: 3.1 Ensure our planning decisions and controls enable the community to benefit from development

**Summary**

For the month of September 2022, a total of five (5) Development Applications and three (3) S4.55 Modification Applications were determined under delegated authority by the Director Health and Planning.

The estimated value of the determined developments was \$840,700.00. This brings the year to date total to seventy-six (76) Development Applications and thirty-seven (37) S4.55 Applications approved, with an estimated development value of \$10,747,229.00

**Recommendation**

That Council:

- a) Receives and notes the report for the Delegated Authority Approvals for the month of September 2022.
- 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) Calls a Division in accordance with S375A of the Local Government Act 1993 (NSW).

**Council Resolution**

That Council:

- a) Receives and notes the report for the Delegated Authority Approvals for the month of September 2022.
- 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) Calls a Division in accordance with S375A of the Local Government Act 1993 (NSW).

**Moved Cr. Heywood, Seconded Cr Cooper**

**CARRIED UNANIMOUSLY**

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

**For the Motion :** *Clr.s Beaumont, Cooper, Crisp, Elstone, Heywood, Linklater, MacAllister, Nichols and Rodda.*

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

**9.7 PROJECT & WORKS UPDATE - OCTOBER 2022**

File Number: RPT/22/648

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Chanelle Pilling - Administration Officer

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

Strategy: 3.2 Ensure that community assets and public infrastructure are well maintained

**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 2022 and the planned activities for October 2022.

**Recommendation**

That Council receives and notes the major works undertaken in September 2022 and the scheduled works for the following month.

**Council Resolution**

That Council receives and notes the major works undertaken in September 2022 and the scheduled works for the following month.

**Moved Cr. MacAllister, Seconded Cr Rodda**

**CARRIED UNANIMOUSLY**

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## **10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE**

### **10.1 SOLAR PANELS**

Cr Susan Nichols requested that Council look into installing solar panels on Council buildings.

### **10.2 WASTE PLANS**

Cr Jo Rodda requested that the plans for waste be presented to Council.

The General Manager advised that he will arrange for the consultant to attend an advisory meeting.

### **10.3 MISSING KERB**

Cr Daniel Linklater advised that the missing kerb at 74-78 Wood Street hasn't been replaced and it was advised it would be completed before the end of the year.

### **10.4 FLOOD PREPAREDNESS**

Cr Steve Cooper requested an update on flood preparedness.

The General Manager advised that Council is working with the Local Emergency Management Committee and receiving advice from the State Emergency Service and the Bureau of Meteorology. The Emergency Operations Centre has not been activated however, the Local Emergency Management Committee is meeting weekly to keep everyone informed by the State Emergency Service and the Bureau of Meteorology with the most up to date information. The latest advice received today is that the Bureau of Meteorology is predicting a flood level of 33.3 AHD which is equivalent to the 1993 flood level. At this point in time Council has closed off all stormwater outlets and has pumps in situ to pump storm water back into the river from any rainfall events. Sewer is under control, roads have been closed as required and information on closures can be found on the website under Road Conditions. At this point in time with the 33.3m prediction the wall that can be installed at the Wentworth Wharf will not be required however, Council is prepared for the wall installation should things change.

### **10.5 BOTTLE BEND SIGNAGE**

Cr Jane MacAllister asked if Council could contact the appropriate Authority to get the green Bottle Bend sign changed to a brown sign with a camping logo and a boat ramp logo

### **10.6 COUNCIL ROADS**

Cr Jane MacAllister requested that roads in the rural areas be inspected to ensure farmers can transport grain, stock fodder etc.

### **10.7 UNSEALED LAND BETWEEN WOOD AND WILLIAMS STREET GOL GOL**

Cr Jane MacAllister asked if this lane could have weeds eliminated and if it could be sealed.

## 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 Replacement - Approval for Tenders for Replacement Plant 522 - Dual/Crew Cab Tray Truck. (RPT/22/463)**

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 PT2122/18 Wentworth Shire Civic Centre Redevelopment. (RPT/22/650)**

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 Linklater, Seconded Cr. MacAllister**

**CARRIED UNANIMOUSLY**

## 12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

### 12.1 PLANT REPLACEMENT - APPROVAL FOR TENDERS FOR REPLACEMENT PLANT 522 - DUAL/CREW CAB TRAY TRUCK

File Number: RPT/22/463

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Chanelle Pilling - Administration Officer

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

Strategy: 3.4 Use and manage our resources wisely

#### **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 Johnsons Truck & Coach Service for the supply of one Hino Crew cab for the sum of \$165,660.00 inc GST, and accepted the trade price of \$24,000.00 inc GST for the Council owned Hino Crew Cab, plant item 522 with a total changeover price of \$141,660.00 inc GST.

**12.2 PT2122/18 WENTWORTH SHIRE CIVIC CENTRE REDEVELOPMENT**

File Number: RPT/22/650

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

Objective: 1.0 Wentworth Shire is a vibrant, growing and thriving Region  
Strategy: 1.1 Promote the Shire as an ideal location for investment and the establishment of innovative, sustainable and diversified industries

**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 CPM Building Contractors Pty Ltd to carry out the construction of the Wentworth Shire Civic Centre for Contract PT2122/18, in the amount of \$10,664,227.20 GST inclusive, and authorised the Mayor and General Manager to sign the contract documentation and affix the Council Seal.

And that the Brandi Component of the motion be held over to allow continued negotiation with Brandi as the preferred contractor, thus allowing Council to review the themes and specifications document. The tendered amount with Brandi is to be capped at \$1,784,794.00 GST inclusive.

And that Council acknowledged the total funding for these two components of the project is \$4,616,901.00

And that Council approved the budget shortfall be funded via an extension to the already approved loan up to a maximum of \$5,500,000.00 as well as \$500,000 from the Future Development Fund Reserve, \$500,000 the Capital Projects Fund Reserve and \$500,000 from retained earnings

13 Conclusion of the meeting

Meeting closed at 7:58pm.

## **NEXT MEETING**

16 November 2022

.....  
**CHAIR**

## 6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

### 6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/22/670

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

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner

Strategy: 4.2 A strong, responsible and representative government


#### **Summary**

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

#### **Officer Recommendation**

That Council receives and notes the list of outstanding matters as at 8 November 2022.

#### **Attachments**

1. Outstanding Actions as at 8 November 2022 [↓](#) 

<b>Division:</b> Ordinary Council <b>Committee:</b> <b>Officer:</b>		<b>Date From:</b> <b>Date To:</b> <b>Printed:</b> Tuesday, 8 November 2022 12:40:46 PM
<b>Outstanding Action Items Report</b>		

Meeting	Item	Title	Item	Action Record (latest first)
Ordinary Council 20/07/2022	10.1	<i>Transportable Buildings</i>	<p>Cr Steve Heywood requested an updated on the two transportable buildings that were earmarked for use at the landfills.</p> <p>The General Manager advised that quotations had been received to cut the buildings in half and fit out however, this was cost prohibitive and it may be a better option to buy a new unit off the shelf.</p>	<b>07 Nov 2022 5:18pm Marsden, Gayle</b> Investigating best disposal method
Ordinary Council 20/07/2022	10.5	<i>Darling Street Pavers</i>	Cr Brian Beaumont asked if Council should be focussing on the issue raised on Facebook with the pavers in Darling Street	<b>07 Nov 2022 5:20pm Marsden, Gayle</b> Resolution of Council 12 September 2022 for funding application to investigate options. Arborist due December 2022.
Ordinary Council 20/07/2022	10.7	<i>Long Bay Parking</i>	Cr Brian Beaumont requested that Long Bay be parking be investigated in Wentworth directional including signage so Caravans are not parking in the main street.	<b>08 Nov 2022 11:53am Kalemkeridis, Lisa</b> Engineering Department to provide concept plan to next Local Traffic Committee Meeting.
Ordinary Council 28/09/2022	10.5	<i>Overhanging Trees on Road</i>	Cr Daniel Linklater asked who is responsible for trimming overhanging trees on Alcheringa Drive.	<b>07 Nov 2022 4:20pm Kalemkeridis, Lisa</b> Listed for inspection by Team Leader Parks & Gardens - Complete
Ordinary Council 26/10/2022	10.1	<i>Solar Panels</i>	Cr Susan Nichols requested that Council look into installing solar panels on Council buildings.	<b>07 Nov 2022 4:23pm Kalemkeridis, Lisa</b> Under investigation.
Ordinary Council 26/10/2022	10.3	<i>Missing kerb</i>	Cr Daniel Linklater advised that the missing kerb at 74-78 Wood Street hasn't been replaced and it was advised it would be completed before the end of the year.	<b>08 Nov 2022 11:52am Kalemkeridis, Lisa</b> Works to be re-programmed for later in 22/23 following floods.
Ordinary Council 26/10/2022	10.5	<i>Bottle Bend Signage</i>	Cr Jane MacAllister asked if Council could contact the appropriate authority to get the green Bottle Bend sign changed to a brown sign with a camping logo and a boat ramp logo	<b>07 Nov 2022 4:26pm Kalemkeridis, Lisa</b> Council contacting RMS, when approved the signs will be ordered.

<div>Division: Committee: Officer:</div> <div>Ordinary Council</div>			<div>Date From: Date To:</div> <div>Printed: Tuesday, 8 November 2022 12:40:46 PM</div>	
<div>Outstanding Action Items Report</div>				
Ordinary Council 26/10/2022	10.7	Unsealed Land between Wood and Williams Street Gol Gol	Cr Jane MacAllister asked if this lane could have weeds eliminated and if it could be sealed.	<div>08 Nov 2022 11:50am Kalemkeridis, Lisa</div> <div>Customer request created for clean up. Sealing works to be considered in the 23/24 Capital Works Program.- Complete</div>

## 7 MAYORAL AND COUNCILLOR REPORTS

### 7.1 MAYORAL REPORT

File Number: RPT/22/671

#### Summary

The purpose of this report is to advise Council of meetings, conferences and appointments undertaken by Mayor Elstone for the period of 21 October 2022 – 11 November 2022.

#### Recommendation

That Council receives and notes the information contained in the Mayoral report.

#### **Report**

The following table lists the meetings attended by Mayor Elstone for the period of 21 October 2022 – 11 November 2022.

Date	Meeting	Location
25 Oct 2022	Mayoral Meeting	Wentworth
26 Oct 2022	Pre Meeting Briefing	Wentworth
26 Oct 2022	Council Meeting	Wentworth
28 Oct 2022	Far South West Joint Organisation Meeting	Video Conference
31 Oct 2022	Joint Local Emergency Management Committee Meeting	Video Conference
4 Nov 2022	Joint Local Emergency Management Committee Meeting	Video Conference
7 Nov 2022	Joint Local Emergency Management Committee Meeting	Video Conference
8 Nov 2022	Mayoral Meeting	Wentworth
11 Nov 2022	Joint Local Emergency Management Committee Meeting	Video Conference
11 Nov 2022	Remembrance Day	Wentworth

#### Attachments

Nil



**8      REPORTS FROM COMMITTEES**

Nil

## 9 REPORTS TO COUNCIL

### 9.1 GENERAL MANAGERS REPORT

File Number: RPT/22/672

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Gayle Marsden - Executive Assistant

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

#### **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  
Circular 22-30 - 22-33
2. Meetings  
As listed
3. Upcoming meetings or events  
As listed
4. Other items of note

#### **Recommendation**

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

#### **Detailed Report**

##### **1. Circulars**

###### **Circular 22-30**

###### **Guidelines on the recruitment of senior council executives**

- The Guidelines provide guidance on the following topics:
  - merit selection in recruitment processes
  - the development of staff capabilities and the use of internal recruitment processes
  - the need for councils to have recruitment policies
  - the use of recruitment/human resources specialists when recruiting for senior executive roles

- the use of subject matter experts when recruiting for senior executive roles
- the role of internal audit in auditing recruitment processes
- the role of Councillors in the recruitment of staff
- consultation with Councillors on “senior staff” appointments, and
- reporting wrongdoing in recruitment processes.
- Under section 23A of the Act, general managers and councils must consider the Guidelines when exercising their functions in relation to the recruitment of senior executives and other roles where relevant.

Guidelines are attached for reference.

### **Circular 22-31**

#### **Commencement of the Public Spaces (Unattended Property) Act 2021**

- *The Public Spaces (Unattended Property) Act 2021 (the PSUP Act) commences on 1 November 2022.*
- *The PSUP Act repeals the Impounding Act 1993.*
- *Also commencing on 1 November 2022 are the supporting Public Spaces (Unattended Property) Regulation 2022 (the Regulation) and Code of Practice for Sharing Services (the Code) for operators of shopping trolleys and other sharing services.*
- Authorised officers will need to familiarise themselves with the new laws, regulations and guidelines for authorities.
- The *Public Spaces (Unattended Property) Guideline for Councils and Other Authorities*, issued under section 23A of the Local Government Act 1993, provides information to support councils and other public land managers to interpret and implement the new laws.
- The PSUP Act repeals the Impounding Act 1993. Appropriate transitional arrangements are in place to carry over important matters.
- A grace period will be applied until **1 May 2023** where warnings, rather than fines, may be issued for certain items to which new rules apply if they are left unattended in public places (e.g. personal items such as kayaks, and shopping trolleys). This provides time to enable the public and businesses to become familiar and comply with the new laws.
- Detailed guidance is under development to support the future commencement of Section 19 of the Act which sets out special arrangements for emergencies involving stock animals to balance public safety and biosecurity considerations.

This section will be commenced by the Minister for Local Government by proclamation once the supporting guidance is in place.

**Circular 22-32**

**Update to Your Council website to include housing, employment and population projection data**

- Council hard-copy data packs have been replaced by a flexible online access point where users can interrogate and use links to source data.
- The Your Council website will become a one-stop shop for all council data.
- The data will be more readily accessible and available to community and council staff.

**Circular 22-33**

**Misuse of Council Resources – March 2023 State Election**

In the lead up to the 25 March 2023 State election, Councillors, council staff and other council officials need to be aware of their obligations under the Model Code of Conduct for Local Councils in NSW (the Model Code) in relation to the use of council resources.

- The Model Code provides that council officials must not:
  - use council resources (including council staff), property or facilities for the purpose of assisting their election campaign or the election campaign of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for the use of the resources, property or facility
  - use council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material for the purpose of assisting their election campaign or the election campaign of others.
- These obligations apply to all election campaigns including council, State and Federal election campaigns.
- Councils should also ensure that they exercise any regulatory powers in relation to election activities such as election signage in an impartial and even-handed way and in accordance with established procedures and practices.
- Failure to comply with these requirements may result in disciplinary action under the code of conduct.

## 2. Meetings

Following is a list of meetings or events attended by the General Manager and Acting General Manager for the period of 21 October 2022 – 11 November 2022.

Date	Meeting	Location
25 Oct 2022	Mayoral Meeting	Wentworth
25 Oct 2022	Local Emergency Management Water Update	Video Conference
25 Oct 2022	Local Emergency Management Committee	Video Conference
26 Oct 2022	Pre-Meeting Briefing	Wentworth
26 Oct 2022	Council Meeting	Wentworth
27 Oct 2022	Collaborative Care Meeting	Wentworth
28 Oct 2022	Audit, Risk and Improvement Committee Meeting	Wentworth
31 Oct 2022	Joint Local Emergency Management Committee Meeting	Video Conference
4 Nov 2022	Joint Local Emergency Management Committee Meeting	Video Conference
7 Nov 2022	Joint Local Emergency Management Committee Meeting	Video Conference
8 Nov 2022	Mayoral Meeting	Wentworth
8 Nov 2022	Mildura Base Hospital / MRCC Flood preparedness	Video Conference
10 Nov 2022	Curlwaa Fruit Growers Meeting	Curlwaa
11 Nov 2022	Remembrance Day	Wentworth
11 Nov 2022	Joint Local Emergency Management Committee Meeting	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 from 17 November 2022 – 13 December 2022

Date	Meeting	Proposed Attendees	Location
17 Nov 2022	Wentworth Shire Interagency Group	Crs MacAllister & Rodda	Buronga
22 Nov 2022	Carramar Drive Sporting Complex User Group	Cr Linklater & Cr Rodda	Buronga
28 Nov 2022	Coomealla Club Presidents Dinner	Mayor Elstone	Coomealla
30 Nov 2022	Pomona School 100 year celebration	All Councillors	Pomona
30 Nov 2022	Pomona School Concert & Presentation	Cr Nichols	
1 Dec 2022	Palinyewah School Presentation Night	Mayor Elstone	Palinyewah
5 Dec 2022	Wentworth Regional Tourism Inc	Cr Rodda	Coomealla

8 Dec 2022	Murray Darling Association Region 4	Cr Elstone, Cr Linklater & Cr Heywood	Mildura
8 Dec 2022	Australian Inland Botanic Gardens Meeting	Cr Rodda	Mourquong

#### 4. Other items of note

##### Tourism Officers Report

##### Update on Events

##### Dareton Markets

- All preparation for the event is complete. There is approximately 20 stallholders and two food vans, plus one local artist who is using his own equipment.
- There is also AFL activities for the kids plus the Dareton Library will be open offering arts & crafts.
- There is a lot of rain predicted so a decision will be made in the middle of the week if the event needs to be postponed. We would look to run the event on the 19 November instead.

##### Wentworth Lights Up

- The event to be held 26 November has been launched on Facebook and is currently being advertised on the radio, via posters around the street in Dareton and Wentworth and also in the Sunraysia Daily.
- The Christmas Light Trail has been promoted via Facebook as well as a letterbox drop. The top three houses or businesses will win a prize for the best Christmas light display.
- Meagan Louise Photography will be running 'Santa's Cave' and offering a photo with Santa for a small fee, at her studio in the Arcade.
- Three soloist acts have been confirmed for earlier in the night with a band playing from 6.15pm on the stage outside of Elders.
- There are also five food vans confirmed and it has been capped at this number due to limited space and other competition. This includes Scads, The Van, Scoops Icecream, Pete's Tasty Burgers and Amigos Mexican.
- Kids activities include face painting and 'zoo riders'.
- Most, if not, all businesses in Darling Street have confirmed they will be offering late night shopping. Local stallholders are low at this time but it is expected to increase.

##### Wentworth 'Hand-made Home-grown' Boutique Markets

- Invitations were sent out on the 13 October with a follow up email sent on the 4 November, with many stallholders wanting to be involved.
- Two acoustic acts have been organised to play throughout the morning plus three food vans – Scads serving a range of breakfast foods including waffles and bacon & egg rolls and two coffee vans serving different options.

- Face painting will be available but due to a small budget for the market events, this will be the only kids activity offered at this stage.

### **Carols by Candlelight**

- The decision was made to change the location of Carols by Candlelight this week due to the flooding around James King Park. This has been discussed with the community via the Businesses Noticeboard, posted on Facebook and has been put into the Sunraysia Daily.
- Invitations have been sent out to all schools for their participation with little interest so far however various community groups and local churches have flagged their interest in participating as well. Popular local performers will be performing later in the night.
- Various food vans and kids activities have been organised.

### **Gol Gol Twilight Markets**

- Gol Gol Twilight Markets are set to go ahead on Saturday 14 January on John Street, Gol Gol which is the street between the Gol Gol Shop and the Gol Gol Public School.
- Some stallholders have expressed their interest and this number is expected to grow as the events comes closer.






### **Wentworth Winedown**

- A lot of progress has been made on the planning of Wentworth Winedown – our major music event to be held on Saturday 25 February 2023 at the Wentworth Showgrounds.
- The Expression of Interest form was released on the 3 November with a link to an online page sent out to a mailing list of local caterers and wineries. The email was also sent to the tourism database to help spread the word, as well as posted to our Facebook page.
- A marketing plan has been put into place including a sponsorship package with both HIT FM & Triple M, billboard advertising, newspaper advertising in the Sunraysia Daily and music blogs. The poster has also been complete and will be released with the line up on the 21 November.

### **Tourism Branding Update**

- The next step in our tourism re-branding includes adding a new section to the website for WRTI which should be live today.
- We are also reviewing what collateral we would like to create with a QR code linking to our new tourism website. This might include magnets, counter cards, posters etc. that can be distributed to local businesses to display.
- We are also looking at new images for our billboards coming into each town (Curlwaa, Gol Gol, Buronga, Wentworth etc)
- We have purchased the maps from Brand Action, who created the old tourism branding, to start developing new maps and marketing collateral in our new tourism branding.

**Attachments**

1. Circular 22-30 [↓](#) 
2. Guidelines on the recruitment of Senior Council Executives [↓](#) 
3. Circular 22-31 [↓](#) 
4. Circular 22-32 [↓](#) 
5. Circular 22-33 [↓](#) 





Office of  
Local Government

## Circular to Councils

<b>Circular Details</b>	Circular 22-30 / 21 October 2022 / A831056
<b>Previous Circular</b>	21-22 <i>Updated guidance on the appointment and dismissal of senior staff</i>
<b>Who should read this</b>	Councillors/General Managers/Joint Organisation Executive Officers/Human Resources Staff
<b>Contact</b>	Council Governance Team / 02 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Council to Implement

### Guidelines on the recruitment of senior council executives

#### What's new or changing

- The “departmental chief executive” of the Office of Local Government (OLG) has issued *Guidelines on the recruitment of senior council executives* under section 23A of the *Local Government Act 1993* (the Act). The Guidelines are available [here](#).
- The Guidelines have been issued in response to the Independent Commission Against Corruption’s corruption prevention recommendations arising from its investigation of the former Canterbury City Council (Operation Dasha).

#### What this will mean for your council

- The Guidelines provide guidance on the following topics:
  - merit selection in recruitment processes
  - the development of staff capabilities and the use of internal recruitment processes
  - the need for councils to have recruitment policies
  - the use of recruitment/human resources specialists when recruiting for senior executive roles
  - the use of subject matter experts when recruiting for senior executive roles
  - the role of internal audit in auditing recruitment processes
  - the role of councillors in the recruitment of staff
  - consultation with councillors on “senior staff” appointments, and
  - reporting wrongdoing in recruitment processes.
- Under section 23A of the Act, general managers and councils must consider the Guidelines when exercising their functions in relation to the recruitment of senior executives and other roles where relevant.

#### Where to go for further information

- The Guidelines are available [here](#).
- For further information please contact OLG's Council Governance Team on (02) 4428 4100 or by email at [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).

**Melanie Hawyes**

**Group Deputy Secretary, Crown Lands and Local Government**

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# Guidelines on the recruitment of senior council executives

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2022



Office of Local Government, Department of Planning and Environment

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## Introduction

In its investigation of the former Canterbury City Council (Operation Dasha), the Independent Commission Against Corruption (ICAC) identified several corruption risks associated with the recruitment of senior council executives.

These guidelines are informed by the corruption prevention recommendations arising from Operation Dasha and are designed to ensure councils have appropriate systems and recruitment practices in place to address the corruption risks associated with the recruitment of senior council executives identified by ICAC.

These guidelines apply broadly to the recruitment of all senior council executives, not just the holders of "senior staff" positions employed under fixed term contracts.

## Merit selection

Councils deliver a broad range of services and infrastructure to their communities and exercise important regulatory functions. It is critical that the staff employed by councils to undertake these activities have the skills and capabilities necessary to do so.

This is particularly the case at the senior executive level. Senior council executives exercise key roles in councils in overseeing the delivery of services and infrastructure and the exercise of the council's regulatory functions. They have responsibility for large budgets and the management of significant cohorts of staff.

To ensure that councils' functions are undertaken by personnel with the necessary skill and capabilities, the *Local Government Act 1993* (the Act) requires all council recruitment decisions, including the appointment of the general manager and senior council executives, to be made on merit selection principles, unless the appointment is a demotion or lateral transfer.

The key provisions embedding merit selection principles in council recruitment decisions are set out in sections 348 and 349 of the Act. These sections require the following:

- where it is proposed to make an appointment to a position in the organisation structure of the council, the position must be advertised in a manner sufficient to enable suitably qualified persons to apply for the position
- only a person who has applied for appointment to a position may be appointed to it
- that person must be the applicant who had the greatest merit among the pool of applicants eligible for appointment
- the merit of persons eligible for appointment to a position is to be determined according to the nature of the duties of the position, and the abilities, qualifications, experience, and standard of work performance of those persons relevant to those duties
- in determining the merit of a person eligible for appointment to a position, consideration must also be given to equal employment opportunity principles.

These requirements do not apply to the re-appointment of senior council executives under a new contract where they hold a "senior staff" position in the council and are employed under a fixed term contract.

They also do not apply to appointments if the term of employment is for not more than 12 months, or two or more periods that together are not more than 12 months in any period of 2 years.

## Internal recruitment

One of the guiding principles prescribed for councils under section 8A(1)(i) is that councils should be responsible employers and provide a consultative and supportive working environment for staff.

As responsible employers, councils should encourage the development of the skills and capabilities of their staff through activities such as training, multi-skilling, and job rotation. Staff development and organisational design that develops opportunities for career paths within councils can improve productivity and effectiveness in the achievement of the council's objectives.

By actively promoting the development of staff capabilities, councils may find that they have a pool of suitably qualified persons to meet changes in the needs of the council and its community over time.

Where vacancies arise, councils that have actively developed the capabilities of their staff may find that some vacancies can be filled on merit through internal advertisement. This can reduce the time and cost of external advertising and in training external appointees to undertake the role they have been appointed to. It can also provide opportunities for the career progression of staff, particularly in country areas where it may be difficult to attract applicants with the necessary skills and experience.

Before deciding to fill a position through internal advertisement, councils must first be satisfied that there is a suitably skilled and qualified pool of staff so that a merit-based appointment can be made. If the council is not satisfied that this is the case, then it should externally advertise the role.

As noted above, appointments to vacancies may also be filled by lateral transfer without the need to advertise and councils have the discretion to fill positions by the transfer of staff with equivalent skills, accountabilities, and remuneration. This will be particularly important where the organisational structure has changed or for the purposes of job rotation.

## Recruitment policies

One of the corruption risks identified by ICAC in Operation Dasha was that, while the council

had a recruitment and selection policy, procedures and user guide, the document did not cover the recruitment and selection of senior council executives.

ICAC noted that the absence of a policy governing the appointment of senior executives afforded the general manager a wide discretion in relation to decisions such as the composition of interview panels, allowed inconsistent practices to evolve and exposed the process to an unnecessary risk of corruption.

All councils should have a recruitment policy to guide their recruitment practices and to ensure merit selection principles are correctly applied when making decisions on appointments. The recruitment policy should apply to the appointment of all staff including senior executives.

Councils should provide a copy of their recruitment policy together with a copy of these guidelines to all members of recruitment panels for senior council executive positions to ensure proper processes are followed and merit selection principles are correctly applied.

## Use of external recruitment specialists

ICAC noted in Operation Dasha, that the involvement of an external recruitment consultant in the recruitment process for the position of the Director of City Planning ultimately helped highlight the integrity problems in the recruitment process and demonstrated the inherent value in councils using the expertise of human resources professionals during recruitment for senior executive positions.

In undertaking recruitments for senior executive positions, councils should ensure that a senior human resources manager or external recruitment consultant is involved in the recruitment process and has a role in verifying that council processes and

procedures are followed in making appointments.

That person should be provided with copies of the council's recruitment policy and these guidelines to assist them.

## Use of subject matter experts

In Operation Dasha, ICAC observed that no one on the interview panel for the Director of City Planning position had formal qualifications in planning or a related field such as architecture, urban design, or law.

Councils should ensure that a suitable, impartial subject matter expert is included on interview panels for the appointment of senior executives, especially for high-risk positions that require specialised technical knowledge or skills.

Combined with relevant and rigorous questions, subject matter experts have an important role in ensuring that candidates have both suitable experience and the technical knowledge to perform the role.

## The role of internal audit

Councils can use their internal audit function to provide a level of independent assurance over recruitment and employment processes for senior council executives through the conduct of periodic reviews.

Internal audits can add value by recommending ways to improve a council's recruitment processes. They can also help deter corruption by letting staff know that transactions, processes and actions are subject to review and check.

Among other things, periodic internal audits may examine whether:

- positions are adequately advertised in accordance with section 348 of the Act
- a senior human resources manager or external recruitment consultant is involved

in recruitment processes to verify that council processes and procedures are followed

- recruitment panels include suitable, impartial subject matter experts where appropriate
- only persons who applied for positions are appointed to them, and
- in the case of appointments to "senior staff positions" the general manager has consulted with the governing body of the council prior to making the appointment as required under section 337 (see below).

## The role of councillors

Section 335 of the Act expressly confers on the general manager responsibility for the appointment of all staff, including senior executives.

Councillors should not, as a rule, be included on recruitment panels for senior executives or other staff, except in the circumstances set out below.

As ICAC has noted, the inclusion of councillors on recruitment panels has the potential to create confusion about who is responsible for the appointment of the successful candidate. It may also send the wrong message to the employee as to who may give directions about the exercise of their functions. Under the Act senior and other staff are subject to direction by the general manager and not councillors.

The only circumstances where it would be appropriate for councillors to participate in recruitment panels for staff is where the role involves the provision of administrative or other support directly to councillors. When recruiting for such roles, councillors should only comprise a minority of panel members.

## Consultation with councillors on senior staff appointments

Under section 337 of the Act, general managers must consult with the governing



body of the council before making appointments to "senior staff" positions.

"Senior staff" positions are determined by the governing body in consultation with the general manager. The holders of senior staff positions are employed under a fixed term contract based on the standard contract approved by the Office of Local Government.

Under section 332 of the Act, a council may not determine a position to be a "senior staff" position unless:

- the responsibilities, skills and accountabilities of the position are generally equivalent to those applicable to the Executive Band of the *Local Government (State) Award*, and
- the total remuneration package payable with respect to the position is equal to or greater than the minimum remuneration package (within the meaning of Part 3B of the *Statutory and Other Offices Remuneration Act 1975*) payable with respect to senior executives whose positions are graded Band 1 under the *Government Sector Employment Act 2013*. As of 2020/21 this is \$192,600.

It is important to note that section 337 requires this consultation to occur before a decision on appointment has been made. The requirement to consult with the governing body under section 337 will not be satisfied where a general manager informs councillors of their decision after it has been made.

Consultation with the governing body of the council on the appointment of senior staff need not necessarily occur at a formal council meeting. For example, consultation can occur at a councillor briefing, an informal workshop or with each councillor individually by telephone or email.

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 are given the opportunity to provide comment to the general manager.

When consulting with councillors on decisions to appoint senior staff, the general manager should inform them of their proposed decision and provide sufficient information to allow councillors to understand the reasons for the decision and to allow them to provide input into the decision.

When consulting councillors on a decision to appoint a senior staff member, the general manager should consider the views of councillors. However, the ultimate decision to appoint 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 of senior (and any other) staff.

## Reporting

If anyone has any concerns that proper processes may not have been followed in relation to the recruitment of senior council executives, they may report them to the Office of Local Government.

Alternatively, if anyone suspects corrupt conduct in relation to the recruitment of a senior council executive, they should report their concerns to ICAC.







Office of  
Local Government

## Circular to Councils

<b>Circular Details</b>	22-31 / 28 October 2022 / A836458
<b>Previous Circulars</b>	22-19 Consultation on regulatory proposals for a new Public Spaces (Unattended Property) (PSUP) Regulation 2022 and to commence the PSUP Act 21-39 The NSW Government's <i>Public Spaces (Unattended Property) Act 2021</i> 19-30 Review of the Impounding Act 1993 and Release of Discussion Paper
<b>Who should read this</b>	Councillors/General Managers/All council staff
<b>Contact</b>	Policy Team / 02 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Information

### Commencement of the *Public Spaces (Unattended Property) Act 2021*

#### What's new or changing

- The *Public Spaces (Unattended Property) Act 2021* (the PSUP Act) commences on 1 November 2022.
- The PSUP Act repeals the *Impounding Act 1993*.
- Also commencing on 1 November 2022 are the supporting *Public Spaces (Unattended Property) Regulation 2022* (the Regulation) and *Code of Practice for Sharing Services* (the Code) for operators of shopping trolleys and other sharing services.
- The new laws and supporting guidance materials were developed by the NSW Government through comprehensive consultation with the sector and other stakeholders.
- The new Act will better address the needs of communities, councils and other authorised officers across NSW when managing unattended animals and items in public places.
- The new laws will significantly reduce costs to councils and communities by an estimated \$10.1 million per year in dealing with unattended property.

#### What this will mean for your council

- Authorised officers will need to familiarise themselves with the new laws, regulations and guidelines for authorities.
- The *Public Spaces (Unattended Property) Guideline for Councils and Other Authorities*, issued under section 23A of the *Local Government Act 1993*, provides information to support councils and other public land managers to interpret and implement the new laws.
- The PSUP Act repeals the *Impounding Act 1993*. Appropriate transitional arrangements are in place to carry over important matters.
- A grace period will be applied until **1 May 2023** where warnings, rather than fines, may be issued for certain items to which new rules apply if they are left unattended in public places (e.g. personal items such as kayaks, and shopping trolleys). This provides time to enable the public and businesses to become familiar and comply with the new laws.
- Detailed guidance is under development to support the future commencement of Section 19 of the Act which sets out special arrangements for emergencies

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involving stock animals to balance public safety and biosecurity considerations. This section will be commenced by the Minister for Local Government by proclamation once the supporting guidance is in place.

### Key points

- The Government is committed to keeping public places safe and accessible for all members of the community.
- The new Act is outcomes focused and puts the onus on those responsible to manage their items and animals within risk-based timeframes or face strong regulatory action. The new laws:
  - require a broader range of people to take responsibility for leaving items or animals unattended;
  - provide clearer expectations and grounds for compliance action, including by enabling specific, risk-based timeframes for action;
  - provide for the efficient and effective management of different classes of items, including shared devices (such as share bikes and shopping trolleys), unattended motor vehicles (including boat trailers) and animals;
  - provide more flexible, modern arrangements for the storage of items and places of care of animals;
  - provide for stronger regulatory action to be taken, including through higher penalties for certain offences and bodies corporate;
  - provide more flexible, modern compliance and enforcement arrangements, including to enable better collaboration between councils and other authorities;
  - prescribe further duties, standards, and offences within the Regulation and a Code of Practice for sharing service items, and
  - include amendments to road transport laws in relation to unregistered vehicles parked on public roads.
- Feedback received from authorised officers and key stakeholders during the extensive consultation process was instrumental in shaping the new Act and Regulation.

### Where to go for further information

- The *Public Spaces (Unattended Property) Act 2021* and *Public Spaces (Unattended Property) Regulation 2022* are available on the Legislation Register at <https://legislation.nsw.gov.au/>
- Further information about the *Public Spaces (Unattended Property) Act 2021* is available on the OLG website [here](#).

**Melanie Hawyes**

**Deputy Secretary, Crown Lands 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](mailto:olg@olg.nsw.gov.au) W [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au) ABN 20 770 707 468



Office of  
Local Government

## Circular to Councils

<b>Circular Details</b>	Circular No 22-32 / 1 November 2022 / A823088
<b>Previous Circular</b>	N/A
<b>Who should read this</b>	General Managers / All council staff
<b>Contact</b>	Performance Team / 4428 4100 / <a href="mailto:olg@nsw.gov.au">olg@nsw.gov.au</a>
<b>Action required</b>	Information

### Subject

**Update to Your Council website to include housing, employment and population projection data.**

### What's new or changing

- Following consultation between the Office of Local Government (OLG) and the Department of Planning and Environment (DPE), councils will have efficient access to its data on housing, employment, and population through the Your Council website.
- DPE Digital Services (previous Strategy and Innovation) will no longer distribute hard-copy data packs, and this information will now be easily obtained from the Your Council website.
- New tabs have been added to the portal for population, housing, and employment data.
- The Your Council platform has consolidated this information for councils to be able to view, analyse and print.

### What this will mean for your council

- DPE uses the same data and makes it publicly available through different mediums. This initiative is to improve the ease of use, transparency and consistency through this one platform.
- Each of the new tabs will include links to relevant data and information for improved efficiency.
- Further improvement and updates are planned for Your Council which will be released over coming months.

### Key points

- Council hard-copy data packs have been replaced by a flexible online access point where users can interrogate and use links to source data.
- The Your Council website will become a one-stop shop for all council data.
- The data will be more readily accessible and available to community and council staff.

### Where to go for further information

- For further information, contact OLG on (02) 4428 4100
- Access Your Council website at <https://www.yourcouncil.nsw.gov.au/>

**Mel Hawyes**

**Deputy Secretary, Crown Lands and Local Government**

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Office of  
Local Government

## Circular to Councils

<b>Circular Details</b>	Circular No 22-33 / 2 November 2022 / A839741
<b>Previous Circular</b>	18/41 <i>Misuse of Council resources – 2019 State Election</i>
<b>Who should read this</b>	Councillors / General Managers / All council staff
<b>Contact</b>	Council Governance Team/ 02 4428 4201/ <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Information / Council to Implement

### Misuse of Council Resources – March 2023 State Election

#### What's new or changing?

- In the lead up to the 25 March 2023 State election, councillors, council staff and other council officials need to be aware of their obligations under the *Model Code of Conduct for Local Councils in NSW* (the Model Code) in relation to the use of council resources.

#### What this will mean for your council

- It is important that the community has confidence that council property and resources are only used for official purposes.
- Councils are encouraged to ensure that councillors, council staff and other council officials are aware of their obligations regarding the use of council resources.

#### Key points

- The Model Code provides that council officials must not:
  - use council resources (including council staff), property or facilities for the purpose of assisting their election campaign or the election campaign of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for the use of the resources, property or facility
  - use council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material for the purpose of assisting their election campaign or the election campaign of others.
- These obligations apply to all election campaigns including council, State and Federal election campaigns.
- Councils should also ensure that they exercise any regulatory powers in relation to election activities such as election signage in an impartial and even-handed way and in accordance with established procedures and practices.
- Failure to comply with these requirements may result in disciplinary action under the code of conduct.

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**Where to go for further information**

- For more information, contact OLG's Council Governance Team by telephone on 4428 4100, or by email to [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).

**Melanie Hawyes**  
**Deputy Secretary Crown Lands and Local Government**

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## 9.2 AUSTRALIA DAY AWARDS

File Number: RPT/22/706

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

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner

Strategy: 4.1 Consistently engage and consult the whole community to ensure that feedback is captured and considered as part of decision-making and advocating processes

### **Summary**

This year Council requested nominations for the following categories:

- Citizen of the Year (must be 18 years or over on 26 January 2023)
- Young Citizen of the Year (must be under 18 years on 26 January 2023)
- Sportsperson of the Year (must be 18 years or over on 26 January 2023)
- Young Sportsperson of the Year (must be under 18 years on 26 January 2023)
- Environmental Award (individuals or groups)

Nominations were received for four categories. There were no nominations for 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 2023 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**

Nil

### 9.3 MONTHLY FINANCE REPORT

File Number: RPT/22/676

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 2022 were \$786,838.12. After allowing for pensioner subsidies, the total levies collected are now 46.88%. For comparison purposes 42.39% of the levy had been collected at the end of October 2021. Council currently has \$43,367,410.16 in cash and investments.

#### Recommendation

That Council receives and 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 2022

The reconciliation has been carried out between the Cash Book of each fund and the Bank Pass Sheet as at 31 October 2022.

	Combined Bank Account
Cash Balance as at 1 October 2022	\$ 4,939,875.07
Add: Receipts for the Period Ending 31 October 2022	\$ 4,997,456.56
Rates, Debtors, Miscellaneous	
Less: Payments for the Period Ending 31 October 2022	
Cash Book entries for this Month	\$ 6,440,193.37
Cash Balance of Operating A/C as at 31 October 2022	\$ 3,497,138.26
Trust Fund Balance	\$ 823,006.87
Investments	
Total Investments as at 31 October 2022	\$ 39,047,265.03
<b>TOTAL</b>	<b>\$ 43,367,410.16</b>

Collection of Rates and Charges

Rates and Charges collections for the month of October 2022 were \$786,838.12. After allowing for pensioner subsidies, the total levies collected are now 46.88%. A summary of the Rates and Charges situation as at 31 October 2022 is as follows:

	Rates and Charges	
<b>Levies</b>		
Balance Outstanding at 30 June 2021 - Rates / Water	1,015,628.18	
Rates and Charges Levied 20 July 2022	9,715,491.57	\$ 10,731,119.75
+ Additional Water Charges	600,059.05	
+ Supplementary Rates and Charges	135,364.00	
+ Additional Charges	34,045.45	
- Credit Adjustments	6,862.47	
- Abandonments	553.15	\$ 11,493,172.63
<b>Deductions</b>		
- Payments	5,220,734.89	
- Less Refunds of Payments	3,497.49	\$ 5,217,237.40
		\$ 6,275,935.23
- Pensioner Subsidy		
Government Subsidy	93,646.11	
Council Subsidy	76,619.55	\$ 170,265.66
<b>Total Rates/Water Charges Outstanding</b>		<b>\$ 6,105,669.57</b>

Note: For comparison purposes 42.39% of the levy had been collected at the end of October 2021.



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 2022.

Account	Date	Amount	Comment
<b>Debtors</b>			
Far West Health	21.10.2022	257.00	Credit Licence and charged to Buronga Health One (changed name)
N Fox	4.10.2022	257.00	Cancelled Permissive Occupancy
A Fangaloka	20.10.2022	694.00	Credit - Adjusted Midway booking fee ( reduced usage)
J Hayes	14.10.2022	75.00	Cancelled Mobile Garbage Bin Hire
<b>Rates</b>			
2055-1	6.10.2022	285.87	Licence 458055 has been cancelled
2055-1	6.10.2022	8.12	Credit interest accrued on cancelled Licence
<b>Water</b>			
288-01	12.10.2022	623.70	Credit water charge due to water meter reading error

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	\$ 264,190.39	30/01/2025
Loan 202	ANZ Bank	Civic Centre	3.470% Fixed	\$ 850,000.00	\$ 614,498.67	21/10/2026
Loan 203	National Australia Bank	Midway Centre	3.586% Fixed	\$ 1,900,000.00	\$ 1,505,479.67	28/04/2023
Loan 204	Bendigo Bank	Buronga Landfill	5.290% Fixed	\$ 1,500,000.00	\$ 1,235,392.44	12/05/2037
CFWC31 0604	T-Corp	Trentham Cliffs Sewer	1.82% Fixed	\$ 750,000.00	\$ 680,870.13	4/06/2031
CFWC31 0624	T-Corp	Burong/Gol Gol Stormwater	1.79% Fixed	\$ 1,250,000.00	\$ 1,134,910.86	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	\$ 772,058.98	25/09/2028
				<b>TOTAL</b>	<b>\$ 7,707,401.14</b>	

Overtime and Travelling

Month	October	Pay Periods	7 & 8				
<b>Overtime</b>							
	Time and a Half		Double Time		Double Time 1/2		Total
<b>Department</b>	<b>Hours</b>	<b>Amount</b>	<b>Hours</b>	<b>Amount</b>	<b>Hours</b>	<b>Amount</b>	
Animal Services	9.25	\$ 455.66	23.50	\$ 1,533.89	1.75	\$ 151.43	\$ 2,140.98
Civil Works	11.50	\$ 561.90	7.00	\$ 459.89			\$ 1,021.79
Finance	10.00	\$ 723.57	-				\$ 723.57
Flood Management	6.00	\$ 378.73					\$ 378.73
GM Office	10.25	\$ 699.91	2.50	\$ 150.92			\$ 850.83
Library	7.00	\$ 363.44	1.50	\$ 103.84			\$ 467.28
Parks & Gardens	9.50	\$ 528.28	9.00	\$ 596.54			\$ 1,124.82
Roads - Council	245.25	\$ 11,113.43	419.75	\$ 26,169.27	4.50	\$ 327.62	\$ 37,610.32
Roads - RMS	26.50	\$ 1,856.62	25.00	\$ 1,473.45			\$ 3,330.07
Roads & Eng - Indoor	2.00	\$ 155.83	1.00	\$ 103.89			\$ 259.72
Subdivision	3.00	\$ 222.49	5.00	\$ 494.42			\$ 716.91
Tourism	4.25	\$ 189.34					\$ 189.34
Tourism Events	4.00	\$ 174.24	4.50	\$ 257.72			\$ 431.96
Waste Management	30.00	\$ 1,290.60	31.50	\$ 1,861.69			\$ 3,152.29
Water & Waste Water	71.50	\$ 3,943.00	79.00	\$ 5,722.12			\$ 9,665.12
Workshop	0.50	\$ 19.05					\$ 19.05
<b>Total</b>	<b>450.50</b>	<b>22,676.09</b>	<b>609.25</b>	<b>38,927.64</b>	<b>6.25</b>	<b>479.05</b>	<b>\$ 62,082.78</b>
<b>Travel Allowance</b>							
<b>Department</b>	<b>Kms</b>	<b>Amount</b>					
Water & Waste Water	130.7	\$ 101.94					
<b>Total</b>	<b>130.7</b>	<b>\$ 101.94</b>					
<b>Grand Total</b>		<b>62,184.72</b>					

Conclusion

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

Attachments

Nil

## 9.4 MONTHLY INVESTMENT REPORT

File Number: RPT/22/686

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Bryce Watson - Accountant

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner

Strategy: 4.5 Adopt practices of prudent asset, financial and human resource management across Council to ensure long-term sustainability and efficiency

### **Summary**

As at 31 October 2022 Council had \$36 million invested in term deposits and \$7,367,410.16 in other cash investments. Council received \$23,004.95 from its investments for the month of October 2022.

In October 2022 Council investments averaged a rate of return of 2.58% and it currently has \$8,387,063.55 of internal restrictions and \$25,944,861.97 of external restrictions.

### **Recommendation**

That Council receives and notes the monthly investment report.

### **Detailed Report**

#### **Purpose**

The purpose of this report is to update Council on the current status of its investments as required by the *Local Government Act 1993* (NSW) and the associated regulation.

#### **Matters under consideration**

As at 31 October 2022 Council had \$43,367,410.16 invested with Nine (9) financial institutions and One (1) Treasury Corporation. This is a decline of \$3,435,367.51 from the previous month.

The investment of surplus funds remains in line with Council's Investment Policy. This ensures sufficient working capital is retained and restrictions are supported by cash and investments that are easily converted into cash.

Breakdown of Total Funds Available

Financial Institution	Amount	Percentage of Available Funds
AMP	\$2,000,000.00	4.61%
Bank of Queensland	\$1,000,000.00	2.31%
Bendigo Bank	\$6,320,145.13	14.57%
Commonwealth Bank	\$4,000,000.00	9.22%
IMB Bank	\$1,000,000.00	2.31%
Macquarie Bank	\$7,047,265.03	16.25%
ING Bank	\$7,000,000.00	16.14%
National Australia Bank	\$7,000,000.00	16.14%
Westpac	\$7,000,000.00	16.14%
Northern Territory T-Corp	\$1,000,000.00	2.31%
TOTAL	\$43,367,410.16	100.00%

Investments on Hand as at 31 October 2022

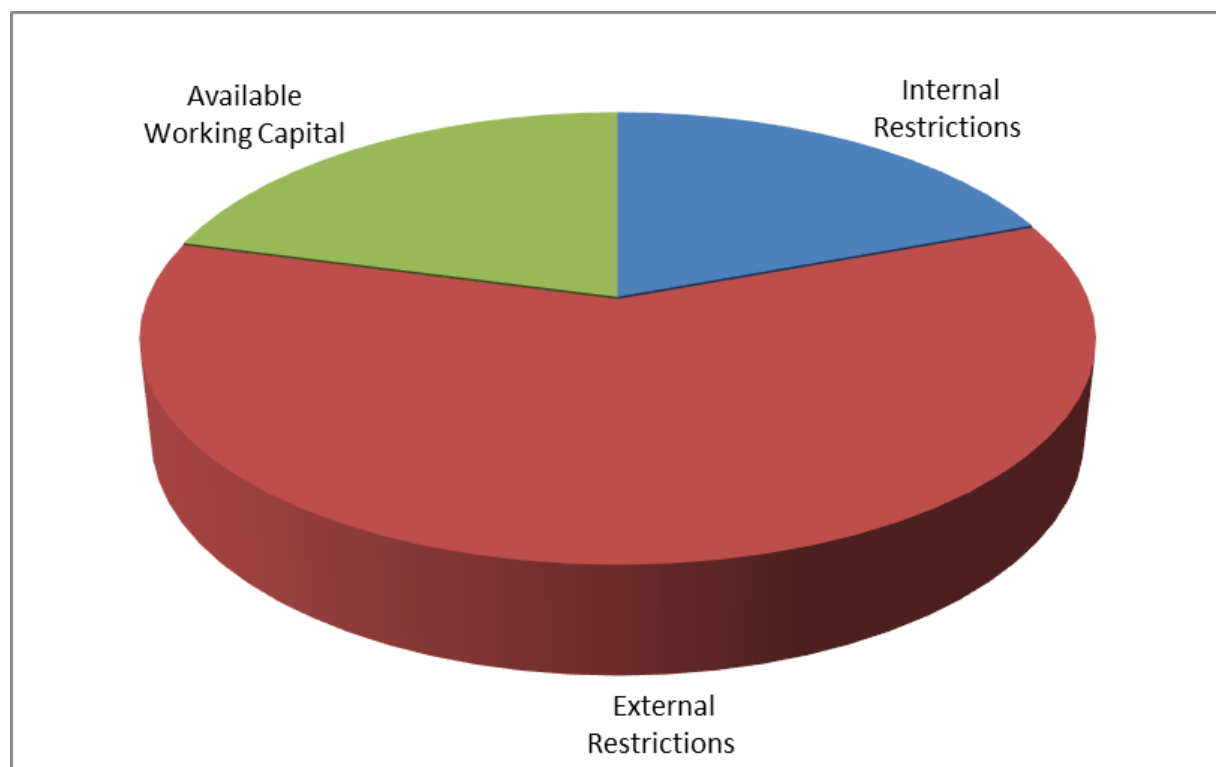
Investments on Hand as at 31 October 2022						
Investee	Date Invested	Date of Maturity	Effective Interest Rate	Investment Type	Amount Invested	Rating
AMP	23/09/2022	25/09/2023	4.50%	Term Deposit	\$ 1,000,000.00	BBB+
AMP	5/09/2022	5/09/2023	4.30%	Term Deposit	\$ 1,000,000.00	BBB+
Bank of Queensland	15/06/2022	15/03/2023	3.50%	Term Deposit	\$ 1,000,000.00	BBB+
Bendigo Bank	24/02/2022	24/02/2023	0.85%	Term Deposit	\$ 1,000,000.00	BBB+
Bendigo Bank	27/06/2022	22/12/2022	3.10%	Term Deposit	\$ 1,000,000.00	BBB+
Commonwealth Bank	8/04/2022	6/04/2023	1.87%	Term Deposit	\$ 1,000,000.00	AA-
Commonwealth Bank	15/06/2022	15/12/2022	3.23%	Term Deposit	\$ 1,000,000.00	AA-
Commonwealth Bank	27/05/2022	26/05/2023	3.01%	Term Deposit	\$ 1,000,000.00	AA-
Commonwealth Bank	15/06/2022	15/06/2023	4.16%	Term Deposit	\$ 1,000,000.00	AA-
IMB Bank	9/09/2022	9/12/2022	3.56%	Term Deposit	\$ 1,000,000.00	BBB+
Macquarie Bank	3/12/2021	2/11/2022	0.50%	Term Deposit	\$ 1,000,000.00	A+
Macquarie Bank	23/03/2022	23/02/2023	1.25%	Term Deposit	\$ 1,000,000.00	A+
Macquarie Bank	6/09/2022	6/03/2023	2.80%	Term Deposit	\$ 1,000,000.00	A+
Macquarie Bank	4/10/2022	4/10/2023	4.50%	Term Deposit	\$ 1,000,000.00	A+
National Australia Bank	19/04/2022	15/11/2022	1.29%	Term Deposit	\$ 1,000,000.00	AA-
National Australia Bank	19/07/2022	19/12/2022	3.05%	Term Deposit	\$ 1,000,000.00	AA-
National Australia Bank	18/10/2022	18/10/2023	4.30%	Term Deposit	\$ 1,000,000.00	AA-
National Australia Bank	11/03/2022	11/03/2024	1.85%	Term Deposit	\$ 1,000,000.00	AA-
National Australia Bank	25/03/2022	20/02/2023	1.18%	Term Deposit	\$ 1,000,000.00	AA-
National Australia Bank	15/06/2022	15/06/2023	3.70%	Term Deposit	\$ 1,000,000.00	AA-
National Australia Bank	1/07/2022	3/01/2023	2.98%	Term Deposit	\$ 1,000,000.00	AA-
ING Bank	23/03/2022	23/03/2023	1.24%	Term Deposit	\$ 1,000,000.00	A+
ING Bank	31/03/2022	31/03/2023	1.68%	Term Deposit	\$ 1,000,000.00	A+
ING Bank	19/04/2022	19/04/2024	3.09%	Term Deposit	\$ 1,000,000.00	A+
ING Bank	19/04/2022	20/03/2023	1.98%	Term Deposit	\$ 1,000,000.00	A+
ING Bank	19/04/2022	19/12/2022	1.42%	Term Deposit	\$ 1,000,000.00	A+
ING Bank	5/04/2022	5/04/2023	1.68%	Term Deposit	\$ 1,000,000.00	A+
ING Bank	18/05/2022	18/05/2023	3.11%	Term Deposit	\$ 1,000,000.00	A+
NT T-Corp	16/09/2021	15/12/2025	1.35%	Fixed Bond	\$ 1,000,000.00	AA-
Westpac Banking Corporation	3/06/2022	3/06/2023	3.19%	Term Deposit	\$ 1,000,000.00	AA-
Westpac Banking Corporation	28/02/2022	25/11/2022	0.63%	Term Deposit	\$ 1,000,000.00	AA-
Westpac Banking Corporation	28/02/2022	28/12/2022	0.71%	Term Deposit	\$ 1,000,000.00	AA-
Westpac Banking Corporation	5/08/2022	5/04/2023	3.38%	Term Deposit	\$ 1,000,000.00	AA-
Westpac Banking Corporation	24/08/2022	24/08/2023	4.12%	Term Deposit	\$ 1,000,000.00	AA-
Westpac Banking Corporation	24/08/2022	24/08/2023	4.12%	Term Deposit	\$ 1,000,000.00	AA-
Westpac Banking Corporation	11/03/2022	11/03/2024	1.92%	Term Deposit	\$ 1,000,000.00	AA-
Total					\$ 36,000,000.00	
Other Cash Investments						
Investee	Date Invested	Date of Maturity	Effective Interest Rate	Amount Invested	Rating	
Bendigo Bank - Operating A/c	N/A	Ongoing		\$ 4,320,145.13	BBB+	
Macquarie Bank (4) - Ongoing	3/12/2020	Ongoing	2.35%	\$ 3,047,265.03	A+	
Total Funds Available						\$ 43,367,410.16

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

Restrictions

<b>Internal Restrictions</b>		
- Employee Entitlements	\$2,376,437.00	
- Doubtful Debts	\$124,556.00	
- Future Development Reserve	\$1,076,217.20	
- Trust Account	\$1,500,000.00	
- Caravan Park Loan Facility	\$809,853.35	
- Capital Projects	\$1,000,000.00	
- Plant Replacement Reserve	\$1,500,000.00	\$8,387,063.55
<b>External Restrictions</b>		
- Water Fund	\$11,262,706.29	
- Sewer Fund	\$4,765,188.75	
- T-Corp Loan Balance	\$1,007,951.48	
- Developer Contributions Reserve	\$663,375.97	
- Unexpended Grants	\$7,467,108.11	
- Crown Reserves Reserve	\$213,700.14	
- Loan Guarantee Reserve	\$3,460.91	
- Prepayments Cemeteries	\$561,370.32	\$25,944,861.97
<b>Day to Day Liquidity</b>		\$9,035,484.64
<b>Total Funds Available</b>		<b>\$43,367,410.16</b>

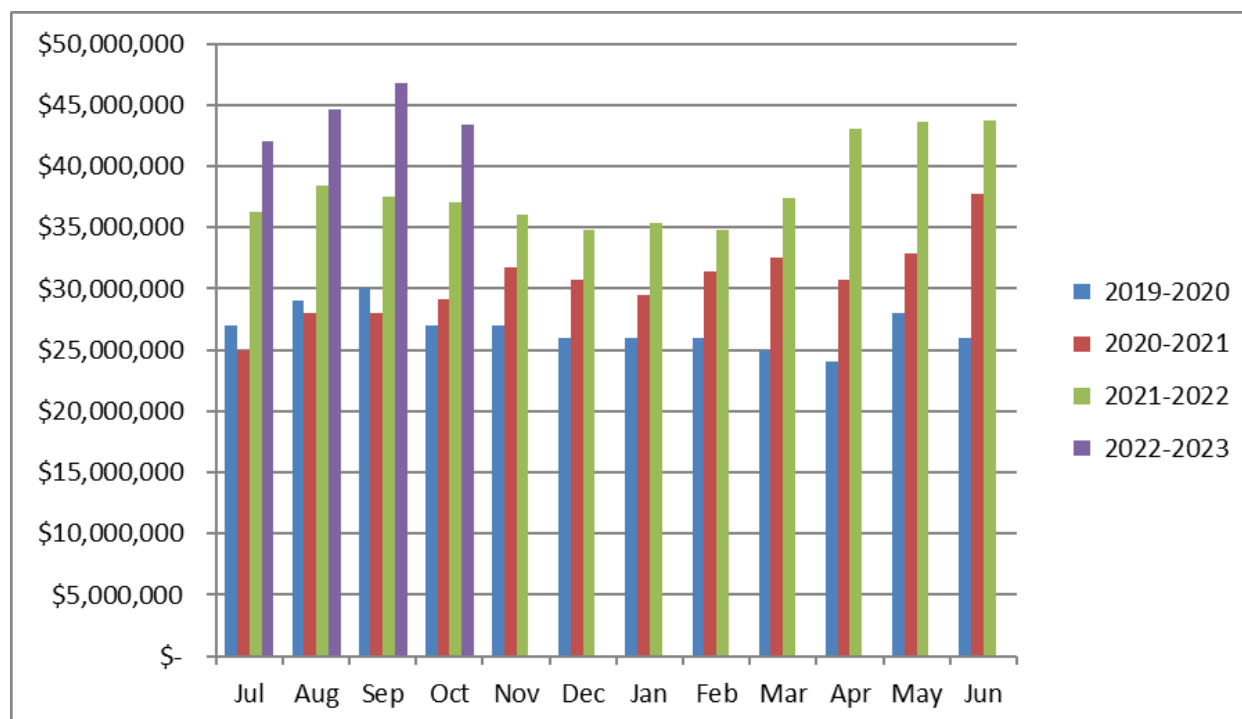
Breakdown



Summary – Unexpended Grants as at 31 October 2022

Grant	Amount
Library Infrastructure Grant	\$477,685.19
Resources for Regions VIC Relocation	\$423,300.55
SCCF Wentworth Rowing Club	\$51,340.13
Crown Reserve Improvement Fund Astronomy Park	\$656,000.21
Crown Reserve Improvement Fund Pooncarie Racecourse	\$3,200.00
Main Road Block Grant	\$110,721.86
Crown Reserve Improvement Fund Wentworth Caravan Park Grant	\$39,726.35
EDS Grant	\$119,670.37
Fixing Local Roads Grants - Stage 3	\$228,455.31
Murray Darling Basin Civic Centre Upstairs Area	\$465,009.00
Resources for Regions Round 8	\$585,218.50
Local Roads and Community Infrastructure Phase 3	\$1,180,645.50
Community Events Program	\$246,366.40
Pooncarie Menindee Road	\$2,879,768.74
<b>Total</b>	<b>\$7,467,108.11</b>

Total Funds Invested



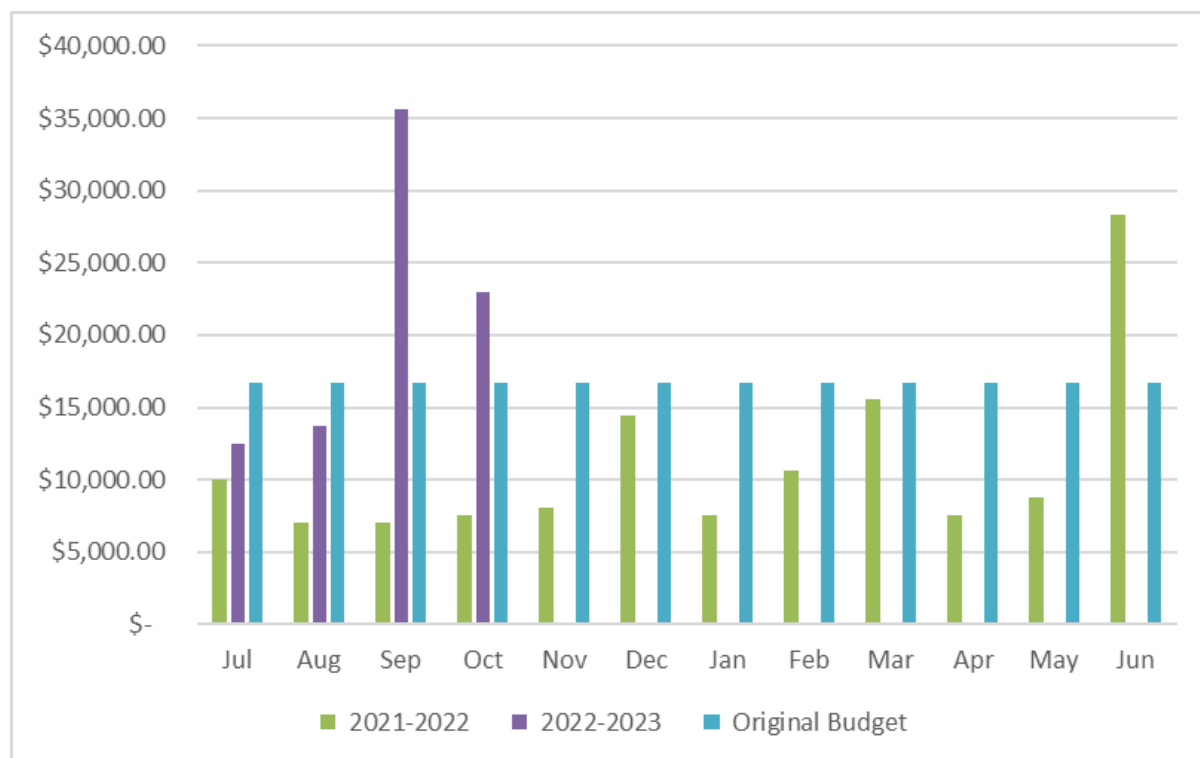
Three (3) deposits and One (1) other account matured or provided interest in October earning Council \$23,004.95 in interest. The budget for October was \$16,666.67. Year to date Council has received \$84,826.85 in interest. The budget for the current financial year is currently set at \$200,000.00.



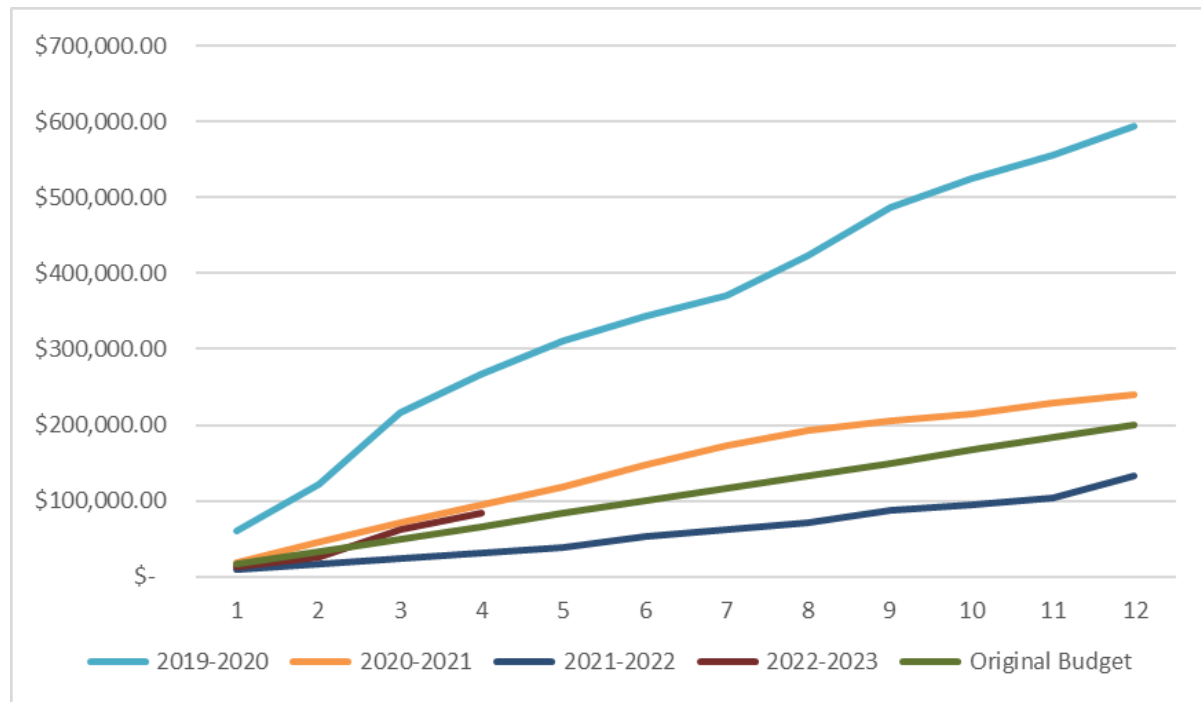
Investment Revenue in October 2022

Investee	Date Invested	Date of Maturity	Effective Interest Rate	Amount Invested	Interest Earned
<b>Term Deposits</b>					
National Australia Bank (9)	19/04/2022	17/10/2022	1.25%	\$1,000,000.00	\$6,198.64
National Australia Bank (8)	21/01/2022	18/10/2022	0.62%	\$1,000,000.00	\$4,586.31
Westpac Banking Corporation (1)	24/11/2021	20/10/2022	0.52%	\$1,000,000.00	\$4,701.37
<b>Other Cash Investments</b>					
Macquarie Bank	3/12/2020	Ongoing	1.00%	\$3,047,265.03	\$7,518.63
<b>Total</b>					<b>\$23,004.95</b>

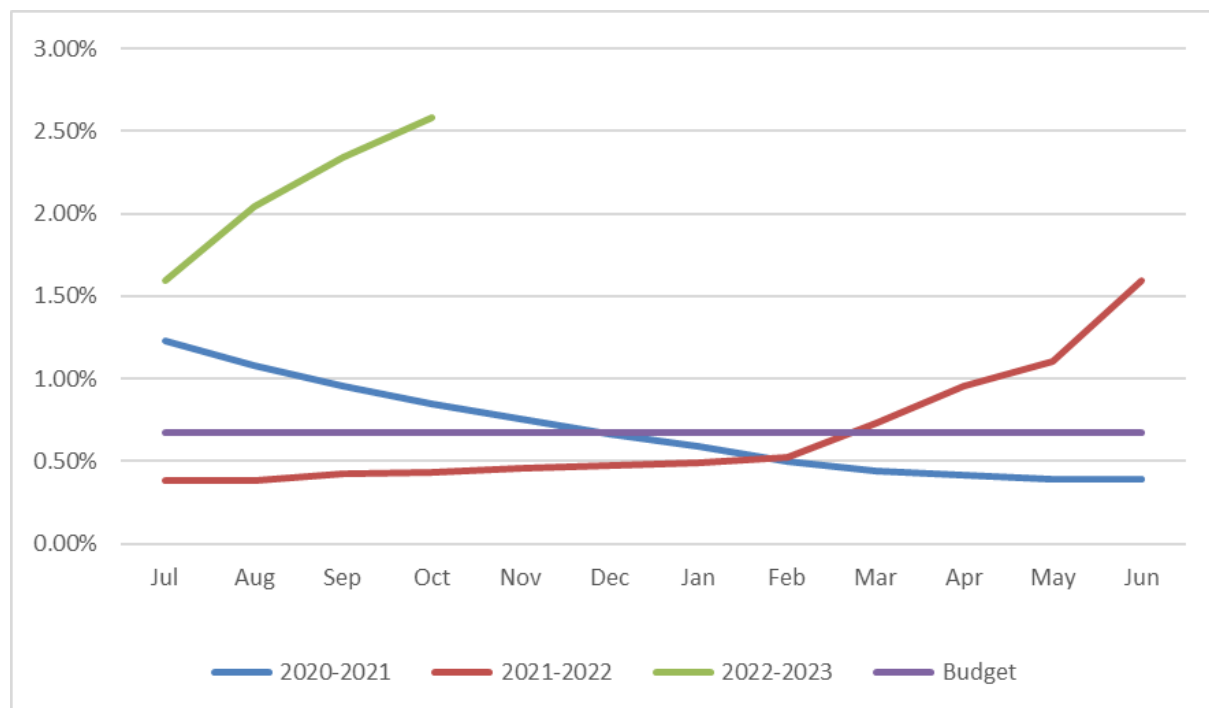
Investment Revenue received October 2022



Total Interest received July 2022 – June 2023



For October 2022 Council's investments returned an effective average rate of 2.58%. Year to date the effective average rate has been 2.14%. The budget for 2021-2022 was set at 0.67%. During the month the Reserve Bank increased the official cash rate by 0.25% to 2.60%



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 2021 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

## 9.5 SEPTEMBER QUATERLY BUDGET REVIEW - FIRST QUARTER 2022 - 2023

File Number: RPT/22/687

Responsible Officer: Simon Rule - Director Finance and Policy  
 Responsible Division: Finance and Policy  
 Report Author: 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.

If approved, the net result of variances for the September 2022 Quarter is a favourable operational variance of \$805,000 and an unfavourable capital variance of \$2,345,000 resulting in a total unfavourable budget variation of \$1,540,000

This report was presented to the Audit Risk and Improvement Committee on the 28 October 2022 wherein they recommended the report be passed to council.

### **Recommendation**

It is recommended that Council:

- Note the 2022 – 2023 First Quarter Budget Review
- Note the proposed revised 2022 – 2023 Changes to Operational and Capital Expenditure.
- Resolve to amend the 2022 – 2023 budget in accordance with the changes recommended in the Quarterly Budget Review Statement for the period of 1 July to 30 September 2022.

### **Detailed Report**

#### **Introduction**

The purpose of this report is to provide the Audit, Risk and Improvement Committee and Council with information on the 2022 – 2023 Budget position, proposing amendments where required and also provide an overview of Council's current year financial performance in relation to the adopted budget and key indicators.

This report is prepared in accordance with S407 (1) of the *Local Government Act 1993*, Clause 203(1) of the *Local Government (General) Regulation 2021* and Council's 2022/2023 Operational Plan. This report complies with the format required by the Office of Local Government.

As required by the Office of Local Government the quarterly budget review statement is attached and includes the following documents in order. All reports are presented in a consolidated view of all funds (General, Water and Sewer).

1. Consolidated Income Statement (containing operating income and expenses)
2. Proposed Variations to the Income Statement
3. Consolidated Capital Budget
4. Proposed Capital Budget Variations
5. Cash and Investments Position and Reserve Balance

6. Register of Material Contracts
7. Consultancy and Legal Expense Report

1. Consolidated Income Statement

Budget review for the quarter ended 30 September 2022

**Income & expenses - Council Consolidated**

(\$000's)	Original budget 2022/23	Approved Changes		Revised budget 2022/23	Variations for this Sep Qtr	Notes	Projected year end result	Actual YTD figures
		Carry forwards	Other than by QBRs					
<b>Income</b>								
Rates and annual charges	10,098			10,098		a	10,098	9,583
User charges and fees	6,331			6,331		b	6,331	1,104
Other revenues	1,228			1,228		c	1,228	154
Grants and contributions - operating	9,901			9,901	(7)	d	9,894	417
Grants and contributions - capital	20,181	725		20,906	80	e	20,986	459
Interest and investment revenue	239			239		f	239	207
Net gain from disposal of assets	100			100		g	100	-
<b>Total income from continuing operations</b>	<b>48,078</b>	<b>725</b>	<b>-</b>	<b>48,803</b>	<b>73</b>		<b>48,876</b>	<b>11,924</b>
<b>Expenses</b>								
Employee benefits and on-costs	10,745			10,745		h	10,745	2,241
Borrowing costs	391			391		i	391	46
Materials and services	4,175			4,175	(7)	j	4,168	1,068
Depreciation and amortisation	8,025			8,025		k	8,025	2,006
Other expenses	3,368			3,368		l	3,368	1,188
Net Loss from disposal of assets	-			-		m	-	-
<b>Total expenses from continuing operations</b>	<b>26,704</b>	<b>-</b>	<b>-</b>	<b>26,704</b>	<b>(7)</b>		<b>26,697</b>	<b>6,549</b>
<b>Net operating result from continuing operation</b>	<b>21,374</b>	<b>725</b>	<b>-</b>	<b>22,099</b>	<b>80</b>		<b>22,179</b>	<b>5,375</b>
Discontinued operations - surplus/(deficit)				-		n	-	-
<b>Net operating result from all operations</b>	<b>21,374</b>	<b>725</b>	<b>-</b>	<b>22,099</b>	<b>80</b>		<b>22,179</b>	<b>5,375</b>
<b>Net Operating Result before Capital Items</b>	<b>1,193</b>	<b>-</b>	<b>-</b>	<b>1,193</b>	<b>-</b>		<b>1,193</b>	<b>4,916</b>

The net result of operations as at 30 September was a surplus of \$4,160,000 before capital income. The sum of proposed variations results in a \$73,000 Increase in budgeted Income and a \$7,000 reduction in budgeted expenditure. The net result of proposed changes is a favorable operational variance of \$80,000 and a favorable carry forward variance of \$725,000.

Note; capital grant income in the operational income statement does not reflect grant amounts paid in advance and those held in external restrictions it only reflects cash amounts received to date this financial year. A reconciliation will be performed at 30<sup>th</sup> June 2023 to recognise these amounts as income.

For the quarter to 30 September there was \$11,924,000 of operational income. Some of the notable income is listed below;

- Rates Levied \$9,583,000
- Buronga Landfill Revenue \$609,033
- Financial Assistance Grant \$403,596
- Investment Interest \$196,052

Note: Council received a \$141,450 investment interest correction in the September quarter from Bendigo Bank therefore causing the discrepancy between the Monthly Investment Report and amounts shown in the Quarterly Budget Review Statement.

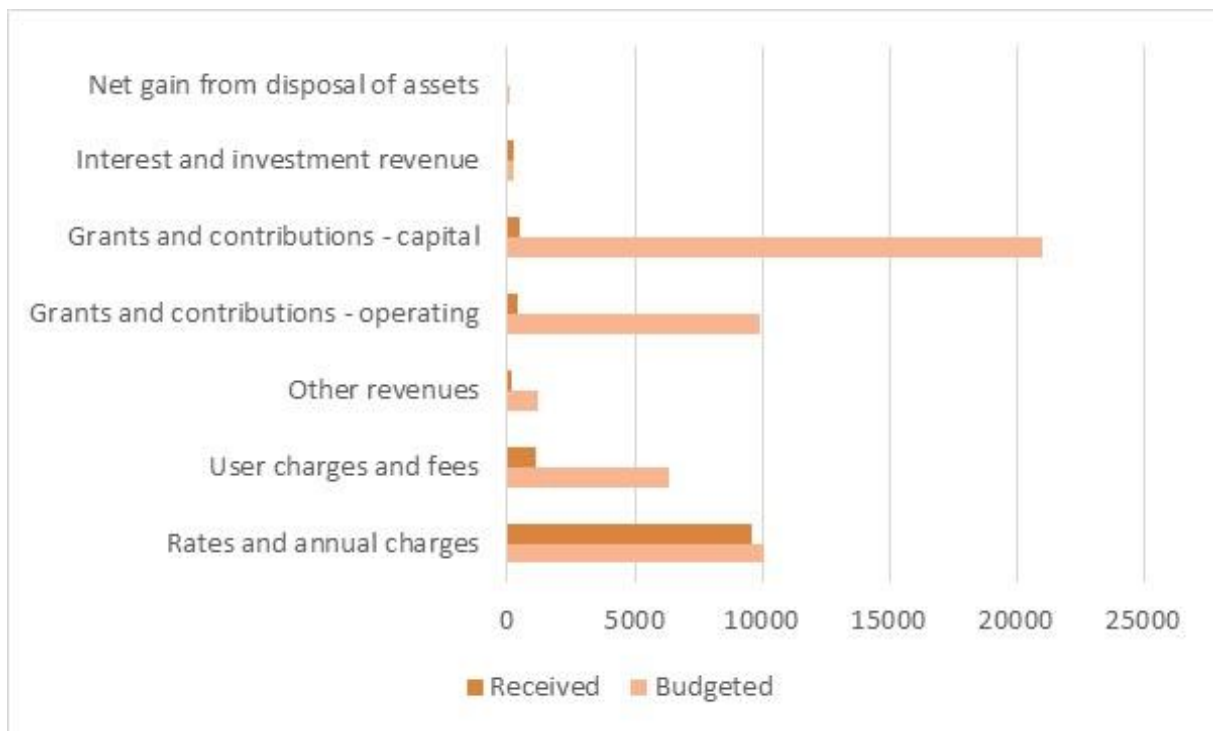
For the quarter to 30 September there was \$6,515,000 of operational expenditure. Some of the notable expenditure is listed below;

- Road Network Maintenance \$1,838,003

- Water Network Maintenance \$464,321
- Council Park Maintenance \$384,084
- Sewer Network Maintenance \$377,316
- Landfill Operational Expenditure \$365,998

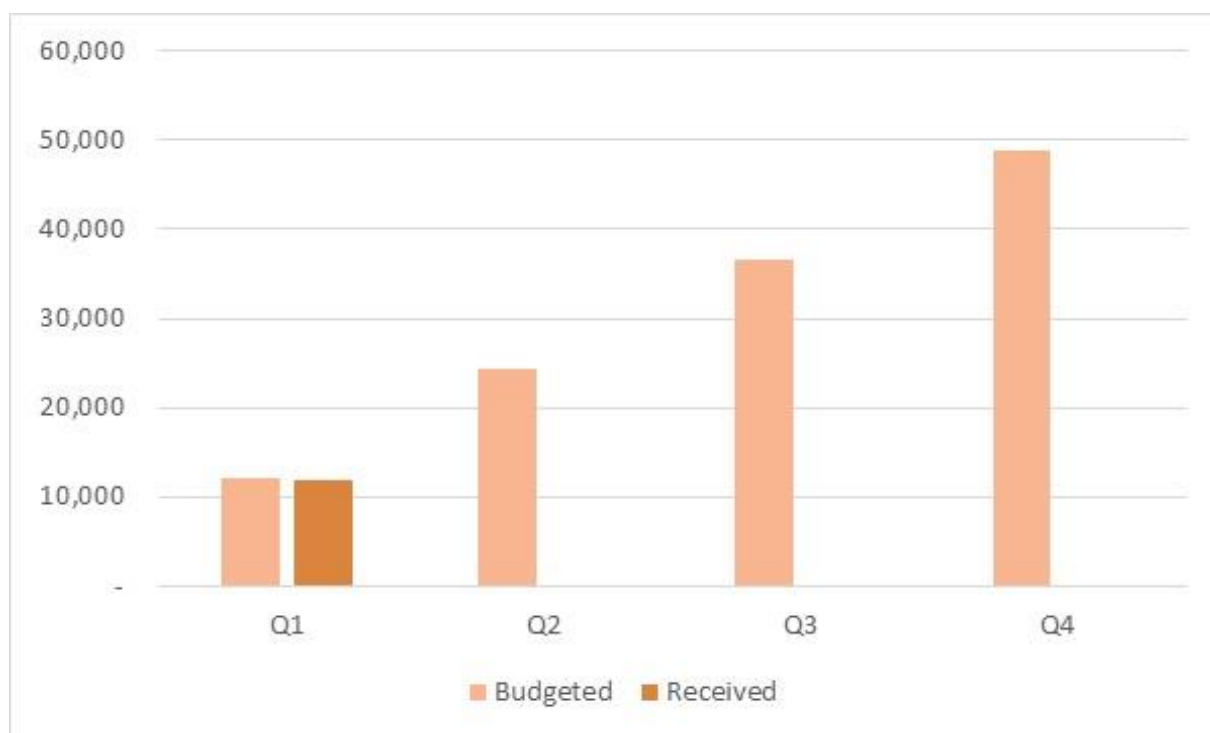
Income Received vs Budgeted Income at 30 September 2022

Units displayed in ('000)



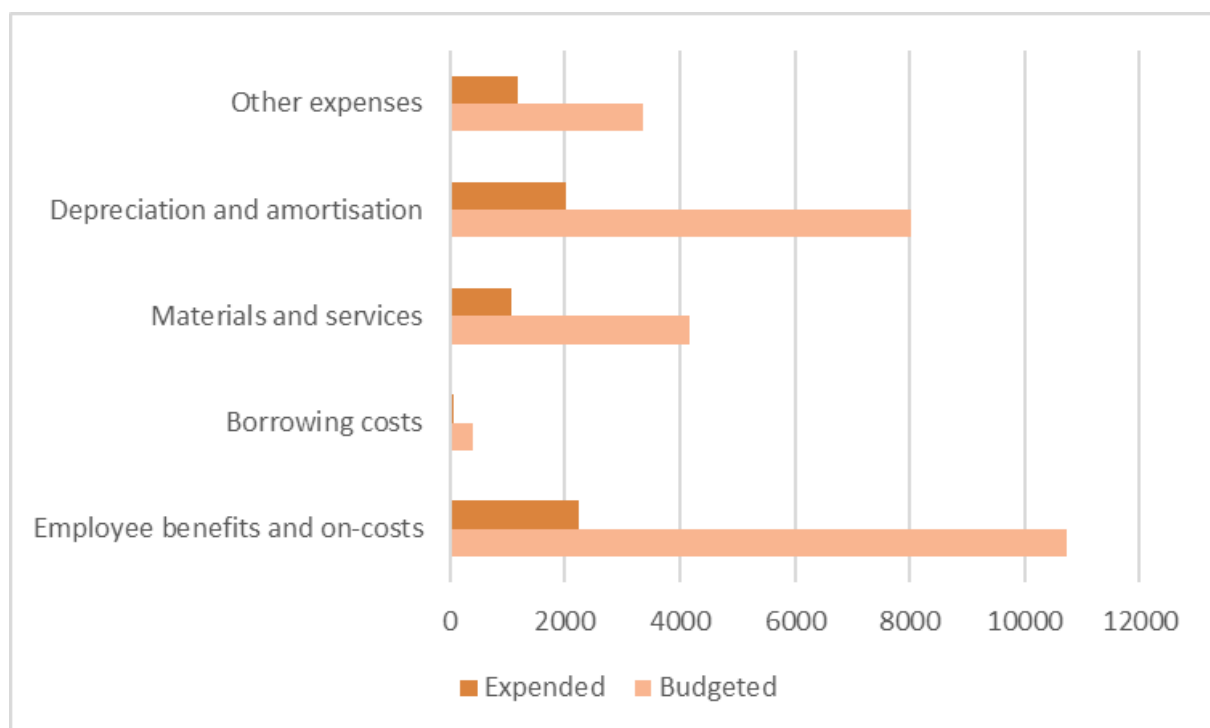
Consolidated Income Received vs Budgeted at 30 September 2022

Units displayed in ('000)



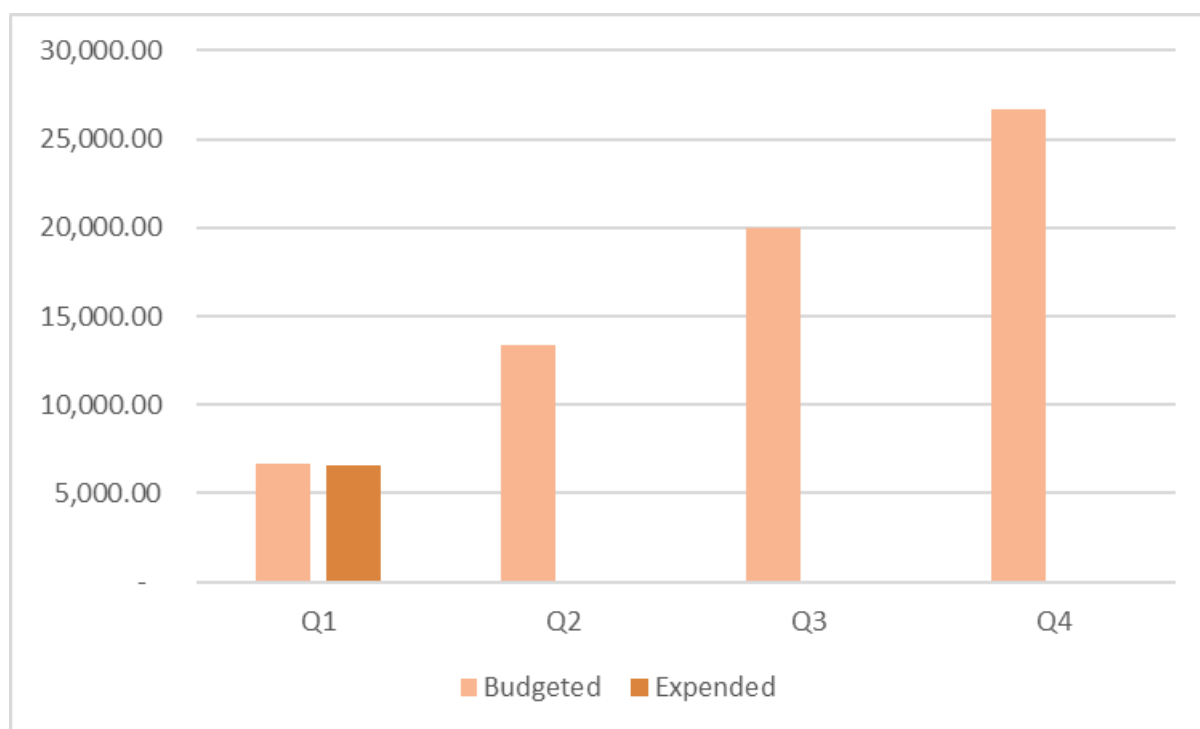
Expenditure to date vs Budgeted Expenditure at 30 September 2022

Units displayed in ('000)



Consolidated Expenditure vs Budgeted Expenditure at 30 September 2022

Units displayed in ('000)



## 2. Proposed Variations to the Income Statement

The September Quarterly Budget Review Statement includes two proposed operational variations which are discussed below.

- Regional Roads Block Grant Reduction

The Regional Roads Block Grant Program is an annual operational program funded by Transport for NSW. The Block Grant Program funds the service and maintenance of Councils three regional roads (Pooncarie – Menindee Road, Renmark Road and Arumpo Road)

The approved budget adopted by council on 30 June 2022 proposed a \$36,000 increase in Regional Roads Block Grant Income and Expenditure. In accordance with the funding deed for the 2022-23 Council shall receive a \$29,000 increase in income and expenditure thus resulting in a \$7,000 reduction in budgeted income and expenditure for the Regional Roads Block Grant.

- Capital Grant Income

\$725,000 of Capital Grant income is proposed to be carried forward from the 2021-2022 Financial Years Budget in line with the proposed Capital Carry Forward expenditure listed in section 4 of the Quarterly Budget Report. The breakdown of the Carry Forward Capital Grants is listed in Section 4 (Proposed Capital Budget Variations).

\$80,000 was also awarded to Council as part of the Department of Planning's – API Grant Program which is also discussed in further detail in Section 4.

### 3. Consolidated Capital Budget

Budget review for the quarter ended 30 September 2022

#### Capital budget - Council Consolidated

(\$000's)	Original budget 2022/23	Approved changes		Revised budget 2022/23	Variations for this Sep Qtr		Projected year end result	Actual YTD figures
		Carry forwards	Other than by QBRS			Notes		
<b>Capital expenditure</b>								
New assets								
- Plant & equipment	-			-	80	a	80	10
- Land & buildings	6,623			6,623		b	6,623	494
- Other	2,089	120		2,209		c	2,209	196
- Roads, bridges, footpaths	374			374		d	374	-
Renewal assets (replacement)								
- Plant & equipment	1,956	320		2,276		e	2,276	68
- Land & buildings	12,584	65		12,649		f	12,649	79
- Roads, bridges, footpaths	12,364	1,192		13,556		g	13,556	1,699
- Other	903			903		h	903	27
Loan repayments (principal)	854			854		i	854	118
Water Fund	740	75	43	858		j	858	65
Sewer Fund	1,287	450		1,737	-	k	1,737	179
<b>Total capital expenditure</b>	<b>39,774</b>	<b>2,222</b>	<b>43</b>	<b>42,039</b>	<b>80</b>		<b>42,119</b>	<b>2,935</b>
<b>Capital funding</b>								
Rates & other untied funding	9,368	927		10,295		l	10,295	474
Capital grants & contributions	20,181	725		20,906	80	m	20,986	2,328
Reserves:								
- External restrictions/reserves			43	43		n	43	108
- Internal restrictions/reserves	1,975	570		2,545		o	2,545	25
New loans	8,250			8,250		p	8,250	
Receipts from sale of assets						q		
<b>Total capital funding</b>	<b>39,774</b>	<b>2,222</b>	<b>43</b>	<b>42,039</b>	<b>80</b>		<b>42,119</b>	<b>2,935</b>
<b>Net capital funding - surplus/(deficit)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>		<b>-</b>	<b>-</b>

The net result of capital activities as at 30 September 2022 was a total expenditure of \$2,935,000. The sum of proposed variations results in an unfavorable capital variance of \$123,000 and an unfavorable carry forward variance of \$2,222,000.

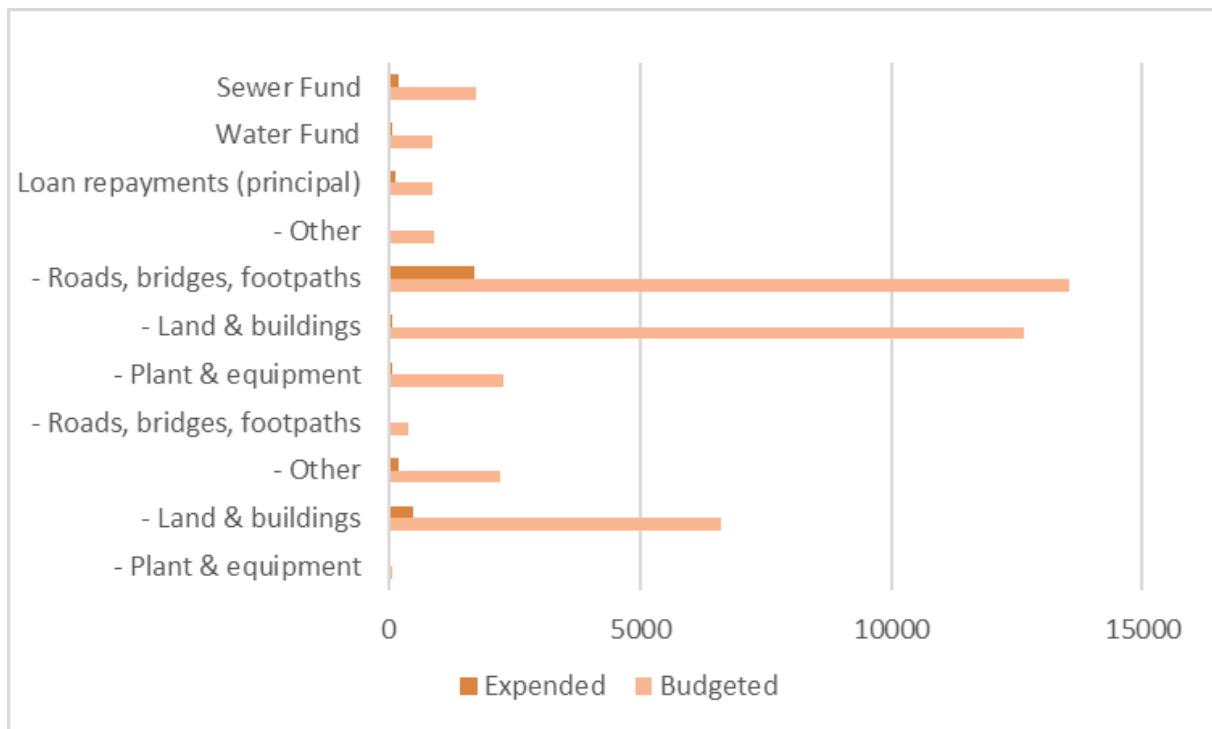
For the quarter to 30 September there was \$2,935,000 of capital expenditure. Some of the notable expenditure is listed below;

- Pooncarie – Menindee Road Construction \$1,107,024
- Wentworth Caravan Park Redevelopment \$362,069
- Old Wentworth Road Construction \$348,578
- Punt Road Construction \$224,114
- Wentworth Sewer Rationalisation \$107,611
- Wentworth Racecourse Track Rail \$81,075



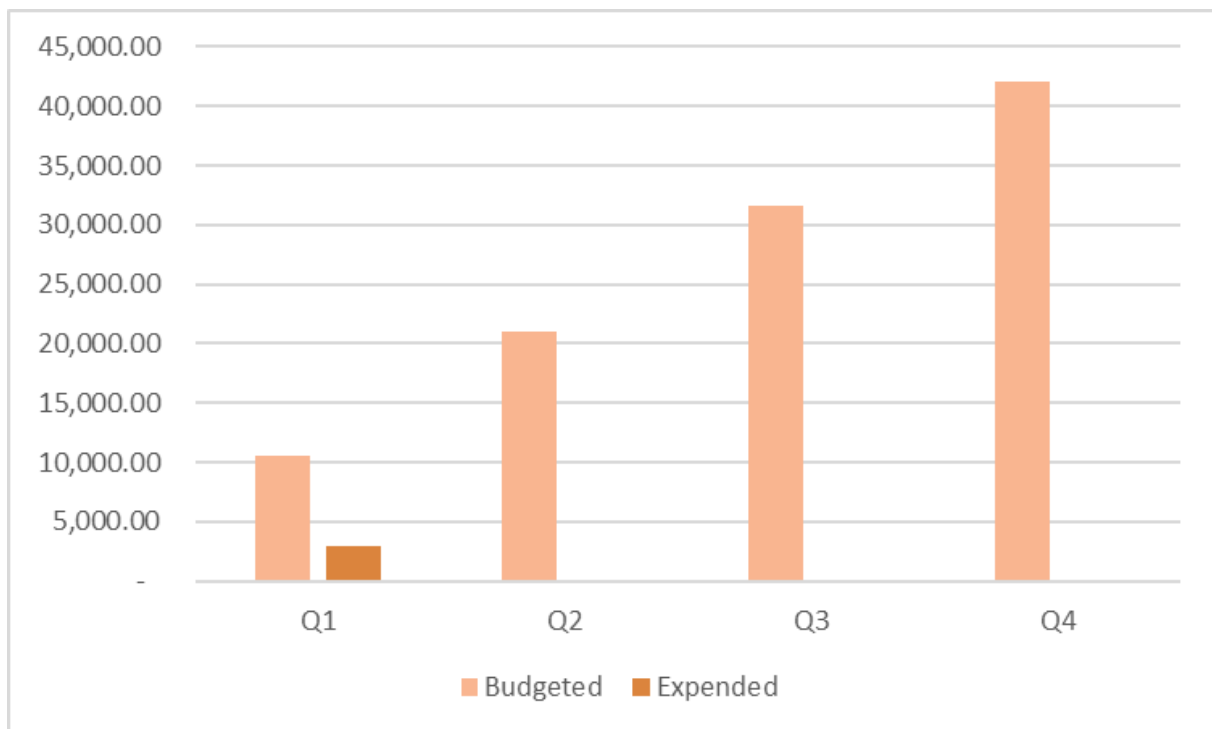
Capital Works Expenditure vs Budgeted Expenditure at 30 September 2022

Units displayed in ('000)



Consolidated Capital Works Expenditure vs Budgeted at 30 September 2022

Units displayed in ('000)



#### 4. Proposed Capital Budget Variations

The September Quarterly Budget Review Statement includes two proposed capital variations which are discussed below.

- Water Network Extension for the Wentworth Aerodrome Subdivision

Approved by Council at the September Council meeting, the Aerodrome subdivision will support the water connection to service the new eleven-lot subdivision. This \$43,372 variation is proposed to be funded from the water fund.

- API Grant Program

The Department of Planning – API Grant Program of \$80,000 is to assist with the implementation of Councils new Corporate information system. Subsequently, an adjustment is proposed to increase the new asset plant budget and increase capital grant funding by \$80,000.

The September Quarterly Budget Review Statement also includes thirteen proposed capital carry forward variations.

- Landfill Shed Construction

Carry forward of \$50,000 for the construction of a new maintenance shed at the Buronga Landfill, funded by rating and landfill income.

- Buronga Landfill Dog & Tip Truck

Carry forward of \$320,000 for the purchase of a DAF prime mover and Hercules tipper trailer for the Buronga Landfill, funded by prior years unused internal plant replacement restriction.

- Midway Stormwater Installation

Carry forward of \$100,000 for the installation of stormwater drainage connections to the Midway Estate Subdivision, funded through the internal restriction for the T-Corp loan facility.

- Cemetery Shed Construction

Carry forward of \$15,000 for the finalisation of the Cemetery shed power connection, funded by rating income.

- George Gordon Oval Carpark

Carry forward of \$130,000 for the construction of a second carpark at the George Gordon Oval facility located behind the change room area, funded through the Resources for Regions Round 8 grant.

- Wentworth Showgrounds Race Tower & Shade Structure

Carry forward of \$20,000 for the finalisation of the electricity connection to the newly constructed race tower and shade structure, funded through the Local Roads and Community Infrastructure Program Phase 2 grant.

- Old Wentworth Road Construction

Carry forward of \$900,000 for the construction and seal of Old Wentworth Road, funded Jointly by Council (25% contribution) and Fixing Local Roads Grant Phase #1 (75% contribution)

- Little Manly Road Construction

Carry forward of \$50,000 for the construction and seal of Little Manly Road, funded jointly by Council (25% contribution) and Fixing Local Roads Grant Phase #2 (75% contribution)

- Fixing Local Roads Round 3 Projects

Carry forward of \$112,309 for a combination of four projects, It is proposed the budget be reduced for Fletchers Lake Road Construction and Bridge Road Construction as both projects were completed in late June 2022. Then it is proposed the budgets be increased for Log Bridge Road Construction and Punt Road Construction as these projects, though budgeted to commence in June were not commenced. The result of these changes is an increase in grant funding of \$54,747 and an increase in Council expenditure of \$57,562.

- Trentham Cliffs Water Installation

Carry forward of \$50,000 for the construction of water connections to Trentham Cliffs, funded jointly by developer contributions and water fund.

- King Ridge Sewerage

Carry forward of \$45,000 for the sewerage connection to King Ridge Estate, funded by sewer fund.

- Wood Street Sewerage Connection

Carry forward of \$30,000 for the sewerage connection to multiple developments surrounding Wood street, funded by sewer fund.

- Sewer Pump Station #5 Works

Carry forward of \$225,000 for the associated works at Sewer Pump Station number 5, funded by sewer fund.

- Trentham Cliffs Sewer Installation

Carry forward of \$150,000 for the construction of sewer connections to Trentham Cliffs, funded through the internal restriction for the T-Corp loan facility.

5. Cash and Investments Position and Reserve Balance

Reserve Balance at 30 September 2022

<i>Internal Restrictions</i>	<i>Balance</i>	<i>Restriction</i>
- Employee Entitlements	\$2,376,437.00	
- Doubtful Debts	\$124,556.00	
- Future Development Reserve	\$1,076,217.20	
- Trust Account	\$1,500,000.00	
- Caravan Park Loan Facility	\$749,530.35	
- Capital Projects	\$1,000,000.00	
- Plant Replacement Reserve	\$1,500,000.00	\$8,326,740.55
<i>External Restrictions</i>		
- Water Fund	\$11,284,659.51	
- Sewer Fund	\$4,791,002.49	
- T-Corp Loan Balance	\$1,017,963.16	
- Developer Contributions Reserve	\$663,375.97	
- Unexpended Grants	\$8,638,169.36	
- Crown Reserves Reserve	\$213,700.14	
- Loan Guarantee Reserve	\$3,460.91	
- Prepayments Cemeteries	\$557,707.60	\$27,170,039.14
<i>Day to Day Liquidity</i>		\$11,305,997.98
<i>Total Funds Available</i>		\$46,802,777.67

Compliance with NSW T-Corp Framework

As part of Council's agreement with the New South Wales Treasury Corporation for access to the loan facility of \$2,000,000 Council's investments must comply with the following limits.

Column A		Column B	Column C	Column D
Long Term Debt Rating				
S&P	Moody's	Portfolio Limit	Counterparty Limit	Maximum Tenor
AAA	Aaa	100%	100%	Not applicable
AA+ to AA-	Aa1 to Aa3	100%	100%	5 years
A+ to A	A1 toA2	100%	100%	3 years
A-	A3	40%	20%	3 years
BBB+	Baa1	35%	10%	3 years
BBB	Baa2		5%	12 months

Compliance with Portfolio and Counterparty Limit at 30 September 2022

As demonstrated below Council's current investments are in line with T-Corp requirements. Majority of investments are held with A+ or higher rated institutions with less than 15% held in BBB+ rated investments.

<i>Row Labels</i>	<i>Investment Amount</i>	<i>% Invested</i>
A+	\$14,039,895.73	34.2%
Macquarie Bank	\$7,039,895.73	17.2%
ING Bank	\$7,000,000.00	17.1%
A1+/AA-	\$2,000,000.00	4.9%
Westpac Banking Corporation	\$1,000,000.00	2.4%
NT T-Corp	\$1,000,000.00	2.4%
AA-	\$19,000,000.00	46.3%
National Australia Bank	\$8,000,000.00	19.5%
Commonwealth Bank	\$4,000,000.00	9.7%
Westpac Banking Corporation	\$7,000,000.00	17.1%
BBB+	\$6,000,000.00	14.6%
AMP	\$2,000,000.00	4.9%
Bank of Queensland	\$1,000,000.00	2.4%
Bendigo Bank	\$2,000,000.00	4.9%
IMB Bank	\$1,000,000.00	2.4%
Grand Total	\$41,039,895.73	100.0%

Note: The table above excludes Council's Operating and Trust account.

Investments by Timeframe at 30 September 2022

Council is currently complying with its investment strategy which notes the preference of keeping cash invested for the short term. Cash needs to be accessed as needed due to the large amount of capital works currently being undertaken and the need for readily accessible cash flow to pay for these Capital Works.

<i>Term</i>	<i>Amount</i>	<i>% of Portfolio</i>	<i>Strategy</i>	<i>Difference</i>
Long Term 12mths+	\$5,000,000.00	12.18%	15.00%	2.82%
Short Term <12mths	\$32,000,000.00	77.97%	75.00%	-2.97%
At-Call	\$4,039,895.73	9.84%	10.00%	0.16%
TOTAL	\$41,039,895.73			

6. Register of Material Contracts

Contracts over \$50k are disclosed in the report below. As at 30 September 2022 Council had not materially varied any of the contracts included in the register or ceased any of the agreements.

For future reference any material variations, cancellations or other disclosures to these contracts will be listed within this report.

7. Consultancy and Legal Expense Report

Consultancies paid YTD at 30 September 2022

<i>Contractor</i>	<i>1st Qtr.</i>	<i>Details</i>
<i>Tonkin</i>	\$75,954.13	Survey & Design Works & Project Evaluation - Buronga Landfill
<i>Greenedge Environmental</i>	\$30,501.90	Gravel Pit Licencing / Cultural Heritage Assessments
<i>Zenith Town Planning</i>	\$18,711.00	Rural Residential Strategy
<i>EBS Heritage</i>	\$6,067.60	Cultural Heritage
<i>James Goldsworthy</i>	\$5,192.69	Landfill Expansion
<i>EMM Consulting</i>	\$5,189.89	Pooncarie WTP Water Testing
<i>Morrison Low Consultants</i>	\$3,982.00	Asset Management Plan
<i>GSD Architects</i>	\$3,047.00	Civic Centre Project Management
<i>Civil Test</i>	\$2,178.00	Roadwork Certification/testing/soil testing
<i>Phil Maw Designs</i>	\$742.50	Survey & Design Works & Project Evaluation
<b>TOTAL</b>	<b>\$151,566.71</b>	

Notes to Consultancies

Council is currently expecting higher than normal consultancy fees due to the design and environmental compliance of major capital works projects such as; Pooncarie – Menindee Road, Wentworth Civic Centre and Buronga Landfill Expansion.

Legal Expenses paid YTD at 30 September 2022

<i>Contractor</i>	<i>1st Qtr.</i>	<i>Details</i>
<i>Iron Mountain</i>	\$270.57	Document Storage - Debt Collection
<i>Marsden's Law Group</i>	\$10,375.55	Lawyers' Fees - Rate Recovery (Tronox)
<i>NV Lawyers</i>	\$4,285.30	Rate Recoveries
<i>Bartier Perry</i>	\$4,359.56	Crown Land Legal Fees
<b>TOTAL</b>	<b>\$19,290.98</b>	

Notes to Legal Expenses

No major changes to note.

Conclusion

This report is prepared in accordance with S407 (1) of the *Local Government Act 1993*, Clause 203(1) of the *Local Government (General) Regulation 2021* and Council's 2022/23 Operational Plan. This report complies with the format required by the Office of Local Government.

If approved, the net result of variances for the September 2022 Quarter is a favourable operational variance of \$805,000 and an unfavourable capital variance of \$2,345,000 resulting in a total unfavourable budget variation of \$1,540,000

Attachments

1. September Quarterly Budget Review 2022-23  

Wentworth Shire Council

**Quarterly Budget Review Statement**  
for the period 01/07/22 to 30/09/22

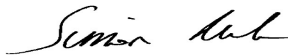
**Report by responsible accounting officer**

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

**30 September 2022**

It is my opinion that the Quarterly Budget Review Statement for Wentworth Shire Council for the quarter ended 30/09/2022 indicates that Council's projected financial position at 30/06/2023 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:** 10/10/2022

Simon Rule  
Responsible accounting officer

# Quarterly Budget Review Statement for the period 01/07/22 to 30/09/22

Wentworth Shire Council

## Income & expenses budget review statement

Budget review for the quarter ended 30 September 2022

## Income & expenses - Council Consolidated

(\$000's)	Original budget 2022/23	Approved Changes		Revised budget 2022/23	Variations for this Sep Qtr	Notes	Projected year end result	Actual YTD figures	Variance Surplus (Deficit)	% Actuals by Projected
		Carry forwards	Other than by QBRs							
<b>Income</b>										
Rates and annual charges	10,098			10,098		a	10,098	9,583	(515)	94.90%
User charges and fees	6,331			6,331		b	6,331	1,104	(5,227)	17.44%
Other revenues	1,228			1,228		c	1,228	154	(1,074)	12.54%
Grants and contributions - operating	9,901			9,901	(7)	d	9,894	417	(9,484)	4.21%
Grants and contributions - capital	20,181	725		20,906	80	e	20,986	459	(20,447)	2.19%
Interest and investment revenue	239			239		f	239	207	(32)	86.61%
Net gain from disposal of assets	100			100		g	100	-	(100)	0.00%
<b>Total income from continuing operations</b>	<b>48,078</b>	<b>725</b>	<b>-</b>	<b>48,803</b>	<b>73</b>		<b>48,876</b>	<b>11,924</b>	<b>(36,879)</b>	
<b>Expenses</b>										
Employee benefits and on-costs	10,745			10,745		h	10,745	2,241	8,504	20.86%
Borrowing costs	391			391		i	391	46	345	11.76%
Materials and services	4,175			4,175	(7)	j	4,168	1,068	3,107	25.62%
Depreciation and amortisation	8,025			8,025		k	8,025	2,006	6,019	25.00%
Other expenses	3,368			3,368		l	3,368	1,188	2,180	35.27%
Net Loss from disposal of assets				-		m	-	-	-	
<b>Total expenses from continuing operations</b>	<b>26,704</b>	<b>-</b>	<b>-</b>	<b>26,704</b>	<b>(7)</b>		<b>26,697</b>	<b>6,549</b>	<b>20,155</b>	
<b>Net operating result from continuing operations</b>	<b>21,374</b>	<b>725</b>	<b>-</b>	<b>22,099</b>	<b>80</b>		<b>22,179</b>	<b>5,375</b>	<b>(16,724)</b>	
Discontinued operations - surplus/(deficit)				-		n	-	-	-	
<b>Net operating result from all operations</b>	<b>21,374</b>	<b>725</b>	<b>-</b>	<b>22,099</b>	<b>80</b>		<b>22,179</b>	<b>5,375</b>	<b>(16,724)</b>	
<b>Net Operating Result before Capital Items</b>	<b>1,193</b>	<b>-</b>	<b>-</b>	<b>1,193</b>	<b>-</b>		<b>1,193</b>	<b>4,916</b>	<b>3,723</b>	

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 30/09/2022 and should be read in conjunction with the total QBRs report



## Quarterly Budget Review Statement

for the period 01/07/22 to 30/09/22

Budget Variations being recommended include the following material items:

[illegible]

## Quarterly Budget Review Statement

for the period 01/07/22 to 30/09/22

Wentworth Shire Council

### Capital budget review statement

Budget review for the quarter ended 30 September 2022

### Capital budget - Council Consolidated

(\$000's)	Original budget 2022/23	Approved changes		Revised budget 2022/23	Variations for this Sep Qtr	Notes	Projected year end result	Actual YTD figures	Variance Surplus (Deficit)	% Actuals by Projected
		Carry forwards	Other than by QBRS							
<b>Capital expenditure</b>										
New assets										
- Plant & equipment	-			-	80	a	80	10	(10)	12.50%
- Land & buildings	6,623			6,623		b	6,623	494	6,129	7.46%
- Other	2,089	120		2,209		c	2,209	196	2,013	8.87%
- Roads, bridges, footpaths	374			374		d	374	-	374	0.00%
Renewal assets (replacement)										
- Plant & equipment	1,956	320		2,276		e	2,276	68	2,208	2.99%
- Land & buildings	12,584	65		12,649		f	12,649	79	12,570	0.62%
- Roads, bridges, footpaths	12,364	1,192		13,556		g	13,556	1,699	11,857	12.53%
- Other	903			903		h	903	27	876	2.99%
Loan repayments (principal)	854			854		i	854	118	736	13.82%
Water Fund	740	75	43	858		j	858	65	793	7.58%
Sewer Fund	1,287	450		1,737		k	1,737	179	1,558	10.31%
<b>Total capital expenditure</b>	<b>39,774</b>	<b>2,222</b>	<b>43</b>	<b>42,039</b>	<b>80</b>		<b>42,119</b>	<b>2,935</b>	<b>39,104</b>	<b>6.97%</b>
<b>Capital funding</b>										
Rates & other untied funding	9,368	927		10,295		l	10,295	474	(9,821)	4.60%
Capital grants & contributions	20,181	725		20,906		m	20,986	2,328	(18,578)	11.09%
Reserves:										
- External restrictions/reserves			43	43		n	43	108	65	251.16%
- Internal restrictions/reserves	1,975	570		2,545		o	2,545	25	(2,520)	0.98%
New loans	8,250			8,250		p	8,250		(8,250)	0.00%
Receipts from sale of assets						q				
<b>Total capital funding</b>	<b>39,774</b>	<b>2,222</b>	<b>43</b>	<b>42,039</b>	<b>80</b>		<b>42,119</b>	<b>2,935</b>	<b>(39,104)</b>	<b>6.97%</b>
<b>Net capital funding - surplus/(deficit)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>		<b>-</b>	<b>-</b>	<b>-</b>	

This statement forms part of Council's Quarterly Budget Review Statement (QBRS) for the quarter ended 30/09/2022 and should be read in conjunction with the total QBRS report

Wentworth Shire Council

**Quarterly Budget Review Statement**

for the period 01/07/22 to 30/09/22

**Capital budget review statement****Recommended changes to revised budget**

Budget variations being recommended include the following material items:

<b>Notes</b>	<b>Details</b>	
a	<b>New Plant &amp; Equipment</b> Integrated Management System	\$80,000
c	<b>New Other Assets</b> <b>Carry Forwards</b> Wentworth Showgrounds Tower & Shade Midway Stormwater Installation	\$20,000 \$100,000
e	<b>Renewal Plant &amp; Equipment</b> <b>Carry Forwards</b> Buronga Landfill Dog & Tip Truck	\$320,000
f	<b>Renewal Land &amp; Buildings</b> <b>Carry Forwards</b> Landfill Shed Construction Cemetery Shed Construction	\$50,000 \$15,000
g	<b>Renewal Roads, Bridges, Footpaths</b> <b>Carry Forwards</b> Old Wentworth Road Construction Little Manly Road Construction Fletchers Lake Road Construction Bridge Road Construction Punt Road Construction Log Bridge Road Construction Geroge Gordon Oval Carpark	\$900,000 \$50,000 -\$127,877 -\$139,165 \$146,517 \$232,834 \$130,000
j	<b>Water Fund</b> <b>Approved by Council</b> Water Network Extension for the Wentworth Aerodrome Subdivision  <b>Carry Forward</b> Trentham Cliffs Water Installation	\$43,372  \$50,000
k	<b>Sewer Fund</b> <b>Carry Forward</b> King Ridge Sewerage Wood Street Sewerage Connection Sewer Pump Station #5 Works Trentham Cliffs Sewer Installation	\$45,000 \$30,000 \$225,000 \$150,000
l	<b>Rates &amp; Other Untied Funding</b> General Fund Water Fund Sewer Fund	\$577,567 \$50,000 \$300,000

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Wentworth Shire Council

# Quarterly Budget Review Statement

for the period 01/07/22 to 30/09/22

## Cash & investments budget review statement

### Reconciliation status

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

\$ 000's

Cash at bank (as per bank statements)

5,763

Investments on hand

41,040

less: unpresented cheques

(Timing Difference)

8

add: undeposited funds

(Timing Difference)

2

**Reconciled cash at bank & investments**

46,813

**Balance as per QBRS review statement:**

46,813

Difference:

-

### Recommended changes to revised budget

Budget variations being recommended include the following material items:

**Notes   Details**

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## Wentworth Shire Council

# Quarterly Budget Review Statement

for the period 01/07/22 to 30/09/22:

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

Budget review for the quarter ended 30 September 2022

(\$000's)	Current projection		Original budget	Actuals prior periods
	22/23	Indicator 22/23	22/23	21/22 20/21

NSW local government industry key performance indicators (OLG):

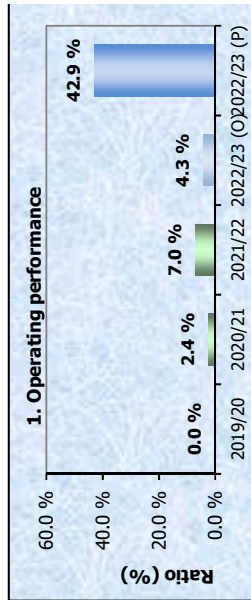
### 1. Operating performance

Operating revenue (excl. capital) - operating expenses	4916
Operating revenue (excl. capital grants & contributions)	11465

42.9 %
--------

4.3 %
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7.0 %	2.4 %
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This ratio measures Council's achievement of containing operating expenditure within operating revenue.

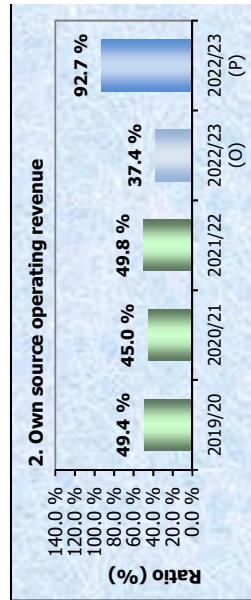
### 2. Own source operating revenue

Operating revenue (excl. ALL grants & contributions)	11048
Total Operating revenue (incl. capital grants & cont)	11924

92.7 %
--------

37.4 %
--------

49.8 %	45.0 %
--------	--------



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

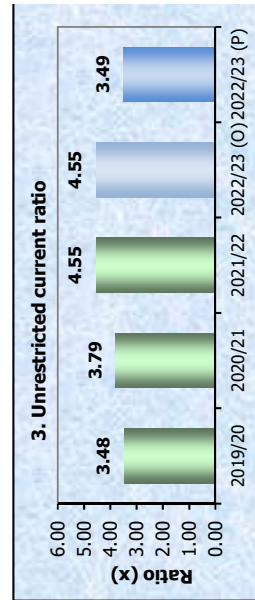
### 3. Unrestricted current ratio

Current assets less all external restrictions	19633
Current liabilities less specific purpose liabilities	5624

3.49
------

4.55
------

4.55	3.79
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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 01/07/22 to 30/09/22

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

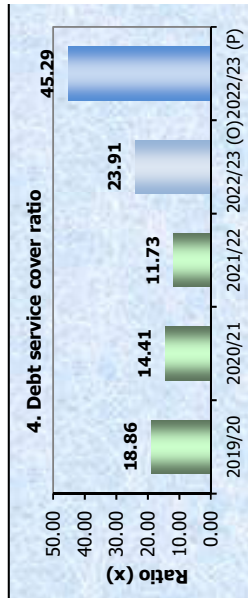
Budget review for the quarter ended 30 September 2022

(\$000's)	Current projection		Original budget	Actuals prior periods
	22/23	22/23	22/23	21/22 20/21

NSW local government industry key performance indicators (OLG):

### 4. Debt service cover ratio

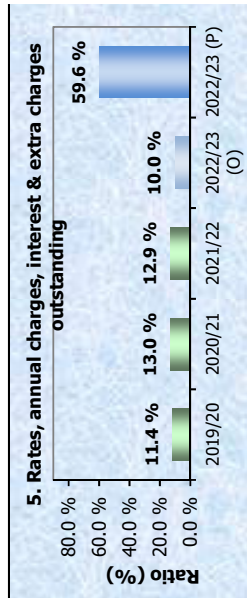
Operating result before interest & dep. exp (EBITDA)	7427	45.29	23.91	11.73	14.41
Principal repayments + borrowing interest costs	164				



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

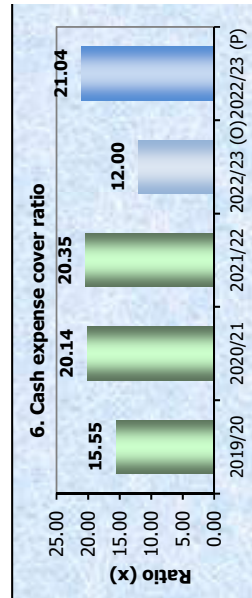
Rates, annual & extra charges outstanding	6798	59.6 %	10.0 %	12.9 %	13.0 %
Rates, annual & extra charges collectible	11401				



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)	46813	21.04	12.00	20.35	20.14
Operating & financing activities cash flow payments	2225				



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 01/07/22 to 30/09/22.

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

Budget review for the quarter ended 30 September 2022

(\$000's)	Current projection		Original budget	Actuals	
	22/23	22/23	22/23	21/22	20/21

NSW Local Government Infrastructure Asset Performance Indicators (OLG):

### 7. Building and infrastructure renewals ratio

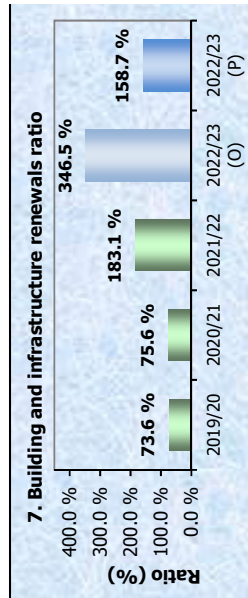
Asset renewals (building, infrastructure & other structures)  
Depreciation, amortisation & impairment

2516  
1585

158.7 %

346.5 %

183.1 % 75.6 %



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

### 8. Infrastructure backlog ratio

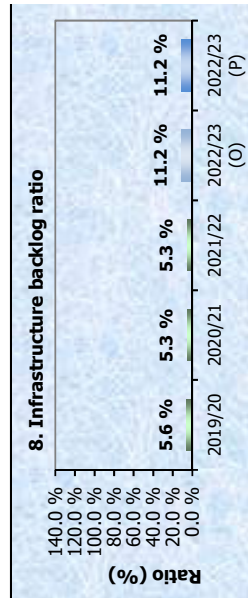
Estimated cost to bring assets to a satisfactory condition  
Total value of infrastructure, building, other structures & depreciable land improvement assets

50003  
446395

11.2 %

11.2 %

5.3 % 5.3 %



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

### 9. Asset maintenance ratio

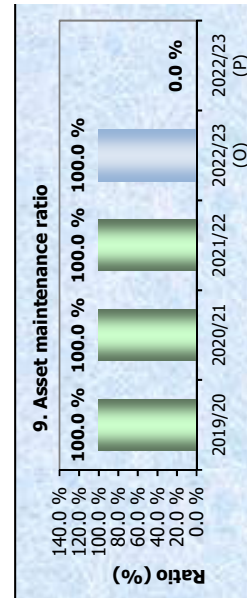
Actual asset maintenance  
Required asset maintenance

N/A

0.0 %

100.0 %

100.0 % 100.0 %



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 01/07/22 to 30/09/22.

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

Budget review for the quarter ended 30 September 2022

(\$000's)	Current projection		Original budget	Actuals prior periods
	22/23	22/23	22/23	21/22 20/21

NSW Local Government Infrastructure Asset Performance Indicators (OLG):

### 10. Cost to bring assets to agreed service level

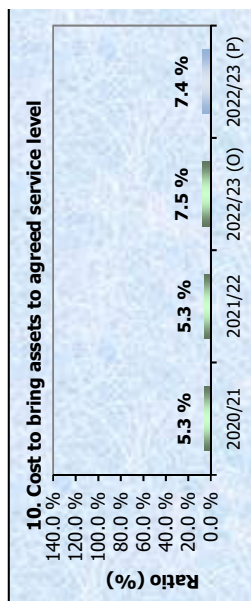
Estimated cost to bring assets to an agreed service level set by council

50003	
671336	

7.4 %

7.5 %

5.3 % 5.3 %



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

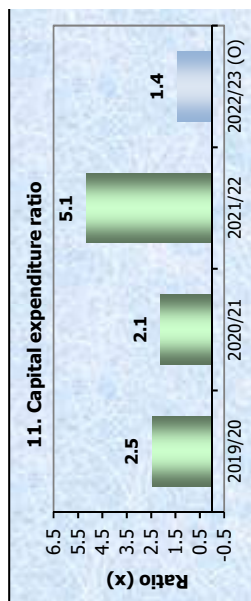
Annual depreciation

2817	
2006	

1.4

5.1

2.1 2.5



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.

## Quarterly Budget Review Statement

for the period 01/07/22 to 30/09/22

Wentworth Shire Council

### Contracts budget review statement

Budget review for the quarter ended 30 September 2022

#### 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
Integrity Pump Sales	East Gol Intake Pumps	56,693		Until Completion	Y	
Tub Built Industries	Fabrication of Ramps for Junction Island Bridge	181,968		Until Completion	Y	
Fulton Hogan	Court Bowl Upgrades	125,106		Until Completion	Y	
Karym Cleaning	Dareton Pool Building Upgrades	57,297		Until Completion	Y	
Regional Power Services	Wentworth Pool Lighting Upgrades	72,531		Until Completion	Y	
Regional Power Services	Dareton Pool Lighting Upgrades	66,490		Until Completion	Y	
Wall Construction	Pooncarie Telegraph Building Repairs	146,555		Until Completion	Y	
Waters Excavations	Gol Gol Sewer Pump Station #5 Upgrade	215,939		Until Completion	Y	
Karym Cleaning	Wentworth Pool Building Upgrades	56,197		Until Completion	Y	
Open Office Holdings	CIS Implementation	63,250		Until Completion	Y	
Waste Management Services	Buronga Landfill Upgrade Operational and Technical Advice	81,950		Until Completion	Y	
Ausshredding Pty Ltd	Shredding at Buronga Landfill	60,000		Until Completion	Y	
Public Works Advisory	Gol Gol East Raw Water System Design	66,900		Until Completion	Y	
Humm Events	Wentworth Festival Events Management	249,630		Until Completion	Y	
Simtrack	Horse Rail and Fittings	87,267		Until Completion	Y	
Barkandji Native Title Group	Pooncarie Menindee Cultural Monitoring	134,045		Until Completion	Y	
Wall Construction	Willowbend Caravan Park Redevelopment	1,825,201		Until Completion	Y	
Mildura Tree Services	Shire Wide Tree Trimming	50,000		Until Completion	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 (QBRs) for the quarter ended 30/09/2022 and should be read in conjunction with the total QBRs report

Wentworth Shire Council

## Quarterly Budget Review Statement

for the period 01/07/22 to 30/09/22

### Consultancy & legal expenses budget review statement

Consultancy &amp; legal expenses overview

Expense	YTD expenditure (actual dollars)	Budgeted (Y/N)
Consultancies	151,567	Y
Legal Fees	19,291	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

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## 9.6 QUARTERLY OPERATIONAL PLAN PROGRESS REPORT.

File Number: RPT/22/695

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 Shire is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

### **Summary**

In accordance with the Local Government Integrated Planning and Reporting Framework, Council develops a Four Year Delivery Program and a One Year Operational Plan which details the actions to be undertaken by Council to implement the strategies established in the Community Strategic Plan.

The *Local Government Act 1993* requires that progress is reported to Council with respect to the principal actions detailed in its Operational Plan at least every six months. To better align with the Quarterly Budget Review Process, the Operational Plan progress report is also compiled on a quarterly basis.

Since the commencement of the new financial year an additional 20 actions have been added taking the total 142 actions.

As recommended by the *Guidelines for risk management and internal audit in local councils in NSW*, the Quarterly Operational Plan progress report was considered by the Audit, Risk and Improvement Committee at its meeting on 28 October 2022.

### **Recommendation**

That Council approves the additional 20 actions added to the 2022-2023 Operational Plan.

That Council notes the Quarterly Operational Plan Progress Report

### **Detailed Report**

#### **Purpose**

The purpose of this report is to detail Council's progress on implementing the 2022-2023 Operational Plan.

#### **Background**

In accordance with the Local Government Integrated Planning and Reporting Framework, Council develops a Four Year Delivery Program and a One Year Operational Plan which details the actions to be undertaken by Council to implement the strategies established in the Community Strategic Plan.

The *Local Government Act 1993* requires that progress is reported to Council with respect to the principal actions detailed in its Operational Plan at least every six months. To better align with the Quarterly Budget Review Process, the Operational Plan progress report is also compiled on a quarterly basis.

#### **Matters under consideration**

Council's 2022-2023 Operational Plan commenced with 122 actions aligned with the four themes of:

- A vibrant, growing and thriving region

- A great place to live
- A community that works to enhance and protect its physical and natural environment
- Is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner.

Each action has been allocated to a Department who is accountable for its progress. The responsible officer is required to assess the status of the action as follows:

Status Option	Definition	Legend
Completed	Action completed for the year	
Progressing	Action underway and is progressing as planned	
Stalled	There is an issue that has delayed progress with this action	
Not due to start	Action not scheduled to start until later in the year	
Deferred	Action will not happen this year	

The Wentworth Shire Council's Quarterly Operational Plan Progress Report (refer attachment 1) the progress for the period July to September 2022 is as follows:

Status Option	Number of Actions
Completed	9
Progressing	102
Stalled	7
Not due to Start	24
Deferred	0

### All Actions



### Strategic Direction

*Our Economy*



### *Our Community*



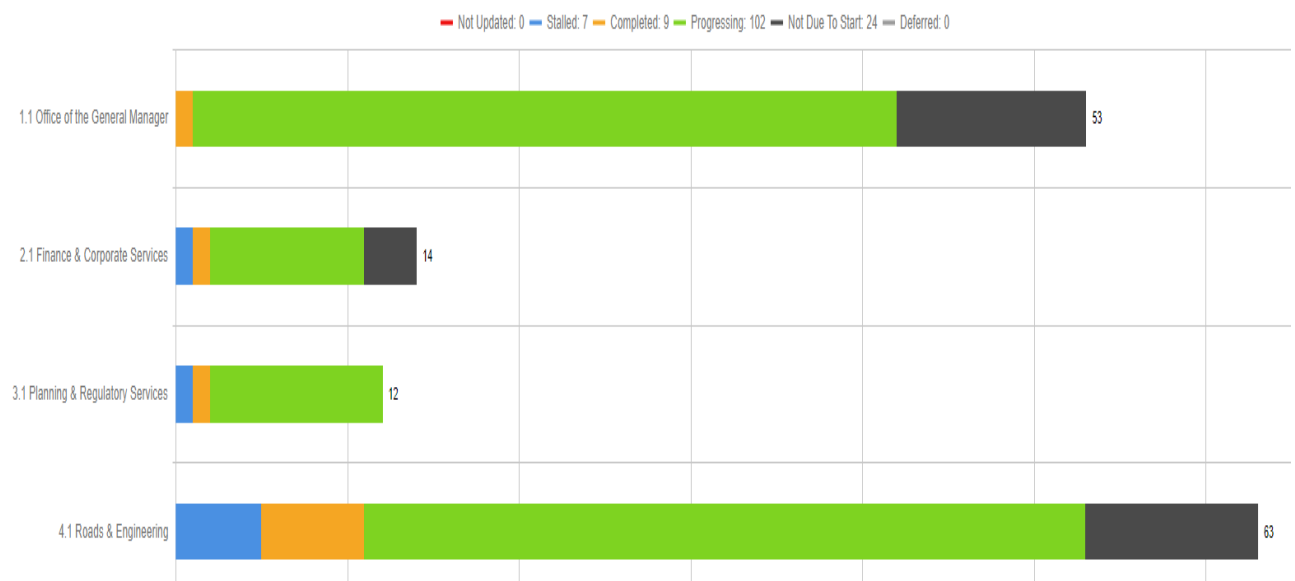
### *Our Environment*



### Our Leadership



### Department



Since the commencement of the new financial year an additional 20 actions have been added taking the total 142 actions. Of these additional actions:

- 18 were still in progress at 30 June 2022 and carried forward from the previous financial year;
  - Corporate Information System Implementation
  - Landfill Maintenance Shed
  - Landfill Land Use and Licence Expansion
  - Woorlong Drive Stormwater
  - Midway Stormwater
  - Gol Gol Cemetery Shed
  - George Gordon Sporting Complex Car Park
  - Wentworth Showgrounds Tower and Shade Structure
  - Old Wentworth Road Upgrade
  - Little Manly Upgrade
  - Trentham Cliffs Water Main Installation
  - Trentham Cliffs Sewer Main Installation
  - Mourquong Filtered Water Main
  - Gol Gol Pumps Station Drainage
  - King Ridge Sewer
  - Wood Street Sewer
  - Buronga Sewer Pump Station No 5
  - Dareton Sewer Pump Station No 2
- 2 are new actions:
  - Coomealla Cemetery Shed Power Upgrade
  - Salary System Review

Legal, strategic, financial or policy implications

The *Local Government Act 1993* requires that progress is reported to Council with respect to the principal actions detailed in its Operational Plan at least every six months. To better align with the Quarterly Budget Review Process, the Operational Plan progress report is also compiled on a quarterly basis.

Conclusion

The Quarterly Operational Plan Progress report details Council's overall progress against all 142 Operational Plan actions for the period July-September 2022.

**Attachments**

1. Operational Plan Progress Report. [↓](#) 



# **WENTWORTH SHIRE COUNCIL**

## **Operational Plan Quarterly Review**





## Strategic Direction: Our Economy

Wentworth Shire is a vibrant, growing and thriving Region.




Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
1.1	Promote the Shire as an ideal location for investment and the establishment of innovative, sustainable and diversified industries.	1.1.1	Advocate for the local businesses on issues which further business and career opportunities for all	Progressing	General Manager	30%		
		1.1.2	Support economic growth and expansion across the Shire through improvement of local infrastructure and the identification of land for commercial and/or industrial use.	Progressing	Director Health & Planning	30%	On track	
1.2	Promote the Wentworth Region as a desirable	1.2.1	Provide Visitor Information Centre Services	Progressing		30%		

Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
	visitor and tourism destination.	1.2.2	PS Ruby	Progressing	General Manager	20%	Initial briefing has been provided by the GM to Council on the future use of the vessel. Currently working on formalising a position for Council to consider.	<span style="color: green;">●</span>
		1.2.3	Contribute to the promotion of tourism in the Wentworth Region through the management of Willowbend Caravan Park	Progressing	General Manager	15%	Park upgrade progressing. Respondents to EOJ for management of the park are being assessed to progress possible contract negotiations.	<span style="color: green;">●</span>

Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
		1.2.4	Continue to engage with and support the activities of Murray Regional Tourism, Destination NSW Riverina-Murray, Mildura Regional Development and Wentworth Regional Tourism Inc.	Progressing		30%		
		1.2.5	Work with FSWJO to complete the Destination Management Plan for the region	Completed		100%		
		1.2.6	Willowbend Caravan Park - Civil Works Redevelopment	Progressing	General Manager	20%	Commenced construction.	
		1.2.7	Willowbend Caravan Park - Ablution Block Upgrade	Progressing	General Manager	10%	Currently in design phase.	

Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
1.3	High quality connectivity across the region.	1.2.8	Finalise development of a Shire Events Manual	Progressing		70%		
		1.2.9	Undertake Economic Recovery Program utilising State Government Funding	Progressing		40%		
		1.3.1	Advocate for the ongoing provision of quality transport and freight links	Progressing	General Manager	30%	GM has met with Sam Faraway to discuss Menindee and Arumpo Rd.	
		1.3.2	Advocate for improved region-wide internet and mobile connectivity	Progressing	General Manager	30%	3 new towers have been announced for Silver City Highway in addition to upgrades to Emergency Services Network.	

WENTWORTH SHIRE COUNCIL							
Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments
1.4	Encourage lifelong learning opportunities.	1.4.1	Undertake a program of activities and services that facilitate learning opportunities at Council's library services	Progressing	Team Leader Library Services	30%	
		1.4.2	Advocate for the development and provision of local education, training and lifelong learning opportunities	Progressing	General Manager	30%	GM has met with staff from the Education Ministers Office.
		1.4.3	Advocate for improved school services across the Wentworth Shire	Progressing	General Manager	30%	As Above.
1.5	Encourage and support initiatives that improve local employment opportunities.	1.5.1	Promote Wentworth Council as an employer of choice including offering apprenticeships and traineeships	Progressing	Manager Human Resources	30%	

WENTWORTH SHIRE COUNCIL								
Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
		1.5.2	Identify opportunities to promote Wentworth as an employer of choice for people with disability and from culturally diverse backgrounds	Not Due To Start	Manager Human Resources	0%		
		1.5.3	Promote the benefits of supporting Social enterprises and business to grow local employment opportunities	Not Due To Start		0%		
		1.5.4	Encourage businesses to employ people of all abilities and different backgrounds	Not Due To Start		0%		

## Strategic Direction: Our Community





Wentworth Shire is a great place to live.

Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
2.1	Continue to create opportunities for inclusion where all people feel welcome and participate in community life.	2.1.1	Acknowledge and celebrate Seniors Week and International Day of People with Disabilities	Not Due To Start		0%		
		2.1.2	Support and empower the community to deliver community initiatives that improve the lives of residents and visitors to the region	Not Due To Start		0%		
		2.1.3	Actively engage with and include the perspectives and knowledge of the local indigenous community	Progressing	General Manager	30%	Council agreed to form a Heritage Committee at the September Council Meeting.	










WENTWORTH SHIRE COUNCIL		Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
2.2				2.1.4	Promote a welcome and inclusive community that strengthens positive attitudes and behaviours towards people of all abilities	Not Due To Start		0%		
				2.1.5	Explore opportunities to promote and celebrate Culturally and Linguistically Diverse events and celebrations	Progressing		10%		
			Work together to solve a range of social and health issues that may impact community	2.2.1	Implement recommendations of the Pedestrian Access Mobility Plan	Progressing	Director Roads & Engineering	30%		






WENTWORTH SHIRE COUNCIL								
Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
	wellbeing and vulnerable people.	2.2.2	Undertake a program of activities and services that facilitate opportunities for vulnerable members of the community at Council's library services	Progressing	Team Leader Library Services	30%		
		2.2.3	Continue to collaborate with Government Agencies and other organisations to support the provision of health services across the Region	Progressing	General Manager	30%	Council has been involved in the development of a Collaborative Care Plan for Region.	
		2.2.4	Advocate for the provision of social services that meet the needs of all our community including families, children, youth, people with disability and the aged	Progressing	General Manager	30%	Ongoing support of the Wentworth Interagency Group.	

Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
		2.2.5	Promote and foster an accessible community that encourages access by people of all abilities	Not Due To Start		0%		
		2.2.6	Work with external agencies to promote the benefit of an active lifestyle	Progressing		30%		
		2.2.7	Review Council facilities to ensure they are accessible to people with disability, including accessible pathways leading to accessible facilities	Not Due To Start	Director Roads & Engineering	0%		
		2.2.8	Advocate for the construction of a PCYC facility in Dareton	Progressing	General Manager	10%	Meeting has been had with NSW Police Commissioner. Council has committed to providing land for the project.	

Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
		2.2.9	Support Dareton Men in a Shed relocation project	Progressing	Governance Officer	30%	On track.	
		2.2.10	Wentworth Extended Day Care	Progressing	Director Roads & Engineering	95%	Due for completion by end of October	
2.3	To have a safe community	2.3.1	Provide Public Health Function	Progressing	Director Health & Planning	30%	On track	
		2.3.2	Companion Animals & Buronga Pound Operations	Progressing	Director Health & Planning	30%	On track.	
		2.3.3	Provide Building Compliance Function	Progressing	Director Health & Planning	30%	On track.	
		2.3.4	In partnership with the RFS undertake hazard reduction works	Not Due To Start	Director Roads & Engineering	0%		
		2.3.5	Continue to engage with the Local Area Command on key community safety issues	Progressing	General Manager	30%	Regular Police Liaison Committee Meetings.	

WENTWORTH SHIRE COUNCIL							
Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments
		2.3.6	Facilitate the Local Emergency Management Committee to ensure a co-ordinated approach by all agencies having responsibilities and functions in emergencies	Progressing	General Manager	30%	
		2.3.7	In partnership with Transport for NSW continue to promote and encourage safe driving behaviours	Stalled	Director Roads & Engineering	20%	
		2.3.8	Identify and resolve where possible road and pedestrian safety issues	Stalled	Director Roads & Engineering	20%	
2.4	A well informed, supported and engaged community	2.4.1	Consistently communicate the role of Council to the community	Not Due To Start		0%	
							
							
							
							

Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
		2.4.2	Provide regular updates of Council's achievements, strategic objectives and actions	Progressing	General Manager	30%	Regular Social Media update and via Council Connects.	
		2.4.3	Communicate funding opportunities available for the community	Progressing	Governance Officer	30%		
		2.4.4	Continue to facilitate Council Connects & Quarterly newsletter	Progressing	Media & Communications Officer	30%		
2.5	To have a strong sense of place.	2.5.1	Maintain and update the amenity of the Shire to meet community expectations for clean and well-presented public spaces and townships	Progressing	Director Roads & Engineering	30%		

Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
		2.5.2	Engage with the community in the design and provision of public art within open space areas	Progressing	General Manager	30%	Discussion have been had with community groups to paint a mural on the wall of the Dareton Pool.	
		2.5.3	Undertake specific public spaces capital works projects - Reserves Upgrades	Progressing	Director Roads & Engineering	10%		
		2.5.4	Undertake specific public spaces capital works projects - Burunga Riverfront Toilet Block	Progressing	Director Roads & Engineering	10%	Currently in design phase	
		2.5.5	Undertake specific public spaces capital works projects - Pooncarie Toilet Block	Progressing	Director Roads & Engineering	10%	Currently in design phase.	
		2.5.6	Undertake specific public spaces capital works projects - Wetlands Standpipe Area	Not Due To Start	Director Roads & Engineering	0%		






WENTWORTH SHIRE COUNCIL								
Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
		2.5.7	Undertake specific public spaces capital works projects - Junction Island Bridge	Progressing	Director Roads & Engineering	30%	Completion is subject to the river returning to normal pool level.	
		2.5.8	Undertake specific public spaces capital works projects - Astronomy Park	Stalled	Director Roads & Engineering	20%	Pending outcome of additional funding application.	



## Strategic Direction: Our Environment

Wentworth is a community that works to enhance and protect its physical and natural environment.




Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
3.1	Ensure our planning decisions and controls ensure the community benefits from development.	3.1.1	Ensure that all Development Applications and planning proposals mitigate the impact of the development on the natural environment.	Progressing	Director Health & Planning	30%	On track.	
		3.1.2	Review and Update Development Control Plan	Progressing	Director Health & Planning	20%	On track. First draft to be completed by end of Feb 2023.	
		3.1.3	Finalise and submit gateway determination for rezoning of Thegoa Lagoon	Completed	Director Health & Planning	100%	Awaiting formal notification of NSW Government Gazettal.	
		3.1.4	Continue to progress Rural Residential Strategy	Progressing	Director Health & Planning	40%	Expecting updated draft by end of January 2023.	








Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
3.2	Ensure that community assets and public infrastructure are well maintained.	3.2.1	Land Tenure Program	Progressing	Property & Land Tenure Officer	30%	On track.	
		3.2.2	Maintain transport network including Roads, Brides & Footpaths	Progressing	Director Roads & Engineering	30%	On Track.	
		3.2.3	Maintain community facilities including halls, ovals, pools and other sporting facilities	Progressing	Director Roads & Engineering	30%	On Track.	
		3.2.4	Prioritise and implement recommendations of Asset Management Plans - Fixing Local Roads - Punt Road	Progressing		90%	Final seedling being laid 1st week of October.	
		3.2.5	Prioritise and implement recommendations of Asset Management Plans - Fixing Local Roads - Fletchers Lake Road	Completed		100%		





Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
		3.2.6	Prioritise and implement recommendations of Asset Management Plans - Fixing Local Roads - Log Bridge Road	Progressing		10%	Project has been delayed due to flooding of the road.	
		3.2.7	Prioritise and implement recommendations of Asset Management Plans - Fixing Local Roads - Bridge Road	Completed		100%		
		3.2.8	Prioritise and implement recommendations of Asset Management Plans - Pooncarie-Menindee Road	Progressing		40%		

Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
		3.2.9	Prioritise and implement recommendations of Asset Management Plans - Wentworth & Dareton Pool Lighting Upgrade	Progressing	Director Roads & Engineering	25%	Contractor has been appointed, currently sourcing materials for an expected end of December completion.	
		3.2.10	Prioritise and implement recommendations of Asset Management Plans - Buronga Wetlands Sharedway	Not Due To Start	Director Roads & Engineering	0%		
		3.2.11	Prioritise and implement recommendations of Asset Management Plans - Pooncarie Telegraph Building	Progressing	Director Roads & Engineering	10%	Contractor has been appointed, currently finalising DA requirements. Due for commencement in January.	

WENTWORTH SHIRE COUNCIL							
Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments
		3.2.12	Prioritise and implement recommendations of Asset Management Plans - Poonaerie Aerodrome Lighting	Progressing	Director Roads & Engineering	30%	
		3.2.13	Prioritise and implement recommendations of Asset Management Plans - Wentworth Showgrounds Female Change Rooms & Running Rail Replacement	Progressing	Director Roads & Engineering	40%	Running rail due to be completed by Mid October. Plans for the Female Jockey room have been completed, documentation currently being prepared for formal quotation.
		3.2.14	Prioritise and implement recommendations of Asset Management Plans - Wentworth EDS	Progressing	Director Roads & Engineering	10%	Due to go out to tender in November.





WENTWORTH SHIRE COUNCIL										
Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights		
		3.2.15	Prioritise and implement recommendations of Asset Management Plans - Wentworth Rowing Club Extension	Progressing	Director Roads & Engineering	20%	Commencement and completion date subject to river level returning to normal pool level.			
		3.2.16	Prioritise and implement recommendations of Asset Management Plans - Poongcarie Race Course	Completed	Director Roads & Engineering	100%				
		3.2.17	Prioritise and implement recommendations of Asset Management Plans - Wentworth Showgrounds Sewer	Progressing	Director Roads & Engineering	85%	Due for completion by end October.			
		3.2.18	Continue to liaise with Crown Land to finalise Plans of Management for Community Land.	Progressing	Property & Land Tenure Officer	60%	Still in discussion with Crown Lands regarding the gazetted use of some reserves.			

WENTWORTH SHIRE COUNCIL		Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
		3.2.19			Gol Gol Cemetery Shed	Progressing	Director Roads & Engineering	80%	Due for completion by the end of November.	
		3.2.20			George Gordon Sporting Complex Car Park	Progressing	Director Roads & Engineering	60%	Due for completion Jan/Feb to align with visit from Sealing contractor.	
		3.2.21			Wentworth Showgrounds Tower and Shade Sail	Completed	Director Roads & Engineering	100%		
		3.2.22			Old Wentworth Road Upgrade	Progressing		65%		
		3.2.24			Coomealla Cemetery Shed Power	Not Due To Start	Director Roads & Engineering	0%		
3.3	Minimise the impact on the natural environment	3.3.1			Undertake actions identified in the Western Weeds Action Plan	Progressing	Director Roads & Engineering	30%		
		3.3.2			Monitor and investigate Illegal Dumping Activities as required	Progressing	Director Health & Planning	30%	On track.	

Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
		3.3.3	Support the activities of the Murray Darling Association	Progressing	General Manager	30%		
		3.3.4	Advocate for the sustainable management of the Darling-Barka River and the Menindee Lakes	Progressing	General Manager	30%		
		3.3.5	Identify opportunities to collaborate with other stakeholders on projects that protect the environment	Not Due To Start	Director Roads & Engineering	0%		
		3.3.6	Flood Plain Management Plan	Stalled	Director Health & Planning	20%	Awaiting the outcome of Department of Planning grant application to assist with finalise of the project. Response expected Dec 2022.	






WENTWORTH  
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Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
3.4	Use and manage our resources wisely.	3.4.1	Provide best practice water, waste water and stormwater management infrastructure	Progressing	Director Roads & Engineering	30%		
		3.4.2	Collaborate with partners and the community to support innovative approaches to waste minimisation and increased reuse and recycling opportunities	Progressing	Director Roads & Engineering	20%		
		3.4.3	Encourage businesses and the community to be socially and environmentally responsible	Not Due To Start		0%		
		3.4.4	Progress Buronga Landfill Expansion	Progressing	Director Roads & Engineering	0%		
		3.4.5	Review public place bins and revise service levels as required	Not Due To Start	Director Roads & Engineering	0%		

Objective Code		Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
			3.4.6	Finalise Integrated Water Cycle Management Plan	Progressing	Director Roads & Engineering	85%		
			3.4.7	Buronga Landfill Machinery Shed	Stalled	Team Leader Landfill Operations	20%		
			3.4.8	Buronga Landfill Land Use & Licence Upgrade	Progressing	Director Finance & Policy	70%	Additional information supplied to Department of Planning on 5 September.	
			3.4.9	Trentham Cliffs Water Installation	Progressing	Director Roads & Engineering	90%		
			3.4.10	Mourquong Filtered Water Main	Progressing	Director Roads & Engineering	80%	Finalising creation of easements.	
			3.4.11	Gol Gol Pump Station	Completed	Director Roads & Engineering	100%		
			3.4.12	Kingridge Sewer	Completed	Director Roads & Engineering	100%		
			3.4.13	Wood Street Sewer	Stalled	Director Roads & Engineering	0%		
			3.4.14	Sewer Pump Station # 5	Progressing	Director Roads & Engineering	15%		

Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
		3.4.15	Dareton Sewer Pump Station # 2	Progressing	Director Roads & Engineering	10%	Awaiting delivery of Electrical switchboard. Contractor has been working on the Showgrounds sewer and Trentham Cliffs sewer projects.	
		3.4.16	Trentham Cliffs Sewer Installation	Progressing	Director Roads & Engineering	70%		
3.2	Ensure that community assets and public infrastructure are well maintained.	3.4.23	Fixing Local Roads - Little Manly Road	Progressing		85%	Final sealing being laid first week in October.	
3.5	Infrastructure meets the needs of our growing Shire.	3.5.1	Continue to explore funding opportunities for the delivery of key projects	Progressing	Governance Officer	30%		
		3.5.2	Continue to lobby all levels of government to support the provision of essential infrastructure for the Region	Progressing	General Manager	30%		

WENTWORTH SHIRE COUNCIL		Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
		3.5.3	Plan for appropriate infrastructure and services that support current and future needs	Progressing	Director Roads & Engineering	30%				
		3.5.4	Finalise Civic Centre Redevelopment	Progressing	General Manager	10%			Received tenders currently being assessed for a discussion at a workshop with Councillors in October.	
		3.5.5	Progress actions from the Buronga/Gol Gol Structure Plan - Pink Lake Stormwater	Progressing	Director Roads & Engineering	10%			Still in design phase, awaiting confirmation on geotechnical data and land tenure requirements.	
		3.5.6	Progress actions from the Buronga/Gol Gol Structure Plan - Crane Drive Stormwater	Not Due To Start	Director Roads & Engineering	0%				




Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
		3.5.7	Progress actions from the Buronga/Gol Gol Structure Plan - Wilson Drainage Reserve	Not Due To Start	Director Roads & Engineering	0%		
		3.5.8	Progress actions from the Buronga/Gol Gol Structure Plan - Kingfisher Road Stormwater & Sewer Pump Station	Progressing	Director Roads & Engineering	10%	Currently in design phase.	
		3.5.9	Progress actions from the Buronga/Gol Gol Structure Plan - Corbett Avenue Sewer Pump Station	Not Due To Start	Director Roads & Engineering	0%		
		3.5.10	Progress actions from the Buronga/Gol Gol Structure Plan - King Ridge Landscaping	Not Due To Start	Director Roads & Engineering	0%		

WENTWORTH SHIRE COUNCIL								
Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
		3.5.11	Undertake a review of current and future sporting needs within the Shire	Progressing	Director Roads & Engineering	20%		
		3.5.12	Woorlong Drive Stormwater	Progressing	Director Roads & Engineering	85%	Due for completion by the end of October.	
		3.5.13	Midway Stormwater Upgrade	Progressing	Director Roads & Engineering	80%	Due for completion at the end of November.	

## Strategic Direction: Our Leadership

Wentworth Shire is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner.






Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
4.1	Consistently engage and consult the whole community to ensure feedback is captured and considered as part of decision making and advocating processes.	4.1.1	Undertake community engagement activities and provide opportunities for participation in decision making where appropriate, in-line with Council's adopted Community Engagement Strategy	Progressing	General Manager	30%		
		4.1.2	Undertake audit of Council's websites to ensure compliance with Website Accessibility Guidelines	Not Due To Start	Manager Technology Services	0%		

WENTWORTH SHIRE COUNCIL								
Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
		4.1.3	Implement actions outlined in the Disability Inclusion Action Plan	Progressing	Director Finance & Policy	30%	On track.	
4.2	A strong, responsible and representative government.	4.2.1	Ensure that Council is accountable to the community, meets legislative requirements and supports the Councilors to undertake their civic responsibilities	Progressing	General Manager	30%		
		4.2.2	Support Councilors to undertake ongoing professional development	Progressing	General Manager	30%		
4.3	An effective and efficient organisation.	4.3.1	Review services on a regular basis to ensure they are providing value for money and are relevant in meeting the changing needs of the community	Progressing	Director Finance & Policy	10%	Initial internal risk assessment review has been undertaken to determine priority order for service reviews to undertaken.	





WENTWORTH  
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Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
		4.3.2	Staff are supported to deliver high quality services to the community	Progressing	General Manager	30%		
		4.3.3	Ensure the organisation is well led and managed through the implementation of Good Governance, Risk Management and Compliance Frameworks	Progressing	Director Finance & Policy	30%	On track.	
		4.3.4	Undertake regular surveys to assess community satisfaction with Council service delivery	Not Due To Start	Director Finance & Policy	0%		
		4.3.5	Review Information Technology Strategic Plan and implement actions accordingly	Not Due To Start	Manager Technology Services	0%		

Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
		4.3.6	Integrated Corporate Management System	Stalled	Manager Technology Services	50%	COVID delays and resourcing issues has seen this project delayed on a couple of occasions.	
4.4	Provide strong leadership and work in partnership to strategically plan for the future.	4.4.1	Continue to support the work of the Wentworth Interagency Group	Progressing	General Manager	30%		
		4.4.2	Foster strong partnerships with all levels of government, peak bodies, agencies and the community	Progressing	General Manager	30%	Regular meetings with external agencies, Government departments and Ministers	
		4.4.3	Annual Financial Assistance Program	Progressing	Media & Communications Officer	30%	On track.	
		4.4.4	Undertake a review of the Annual Financial Assistance Program	Completed	Media & Communications Officer	100%		

WENTWORTH SHIRE COUNCIL								
Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
4.5	Adopt practices of prudent asset, financial and human resource management across Council to ensure long-term sustainability and efficiency.	4.5.1	Maintain a strong financial position that supports the delivery of services and strategies and ensures long term financial sustainability	Progressing	Project Engineer	30%		
		4.5.2	Provide accurate and timely financial reports, monthly, quarterly and annually	Progressing	Project Engineer	30%		
		4.5.3	Be the best employer that we can be by attracting, developing and retaining skilled staff to ensure a capable and effective workforce	Progressing	Manager Human Resources	30%		

WENTWORTH SHIRE COUNCIL								
Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights
		4.5.4	Implement sound asset management practices to ensure adequate provision is made for the maintenance and long-term replacement of Council's infrastructure assets	Progressing	Director Roads & Engineering	30%		
		4.5.5	Implement actions outlined in the Workforce Management Plan - Review flexible working practices	Progressing	Manager Human Resources	10%		
		4.5.6	Implement actions outlined in the Workforce Management Plan - Formulate a learning and development framework	Progressing	Manager Human Resources	10%		

WENTWORTH SHIRE COUNCIL									
Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Progress	Comments	Traffic Lights	
		4.5.7	Implement actions outlined in the Workforce Management Plan - Develop succession/transition plan	Progressing	Manager Human Resources	10%			
		4.5.8	Implement actions outlined in the Workforce Management Plan - Health and Well Being Strategy	Not Due To Start	Manager Human Resources	0%			
		4.5.9	Implement actions outlined in the Workforce Management Plan - Salary System Review	Progressing	Manager Human Resources	50%			

## 9.7 AF003 REQUESTS FOR FINANCIAL ASSISTANCE

File Number: RPT/22/668

Responsible Officer: Simon Rule - Director Finance and Policy  
 Responsible Division: Finance and Policy  
 Reporting Officer: Annette Fraser - Team Leader Customer Service

Objective: 2.0 Wentworth Shire is a great place to live  
 Strategy: 2.4 A well informed, supported and engaged community

### Summary

Council has provided an allocation of \$160,000.00 for the 2022/23 financial year for consideration by Council, for the funding of requests from the community for financial assistance. In this financial year, \$104,320.00 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 under delegated authority so far this financial year is \$1646.00 and the total value of requests granted in full 27,040.11, totaling \$28,686.11, leaving a balance in the financial assistance program of \$26,993.89.

<b>Financial Assistance Program starting balance 2022/23</b>	<b>\$160,000.00</b>
Annual fees & charges annual exemptions granted	\$104,320.00
Granted under delegated authority to August 2022	\$ 739.00
Value of approved requests August 2022 Council Meeting	\$ 27,040.11
Granted under delegated authority to 31/10/2022	\$ 907.00
Available balance as at 31/10/2022	<b>\$ 26,993.89</b>
Request applications received 1 August – 31 October 2022	\$ 16,271.20
Remaining balance if all approved	<b>\$ 10,722.69</b>

### 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 Financial Assistance 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 Financial Assistance Policy (AF003) and has provided a funding allocation of \$160,000.00 for the 2022/23 financial year.

### Report Detail

In this current application period, there have been five (5) requests for assistance received from community organisations. The total value of the requests under consideration is \$16,271.20

A review of the applications has determined that the applications meet the program guidelines.

The Financial Assistance Policy (AF003) allows for requests for fee waivers up to the value of \$2,000 to be determined under delegated authority by either the Director Finance & Policy or the General Manager. During this application period the following (5) requests totalling \$907.00 have been approved under delegated authority:

- \$ 50.00 – Pooncarie School P & C – 2 x rubbish bins
- \$ 50.00 – Rotary Club of Wentworth – hire fee Junction Park Wentworth
- \$500.00 – Creating Chances – hire fee Andy Murdoch Oval Dareton
- \$257.00 – Darling Junction CWA – annual license fee Memorial Room Wentworth
- \$ 50.00 – Anglican Parish of Wentworth – hire fee Anabranh Hall

### Additional information

Rotary Club of Wentworth - proposed tourism sign location being Popiltah Rest Area is not located within the Wentworth Local Government area. It is located in the Unincorporated Far West Region of NSW and is not part of any local government area.

Wentworth District Meals on Wheels – this is the first application received from this organisation.

### Options

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

- (a) Granting the full value of all requests for a total of \$16,271.20; or
- (b) consider partially funding some applications.



### Legal, strategic, financial or policy implications

If the requested total of \$16,271.20 is approved this would leave a balance of \$10,722.69 left for the remaining financial year.

### Conclusion

Council has received requests for financial assistance under this round of the program to the value of \$16,271.20. Council Officers under delegated authority has also approved \$907.00 worth of fee waivers.

### Attachments

1. Financial Assistance Applications (Under Seperate Cover) 
2. Financial Assistance Applications List 

FINANCIAL ASSISTANCE APPLICATIONS - NOVEMBER 2022				
Organisation/Recipient	Type of Request	\$ Value	\$ Amounts granted in 2021/22	Details of Request
Rotary Club of Wentworth	Grant	\$ 5,000.00	\$50.00	To sign & erect tourism sign at Popiltah Rest Stop to promote our region
Wentworth Regional Tourism Inc	Grant	\$ 2,419.20	0	Seeking contribution towards promoting Wentworth Shire & Darling Outback Region at the 2022 Bendigo Caravan & Camping Leisurefest
Wentworth Sporting Complex Golf Club	Grant	\$ 2,852.00	0	Replacement of faulty / broken irrigation sprays
Palinyewah Public School P & C	Grant	\$ 1,000.00	0	Seeking funding towards end of year presentation evening
Wentworth District Meals on Wheels	Grant	\$ 5,000.00	0	Seeking funding to support elderly & vulnerable members of the local community



## 9.8 DA2022/102 DWELLING WITH GARAGE AND STORAGE SHED POONCARIE ROAD LOT 8 DP 1270097 WENTWORTH

File Number: RPT/22/677

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: Kerrie Copley - Planning Officer

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

Strategy: 3.1 Ensure our planning decisions and controls enable the community to benefit from development

### **Summary**

A development application (DA2022/102) was received by Council for a new dwelling with garage and storage shed to be located at Pooncarie Road Lot 8 DP 1270097 Wentworth in close proximity to the river.

The location of the proposed development is a linear distance of 21.75m from the high bank. Under the Wentworth Local Environmental Plan 2011 (WLEP 2011), the required river setback is 30 from the high bank.

The applicant is seeking a variation of 27% to the 30m setback. As this variation is greater than 10%, the application cannot be determined under delegated authority, and must be determined by Council.

### **Recommendation**

That Council:

1. Approve DA2022/102 being a dwelling with garage and storage shed located at Pooncarie Road Lot 8 DP 1270097 Wentworth.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

### **Detailed Report**

#### **Purpose**

The purpose of this report is to provide information to Council to determine Development Application DA2022/102, having consideration to the detail provided both within this report and the attachments provided.

#### **Background**

A Development Application was lodged with Council on 19 September 2022 seeking consent to construct a dwelling with garage and storage shed on the subject Lot.

The subject lot is located in the R5 Large Lot Residential zone under the Wentworth Local Environmental Plan (WLEP 2011). The proposal seeks to construct a dwelling 21.75m from the high bank of the river. Under Clause 7.6 of the WLEP 2011, dwellings are not permitted within the river front area.

The definition of river front within the WLEP 2011 is as follows:

“river front area means the land between the river front building line and the highest bank of the Murray River or, if there is no river front building line, the land within 30 metres of the highest bank of the River.”

The definition of the Murray River in the WLEP2011 is as follows:

“Murray River includes the Darling River and the Great Darling Anabranh.”

Based on the definition of river front above, the proposed dwelling with garage did not meet the river front setback standard.

Where an application cannot achieve the development standards required by a Local Environmental Plan, the applicant may apply to vary the development standards.

An application to vary a development standard is made under clause 4.6 of the WLEP 2011.

Such applications are also subject to Assumed Concurrence provisions set down by the NSW Planning Secretary.

There are specific development standards where Council cannot assume Secretary's concurrence, however the Standard pertaining to riverfront setbacks can be assessed under assumed concurrence.

The NSW Planning Circular PS 20-002 'Variations to Development Standards' states: "the Secretary's concurrence may not be assumed by a delegate of Council if the development contravenes a numerical standard by greater than 10%"

The WLEP2011 provides a 30m riverfront setback. The application proposes a setback of 21.75m thus creating a variation of 27%. As this is greater than 10% this application cannot be determined under delegated authority and is presented to Council for consideration.

Refer to attachment 1 – Development Application

Refer to attachment 2 – 4.6 Variation request

Refer to attachment 3 - Plans

#### Matters under consideration

In determining a development application that requires consent, the consent authority must take into consideration matters prescribed in Section 4.15 of the Environmental Planning and Assessment Act 1979 as relevant to the development.

The proposed development was assessed against and met the relevant principles of Chapter 5 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021.

The proposed development for dwelling with garage and storage shed is permitted with consent and meets the zone objectives of the R5 Large Lot Residential zone under the WLEP 2011.

The dwelling with garage and storage shed does not meet the setback standard under clauses 7.6, and the Clause 4.6 variation request provided by the applicant provided adequate justification for the contravening of development standards contained in Clause 7.6.

Due to the WLEP 2011 mapping impacting the land, the development application was assessed against clauses 5.21, 7.1, 7.2, 7.4, 7.5 and 7.7 and 7.9. The development application satisfied the matters of consideration of Clause 7.9(b), as the proposed dwelling is 30m from the low bank of the river.

Due to the nature of the proposed development, it was assessed against Chapter 4 of the Wentworth Development Control Plan (DCP) 2011. The proposed development met all relevant provisions of the Wentworth Development Control Plan (DCP) 2011.

Based on the assessment of the application and no submissions received as part of the notification process, it is determined that the proposed development is consistent with the relevant objectives of the R5 Large Lot Residential Zone and with planning matters for consideration of the Wentworth Local Environmental Plan 2011. The proposal met relevant provisions of the Wentworth Development Control Plan (DCP) 2011.

Refer to attachment 4 – 4.15 Assessment report

Refer to attachment 5 – 4.6 Assessment report

Refer to attachment 6 – Conditions of consent

### Options

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

Approve Development Application 2022/102 subject to conditions

### Legal, strategic, financial or policy implications










Should Council issue a determination to the application, the applicant has the right to submit a request for review of determination to Council under Section 8.2 of the *Environmental Planning & Assessment Act 1987*.

The applicant also has the right to appeal the decision made by Council to the Land and Environment Court pursuant to Section 8.7 of the *Environmental Planning & Assessment Act 1987*.

### Conclusion

Having consideration of the consent of this report it is concluded that the appropriate course of action is to approve DA2022/102 subject to conditions.

### Attachments

1. Development Application (Under Seperate Cover) 
2. 4.6 Variation Request  
3. Plans (Under Seperate Cover) 
4. 4.15 Assessment Report  
5. 4.6 Variation Assessment (Under Seperate Cover) 
6. Conditions of Consent  

# **DEVELOPMENT OF A DWELLING**

## **STATEMENT OF ENVIRONMENTAL EFFECTS**

**LOT 8 DP1270097  
183 Pooncarie Road  
WENTWORTH 2648**

**Prepared for:  
Ultimate Building Solutions**

**Prepared by:  
Matthew Jackson  
Principal Planner, Hatch Planning**



**Hatch Planning Pty Ltd**

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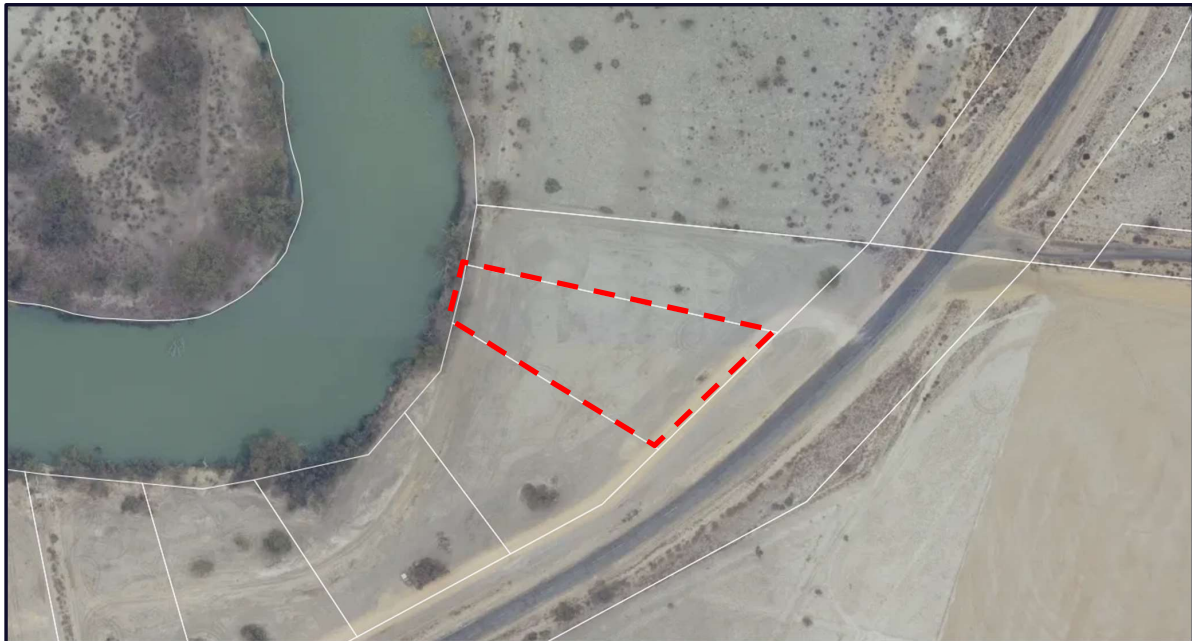
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## 1. Introduction

This statement of environment effects has been prepared in support of a development application for a dwelling at the site known as Lot 8 DP1270097.

Figure 1 shows the subject land in relation to the surrounding landscape.



*Figure 1: Subject site and immediate surrounds (17 January 2020). Source: Metromap.*

This report provides details of the site and its environs, the proposal, relevant controls and an assessment against the relevant provisions of the Wentworth Local Environment Plan 2011.



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## 2. Subject site and surrounding area

### 2.1 Site and area

The subject site, Lot 8 DP 1270097, is a 5,055m<sup>2</sup> allotment located approximately 3.2km north-east of the township of Wentworth. The subject land is irregular in shape and is currently vacant; save for an existing loam pad located in the middle of the site. The northern boundary of the site directly abuts the Darling River, with small portions of existing native vegetation between the water line and the existing loam pad. Access is currently provided from a carriageway easement which connects to Pooncarie Road to the south.

The surrounding area generally comprises similar sized large-lot residential allotments, with a number of the parcels already containing existing dwellings and associated structures.

The subject site appears to have access to reticulated electricity, telecommunications, water and effluent is managed onsite with a septic system.



*Figure 2: Subject site*



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Figure 3: Location of dwelling



Figure 4: Proximity to Darling River



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Figure 5: Carriageway

## 2.2 The proposal

The subject land is owned by Craig and Wendy Davison with the land currently vacant. This proposal seeks approval of a dwelling.

The key aspects of the proposal include:

- 240m<sup>2</sup> Single story dwelling containing:
  - Three (3) bedrooms
  - Open plan kitchen/dining/family area
  - Connected garage
  - Outdoor/alfresco area
- Outbuilding
  - Length: 16 metres
  - Width: 12 metres
  - Height: 4 metres

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- Three roller doors and PA located on northern elevation

Pursuant to the provisions of the Wentworth Local Environment Plan 2011, a Development Consent is required for the development of an outbuilding on the subject land as proposed.

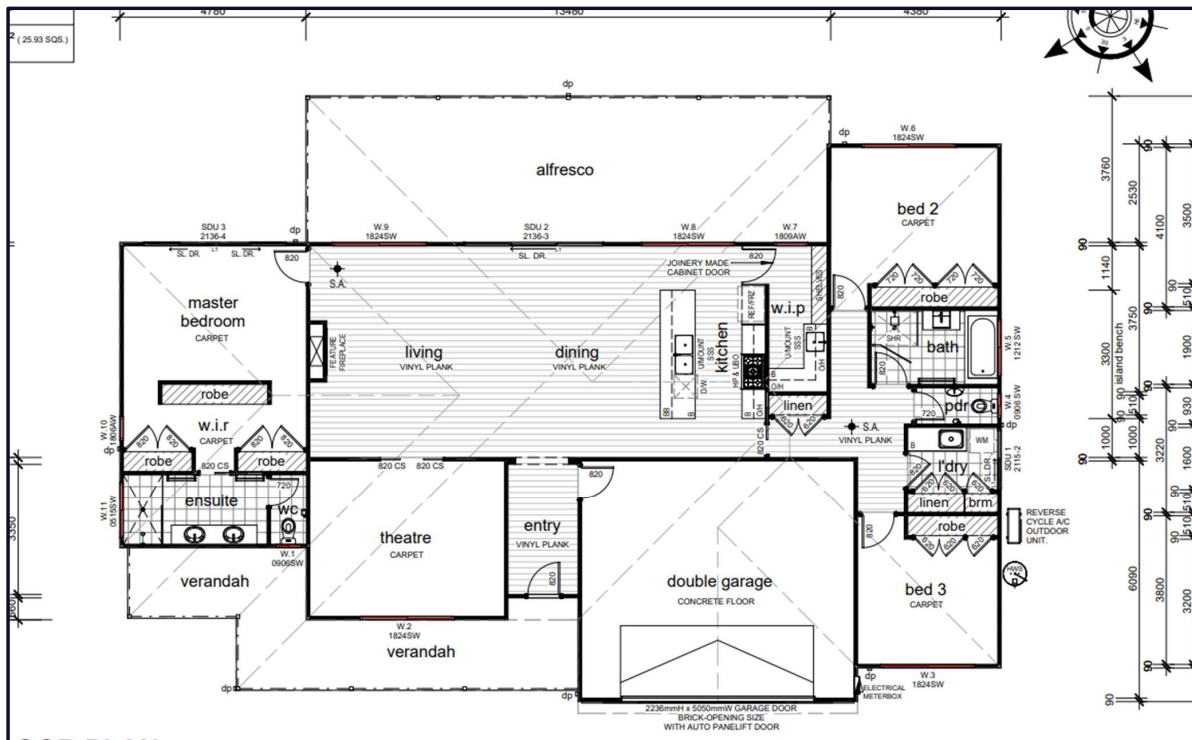


Figure 6: Proposed dwelling

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### 3. Planning controls

#### 3.1 Wentworth Local Environmental Plan 2011 (LEP) and Wentworth Shire Development Control Plan 2011

The Subject site is within the R5 – Large Lot Residential

The objectives of the zone are:

- *To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To restrict the construction of new residential and other sensitive uses in flood prone areas.*

#### Discussion

This application proposes a dwelling to be appropriately located with generous setbacks from all boundaries; thus generally meeting the objectives of the zone.

#### Relationship of clause 7.6 and 7.9 WLEP 2011

##### Clause 7.6

The objective of Clause 7.6 of the WLEP2011 is to protect and improve the river, bed, banks and its corridors as well as natural habitat.

The subject land is defined as a riverfront parcel; therefore, it is burdened by the definition provided by the WLEP2011 which states:

*‘river front area means the land between the river front building line and the highest bank of the... River or, if there is no river front building line, the land within 30 metres of the highest bank of the River’.*

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*'River front building line means the line shown as the river front building line on the River Front Building Line Map'*

Per the Flood Planning Area Map which applies to the Wentworth area including Riverton, no River Front Building Line exists – see image 1 below:

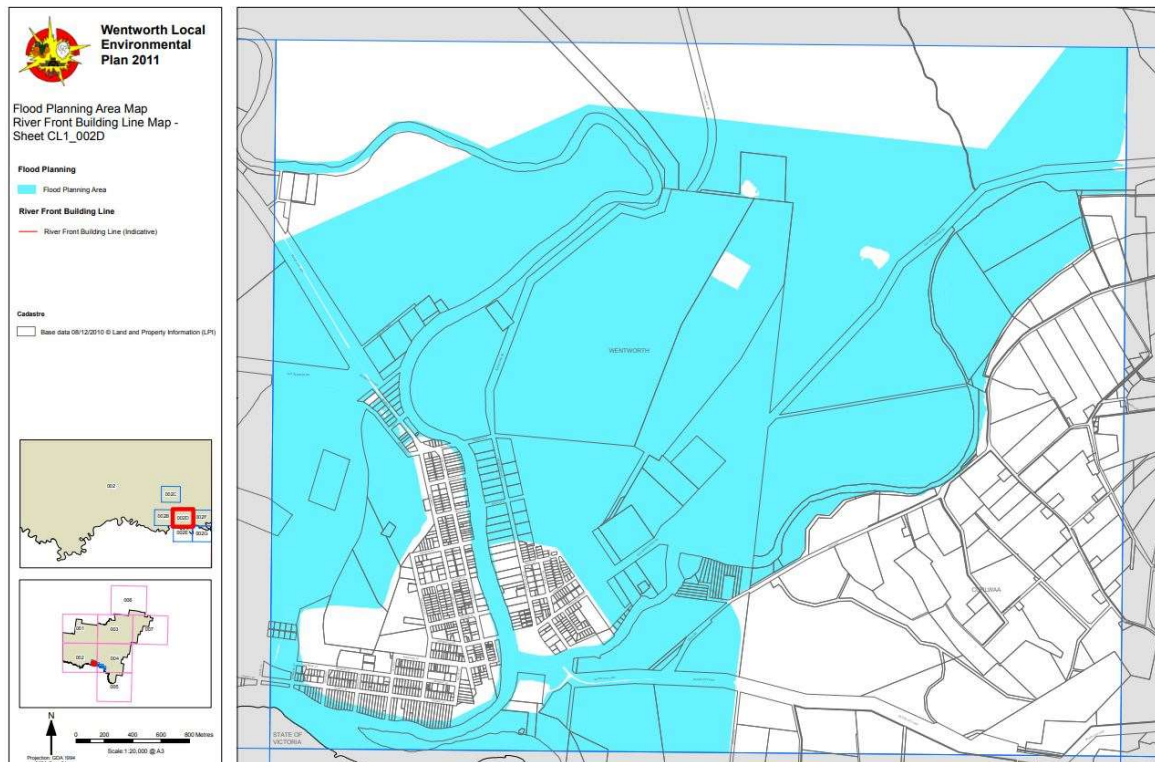


Figure 7: Flood Planning Area Map. Source: WSC LEP 2011

**Clause 7.9**

Clause 7.9(1)(c); relating to Riverton, states the erection of a dwelling must not be within 30 metres of any bank of a river.

The use of the word 'any' in this clause may cause confusion and perceived conflict with Clause 4.6 as it can be viewed as proffering a choice to the proponent. However, this is a matter of the correct and appropriate interpretation and application of the legal provisions created by this instrument.

To ensure this variation application achieves the objectives of both clause 7.6, 7.9 and the overall intent of the WLEP 2011, the legal interpretation must be examined.

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## STANDARD TO BE VARIED

### The Environmental Planning Instrument that applies to the land?

The Wentworth Local Environmental Plan 2011

### Development Standard to be Varied

The 30-metre setback from the high bank of the Darling River

### Is the standard to be varied a development standard?

Yes, this standard is considered to be a development standard in accordance with the definition contained in section 1.4 of the Environmental Planning and Assessment Act 1979; and not a prohibition.

### What are the objectives of the development standard?

- (a) to support natural riverine processes, including the migration of the Murray River's channels,
- (b) to protect and improve the bed and bank stability of the Murray River,
- (c) to maintain and improve the water quality of the Murray River,
- (d) to protect the amenity, scenic landscape values and cultural heritage of the Murray River and to protect public access to its riverine corridors,
- (e) to conserve and protect the riverine corridors of the Murray River, including wildlife habitat.

*Note: In the WLEP2011, a reference to the Murray River also includes the Darling River.*

### What is the proposed numeric value of the development you are proposing?

It is proposed the erection of this dwelling and ancillary structures, will be 21.8 metres from the high bank of the river (encroachment of 8.2 metres). This represents a variation of 27 %.



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## PRINCIPLES OF EXCEPTIONS TO DEVELOPMENT STANDARDS

### Clause 4.6 Exceptions to Development Standards

Clause 4.6 provides flexibility to vary the development standards specified within the Standard Instrument where it can be demonstrated that the development standard is unreasonable or unnecessary in the circumstances of the case, and where there are sufficient environmental grounds to justify the departure.

Clause 4.6 states the following:

“(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

“(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and

(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

(4) Development consent must not be granted for development that contravenes a development standard unless—

(a) the consent authority is satisfied that—

(i) the applicant’s written request has adequately addressed the matters required to be demonstrated by subclause (3), and

(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and

(b) the concurrence of the Planning Secretary has been obtained.

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The requirement for consideration and justification of a Clause 4.6 variation necessitates an assessment of a number of criteria. It is recognised that it is not merely sufficient to demonstrate a minimisation of environmental harm to justify a Clause 4.6 variation, although in the circumstance of this case, the absence of any environmental impact is of considerable merit.

Accordingly, justification is set out in following assessment for the departure from the 30-metre setback control applicable under the WLEP2011. The purpose of the information provided is to demonstrate that strict compliance with this development standard is unreasonable or unnecessary in the circumstances of this particular case. It also demonstrates that there are sufficient environmental planning grounds for the departure from the 30-metre high bank setback as specified in the WLEP2011.

### **JUSTIFICATION FOR VARIATION**

The 'Riverton' subdivision was the result of a site-specific planning proposal that was referred to several government agencies including:

1. NSW Aboriginal Lands Council
2. Lower Darling Catchment Management Authority
3. Office of Environment and heritage
4. NSW Department of Primary Industries - Agriculture
5. NSW Department of Primary Industries – Fishing and Aquaculture
6. NSW Department of Primary Industries – Minerals and Petroleum
7. NSW Department of Primary Industries – Catchment and Lands
8. NSW Rural Fire Service
9. NSW Office of Water
10. Transport for NSW
11. Transport for NSW Roads and Maritime Services
12. State Emergency Services

Essentially clause 7.9 was created using clause 4.6 to vary/amend clause 7.6 and further to this, Parliamentary Counsel drafted the amendment clauses.

This section addresses clause 4.6 (2), (3) and (4) and seeks to justify the departure of the development standards provided in 7.6, 7.9 and the 30-metre setback clause of a river front area so defined in the Dictionary using the 5-part test as stipulated in "Varying Development Standards: A Guide" published by the Department of Planning and Infrastructure (August 2011).

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**The Five Part Test**

The Court has held that there are at least five different ways, and possibly more, through which an applicant might establish that compliance with a development standard is unreasonable or unnecessary (see *Wehbe v Pittwater Council* [2007] NSWLEC 827).

The five ways of establishing that compliance is unreasonable or unnecessary are:

1. The objectives of the development standard are achieved notwithstanding non-compliance with the standard;
2. The underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary;
3. The objective would be defeated, thwarted or undermined (*Linfield Developments Pty Ltd v Cumberland Council* [2019] NSWLEC 131 at [24]) if compliance was required with the consequence that compliance is unreasonable;
4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence the standard is unreasonable and unnecessary; and
5. The zoning of the land is unreasonable or inappropriate

It is sufficient to demonstrate only one of these ways to satisfy clause 7.6, 7.9 and the definition per *Wehbe v Pittwater Council* [2007] NSWLEC 827, *Initial Action Pty Limited v Woollahra Municipal Council* [2018] NSWLEC 118 at [22] and *RebelMH Neutral Bay Pty Limited v North Sydney Council* [2019] NSWCA 130 at [28]) and *SJD DB2 Pty Ltd v Woollahra Municipal Council* [2020] NSWLEC 1112 at [31].

**TEST 1: The objectives of the development standard are achieved notwithstanding non-compliance with the standard**

The following table considers whether the objectives of the development standard are achieved notwithstanding the proposed variation (Test 1 under *Wehbe*).

**Table 1: Achievement of Objectives of Clause of WLEP2011**

Objective	Discussion/Comment
(a) to support natural riverine processes, including the migration of the Murray River's channels,	The subject site is located north of Wentworth on the Poencarie Road. The variation to the standard is solely related



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	erecting a dwelling closer to the river while maintaining a relevant riverfront buffer that will achieve this standard.
<b>(b) to protect and improve the bed and bank stability of the Murray River,</b>	There is no work proposed in this application that will affect the bed and bank stability of the river.
<b>(c) to maintain and improve the water quality of the Murray River,</b>	There is no work or land uses proposed in this application that will impact on the quality of the water in the river.
<b>(d) to protect the amenity, scenic landscape values and cultural heritage of the Murray River and to protect public access to its riverine corridors</b>	<p>i) This R5 land was subject to a recent rezoning process that was granted Ministerial consent for large lot residential development. During the public exhibition and consultation phase, no concern was raised from the public or any agency with regard to the landscape values of the riverine corridor</p> <p>ii) Historically, this land was a farm known as Riverton and has always been privately owned, therefore, the issue of protecting public access to the river is moot.</p>
<b>(e) to conserve and protect the riverine corridors of the Murray River, including wildlife habitat.</b>	The Darling river in this portion is not observed to have a riverine corridor due to the historical use of the land for agricultural purposes. As such, any development inside the 30-metre setback from the high bank will still maintain level of protection for any natural assets that exist.

In this case, it is demonstrated below that Test 1 has been satisfied.

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**TEST 2: The underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary**

The underlying objective or purpose is relevant to the development and therefore this test is not relied upon.

**TEST 3: The objective would be defeated, thwarted or undermined if compliance was required with the consequence that compliance is unreasonable**

The underlying objective or purpose is relevant to the development and therefore this test is not relied upon.

**TEST 4: The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence the standard is unreasonable and unnecessary**

The standard has not been abandoned by Council actions in this case and so this reason is not relied upon.

**TEST 5: The zoning of the land is unreasonable or inappropriate**

The zoning of the land is reasonable and appropriate and therefore this test is not relied upon.

**SUFFICIENT ENVIRONMENTAL PLANNING GROUNDS**

In *Initial Action Pty Ltd v Woollahra Council* [2018] NSWLEC 118, Preston CJ observed that in order for there to be 'sufficient' environmental planning grounds to justify a written request under clause 4.6 to contravene a development standard, the focus must be on the aspect or element of the development that contravenes the development standard, not on the development as a whole.

In *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 90, Pain J observed that it is within the discretion of the consent authority to consider whether the environmental planning grounds relied on are particular to the circumstances of the proposed development on the particular site.

**PUBLIC INTEREST**

In this section it is explained how the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

It has demonstrated that the proposed development overall achieves the objectives of the development standard notwithstanding the variation of the development standard.

The table below considers whether the proposal is also consistent with the objectives of the zone

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**Table 2: Consistency with Zone Objectives**

Objective	Discussion/Comment
(a) To provide for a range of land uses, services and facilities that are associated with a rural village.,	<p>The proposal includes the erection of a dwelling and other ancillary structure on the land.</p> <p>This variation does not affect consistency with this objective.</p>
(b) To promote development in existing towns and villages in a manner that is compatible with their urban function.	<p>The purpose the rezoning of this land was to provide a alternative land use to the people of the Wentworth Shire and will only further support the local economy.</p> <p>This variation does not affect consistency with this objective.</p>
(c) To encourage well-serviced sustainable development.	<p>All provisions of the Environmental Planning and Assessment Act will be followed and assessed by Council to ensure that this lot and others are well serviced as far the capacity exists to do so.</p> <p>This variation does not affect consistency with this objective.</p>
(d) To deliver new residential and employment growth in Buronga and Gol Gol.	<p>As this is a recent rezoning of land in the township of Wentworth, the descriptor for R5 large lot development has not been updated to include other localities.</p> <p>This variation does not affect consistency with this objective.</p>
(e) To ensure business and retail land uses are grouped within and around existing activity centres.	<p>There is no restriction on landowners using their land for retail or business use</p>

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	<p><b>provided they are subject to the relevant approval of the Wentworth Shire Council.</b></p> <p><b>This variation does not affect consistency with this objective.</b></p>
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**STATE OR REGIONAL ENVIRONMENTAL PLANNING**

This section considers whether contravention of the development standard raises any matter of significance for State or regional environmental planning, the public benefit of maintaining the development standard, and any other matters required to be taken into consideration by the Secretary before granting concurrence required by clause 4.6(5).

There is no identified outcome which would be prejudicial to planning matters of state or regional significance that would result as a consequence of varying the development standard as proposed by this application.

As demonstrated already, the proposal is consistent with the objectives of the zone and the objectives of the development standard and in our opinion, there are no additional matters which would indicate there is any public benefit of maintaining the development standard in the circumstances of this application.

Finally, we are not aware of any other matters required to be taken into consideration by the Secretary before granting concurrence.

The Secretary (of Department of Planning and Environment) can be assumed to have concurred to the variation. This is because of Department of Planning Circular PS 18–003 ‘Variations to development standards’, dated 21 February 2018. This circular is a notice under 64(1) of the Environmental Planning and Assessment Regulation 2021.

A consent granted by a consent authority that has assumed concurrence is as valid and effective as if concurrence had been given.

The circular provides for assumed concurrence.

The Secretary can be assumed to have given concurrence to the variation, provided that the determination is not made by a delegate of the Council. (It should be noted that a panel and the Court are not delegates of the Council.

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**STATEMENT OF ENVIRONMENTAL EFFECTS****Visual Impacts**

Due to the scale and location of the dwelling, visual impacts are not considered applicable.

**Open Space**

Not applicable for this application

**Overshadowing and Privacy**

Not applicable for this application.

**Noise**

Not applicable for this application.

**Erosion Control Measures**

No erosion control measures are considered necessary for this development.

**Economic and Social Impacts**

Given the residential nature of this development, economic or social impacts on the locality are not envisaged.

**Environmental Benefits**

Due to the nature of this development, there are no significant environmental benefits predicted.

**Disabled Access**

Not applicable for this application

**Security, Site Facilities and Safety**

Not applicable for this application

**Waste Management**

An onsite effluent disposal system will be required, this will be dealt with during the construction phase of the project.

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**Building Code of Australia**

The Construction Certificate will be issued by a Building Surveyor who will review the structures compliance with the Building Code of Australia.

**Traffic**

Traffic will not be impacted on from the proposed development.

**Stormwater/flooding**

All stormwater from the proposed dwelling will be connected onsite system that will be located within the property.

**4. Conclusion**


This submission requests a variation, under clause 4.6 of the Wentworth LEP 2011, to the 30-metre setback of the high bank of the river, it also demonstrates that:

- Compliance with the development standard would be unreasonable and unnecessary in the circumstances of this case;
- The development achieves the objectives of the development standard and is consistent with the objectives of the R5 Large Lot zone.
- There are sufficient environmental planning grounds to justify the contravention.

The consent authority can be satisfied to the above and that the development achieves the objectives of the development standard and is consistent with the objectives of Zone R5 Large Lot Residential notwithstanding non-compliance with the 30-metre riverfront setback development standard and is therefore in the public interest.

The concurrence of the Secretary can be assumed in accordance with Planning Circular PS 18-003.

On this basis, therefore, it is appropriate to exercise the flexibility provided by clause 4.6 in the circumstances of this application.

 <p><b>WENTWORTH SHIRE COUNCIL</b> WORTH THE DRIVE</p>	<p>Health &amp; Planning Department 26-28 Adelaide Street PO Box 81 WENTWORTH NSW 2648  Tel: 03 5027 5027 <a href="mailto:council@wentworth.nsw.gov.au">council@wentworth.nsw.gov.au</a></p>	<p><b>DA Assessment Report Section 4.15 Evaluation</b></p> <p>Environmental Planning &amp; Assessment Act 1979 as amended</p>
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<b>File Reference:</b>	DA2022/102 – PAN-263091
<b>Property Title &amp; Address:</b>	Lot 8 DP 1270097 & Pooncarie Road Wentworth NSW
<b>Applicant(s):</b>	Hatch Planning Pty Ltd
<b>Proposal:</b>	Dwelling with garage & storage shed
<b>Previous DAs:</b>	N/A
<b>Cost of proposed development:</b>	\$527,000.00

#### **SITE AND SURROUNDING DEVELOPMENT**

The subject comprises of Lot 8 DP 1270097 located in Wentworth NSW. The Lot has an area of 5055m<sup>2</sup> and connects to Pooncarie Road from the South East with access provided from a carriageway easement linking it to the surrounding area.

The subject site is zoned R5 Large Lot Residential under the Wentworth Local Environmental Plan 2011 (WLEP 2011). The subject site is an irregular shaped Lot used for residential purposes as part of a recent subdivision. Adjoining Lots are used for residential purposes with associated structures. The site does not contain any heritage items, nor is it located within the heritage conservation area. The site is not located within Bushfire, Urban release or floodway mapped areas. However, it is located within wetlands, terrestrial biodiversity and flood planning mapped lands.

#### **DESCRIPTION OF PROPOSAL**

The proposal seeks development consent for a dwelling with garage and storage shed. The proposed dwelling will have an area of approximately 197.30m<sup>2</sup> with a ceiling height of 2.7m and the garage will have a floor area of approximately 43.58m<sup>2</sup>. The proposed storage shed will have a floor area of 192m<sup>2</sup> and an overall height of 4.00m.

#### **HISTORY RELEVANT TO THE DEVELOPMENT APPLICATION**

N/A

#### **SECTION 4.15-MATTERS FOR CONSIDERATION**

##### **(1) The provisions of any environmental planning instrument and development control plan**

##### **State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

The proposed development meets the requirements of the State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 as demonstrated by the BASIX certificate.

##### **State Environmental Planning Policy (Biodiversity and Conservation) 2021**

The proposed development is located on land below 1 ha in size with no vegetation removal proposed. As such no assessment against Chapter 3 & 4 of the SEPP is required.

An assessment against Chapter 5, Clause 5.9 principles of the SEPP are as follows:

1. Access

Land is freehold with no existing public access to the river. The development will not change this access to the river.

2. Bank Disturbance

The development will be sited 21.750m from the high bank line of the river – no bank disturbance is anticipated from the development and no vegetation to be removed

3. Flooding

The development is located on flood liable land. An assessment against related principles is as follows:

a). The land was previously used for agriculture and therefore, already disturbed with no change to riverine ecosystems

b). The land is flood liable with risk of flooding during flood events. With an increase in extreme weather events caused by climate change, this clause is especially relevant.

c). The proposed dwelling is to be located on compacted earth. The storage shed will require some opening to allow free flow of water in times of flooding. Conditions of consent can be put in place to protect habitable areas and to facilitate free flow of water during flood events.

d). The entire Lot is flood liable land, therefore, choosing another site within this location is not possible.

e). Some services are available to the site, however, the entire site including accessway and public road are within flood liable land.

f). The land is expected to be used for residential purposes, minimal risk of pollution during riverine flood event, as residents have time to prepare and prevent possible issues.

g). The dwelling will be on compacted earth pad required to be raised above the 1 in 100 year flood event level. The storage shed appears to be located at ground level.

h). Noted. Due to the generally slow nature of riverine flood, residents should be able to plan and prepare with adequate time for evacuation.

4. Land Degradation

The proposed development will be conditioned to minimise any detrimental effects on the land if required.

5. Landscape

As the proposed site for the development was previously cleared as part of the subdivision no vegetation removal is anticipated, landscaping will be conditioned to include native species for revegetation.

6. River Related Uses

The proposed development does not demonstrate an essential relationship to the river, as such development should be located a reasonable distance from the river.

7. Settlement

The proposed development is for a single dwelling with garage and storage shed.



#### 8. Water Quality

The proposed development and continued use will be conditioned to ensure measures are applied to reduce pollution of the waterway.

#### 9. Wetlands

The proposed site is located in wetland area as per WSC mapping. This location where the dwelling & storage shed are to be sited has been disturbed.

An assessment against **Clause 5.13** principle of the SEPP are as follows:

- **Building setback:** The proposed dwelling does not meet the WLEP 2011 setback requirement as recommended 30m setback from the high bank line of the river. Therefore a 4.6 variation has been provided requesting variation to this standard. From an assessment perspective the 4.6 variation provides adequate justification as to why the building setback should not comply with the WLEP 2011 river setback requirements.
- **Matters to be considered**
  - o Effluent disposal: There is reticulated sewer to the property
  - o Landscaping: not part of this proposal

The proposed development does not fully comply with the principles within the SEPP. Notable non-compliance being that the development is not a river related use and that the setback from the high bank of the river does not meet that recommended. The 4.6 variation provided, details justification as to why the dwelling should be located 21.75m from the high bank of the river.

#### **Wentworth Local Environmental Plan (LEP) 2011**

The proposed dwelling with garage and storage shed is permitted with consent within land zoned R5 under the Wentworth LEP 2011, meeting the land use zone objectives to which the site is located.

#### **Standard being varied**

The dwelling will be located 21.75m from the high river bank. Under Clause 7.6 of the WLEP 2011 only a certain list of uses, documented below are permitted within the river front area (30m from the high bank). This represents a variation of 27%.

(2) Despite any other provision of this Plan, development consent may only be granted to development on land in a river front area for the following purposes—

- (a) boat building and repair facilities, boat launching ramps, boat sheds, charter and tourism boating facilities or marinas,
- (b) the extension or alteration of an existing building that is wholly or partly in the river front area, but only if the extension or alteration is to be located no closer to the river bank than the existing building,
- (c) environmental protection works,
- (d) extensive agriculture and intensive plant agriculture,

- (e) walking trails, cycleways, picnic facilities, recreation facilities and recreation facilities (outdoors),
- (f) water recreation structures.

#### Definition of "River Front"

**river front area** means the land between the river front building line and the highest bank of the Murray River or, if there is no river front building line, the land within 30 metres of the highest bank of the River.

#### Approving 4.6 variations

Under clause 55 of the *Environmental Planning and Assessment Regulation 2021*, a consent authority (Council) may assume concurrence if the concurrence authority has given notice to the consent authority. The notice identifies which concurrence has been given to council and can specify qualifications or conditions for the assumed concurrence.

Under the planning circular PS20-002 (notice), Councils were given assumed concurrence to approve 4.6 variation applications based on a number of conditions. These conditions can be summarised as following:

1. Council cannot assume concurrence for varying a standard regarding dwelling entitlement in regards to MLS less than 90% for lands zoned RU1 to RU4, RU6, R5, E2 (now C2) to E4 (now C4) and equivalent land uses.
2. Non-numerical standard and standard variations greater than 10% cannot be approved by a Council delegate i.e Director. These need to be approved by Council to ensure greater public scrutiny and transparency.

The proposed variation is not regarding MLS as such Council has assumed concurrence and do not need to refer the DA to the Department of Planning and Environment (DPE) for concurrence. However, the variation proposed is greater than 10%, as such, will need to be presented to Council for approval.

#### 4.6 Exceptions to development standards

Located within the 4.6 variation assessment report.

#### Clause 5.21 Flood Planning

The proposed development is within the flood mapped area with the dwelling to be built on a compacted earth pad above the 1 in 100 flood level. This application also requests building closer to the river than the recommended 30m from the high river line, reducing the distance of the dwelling from the river to 21.75m through a variation to the development standard (4.6 variation). In the event of a flood the access road & public road to the site would also be flood affected. Should development consent be granted, flood specific conditions can be included.

#### Clause 7.1 Earthworks

Any earthworks will form part of the conditions of consent, should the application be approved as ancillary to the main approval for a dwelling. Standards will apply for any associated earthworks.

#### **Clause 7.2 Essential Services**

Essential services are available to the site.

#### **Clause 7.4 Terrestrial Biodiversity**

An assessment of the proposed dwelling with garage and storage shed against clause 7.4(3) is as follows:

- a). The proposed residential development is unlikely to have any detrimental effects on fauna and flora existing on the site, being part of a recent subdivision the vegetation on the land is minimal and no tree removal is expected, potential impacts will most likely be from construction. The development will be conditioned to minimise impact on existing biodiversity on the site and to encourage replanting of native species.
- b). The proposed development is unlikely to have any adverse impact on the importance of vegetation on the site, nor adverse impacts on the habitat and survival of native fauna. The site has minimal vegetation with larger native trees closest to the river bank. Approval would see conditions pertaining to vegetation removal and re-planting.
- c). The proposed development is unlikely to fragment, disturb, or diminish the biodiversity structure, function and composition of the land as it has already been disturbed as part of the previous agricultural use, subdivision, and preparation for development. The area of the site where the proposed development is located is free from vegetation.
- d). The proposed development is unlikely to have any adverse impact on the habitat elements and connectivity to the land as limited vegetation currently exists facilitating this connectivity.

An assessment of the proposed dwelling against **clause 7.4(4)** is as follows:

- a. The dwelling with garage and storage shed are designed, sited and managed to minimise any environmental damage.
- b. Noted
- c. Noted

#### **Clause 7.5 Wetlands**

An assessment of the proposed dwelling with garage and storage shed against clause 7.5(3) is as follows:

- a. Not affect growth and survival of flora and fauna. Measures to be put in place to protect flora and fauna on the site during construction and use of the site.
- b. No vegetation to be removed as part of the construction. Tree protection measures to form part of the conditions of consent.

- c. No vegetation to be removed, as such no impacts on provision and quality of habitats for indigenous and migratory species
- d. Conditions of consent will put measures in place to ensure that surface and groundwater characteristics of the site, including water quality, natural water flows and salinity are protected
- e. Measures must be put in place to protect any wetland in the vicinity of the development area.

An assessment of the proposed dwelling with garage and storage shed against clause 7.5(4) is as follows:

- The plans of the dwelling with garage and storage shed provided adequately show that the development is sited, designed and managed to avoid potential adverse environmental impacts. Conditions of consent will provide further protection measures.

#### **Clause 7.7 Riparian land and Murray River and other watercourses – general principles**

The proposed development is sited inside the designated distance of 40m from the top bank of a watercourse (Darling River), however, as it is a residential development impact upon the following criteria is anticipated to be minimal. Any anticipated environmental impacts will be managed through implementation of conditions.

- i). The water quality and flows within a watercourse
- ii). Aquatic and riparian species, habitats and ecosystems
- iii). The stability of the bed, shore and banks of a watercourse
- iv). The free passage of fish and other aquatic organisms within or along a watercourse
- v). any future rehabilitation of a watercourse and riparian areas

#### **7.9 Riverton Farm Development, Wentworth**

Assessment against this clause is as follows:

- a). Conditions of consent will indicate floor level
- b). This proposal meets this criterion as the dwelling is closer than 30m from any bank of the river
- c). The land meets the Lot size criteria of 5000m<sup>2</sup> as the Lot is 5055m<sup>2</sup>

#### **Wentworth Development Control Plan (DCP) 2011**

The proposed development is acceptable against the relevant provisions of the Wentworth Development Control Plan (DCP) 2011 as outlined in the table below.

<b>Wentworth DCP</b>	<b>Chapter</b>	<b>Y</b>	<b>N</b>	<b>N/A</b>	<b>Further information</b>
	Chapter 4 4.1.1	Y			The proposed dwelling with garage & storage shed meets requirements

	4.1.2	Y			As the proposed dwelling with garage & storage shed are in keeping with surrounding sites and are well back from the street the development meets requirements Building materials used will allow visual integration with the surroundings
	4.1.3	Y			Meets 15m front setback from street – see table below
	4.1.4	Y			Meets side setbacks – see table below
	4.1.5	Y			Meets rear setbacks – see table below
	4.1.6			N/A	N/A no walls on boundaries
	4.1.7			N/A	N/A as proposed development not for double storey dwelling
	4.1.8	Y			Well under 60% site coverage as large lot
	4.1.9	Y			Site offers room for private open space
	4.1.10	Y			Dwelling complies with BASIX requirements
	4.1.11	Y			Access to daylight adequate as not close to neighbouring structures
	4.1.12	Y			Solar access to North facing windows not compromised as no close neighbours
	4.1.13			N/A	N/A as single storey dwelling
	4.1.14			N/A	Proposal does not include fencing or retaining walls
	4.1.15	Y			Site offers adequate room for parking and manoeuvrability of vehicles
	4.1.16	Y			Soil management to be conditioned if approved

Development Control	WDCP 2011 requirement for R5 Large Lot Residential zone	Proposed dwelling with garage & storage shed
Front setback (East)	15m	➤ 50m
North side setback	1m minimum	5500mm
South side setback	1m minimum	5295mm
Rear setback (West)	3m minimum	21.75m from river high bank

## (2) The provisions of any draft environmental planning instrument

There is no Division 3.4 draft environmental planning instrument that affect the proposed development. (Post 1 July 2009 LEP amendments).

## (3) Any matters prescribed by regulations

There are no further matters prescribed by regulations.

**(4) The likely impacts of the development**

There are no likely impacts from the proposal as discussed in the table below.

<b>Impact item</b> <i>(insert an 'x' in the relevant section)</i>	<b>Acceptable</b>	<b>Not acceptable</b>	<b>Not relevant</b>	<b>Comment</b>
Context and setting	X			Dwelling with garage & storage shed are compatible with development in the surrounding area
Public domain & Streetscape	X			Proposed dwelling with garage & storage shed are designed to fit in with other large lot residences in the area
Landscaping	X			Landscaping not part of this DA – condition to include native vegetation when landscaping
Stormwater	X			Site stormwater management to be conditioned
Heritage			X	No heritage listing on this site
Soils & Soils Erosion	X			Soil management to be conditioned
Air and microclimate	X			No impact anticipated
Water Resources		X		Distance between waterway and development does not meet WLEP 2011
Biodiversity (Flora & Fauna)	X			No native vegetation to be cleared for development
Land Resources	X			None located on the site expected to impact the proposed development
Utilities	X			Utilities to be made available to the dwelling
Access & Parking	X			Access to site available with parking space
Roads & Traffic	X			Not new road proposed, traffic will not be impacted by proposal
Solar Access and Energy Efficiency	X			Meets BASIX
Overshadowing			X	Not relevant. Enough distance between proposed dwelling with garage & storage shed and nearest adjoining dwelling
Privacy & Overlooking			X	Not relevant. Enough distance between proposed dwelling with storage shed and nearest adjoining dwelling
Flooding	X			Land is flood impacted. Conditions of consent to address this matter
Bushfire Prone Area	X			Not in a bushfire prone area

Noise	X		Noise increase associated with construction then residential noise anticipated. Hours of work conditioned to reduce effects on surrounding neighbours
Technological hazards	X		None anticipated
Safety, Security & Crime Prevention	X		Development not anticipated to effect safety or security of area negatively
Social and Economic Impacts	X		There are no social or economic impacts anticipated from the development

#### (5) The suitability of the site for development

The site is suitable for the proposed dwelling with garage and storage shed as it will not have any adverse effects on the local environment. The proposed development is permitted in the R5 Large Lot Residential zoning under the Wentworth LEP 2011. The proposed development is in character with existing developments of dwellings and associated structures in the vicinity.

From assessment against the WLEP 2011, this development does not meet the setback requirements from the high bank of the river of 30m, rather requesting establishment 21.75m from this indicator via 4.6 variation. Assessment against clause 7.9, a site-specific clause for Riverton Farm Developments on Pooncarie Road, Wentworth, to which this site belongs, clearly indicates that development consent must not be granted for a dwelling house unless "it is not within 30 meters of any bank a river". The Riverton Farm Development clause 7.9, was created through a planning proposal to amend clause 7.6 specifically for this residential subdivision site on Pooncarie Road, Wentworth. Many government agencies were consulted during the process, with Parliamentary Council creating amended clauses that constitute clause 7.9

#### (6) Any submissions made in accordance with this Act or Regulation

The application was notified for 14 days. No submissions were received.

#### (7) The public interest

The proposed development is consistent with public interest as it will have no detrimental effect on the surrounding area. Moreover, no objections were made by the surrounding neighbours.

#### COMMENTS FROM COUNCIL INTERNAL DEPARTMENTS

Department	Referred Y/N	Comments
Building	N	
Subdivision Engineer	N	
Roads & Engineering	N	
Finance & Policy	N	
Heritage Advisor	N	



Environmental Health	N	
Local Laws	N	
Floodplain Mgt Committee	N	
Sustainable Infrastructure	N	

## CONCLUSIONS


1. General comments:
2. The proposal does not satisfy the points for consideration listed under Section 4.15 of the *Environmental Planning and Assessment Act*.
3. The proposal occurs on land zoned R5 Large Lot Residential. The proposal has potential detrimental impact on the site and surrounds. These concerns can be addressed in conditions of consent.
4. The proposal is consistent with the Wentworth Shire Development Control Plan (Dec 2011). The proposal is consistent with the development controls in Chapter 4 of the Wentworth Shire Development Control Plan 2011.
5. The proposed dwelling with garage and storage shed accords with the relevant objectives and provisions of the State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 and State Environmental Planning Policy (Biodiversity and Conservation) 2021
6. There is no draft local environmental plan affecting the proposed development.

## Recommendation:

Reviewed and recommended for approval subject to conditions by George Kenende

Delegate report author	Delegated approval and endorsement
Signature: 	Signature: 
Kerrie Copley Planning Officer	George Kenende Acting Director Health & Planning
Date: 31/10/2022	Date: 31/10/2022



 <p><b>WENTWORTH SHIRE COUNCIL</b> WORTH <small>THE</small> DRIVE</p>	<p><b>Health &amp; Planning Department</b> 26-28 Adelaide Street PO Box 81 WENTWORTH NSW 2648  Tel: 03 5027 5027 <a href="mailto:council@wentworth.nsw.gov.au">council@wentworth.nsw.gov.au</a></p>	<p><b>TEMPLATE CONDITIONS</b></p>
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DA2022/102 DWELLING WITH GARAGE AND STORAGE SHED POONCARIE ROAD LOT 8 DP 1270097  
WENTWORTH

## SCHEDULE 1

### PRESCRIBED CONDITIONS

1.	The development must adhere to the prescribed conditions in Part 4, Division 2 of the <i>Environmental Planning and Assessment Regulation 2021</i> .
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### GENERAL CONDITIONS

2.	<p><b>Approved plans and supporting documentation</b></p> <p>The development hereby authorised shall be carried out strictly in accordance with the conditions of this approval and stamped approved plans listed below:</p> <ul style="list-style-type: none"> <li>• <b>Site Plan (aerial)</b> by Intrend Design &amp; Drafting Pty Ltd for UBS Ultimate Building Solutions; job No: 21-265v10; Sheet No: 3 of 12; Date: 12/09/22</li> <li>• <b>Site Plan</b> by Intrend Design &amp; Drafting Pty Ltd for UBS Ultimate Building Solutions; job No: 21-265v10; Sheet No: 5 of 12; Date: 12/09/22</li> <li>• <b>Floor Plan (dwelling)</b> by Intrend Design &amp; Drafting Pty Ltd for UBS Ultimate Building Solutions; job No: 21-265v10; Sheet No: 7 of 12; Date: 12/09/22</li> <li>• <b>Elevation Plan (dwelling, south-east and north-west)</b> by Intrend Design &amp; Drafting Pty Ltd for UBS Ultimate Building Solutions; job No: 21-265v10; Sheet No: 8 of 12; Date: 12/09/22</li> <li>• <b>Elevation Plan (dwelling, south-west and north-east)</b> by Intrend Design &amp; Drafting Pty Ltd for UBS Ultimate Building Solutions; job No: 21-265v10; Sheet No: 9 of 12; Date: 12/09/22</li> <li>• <b>Storage shed Floor Plan</b> by Intrend Design &amp; Drafting Pty Ltd for UBS Ultimate Building Solutions; job No: 21-265v10; Sheet No: 10 of 12; Date: 12/09/22</li> <li>• <b>Storage shed Elevation Plan</b> by Intrend Design &amp; Drafting Pty Ltd for UBS Ultimate Building Solutions; job No: 21-265v10; Sheet No: 11 of 12; Date: 12/09/22</li> <li>• <b>BASIX Certificate</b> 1334109S; 25 August 2022, page: 1/7</li> </ul> <p>In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.</p> <p>Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.</p>
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	Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development
3.	<b>Approved development</b>  Approval is for a dwelling with garage and storage shed.
4.	<b>Lapsing of Consent</b>  This consent shall lapse and have no force or effect unless the use or development hereby permitted is physically commenced within 5 years of the date of this consent.

**BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE**

5.	<p><b>Payment of bonds / securities</b></p> <p><i>This condition applies to all construction works \$25,001 and above.</i></p> <p>Before the commencement of any works on the site or the issue of a construction certificate, the applicant must make all of the following payments to Council and provide written evidence of these payments to the certifier:</p> <table border="1"> <tr> <td>Infrastructure Bond (Security Deposit)</td><td>\$3,000.00</td></tr> <tr> <td>Infrastructure Protection Permit Fee (includes inspections)</td><td>\$210.00</td></tr> </table> <p>The payments will be used for the cost of:</p> <ul style="list-style-type: none"> <li>making good any damage caused to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates,</li> <li>completing any public work such as roadwork, kerbing and guttering, footway construction, stormwater drainage and environmental controls, required in connection with this consent, and</li> <li>any inspection carried out by Council in connection with the completion of public work or the making good any damage to council property.</li> </ul> <p>The Infrastructure Bond will be returned on completion of the construction of the proposed development, subject to no damage being done to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates. The owner / developer is to arrange an inspection with an Officer of Wentworth Shire Council before any work commences on site. Any damage incurred to Council infrastructure will be repaired at the owner's / developer's expense and the balance of the Infrastructure Bond will be returned to the owner / developer on completion of the construction.</p> <p>Note: The inspection fee includes Council's fees and charges and includes the Public Road</p>	Infrastructure Bond (Security Deposit)	\$3,000.00	Infrastructure Protection Permit Fee (includes inspections)	\$210.00
Infrastructure Bond (Security Deposit)	\$3,000.00				
Infrastructure Protection Permit Fee (includes inspections)	\$210.00				

	<p>and Footpath Infrastructure Inspection Fee (under the Roads Act 1993). The amount payable must be in accordance with council's fees and charges at the payment date.</p> <p>Reason: To ensure any damage to public infrastructure is rectified and public works can be completed.</p>
6.	<p><b>Payment of building and construction industry long service levy</b></p> <p>Before the issue of a construction certificate, the applicant is to ensure that the person liable pays the long service levy as calculated at the operational date of this consent to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier.</p> <p>Reason: To ensure the long service levy is paid.</p>
7.	<p><b>Payment of section 7.12 contributions</b></p> <p>Before the issue of a construction certificate, the applicant must pay a total contribution of \$5,270.00 as calculated at the date of this consent to Council under section 7.12 of the EP&amp;A Act in accordance with Wentworth Shire Council Section 7.12 Development Contributions Plan. The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of the Wentworth Shire Council Section 7.12 Development Contributions Plan (3.10).</p> <p>A copy of the development contributions plan is available on council website or for inspection at Wentworth Shire Council offices.</p>
8.	<p><b>Construction site management plan</b></p> <p>Before the issue of a construction certificate, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier. The plan must include the following matters:</p> <ul style="list-style-type: none"> <li>• location and materials for protective fencing and hoardings to the perimeter on the site</li> <li>• provisions for public safety</li> <li>• pedestrian and vehicular site access points and construction activity zones</li> <li>• details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site</li> <li>• protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on development sites) and trees in adjoining public domain</li> <li>• details of any bulk earthworks to be carried out</li> <li>• location of site storage areas and sheds</li> <li>• equipment used to carry out all works</li> <li>• a garbage container with a tight-fitting lid</li> <li>• dust, noise and vibration control measures</li> <li>• location of temporary toilets.</li> </ul> <p>The applicant must ensure a copy of the approved construction site management plan is kept</p>

	<p>on-site at all times during construction.</p> <p>Reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction</p>
9.	<p><b>Erosion and sediment control plan</b></p> <p>Before the issue of a construction certificate, the applicant is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:</p> <ul style="list-style-type: none"> <li>the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book), and</li> <li>the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust).</li> </ul> <p>The applicant must ensure the erosion and sediment control plan is kept onsite at all times during site works and construction.</p> <p>Reason: To ensure no substance other than rainwater enters the stormwater system and waterways</p>
10.	<p><b>Waste management plan</b></p> <p>Before the issue of a construction certificate, the applicant is to ensure that a waste management plan is prepared in accordance with the EPA's Waste Classification Guidelines and the following requirements before it is provided to and approved by the certifier:</p> <p>Details the following:</p> <ul style="list-style-type: none"> <li>the contact details of the person(s) removing the waste</li> <li>an estimate of the waste (type and quantity) and whether the waste is expected to be reused, recycled or go to landfill</li> <li>the address of the disposal location(s) where the waste is to be taken</li> </ul> <p>The applicant must ensure the waste management plan is referred to in the construction site management plan and kept on-site at all times during construction.</p> <p>Reason: To ensure resource recovery is promoted and local amenity protected during construction.</p>
11.	<p><b>Stormwater Management Plan</b></p> <p>Before the issue of a construction certificate the beneficiary of this consent is to design and submit to Council for approval a stormwater Management Plan for the dwelling. The design is to be approved by Council before any work takes place on this site. All work detailed by the approved design is to be constructed by the beneficiary of this consent under supervision of the Principal Certifying Authority. All work is to be carried out at the beneficiary of this consent's expense.</p> <p>The plan is to include treatment measures for the water if it is to be discharged into the waterway.</p>
12.	<p><b>Utilities and services</b></p>

	<p>Reticulated water is not available at the site, as such the beneficiary of this consent must ensure that the proposed dwelling is provided access to potable water.</p> <p>Reticulated sewer is available to the site and needs to be connected to the dwelling.</p> <p>Note: Stock and domestic water entitlement may be attached to the proposed subject land.</p>
13.	<p><b>Access points</b></p> <p>Before issuance of the Construction Certificate, the beneficiary of this consent must build a driveway crossing for the subject land (if one doesn't exist) to Council standards.</p> <p>Access during construction shall only be through the driveway crossing of the subject land.</p>
14.	<p><b>Works in Road Reserve</b></p> <p>A Road Opening Permit is required from the Wentworth Shire Council prior to any works / excavation within the road reserve ie water tapping, sewer, driveway crossings, tree planting or removal etc. Please contact Councils Roads &amp; Engineering Department on Tel: (03) 5027 5027 to arrange a permit.</p>
15.	<p><b>Plumbing and Drainage</b></p> <p>A Plumbing and Drainage Approval Application under Section 68 of the <i>Local Government Act NSW 1993</i> is to be submitted to and approved by Council before carrying out any plumbing &amp; drainage work (stormwater, water and sewerage).</p> <p><b>Note:</b> All plumbing and drainage work is to be carried out by a plumber and drainer, or other authorised person, licensed with the New South Wales Department of Fair Trading.</p>

**BEFORE THE COMMENCEMENT OF BUILDING WORK**

16.	<p><b>Construction Certificate</b></p> <p>An application for a construction certificate is to be made under Section 4.12 of the Environmental Planning and Assessment Act 1979 and construction certificate(s) issued under Sections 6.3, 6.4(a) and 6.7 of the Environmental Planning and Assessment Act 1979 prior to any work commencing on the building. All work in relation to plans for the construction certificate(s) shall comply with the requirements of the Building Code of Australia, the Environmental Planning &amp; Assessment Act, and regulations, SEPP (Building Sustainability Index) BASIX 2004 and the Local Government Act and Regulations thereunder.</p>
17.	<p><b>Erosion and sediment controls in place</b></p> <p>Before the commencement of any site or building work, the principal certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan, (as approved by the principal certifier) are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on site).</p> <p>Reason: To ensure runoff and site debris do not impact local stormwater systems and waterways</p>
18.	<p><b>Toilet facilities</b></p>

	Toilet facilities are to be provided on or in the vicinity of the building site. The toilet must be connected to a public sewer, or if connection to a public sewer is not practicable, an approved chemical closet. The toilet facility must be installed on-site prior to the commencement of any other work.
19.	<p><b>Rubbish Management</b></p> <p>Throughout the construction period, from commencement of work, a suitable rubbish containment structure is to be located on site and utilized to ensure the construction site is kept clean and safe at all times.</p>
20.	<p><b>Tree protection measures</b></p> <p>Before the commencement of any site or building work, the principal certifier must ensure the measures for tree protection detailed in the construction site management plan are in place.</p> <p>Reason: To protect and retain trees</p>
21.	<p><b>Notice of Commencement of Works</b></p> <p>Subject to approval to commence works two days before any site works, building or demolition begins, the beneficiary of this consent must:</p> <p>(a) Forward to Council notice of commencement of work and appointment of Principal Certifying Authority.</p> <p>(b) Notify the adjoining owners that work will commence.</p>
22.	<p><b>Contractor</b></p> <p>(a) Before the work is commenced, the Council must be informed in writing of:</p> <ul style="list-style-type: none"> <li>• The name and contractor licence number of the licensee who has been contracted to do the work; or</li> <li>• The name and permit number of the owner/builder who intends to do the work.</li> </ul> <p>(b) The Council is to be immediately informed in writing of similar details required in the above if:</p> <ul style="list-style-type: none"> <li>• A contract is entered into for the work to be undertaken by a different licensee; or</li> <li>• Arrangements for the completion of the work are otherwise changed.</li> </ul>
23.	<p><b>Foundation and flooding</b></p> <p>Prior to the construction of the footings of the building, a certificate from a qualified structural engineer shall be supplied to Council / Principal Certifying Authority certifying:</p> <ul style="list-style-type: none"> <li>- The design and structural adequacy of the slab/footing system to withstand the effects of inundation in the event of a flood.</li> </ul>

**WHILE BUILDING WORK IS BEING CARRIED OUT**

24.	<p><b>Hours of work</b></p> <p>The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:</p> <ul style="list-style-type: none"> <li>• 7.00am to 6.00pm on Monday to Friday</li> <li>• 8.00am to 1.00pm on Saturdays</li> </ul> <p>The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.</p> <p>Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.</p> <p>Note: Any variation to the hours of work requires Council's approval.</p> <p><b>Reason:</b> To protect the amenity of the surrounding area</p>
25.	<p><b>Procedure for critical stage inspections</b></p> <p>While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.</p> <p><b>Reason:</b> To require approval to proceed with building work following each critical stage inspection</p>
26.	<p><b>Implementation of the site management plans</b></p> <p>While vegetation removal, demolition and/or building work is being carried out, the applicant must ensure the measures required by the approved construction site management plan and the erosion and sediment control plan are implemented at all times. The applicant must ensure a copy of these approved plans is kept on site at all times and made available to Council officers upon request.</p> <p><b>Reason:</b> To ensure the required site management measures are implemented during construction</p>
27.	<p><b>Implementation of BASIX commitments</b></p> <p>While building work is being carried out, the applicant must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent, for the development to which the consent applies.</p> <p><b>Reason:</b> To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate (prescribed condition under clause 97A(2) EP&amp;A Regulation)</p>
28.	<p><b>Construction noise</b></p> <p>While building work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above</p>

	<p>background noise, when measured at any lot boundary of the property where the construction is being carried out.</p> <p>Reason: To protect the amenity of the neighbourhood</p>
29.	<p><b>Tree protection</b></p> <p>While site or building work is being carried out, the applicant must maintain all required tree protection measures in good condition in accordance with the construction site management plan required under this consent, the relevant requirements of AS 4970-2009 Protection of trees on development sites and any arborist's report approved under this consent. This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.</p> <p>Reason: To protect trees during construction</p>
30.	<p><b>Responsibility for changes to public infrastructure</b></p> <p>While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area).</p> <p>Reason: To ensure payment of approved changes to public infrastructure</p>
31.	<p><b>Uncovering relics or Aboriginal objects</b></p> <p>While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.</p> <p>In this condition:</p> <ul style="list-style-type: none"> <li>• "relic" means any deposit, artefact, object or material evidence that: (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and (b) is of State or local heritage significance; and</li> <li>• "Aboriginal object" means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.</li> </ul> <p>Reason: To ensure the protection of objects of potential significance during works</p>
32.	<p><b>Cut and fill (if applicable)</b></p> <p>While building work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:</p> <p>a) All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management</p>



	<p>facility and the classification and the volume of material removed must be reported to the principal certifier.</p> <p>b) All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material identified as being subject to a resource recovery exemption by the NSW EPA.</p>
33.	<p><b>Waste management</b></p> <p>While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.</p> <p>Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:</p> <ul style="list-style-type: none"> <li>• The contact details of the person(s) who removed the waste</li> <li>• The waste carrier vehicle registration</li> <li>• The date and time of waste collection</li> <li>• A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill</li> <li>• The address of the disposal location(s) where the waste was taken</li> <li>• The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.</li> </ul> <p><b>Note:</b> If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to that Order or Exemption and provide the records to the principal certifier and Council.</p> <p>Reason: To require records to be provided, during construction, documenting that waste is appropriately handled</p>
34.	<p><b>Encroachment of easements</b></p> <p>No building works are to encroach over any easements.</p>
35.	<p><b>Building Material</b></p> <p>The proposed buildings shall be clad in an approved non-reflective material e.g. colorbond.</p>
36.	<p><b>Building material and flooding</b></p> <p>Any building elements below the 1% AEP flood level must be of a durable nature suitable for prolonged periods of inundation.</p>
37.	<p><b>Storage shed building material</b></p> <ul style="list-style-type: none"> <li>• The storage shed is to be constructed with removable panels on the north and south elevation to be opened to allow a free flow of water in a flood event.</li> <li>• The storage shed is to be constructed using materials that will withstand inundation for extended periods of time.</li> </ul>
38.	<p><b>Flood level</b></p>

	<p>The floor level of the dwelling shall be 35.35 metres above the Australian Height Datum.</p> <p>Reason: To comply with the <i>Wentworth Local Environmental Plan 2011</i>.</p>
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**BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE**

39.	<p><b>Occupation Certificate</b></p> <p>The building shall not be occupied or used until an Occupation Certificate is issued either by council or by an accredited certifier.</p>
40.	<p><b>Completion of public utility services</b></p> <p>Before the issue of the relevant occupation certificate, the principal certifier must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority. Before the issue of the occupation certificate, the certifier must request written confirmation from the relevant authority that the relevant services have been completed.</p> <p>Reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation</p>
41.	<p><b>Repair of infrastructure</b></p> <p>Before the issue of an occupation certificate, the applicant must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council.</p> <p>Note: If the council is not satisfied, the whole or part of the bond submitted will be used to cover the rectification work.</p> <p>Reason: To ensure any damage to public infrastructure is rectified</p>
42.	<p><b>Removal of waste upon completion</b></p> <p>Before the issue of an occupation certificate, the principal certifier must ensure all refuse, spoil and material unsuitable for use on-site is removed from the site and disposed of in accordance with the approved waste management plan. Written evidence of the removal must be supplied to the satisfaction of the principal certifier.</p> <p>Before the issue of a partial occupation certificate, the applicant must ensure the temporary storage of any waste is carried out in accordance with the approved waste management plan to the principal certifier's satisfaction.</p> <p>Reason: To ensure waste material is appropriately disposed or satisfactorily stored</p>
43.	<p><b>Completion of landscape and tree works</b></p> <p>Before the issue of an occupation certificate, the principal certifier must be satisfied that all landscape and tree-works, including pruning in accordance with AS 4373-2007 Pruning of amenity</p>

	<p>trees and the removal of all noxious weed species, have been completed in accordance with the approved plans and any relevant conditions of this consent.</p> <p>Reason: To ensure the approved landscaping works have been completed before occupation, in accordance with the approved landscaping plan(s)</p>
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#### OCCUPATION AND ONGOING USE

44.	<p><b>Release of securities / bonds</b></p> <p>When Council receives an occupation certificate from the principal certifier, the applicant may lodge an application to release the securities held. Council may use part, or all of the securities held to complete the works to its satisfaction if the works do not meet Council's requirements.</p> <p>Reason: To allow release of securities and authorise Council to use the security deposit to complete works to its satisfaction</p>
45.	<p><b>Maintenance of wastewater and stormwater treatment device</b></p> <p>During occupation and ongoing use of the building, the applicant must ensure all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are regularly maintained, to remain effective.</p> <p>Reason: To protect sewerage and stormwater systems</p>
46.	<p><b>Amenity of the neighbourhood</b></p> <p>The operation of this development shall not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, waste water, waste products, grit, oil or other harmful products.</p>
47.	<p><b>Ongoing Use</b></p> <p>The proposed garage and storage shed cannot be used for habitation.</p>

#### REASONS FOR CONDITIONS

<ul style="list-style-type: none"> <li>a) To ensure compliance with the terms of the Environmental Planning and Assessment Act.</li> <li>b) To ensure work is sustainable and that an appropriate level of provision of amenities and services occurs within the Shire and to occupants of lots.</li> <li>c) To minimise environmental impact and impact on public assets, degradation of natural resources and to enhance amenity.</li> <li>d) To provide for a quality environment, safe and efficient movement of people and to ensure public safety and interest.</li> </ul>
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## SCHEDULE 2

### ADVISORY NOTE

- ***Dial before you dig***

The beneficiary of this consent shall contact “Dial Before You Dig” to obtain a Service Diagram prior to the issuing of the Construction Certificate. The sequence number obtained from “Dial Before You Dig” shall be forwarded to the Principal Certifying Authority (PCA).

- ***Water access***

As reticulated water is not available to the land, the subject land may be entitled to Stock and Domestic entitlement under the *Water Management Act 2000*. Please contact Water NSW regarding any water entitlements available for the land.

- ***Flood***

As the garage and dwelling are to be erected on a flood liable land, Council cannot and will not take responsibility should the garage and dwelling be inundated in a flood event.

## 9.9 DELEGATED AUTHORITY APPROVALS AS AT END OF OCTOBER 2022

File Number: RPT/22/684

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: Kerrie Copley - Planning Officer

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

Strategy: 3.1 Ensure our planning decisions and controls enable the community to benefit from development

### **Summary**

For the month of October 2022, a total of fifteen (15) Development Applications and four (4) S4.55 Modification Applications were determined under delegated authority by the Director Health and Planning.

The estimated value of the determined developments was \$3,550,299.00. This brings the year to date total to ninety-one (91) Development Applications and forty-one (41) S4.55 applications approved, with an estimated development value of \$14,297,528.00.

### **Recommendation**

That Council:

- a) Receives and notes the report for the Delegated Authority Approvals for the month of October 2022.
- 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) Calls a Division 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 2022, 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 \$3,550,299.00 for the month of October 2022. The average determination time was 53 days.

### **Attachments**

1. Delegated Authority Report October 2022  

# DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF OCTOBER 2022

FILE NUMBER	APPLICANT	LOCATION	DESCRIPTION	VALUE (EX GST)	DETERMINATION DATE	ACTIVE DAYS
DA2022/080 PAN 248434	Brent Williams & Associates P/L	6783B Sturt Highway Lot 1 DP 733472 Trentham Cliffs	Addition of verandah	\$90,600.00	04/10/2022	66
DA2022/090 PAN 254042	MH2 Engineering & Architectural Services Pty Ltd - Yeshni Purchase	15 Pine Road Lot 16 DP 1267581 Gol Gol	Dwelling with garage	\$456,000.00	04/10/2022	45
DA2022/091 PAN 250306	Hatch Planning P/L - Matt Jackson	33 Waratah Court Lot 10 DP 1248641 Gol Gol	Dwelling with carport	\$1,200,000.00	04/10/2022	42
DA2022/076 PAN 244345	James Golsworthy Consulting Pty Ltd	Adjacent to High Darling Road Lot 2 DP 1253993 Wentworth	Additions to existing irrigation infrastructure - 3 x pump rail + pontoon & extension to pump room	\$240,000.00	11/10/2022	75
DA2022/077 PAN 244377	James Golsworthy Consulting Pty Ltd	Adjacent to High Darling Road Lot 5 DP 1253993 Wentworth	Irrigation infrastructure - 2 x pump rail + pontoon & pump room	\$150,000.00	11/10/2022	75
DA2022/099 PAN 260310	Pamela Anderson	164 Boeill Creek Road Lot 1 DP 1093669 Boeill Creek	Dismantle old skillion Carport & replace with free standing carport	\$9,500.00	12/10/2022	27
DA2022/069 PAN 237630	Andrew Bos	52 Cadell Street Lot 1 DP 321407 Wentworth	Mooring site	\$400.00	12/10/2022	98
DA2022/100 PAN 255333	Mallee Sheds Pty Ltd - Jodie Stockman	10 Morrison Court Lot 27 DP 1274486 Gol Gol	Storage shed	\$23,799.00	13/10/2022	29

**WENTWORTH  
SHIRE COUNCIL**  
WORTH DRIVE

**DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF OCTOBER 2022**

DA2022/093 PAN 241706	Decentralised Demountables Pty Ltd - Nadia Wyatt	Modica Crescent Lot 4 DP 1230858 Buronga	Demountable Office Building & carport	\$137,000.00	13/10/2022	47
DA2022/046 PAN 221048	James Golsworthy Consulting Pty Ltd	Pooncarie Road Lot 6212 DP 769064 Pooncarie	5000 head cattle feedlot	\$50,000.00	14/10/2022	80
S4-55/2022/043 PAN 273799	MH2 Engineering & Architectural Services P/L - Yeshni Purchase	65-77 Hendy Road Lot 2 DP 122570 Buronga	Modify 8 Commercial Buildings Amendments to Approved Plans	\$0.00	21/10/2022	1
S4-55/2022/041 PAN 267098	Hatch Planning Pty Ltd - Matt Jackson	23 Mitchell Court Lot 24 DP 1229757 Gol Gol	Modify Dwelling with garage & storage - Alter design of shed	\$0.00	24/10/2022	25
DA2022/032 PAN 204554	Price Merrett Consulting - Josh Brice	75 Melaleuca Street Lot 2 DP 1002306 Buronga	4 Lot subdivision	\$0.00	25/10/2022	206
DA2022/104 PAN 266019	MH2 Engineering & Architectural Services- Yeshni Purchase	50 The Cobb & CO Way Lot 61 DP 1071972 Gol Gol	Dwelling with garage & swimming pool	\$743,000.00	25/10/2022	26
S4-55/2022/040 PAN 265655	Fisher Planning - Warrick Fisher	1517B Pooncarie Road Lot 2 DP 756986 Wentworth	Modify Dwelling & Shed - Amend dwelling design & location setback	\$0.00	25/10/2022	28
S4-55/2022/044 PAN 274333	Fisher Planning Pty Ltd - Warrick Fisher	75-77 Wentworth Street Lot 58 DP 756994 Wentworth	Modify Dwelling with garage - Amend garage floor level	\$0.00	26/10/2022	1
DA2022/089 PAN-253193	James Golsworthy Consulting Pty Ltd	High Darling Road Lot 1 DP 1222290 Wentworth	2 Lot Subdivision	\$0.00	26/10/2022	41
DA2022/096 PAN 250518	Roy Costa Planning & Development	6 River Drive Lot 433 DP 756961 Buronga	2 Lot subdivision	\$0.00	28/10/2022	52

# DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF OCTOBER 2022

DA2022/095 PAN 246645	Walshe Books Superannuation Fund - Malcolm Walshe	Renmark Road Lot 2 DP 819579 (proposed Lot 7) Wentworth	Dwelling	\$450,000.00	28/10/2022	57



## 9.10 PROJECT & WORKS UPDATE - NOVEMBER 2022

File Number: RPT/22/699

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Chanelle Pilling - Administration Officer

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

Strategy: 3.2 Ensure that community assets and public infrastructure are well maintained

### 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 2022 and the planned activities for November 2022.

### Recommendation

That Council receives and notes the major works undertaken in October 2022 and the scheduled works for the following month.

### Detailed Report

Refer below for updates of the works completed in October 2022 and the planned activities for November 2022.

Project and Works Update for October 2022	
<b>Roads</b>	<p><b><u>Old Wentworth Road</u></b></p> <ul style="list-style-type: none"> <li>Construction works on 8.5km of Old Wentworth Road has recommenced. Wentworth Shire Council has started importing material for the road base to complete the remaining middle section following AHIP approval. Seal works to be completed mid November. Line marking set for the week of 28 November 2022.</li> </ul> <p><b><u>Pooncarie-Menindee Road Reconstruction</u></b></p> <ul style="list-style-type: none"> <li>Council has suspended work on the sub-grade formation and road realignment of the Pooncarie-Menindee Road throughout Oct due to wet weather. Works anticipated to recommence in Nov subject to improved site conditions.</li> </ul> <p><b><u>Maintenance Grading</u></b></p> <ul style="list-style-type: none"> <li>Planned maintenance grading was undertaken on the following roads throughout October: Top Hut, Arumpo Road, Rufus River Road, Anabranche Mail Road, High Darling Road &amp; Low Darling Road.</li> </ul>
<b>Projects</b>	<p><b><u>Dareton Swimming Pool – Maintenance &amp; Lighting Upgrade</u></b></p> <ul style="list-style-type: none"> <li>Completion of poles erection.</li> <li>All conduit installed.</li> <li>Electrical cables installed within conduit.</li> </ul>

- Portion of electrical trenches backfilled.

**Gol Gol Cemetery Shed**

- Drainage & Electrical works completed.

**Gol Gol East Raw Water System**

- Procurement of infrastructure components including pumps, filter, chlorination unit and electrical from selected pre-qualified suppliers completed with delivery of items expected early Nov.

**James King Park**

- Review of Environmental Factors works in progress.
- Potential delays due to high river.

**Junction Island Bridge**

- Quote period for demolition and installation extended.
- Limited interest due to logistics of screw pile footings. Potential requirement for adjustment to footing design.
- Demolition and installation unable to proceed until high river subsides.

**Junction Island Footpath**

- Works unable to proceed until high river subsides.

**Pink Lake**

- Council is currently developing the final report details into a detailed design package for tender within the new calendar year.

**Pooncarie Campground Toilets**

- Internal Review of Environmental Factors (REF) commences.
- Design of internal layout for proposed transportable building toilet block in design phase.
- Selection of appropriate septic disposal system in design phase.

**Pooncarie Telegraph Building**

- Construction works package awarded to successful contractor.
- Works to be completed by end of June 2023.

**Wentworth EDS**

- Detailed design works progressed. Structural and hydraulic design elements provided for feedback.

**Wentworth Jockey Change Rooms – Female**

- Construction plans to be completed and reviewed prior to tendering the works.
- Purchase order raised to have a section of cladding removed to accommodate the extension and to have the change room asbestos removed.

	<p><b><u>Wentworth Long Day Care Centre</u></b></p> <ul style="list-style-type: none"> <li>• Building works complete, final inspection completed and defects list addressed prior to final construction handover.</li> <li>• Certificate of Occupancy received and provided to the Pre School, certification application submitted via the Australian Children's Education and Care Quality Authority for approval by the Early Childhood Education Directorate.</li> </ul> <p><b><u>Wentworth Rowing Club Extension</u></b></p> <ul style="list-style-type: none"> <li>• Works suspended on this project due to flooding.</li> </ul> <p><b><u>Wentworth Sewerage Rationalisation Scheme</u></b></p> <ul style="list-style-type: none"> <li>• All works completed with contract now entering 12 months defects liability period.</li> </ul> <p><b><u>Wentworth Showgrounds Sewer</u></b></p> <ul style="list-style-type: none"> <li>• Installation of switch board and all electrical connection works including commissioning completed.</li> <li>• Works suspended on this project during Oct due to wet weather.</li> </ul> <p><b><u>Wentworth Swimming Pool – Maintenance &amp; Lighting Upgrade</u></b></p> <ul style="list-style-type: none"> <li>• Majority of poles erected.</li> <li>• All conduit installed.</li> <li>• Electrical cables installed within conduit.</li> <li>• Portion of electrical trenches backfilled.</li> </ul> <p><b><u>Willow Bend Caravan Park</u></b></p> <ul style="list-style-type: none"> <li>• Relocation of remaining portable cabins including the camp kitchen have been relocated out of the park, with the office block building to be shifted first week of Nov.</li> </ul>
<b>Projects and Works scheduled for November 2022</b>	
<b>Roads</b>	<p><b><u>Old Wentworth Road</u></b></p> <ul style="list-style-type: none"> <li>• Old Wentworth Road to be prepared for sealing works. Bitumen seal works to be completed mid-November. Line marking set for the week of 28 November 2022.</li> </ul> <p><b><u>Pooncarie-Menindee Road Reconstruction</u></b></p> <ul style="list-style-type: none"> <li>• Works to recommence mid Nov subject to weather, production of crushed road base material on Tarcoola Station to be completed in early December.</li> <li>• Carting of pugged road base material for the base layer from late November 2022 through to January 2023. Bitumen sealing will commence in stages throughout the works for better adhesion and time efficiency. Line marking will be completed in 2023.</li> </ul> <p><b><u>Maintenance Grading</u></b></p>

	<ul style="list-style-type: none"> <li>Planned maintenance grading will be undertaken on the following roads throughout November: Wambera Road, Petro Mail Road and Milkengay Road</li> </ul>
Projects	<p><b><u>Buronga Landfill Machinery Shed</u></b></p> <ul style="list-style-type: none"> <li>Contractor proceeding with shed. Shed contractor cited purlins supply delay from supplier. Works completion scheduled for late November / early December.</li> </ul> <p><b><u>Dareton Swimming Pool – Lighting Upgrade</u></b></p> <ul style="list-style-type: none"> <li>Lights to be installed on poles.</li> <li>Completion of light pole wiring into building.</li> <li>Works expected to be completed late November.</li> </ul> <p><b><u>Gol Gol East Raw Water System</u></b></p> <ul style="list-style-type: none"> <li>Tender for installation and construction of supporting infrastructure including civil &amp; electrical works delayed due to updated changes required from Public Works, Council report and recommendation to be presented at the December Council meeting for approval.</li> </ul> <p><b><u>James King Park</u></b> Project delayed due to Flooding.</p> <p><b><u>Junction Island Bridge</u></b></p> <ul style="list-style-type: none"> <li>Quote period for demolition and installation to be assessed. to close.</li> </ul> <p><b><u>Junction Island Footpath</u></b></p> <ul style="list-style-type: none"> <li>Delayed due to high rivers.</li> </ul> <p><b><u>Pink Lake</u></b></p> <ul style="list-style-type: none"> <li>While the detailed design works are prepared for tender, Council staff are continuing to liaise with Western Murray Irrigation on feedback and approval to connect and discharge to Pink Lake.</li> <li>Assessment of soil investigation results to be undertaken to determine suitability of trenchless construction.</li> <li>Investigation and planning work to continue through 2022.</li> </ul> <p><b><u>Pooncarie Campground Toilets</u></b></p> <ul style="list-style-type: none"> <li>Procurement process for portable structure to commence.</li> </ul> <p><b><u>Pooncarie Water Treatment Plant – New Kitchen &amp; Cupboards</u></b></p> <ul style="list-style-type: none"> <li>Contractor to install a new kitchen and &amp; works area commencing November 2022.</li> </ul> <p><b><u>Wentworth EDS</u></b></p> <ul style="list-style-type: none"> <li>Electrical design and technical specifications to be provided through November. Technical specification to accompany detailed</li> </ul>

	<p>design.</p> <ul style="list-style-type: none"> <li>• Tender to be advertised late November or early December (pending remaining design documentation).</li> </ul> <p><b><u>Wentworth Swimming Pool – Lighting Upgrade</u></b></p> <ul style="list-style-type: none"> <li>• Lights to be installed on poles.</li> <li>• Completion of light pole wiring into building.</li> <li>• Works expected to be completed Late November.</li> </ul> <p><b><u>Willow Bend Caravan Park</u></b></p> <ul style="list-style-type: none"> <li>• Relocation of office block building to be completed along with removal and storage of all on site materials.</li> <li>• Site to be closed and secured for the remainder of the flood period.</li> </ul>
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**Attachments**

Nil

**10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE**

Nil

**11 CONCLUSION OF THE MEETING**

**NEXT MEETING**

14 December 2022