



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, DARLING STREET, WENTWORTH**, commencing at **4:00PM**.

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 SEPTEMBER 2026

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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

We acknowledge the traditional owners of the land on which we live and work, and pay our respects to their elders past, present, and emerging.

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 19 August 2026 be confirmed as circulated.



ORDINARY MEETING MINUTES

19 AUGUST 2026

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1 OPENING OF MEETING

The Mayor opened the meeting with a prayer at 4:06pm

2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY PRESENT:

COUNCILLORS: Councillor Daniel Linklater
Councillor Jon Armstrong
Councillor Brian Beaumont
Councillor Peter Crisp
Councillor Greg Evans
Councillor Susan Nichols
Councillor Jo Rodda
Councillor Jody Starick
Councillor Michael Weeding

STAFF: Ken Ross (General Manager)
George Kenende (Acting Director Health and Planning)
Geoff Gunn (Director Roads and Engineering)
Simon Rule (Director Finance and Policy)
Gayle Marsden (Executive Assistant to General Manager)
Ebony Carter (Business Support Officer)

3 APOLOGIES AND LEAVE OF ABSENCE

Council Resolution

That Council notes the apologies and grants the Leave of Absence Request from Councillor Evans from 18 September 2026 to 2 October 2026.

Moved Cr. Evans, Seconded Cr. Beaumont

CARRIED UNANIMOUSLY

4 DISCLOSURES OF INTERESTS

Councillor Weeding advised that he had a less than significant non-pecuniary interest in Item 9.11 as the Murray Darling Amateur Swimming Club is an Intra Club of the Coomealla Memorial Sporting Club which he is a member of the Board.

Councillor Weeding advised that he had a less than significant non-pecuniary interest in Item 9.11 as he was on the board of the Wentworth Military Museum up until last month's meeting which his resignation was accepted

Councillor Crisp advised that he had a significant non-pecuniary interest in Item 9.11 as he has provided governance advice to members of the Wentworth Military Collection to call an extraordinary meeting to address relating to Financial issues & adherence to the organisations constitution. Subsequently the Treasurer, Assistant Treasurer & a Comember have resigned.

Councillor Rodda advised that he had a less than significant pecuniary interest in Item 9.13 as she is employed as a contractor by the Wentworth Regional Progress Association.

Councillor Evans advised that he had a pecuniary interest in Item 9.13 as he may be employed by the Wentworth Street Party Committee as an entertainer for the event.

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 15 July 2026 be confirmed as circulated.

Council Resolution

That the Minutes of the Ordinary Meeting held 15 July 2026 be confirmed as circulated.

Moved Cr. Nichols, Seconded Cr. Armstrong

CARRIED UNANIMOUSLY

Council Resolution

That the Ordinary Council meeting be adjourned for the purpose of conducting a Public Forum.

The meeting was adjourned at 4.11pm.

Moved Cr. Crisp, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

PUBLIC FORUM

Phoebe Jardine spoke against Item 9.20

Brenton Jardine spoke against Item 9.20

James Golsworthy spoke for Item 9.20

Matt Jackson spoke for Item 9.21 thanking Council staff in regards to the dealing of the Development Application

Council Resolution

That Council reconvenes into open session. The meeting was reconvened at 4:36pm

Moved Cr. Crisp, Seconded Cr. Weeding

CARRIED UNANIMOUSLY

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

6.1 STATUS REPORT ON PREVIOUS COUNCIL RESOLUTIONS AS 19 AUGUST 2026

File Number: RPT/26/415

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Ebony Carter - Business Support Officer

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: 4.3 Provide a governance framework that is transparent and builds trust in local leadership

Summary

The Status Report on previous Council Resolutions provides details of actions that remain outstanding.

Officer Recommendation

That Council notes the list of outstanding action items for Council Resolutions as at 19 August 2026.

Council Resolution

That Council notes the list of outstanding action items for Council Resolutions as at 19 August 2026.

Moved Cr. Rodda, Seconded Cr. Starick

CARRIED UNANIMOUSLY

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT AUGUST 2026

File Number: RPT/26/370

Recommendation

That Council receives and notes the information contained in the Mayoral report for August 2026.

Council Resolution

That Council receives and notes the information contained in the Mayoral report for August 2026.

Moved Cr. Linklater, Seconded Cr. Weeding

CARRIED UNANIMOUSLY

8 REPORTS FROM COMMITTEES

Nil

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGERS REPORT AUGUST 2026

File Number: RPT/26/360

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Ebony Carter - Business Support Officer

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 We value our civic leadership whose stewardship and decision making benefits present and future generations

Summary

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

1. OLG Circulars

Council Circular - 26-10 - End of Year Reporting Requirements

Council Circular - 26-12 - Annual Cpi Adjustment Filming Application Fees and Companion Animal Fees for 2026-27

Council Circular - 26-13 - Annual Reporting of Labour Statistics

Council Circular - 26-11 – Procurement Guidance for Local Government

2. Meetings

As listed.

3. Upcoming meetings or events

As listed.

4. Other items of note

Recommendation

That Council receive and note the information contained within the August 2026 report from the General Manager.

Council Resolution

That Council receive and note the information contained within the August 2026 report from the General Manager.

Moved Cr. Rodda, Seconded Cr. Evans

CARRIED UNANIMOUSLY

9.2 CHRISTMAS LEAVE ARRANGEMENTS

File Number: RPT/26/371

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Glen Norris - Manager Human Resources

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: 4.3 An effective and efficient organisation

Summary

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

Recommendation

That Council approves the Christmas and New Year holiday arrangements.

Council Resolution

That Council approves the Christmas and New Year holiday arrangements.

Moved Cr. Armstrong, Seconded Cr. Beaumont

CARRIED UNANIMOUSLY

9.3 UNION PICNIC DAY

File Number: RPT/26/372

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Glen Norris - Manager Human Resources

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: 4.4 Manage public resources responsibly and efficiently for the benefit of the community

Summary

Union Picnic Day is an entitlement under the Local Government (State) Award for employees who are financial members of Union(s) only. Council is required to determine which day shall be regarded as the Union Picnic Day and the arrangements for the non-union members on the determined Union Picnic Day.

Recommendation

That Council:

- a) Approve Tuesday 3 November 2026 as the Award holiday known as Union Picnic Day for those employees who are financial members of the United Services Union
- b) Authorise the closure of Council Offices, Council Depots, Libraries, Landfills and Visitor Information Centre
- c) Require Non-union members to apply for 3 November 2026 from leave entitlements to enable the above arrangements

Council Resolution

That Council:

- a) Approve Tuesday 3 November 2026 as the Award holiday known as Union Picnic Day for those employees who are financial members of the United Services Union
- b) Authorise the closure of Council Offices, Council Depots, Libraries, Landfills and Visitor Information Centre
- c) Require Non-union members to apply for 3 November 2026 from leave entitlements to enable the above arrangements

Moved Cr. Armstrong, Seconded Cr. Nichols

CARRIED UNANIMOUSLY

9.4 PLANT REPLACEMENT - PRE APPROVAL FOR TENDER FOR PURCHASE OF BULLDOZER

File Number: RPT/26/365

Responsible Officer: Geoff Gunn - Director of Roads & Engineering
Responsible Division: Roads and Engineering
Reporting Officer: Samantha Wall - Projects Administration

Objective: 3.0 Wentworth Shire is a community that works to enhance and protect its physical and natural environment
Strategy: 3.2 Our public assets are well maintained and able to meet the growing population demands

Summary

Council's Roads and Engineering Department is seeking approval to spend up to \$670,000 (including GST) from the 2026/27 Plant Replacement Budget to purchase a second-hand 23–25 tonne bulldozer.

The bulldozer will support a range of essential Council operations, including road construction and maintenance, earthworks, drainage projects, landfill operations, and emergency response activities.

Due to the highly competitive second-hand heavy machinery market, Council is requesting pre-approval to purchase a suitable machine before a specific unit is identified. This will allow officers to quickly secure equipment while completing inspections, mechanical assessments, and due diligence, reducing the risk of losing suitable opportunities.

Recommendation

That Council

1. Authorises the General Manager to approve expenditure of up to \$670,000 (including GST) from the 2026/2027 Plant Replacement Budget for the purchase of a second-hand 23–25 tonne bulldozer.
2. Notes that a further report will be presented to Council following the procurement process, detailing the successful supplier, purchase price, and associated costs.

Council Resolution

That Council

1. Authorises the General Manager to approve expenditure of up to \$670,000 (including GST) from the 2026/2027 Plant Replacement Budget for the purchase of a second-hand 23–25 tonne bulldozer.
2. Notes that a further report will be presented to Council following the procurement process, detailing the successful supplier, purchase price, and associated costs.

Moved Cr. Crisp, Seconded Cr. Weeding

CARRIED UNANIMOUSLY

9.5 SUPPORT FOR BROKEN HILL RESOLUTION URANIUM MINING AND NUCLEAR FACILITIES (PROHIBITION) REPEAL BILL 2025 - WESTERN DIVISION OF COUNCILS

File Number: RPT/26/463

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 We value our civic leadership whose stewardship and decision making benefits present and future generations

Summary

Broken Hill City Council on 29 July 2026 carried a motion based on a Mayoral Minute from Mayor Tom Kennedy to call upon the New South Wales Government to undertake a review of the Uranium Mining and Nuclear Facilities (Prohibitions) Act 1986 (NSW) with a view to repealing the legislative prohibitions on uranium mining and uranium export.

Recommendation

That Council:

- a) Receives and notes the report
- b) Support the resolution carried by Broken Hill City Council and lobby with Broken Hill for a review of the Uranium Mining and Nuclear Facilities (Prohibitions) Act 1986 (NSW) and consideration of a Community Benefits scheme.
- c) That correspondence be sent to the Premier of New South Wales, the Minister for Energy, the Minister for Natural Resources and the Member for Barwon seeking bipartisan consideration of these reforms and advocating for fair recognition of regional communities that host nationally significant industries.

Council Resolution

That Council:

- a) Receives and notes the report
- b) Support the resolution carried by Broken Hill City Council and lobby with Broken Hill for a review of the Uranium Mining and Nuclear Facilities (Prohibitions) Act 1986 (NSW) and consideration of a Community Benefits scheme.
- c) That correspondence be sent to the Premier of New South Wales, the Minister for Energy, the Minister for Natural Resources and the Member for Barwon seeking bipartisan consideration of these reforms and advocating for fair recognition of regional communities that host nationally significant industries.

Moved Cr. Nichols, Seconded Cr. Starick

CARRIED

For the Motion : ***Clr.s Armstrong, Crisp, Linklater, Nichols, Starick and Weeding.***

Against the Motion: ***Clr.s Beaumont, Evans and Rodda.***

9.6 MONTHLY FINANCE REPORT - JUNE 2026

File Number: RPT/26/400

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Reporting Officer: Vanessa Lock - Finance Officer

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 A well engaged and informed community

Summary

Rates and Charges collections for the month of July 2026 were \$1,485,124.87. After allowing for pensioner subsidies, the total levies collected are now 11.31%. For comparison purposes 9.57% of the levy had been collected at the end of July 2025. Council currently has \$36,524,768.52 in cash and investments.

Recommendation

That Council receives and notes the Monthly Finance Report for July 2026.

Council Resolution

That Council receives and notes the Monthly Finance Report for July 2026.

Moved Cr. Armstrong, Seconded Cr. Starick

CARRIED UNANIMOUSLY

9.7 MONTHLY INVESTMENT REPORT - JULY 2026

File Number: RPT/26/404

Responsible Officer: Simon Rule - Director Corporate Services
Responsible Division: Corporate Services
Reporting Officer: Ned Lamond - Financial Services Coordinator

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: 4.4 Manage public resources responsibly and efficiently for the benefit of the community

Summary

As of 31 July 2026, Council had \$32 million invested in term deposits and fixed bonds with \$4,524,768.52 in other cash investments. Council received \$95,959.71 from its investments for the month of July 2026.

In July 2026 Council investments averaged a rate of return of 4.26% and it currently has \$4,456,679.35 of internal restrictions and \$27,713,963.37 of external restrictions.

Recommendation

That Council receives and notes the monthly investment report for July 2026.

Council Resolution

That Council receives and notes the monthly investment report for July 2026.

Moved Cr. Rodda, Seconded Cr. Evans

CARRIED UNANIMOUSLY

9.8 QUARTERLY BUDGET REVIEW STATEMENTS

File Number: RPT/26/412

Responsible Officer: Simon Rule - Director Corporate Services
Responsible Division: Corporate Services
Report Author: Simon Rule - Director Corporate Services
Ned Lamond - Financial Services Coordinator

Summary

The June Quarterly Budget Review Statement (QBRS) has been prepared in accordance with the NSW Office of Local Government's 2024-2025 Quarterly Budget Review Guidelines. The updated framework aims to improve transparency, consistency, and alignment with the Integrated Planning and Reporting principles.

The June QBRS provides a comprehensive review of Council's financial performance and budget position for the quarter ended 30 June 2026 noting that it does not reflect all end of year adjustments, including

- A detailed analysis of operating performance, including key variations in income and expenditure
- Reporting of capital works progress and associated funding sources
- Updated information on cash and investments, developer contributions, and loan balances; and
- A summary of budget variations exceeding the $\pm 10\%$ or \$50,000 materiality threshold

While the new QBRS format no longer includes financial Key Performance Indicator (KPI)'s, Council notes that the OLG is currently reviewing the financial and sustainability ratios used across the sector. At this stage, Council's priority is to bed down the requirements of the revised guidelines. The reintroduction of the previous suite of KPI's will be considered as part of future reporting.

Consistent with the updated reporting requirements, once this QBRS is formally tabled at the August Council Meeting, a copy of the report and its attachments will be published on Council's website to ensure transparency and public accountability.

Recommendation

That the Committee:

- a) Receive and note the June 2026 Quarterly Budget Review Statement
- b) Approve the required quarterly variations

Council Resolution

That the Committee:

- a) Receive and note the June 2026 Quarterly Budget Review Statement
- b) Approve the required quarterly variations

Moved Cr. Starick, Seconded Cr. Armstrong

CARRIED UNANIMOUSLY

9.9 QUARTERLY OPERATIONAL PLAN PROGRESS REPORT

File Number: RPT/26/381

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Reporting Officer: Simon Rule - Director Corporate Services

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: 4.3 Provide a governance framework that is transparent and builds trust in local leadership

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.

Recommendation

That Council receives and notes the report.

Council Resolution

That Council receives and notes the report.

Moved Cr. Rodda, Seconded Cr. Crisp

CARRIED UNANIMOUSLY

9.10 ADOPTION OF REVISED PROCUREMENT POLICY, STATEMENT OF BUSINESS ETHICS AND CREDIT CARD POLICIES

File Number: RPT/26/411

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Reporting Officer: Simon Rule - Director Corporate Services

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: 4.3 Provide a governance framework that is transparent and builds trust in local leadership

Summary

As part of Council's ongoing commitment to sound governance, transparency and continuous improvement, the Procurement Policy, Statement of Business Ethics and Credit Card Policy have been reviewed to ensure they remain contemporary, effective and aligned with Council's operational and governance requirements.

The revised policies were considered by the Audit, Risk and Improvement Committee (ARIC) at its May 2026 meeting, where they were endorsed for progression through Council's policy adoption process. At the June 2026 Ordinary Council Meeting, Council resolved to place the revised policies on public exhibition to provide the community and stakeholders with an opportunity to review and comment on the proposed changes.

The public exhibition period has now concluded, and no submissions were received. The revised policies strengthen Council's governance framework by supporting ethical conduct, accountable decision-making, effective procurement practices and appropriate financial controls. Adoption of the policies will ensure Council maintains a contemporary policy framework that supports compliance, mitigates organisational risk and reflects good governance practice.

It is therefore recommended that Council adopt the revised Procurement Policy, Statement of Business Ethics Policy and Credit Card Policy.

Recommendation

That Council adopt the following revised policies:

- a) GOV005 – Procurement Policy
- b) GOV019 – Statement of Business Ethics Policy
- c) GOV024 – Credit Card Policy

Council Resolution

That Council adopt the following revised policies:

- a) GOV005 – Procurement Policy
- b) GOV019 – Statement of Business Ethics Policy
- c) GOV024 – Credit Card Policy

Moved Cr. Nichols, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

9.11 AF003 REQUESTS FOR FINANCIAL ASSISTANCE

File Number: RPT/26/402

Responsible Officer: Simon Rule - Director Corporate Services
 Responsible Division: Corporate Services
 Reporting Officer: Annette Fraser - Team Leader Customer Service

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 A well engaged and informed community

Summary

Council has provided an allocation of \$200,000.00 for the 2026/27 financial year for consideration by Council, for the funding of requests from the community for financial assistance. In this financial year, \$127,468.00 has been granted to a variety of organisations through the annual fees and charges "Exemptions from the Application" process.

The total value of requests granted so far under delegated authority is \$6,513.00. The total value of requests for Round 1 of the 2026/2027 funding application period totals \$12,096.59 which if granted in full would leave a balance in the financial assistance program of \$53,922.41

Financial Assistance Program starting balance 2023/24	\$200,000.00
Annual fees & charges annual exemptions granted	\$127,468.00
Granted under delegated authority to July 2026	\$ 6,513.00
Available balance as at 25 July 2026	\$ 66,019.00
Round 1 Financial request applications received to 24/7/2026	\$ 12,096.59
Remaining balance if all approved	\$ 53,922.41

Recommendation

That Council having considered the current requests for financial assistance, make appropriate recommendations on the level of funding to be provided to each of these applications from the Financial Assistance program.

Council Resolution

That Council deal with the applications separately in the following order.

- a) Dareton Community Action Team
- b) Rubys cargo
- c) Murray Darling Amateur Swimming Club
- d) Wentworth Military Collection

Moved Cr. Armstrong, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

Council Resolution

That Council provide \$429.87 to the Dareton Community Action Team

Moved Cr. Armstrong, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

Council Resolution

That Council provide \$1,666.72 to Rubys Cargo

Moved Cr. Armstrong, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

At 05:02 pm Councillor Michael Weeding left the Council Chambers.

Motion

That Council provide \$5,000 to the Murray Darling Amateur Swimming Club

Moved Cr. Armstrong, Seconded Cr. Rodda

Amendment

That Council provide \$2,500 to the Murray Darling Amateur Swimming Club

Moved Cr. Nichols

LAPSED

Council Resolution

That Council provide \$5,000 to the Murray Darling Amateur Swimming Club

Moved Cr. Armstrong, Seconded Cr. Rodda

CARRIED

For the Motion : *Clr.s Armstrong, Beaumont, Crisp, Evans, Linklater, Rodda, Starick and Weeding.*

Against the Motion: *Clr. Nichols.*

At 05.05 pm Councillor Peter Crisp left the Council Chambers

Motion

That Council provide \$5,000 to the Wentworth Military Collection

Moved Cr. Armstrong, Seconded Cr. Rodda

Amendment

That Council make available \$5,000 by way of reimbursement to the Wentworth Military Collection

Moved Cr. Beaumont, Seconded Cr. Nichols

CARRIED UNANIMOUSLY

Council Resolution

That Council make available \$5,000 by way of reimbursement to the Wentworth Military Collection

Moved Cr. Beaumont, Seconded Cr. Nichols

CARRIED UNANIMOUSLY

At 05:14 pm Councillor Michael Weeding returned to Council Chambers.

At 05:14 pm Councillor Peter Crisp returned to Council Chambers.

9.12 REQUEST FOR EVENT FUNDING 2026 POONCARIE RACES

File Number: RPT/26/454

Responsible Officer: Simon Rule - Director Corporate Services
Responsible Division: Corporate Services
Reporting Officer: Aaron Hawkins - Manager Corporate Services

Objective: 1.0 Wentworth Shire is a vibrant, growing and thriving region
Strategy: 1.2 Promote the Wentworth Region as a desirable visitor and tourism destination

Summary

Council has received a request from the Pooncarie Racing Club seeking funding support for the Pooncarie Races in 2026. The event organiser is seeking \$10,000 in cash sponsorship under the Event Funding Program to support a well-established major event operating in the rural township of Pooncarie. The event is projected to attract 500 visitors from outside the Wentworth region, each staying 2-3 days, plus bring both Wentworth and Mildura locals out to Pooncarie. Estimated at 1500 total attendees.

Assessment against the program criteria indicates that the event delivers significant economic value, with conservative modelling indicating the event is likely to inject approximately \$300,000 within the local economy, plus extra multipliers. Further to this, the community benefit of such an event is hard to put a figure on.

Recommendation

That Council based on the information provided in the report approves funding as it deems appropriate using the options provided.

Council Resolution

That Council based on the information provided in the report provide funding of \$7,500 to Pooncarie District Racing Club.

Moved Cr. Rodda, Seconded Cr. Armstrong

CARRIED UNANIMOUSLY

At 5:18 pm Councillor Greg Evans left the Council Chambers

At 5:18 pm Councillor Jo Rodda left the Council Chambers

9.13 REQUEST FOR EVENT FUNDING 2026 CHRSITMAS EVE STREET PARTY

File Number: RPT/26/456

Responsible Officer: Simon Rule - Director Corporate Services
Responsible Division: Corporate Services
Reporting Officer: Aaron Hawkins - Manager Corporate Services

Objective: 1.0 Wentworth Shire is a vibrant, growing and thriving region
Strategy: 1.2 Promote the Wentworth Region as a desirable visitor and tourism destination

Summary

Council has received a request from the Wentworth Regional Community Project Association Inc seeking funding support for the 2026 Wentworth Christmas Eve Street Party and Fireworks.

Assessment against the program criteria indicates that the event delivers significant community value, and some economic value.

Recommendation

That Council based on the information provided in the report approves funding as it deems appropriate using the options provided.

Council Resolution

That Council based on the information provided in the report approves funding of \$8,000 to The Wentworth Christmas Eve Street Party.

Moved Cr. Weeding, Seconded Cr. Nichols

CARRIED UNANIMOUSLY

At 05:19 pm Councillor Greg Evans returned to Council Chambers.

At 05:19 pm Councillor Jo Rodda returned to Council Chambers.

9.14 DA2023/132 PONTOON 163 POONCARIE ROAD LOT 4 DP 1239541 WENTWORTH

File Number: RPT/26/410

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

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 We value our civic leadership whose stewardship and decision making benefits present and future generations

Summary

A development application (DA2023/132) was lodged with Council on 24 November 2023 for a pontoon (retrospective approval) at 163 Pooncarie Road Lot 4 DP 1239541 Wentworth.

Under the R5 Large Lot Residential zoning of the *Wentworth Local Environmental Plan 2011* (WLEP 2011), the proposed development of a pontoon (water recreation structure) is permitted with consent.

The Wentworth Local Environmental Plan 2011 defines a water recreation structure as:

- **water recreation structure** means a structure used primarily for recreational purposes that has a direct structural connection between the shore and the waterway, and may include a pier, wharf, jetty or boat launching ramp.

It is noted that the application is for retrospective approval for the pontoon. The pontoon already exists on the site and constitutes illegal building work, as the structure was constructed upon the site without consent. Appropriate methods of managing illegal building works are through enforcement action and/or through a Building Information Certificate (BIC). In this instance, applying for a Building Information Certificate, and having this assessed and approved, before relodging a development application for land use approval is considered the most appropriate pathway for managing illegal building works upon the site.

It is well known in NSW planning law that the requirement for obtaining consent, where required for development, is a prerequisite to the commencement of development construction, this is demonstrated in the case law example below.

Unauthorised works

It is not possible to obtain retrospective approval for works undertaken without consent (*Kuring-gai Council v Buyozo Pty Ltd [2021] NSWCA 177 [at 40]*), therefore those parts of the proposed development which are already constructed cannot form part of this application and cannot be regularised by this application. A Building Information Certificate must be lodged to prevent Council from seeking the rectification of those works as approved.

For Council to be able to approve a development application for a pontoon, matters for consideration under section 4.15 of the *Environmental Planning and Assessment Act 1979*.

The application is presented to Council for determination and was not determined under delegation for the following reasons:

- The application is recommending refusal.

Recommendation

That Council:

1. Refuse DA2023/132 for a pontoon (retrospective approval) at 163 Pooncarie Road Lot 4 DP 1239541 Wentworth subject to reasons.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Council Resolution

That Council hold over the item for one month so it can be resolved

Moved Cr. Crisp, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

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

For the Motion : ***Clr.s Armstrong, Beaumont, Crisp, Evans, Linklater, Nichols, Rodda, Starick and Weeding.***

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

**9.15 DA2025/021 MANUFACTURED HOME ESTATE 78 CORBERTT AVENUE
BURONGA LOT 2 DP 1300239**

File Number: RPT/26/423

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: George Kenende - Strategic Planner

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 We value our civic leadership whose stewardship and decision making benefits present and future generations

Summary

This Development Application has been withdrawn from the NSW Planning Portal therefore this report is unable to be tabled.

A development application (DA2025/021) was lodged with Council on 11 February 2025 for a manufactured home estate at 78 Corbett Avenue Buronga Lot 2 DP 1300239.

Under the RU5 Village zoning of the *Wentworth Local Environmental Plan 2011* (WLEP 2011), the proposed development (manufactured home estate) is permitted with consent.

The *Local Government Act 1993* defines manufactured home estate as:

- **manufactured home estate** means land on which manufactured homes are, or are to be, erected.

The *Local Government Act 1993* defines manufactured home as:

- **manufactured home** means a self-contained dwelling (that is, a dwelling that includes at least one kitchen, bathroom, bedroom and living area and that also includes toilet and laundry facilities), being a dwelling—
 - a) that comprises one or more major sections, and
 - b) that is not a motor vehicle, trailer or other registrable vehicle within the meaning of the Road Transport Act 2013,
- and includes any associated structures that form part of the dwelling.

During public exhibition, nine (9) submissions were received (2 being the same submitter) raising concerns about the proposed development.

Jurisdictional preconditions are requirements, imposed by planning legislation, that must be satisfied before Council can approve any development application. There are examples of court cases decided by the Land and Environment Court, where development approval by Council were determined to be invalid because not all jurisdictional preconditions were satisfied.

The applicant has not provided sufficient information to satisfy the jurisdictional preconditions to approve the development application as follows:

- Written Land owners consent as per section 23 of the *Environmental Planning and Assessment Regulation 2021*. NSW Crown Land consent has been provided. However, recent legal advice provided to Council in relation to Lot 453 in DP 1217477

indicates that land owners consent will also be required from the Barkandji Registered Native Title Corporate as the native title holders of the land

- For land formally used for agriculture/horticulture use, a Preliminary Site Investigation for contamination **must** be provided to Council as per Chapter 4 of the State Environmental Planning Policy (Resilience and Hazards) 2021 (R&H SEPP).
- Satisfy matters under Chapter 3, Part 8 of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP)
- Have a design consistent with Part 2 Division 3 of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*
- The development must be capable of being adequately serviced as per clause 7.2 of the WLEP 2011
- Matters for consideration under section 4.15 of the *Environmental Planning and Assessment Act 1979*

The application was presented to Council at the 13 May 2026 ordinary Council meeting with a recommendation for refusal. A decision was made by Council to defer the matter. The application was presented to Council again at the 15 July 2026 meeting, where the matter was deferred again (laid on the table).

At the 15 July 2026 meeting, Mr Costa was asked whether all of the various matters set out in the assessment report had been dealt with, where he generally indicated that those matters would all be uploaded at the same time that owner's consent was obtained. Mr Costa has uploaded a three page response to the two pages of reasons for refusal outlined in the assessment report. Owner's consent is but one of 12 matters, plus a list of 16 issues which require further information.

At the Council meeting on 15 July 2026 Mr Costa was asked about the request for a site investigation for contamination and he advised that one had been undertaken for the DA for a 124 lot subdivision. It is unclear which DA he was referencing. DA2018/101 which was for stage 1 – subdivision into 17 lots (modified to 18 lots) which was to form part of a (ultimately) 89 lot subdivision of the site (not 124 as referenced in the Council meeting), does not conform with Mr Costa's description – particularly noting that only 18 lots were approved for subdivision.

To date, only the following has been provided:

- Land owners consent from NSW Crown land
- Three (3) page letter

The letter provided was reviewed and noted that it did not address or provide the information required to address the other issues identified as part of the assessment including the jurisdictional preconditions to allow approval of the development application.

The Minister's Environmental Planning and Assessment (Statement of Expectations) Order was signed by the NSW Planning Minister in 2024 and updated on 1 July 2026. The objective of the order is to:

The object of this Order is to set expectations for councils in relation to their performance of a range of planning and development functions under the Environmental Planning and Assessment Act 1979. If a council is found not to be meeting these expectations, the Minister can take these matters into consideration as part of determining if it is appropriate to appoint a planning administrator to exercise a council's functions. It is made under section 9.6(9) of the Act.

This development application was one of the applications identified by the NSW Department of Planning Housing and Infrastructure as being active for over 180 days, which does not comply with the Ministerial expectations.

The application has been presented to Council for determination and was not determined under delegation for the following reasons:

- The application is recommended for refusal
- More than 3 submissions were received to the application

Recommendation

That Council:

1. Refuse DA2025/021 for a manufactured home estate at 78 Corbett Avenue Buronga Lot 2 DP 1300239 subject to reasons.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

9.16 DA2025/026 DWELLING WITH GARAGE AND STORAGE SHED LOT X DP 388592 BOEILL CREEK

File Number: RPT/26/413

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: George Kenende - Strategic Planner

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 We value our civic leadership whose stewardship and decision making benefits present and future generations

Summary

This Development Application has been withdrawn from the NSW Planning Portal therefore this report is unable to be tabled.

A development application (DA2025/026) was lodged with Council on 18 February 2026 for a dwelling with garage and storage shed at Lot X DP 388592 Boeill Creek.

Under the RU1 Primary Production zoning of the *Wentworth Local Environmental Plan 2011* (WLEP 2011), the proposed development (dwelling house with garage and ancillary storage shed) is permitted with consent if requirements under section 4.15 of the *Environmental Planning and Assessment Act 1979* are met.

The Minister's Environmental Planning and Assessment (Statement of Expectations) Order was signed by the NSW Planning Minister in 2024 and updated on 1 July 2026. The objective of the order is to:

The object of this Order is to set expectations for councils in relation to their performance of a range of planning and development functions under the Environmental Planning and Assessment Act 1979. If a council is found not to be meeting these expectations, the Minister can take these matters into consideration as part of determining if it is appropriate to appoint a planning administrator to exercise a council's functions. It is made under section 9.6(9) of the Act.

This development application was one of the applications identified by the NSW Department of Planning Housing and Infrastructure as being active for over 180 days, which does not comply with the Ministerial expectations.

Jurisdictional preconditions are requirements, imposed by planning legislation, that must be satisfied before Council can approve any development application. There are examples of cases decided by the Land and Environment Court, where development approval by Council were determined to be invalid because not all jurisdictional preconditions were satisfied.

The applicant has not provided sufficient information to satisfy the jurisdictional preconditions to approve the development application as follows:

- For land associated with a pollution event (known to be contaminated), a Preliminary Site Investigation for contamination must be provided to Council as per Chapter 4 of

the *State Environmental Planning Policy (Resilience and Hazards) 2021* (R&H SEPP).

- A FIRA (Flood Impact and Risk Assessment) was not provided to demonstrate appropriate mitigation measures to minimise impacts from the event of a flood (compliance with clause 5.21 of the WLEP 2011)
- No wastewater management assessment provided to advise an acceptable effluent disposal site and to consider the appropriate effluent system (compliance with Chapter 5, section 5.7-5.9 and 5.13 of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*)

The application has been presented to Council for determination and was not determined under delegation for the following reason:

- The application is recommended for refusal

Recommendation

That Council:

1. Refuse DA2025/026 for a dwelling with garage and storage shed at Lot X DP 388592 Boeill Creek subject to reasons.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

9.17 DA2025/027 DWELLING WITH GARAGE AND STORAGE SHED LOT Y DP 388592 BOEILL CREEK

File Number: RPT/26/409

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: George Kenende - Strategic Planner

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 We value our civic leadership whose stewardship and decision making benefits present and future generations

Summary

This Development Application has been withdrawn from the NSW Planning Portal therefore this report is unable to be tabled.

A development application (DA2025/027) was lodged with Council on 18 February 2026 for a dwelling with garage and storage shed at Lot Y DP 388592 Boeill Creek.

Under the RU1 Primary Production zoning of the *Wentworth Local Environmental Plan 2011* (WLEP 2011), the proposed development (dwelling house with garage and ancillary storage shed) is permitted with consent if requirements under section 4.15 of the *Environmental Planning and Assessment Act 1979* are met.

The Minister's Environmental Planning and Assessment (Statement of Expectations) Order includes was signed by the NSW Planning Minister in 2024 and updated on 1 July 2026. The objective of the order is to:

The object of this Order is to set expectations for councils in relation to their performance of a range of planning and development functions under the Environmental Planning and Assessment Act 1979. If a council is found not to be meeting these expectations, the Minister can take these matters into consideration as part of determining if it is appropriate to appoint a planning administrator to exercise a council's functions. It is made under section 9.6(9) of the Act.

This development application was one of the applications identified by the NSW Department of Planning Housing and Infrastructure as being active for over 180 days, which does not comply with the Ministerial expectations.

Jurisdictional preconditions are requirements, imposed by planning legislation, that must be satisfied before Council can approve any development application. There are examples of cases decided by the Land and Environment Court, where development approval by Council was determined to be invalid because not all jurisdictional preconditions were satisfied.

The applicant has not provided sufficient information to satisfy the jurisdictional preconditions to approve the development application as follows:

- For land associated with a pollution event (known to be contaminated), a Preliminary Site Investigation for contamination must be provided to Council as per Chapter 4 of

the *State Environmental Planning Policy (Resilience and Hazards) 2021* (R&H SEPP).

- A FIRA (Flood Impact and Risk Assessment) was not provided to demonstrate appropriate mitigation measures to minimise impacts from the event of a flood (compliance with clause 5.21 of the WLEP 2011)
- No wastewater management assessment provided to advise an acceptable effluent disposal site and to consider the appropriate effluent system (compliance with Chapter 5, section 5.7-5.9 and 5.13 of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*)

The application has been presented to Council for determination and was not determined under delegation for the following reason:

- The application is recommended for refusal

Recommendation

That Council:

1. Refuse DA2025/027 for a dwelling with garage and storage shed at Lot Y DP 388592 Boeill Creek subject to reasons.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

9.18 DA2025/029 DWELLING WITH GARAGE AND STORAGE SHED 529A BOEILL CREEK ROAD LOT 1 DP 386033 BOEILL CREEK

File Number: RPT/26/422

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: George Kenende - Strategic Planner

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 We value our civic leadership whose stewardship and decision making benefits present and future generations

Summary

This Development Application has been withdrawn from the NSW Planning Portal therefore this report is unable to be tabled.

A development application (DA2025/029) was lodged with Council on 18 February 2026 for a dwelling with garage and storage shed at 529A Boeill Creed Road Lot 1 DP 386033 Boeill Creek.

Under the RU1 Primary Production zoning of the *Wentworth Local Environmental Plan 2011* (WLEP 2011), the proposed development (dwelling house with garage and ancillary storage shed) is permitted with consent if requirements under section 4.15 of the *Environmental Planning and Assessment Act 1979* are met.

The Minister's Environmental Planning and Assessment (Statement of Expectations) Order was signed by the NSW Planning Minister in 2024 and updated on 1 July 2026. The objective of the order is to:

The object of this Order is to set expectations for councils in relation to their performance of a range of planning and development functions under the Environmental Planning and Assessment Act 1979. If a council is found not to be meeting these expectations, the Minister can take these matters into consideration as part of determining if it is appropriate to appoint a planning administrator to exercise a council's functions. It is made under section 9.6(9) of the Act.

This development application was one of the applications identified by the NSW Department of Planning Housing and Infrastructure as being active for over 180 days, which does not comply with the Ministerial expectations.

Jurisdictional preconditions are requirements, imposed by planning legislation, that must be satisfied before Council can approve any development application. There are examples of cases decided by the Land and Environment Court, where development approval by Council were determined to be invalid because not all jurisdictional preconditions were satisfied.

The applicant has not provided sufficient information to satisfy the jurisdictional preconditions to approve the development application as follows:

- For land associated with a pollution event (known to be contaminated), a Preliminary Site Investigation for contamination must be provided to Council as per Chapter 4 of

the *State Environmental Planning Policy (Resilience and Hazards) 2021* (R&H SEPP).

- A FIRA (Flood Impact and Risk Assessment) was not provided to demonstrate appropriate mitigation measures to minimise impacts from the event of a flood (compliance with clause 5.21 of the WLEP 2011)
- No wastewater management assessment provided to advise an acceptable effluent disposal site and to consider the appropriate effluent system (compliance with Chapter 5, section 5.7-5.9 and 5.13 of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*)

The application has been presented to Council for determination and was not determined under delegation for the following reason:

- The application is recommended for refusal

Recommendation

That Council:

1. Refuse DA2025/029 for a dwelling with garage and storage shed at 529A Boeill Creed Road Lot 1 DP 386033 Boeill Creek subject to reasons.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

9.19 DA2025/097 PERGOLA AND STORAGE SHED EXTENSION 12 MURRAY STREET LOT 8 DP 758456 GOL GOL

File Number: RPT/26/424

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

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 We value our civic leadership whose stewardship and decision making benefits present and future generations

Summary

A development application (DA2025/097) was lodged with Council on 28 May 2025 for a pergola and storage shed extension at 12 Murray Street Lot 8 DP 758456 Gol Gol.

Under the R5 Large Lot Residential zoning of the *Wentworth Local Environmental Plan 2011* (WLEP 2011), the proposed development of a pergola and storage shed extension is permitted with consent.

It is noted that the storage shed extensions are adjoining the existing ancillary structures located along the northeastern boundary of the property and that development constructed upon the site is not consistent with development previously approved, as they have a larger footprint. Within the development application the applicant notes that the section of the storage shed already constructed, is for use only. The proposed addition to the storage shed structure includes building works that would be constructed over the existing waste management system on the site. Council can provide approval for the proposed pergola on the site as this has not been constructed. Appropriate methods of managing illegal building works are through enforcement action and/or through a Building Information Certificate (BIC). In this instance, applying for a Building Information Certificate, and having this assessed and approved, before relodging a development application for land use approval is considered the most appropriate pathway for managing illegal building works upon the site.

It is well known in NSW planning law that the requirement for obtaining consent, where required for development, is a prerequisite to the commencement of development construction, this is demonstrated in the case law example below.

Unauthorised works

It is not possible to obtain retrospective approval for works undertaken without consent (*Kuring-gai Council v Buyozo Pty Ltd [2021] NSWCA 177 [at 40]*), therefore those parts of the proposed development which are already constructed cannot form part of this application and cannot be regularised by this application. A Building Information Certificate must be lodged to prevent Council from seeking the rectification of those works as approved.

For Council to be able to approve a development application for a storage shed extension and pergola, the following prerequisites must be met:

- Matters for consideration under section 4.15 of the *Environmental Planning and Assessment Act 1979*.

The application is presented to Council for determination and was not determined under delegation for the following reasons:

- The application is recommending part approval for the pergola (only).
- The application is recommending refusal for the proposed storage shed extension.

Recommendation

That Council:

1. Approve DA2025/097 for a pergola (only) at 12 Murray Street Lot 4 DP 758456 Gol Gol subject to conditions of consent.
2. Refuse DA2025/097 for a storage shed extension at 12 Murray Street Lot 4 DP 758456 Gol Gol subject to reasons.
3. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Council Resolution

That Council hold over the item until next month so it can be resolved.

Moved Cr. Crisp, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

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

For the Motion : ***Clr.s Armstrong, Beaumont, Crisp, Evans, Linklater, Nichols, Rodda, Starick and Weeding.***

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

9.20 DA2026/063 TWO LOT BOUNDARY RE-ALIGNMENT LOT 5 DP 1253993 AND LOT 3 DP 1250369 POMONA

File Number: RPT/26/401

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: George Kenende - Strategic Planner

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 We value our civic leadership whose stewardship and decision making benefits present and future generations

Summary

A development application (DA2026/063) was lodged with Council for a two (2) lot boundary adjustment at Lot 5 DP 1253993 and Lot 3 DP 1250369 Pomona.

Under the *Wentworth Local Environmental Plan 2011* (WLEP 2011), subdivision (which includes boundary re-alignments) is a development type permitted with consent.

The proposed development will adjust the existing boundaries between allotments from 13.8ha and 4876.279ha to 19.24ha and 4,870.9ha.

The application was publicly notified for 14 days as per the Council Community Participation Plan. During the public notification five (5) submissions were received by Council, although one was subsequently withdrawn, raising concerns to the proposed development.

River front area is defined as “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” in WLEP 2011.

Murray River is defined as “includes the Darling River and the Great Darling Anabranch” in WLEP 2011.

Clause 7.6(2) establishes that despite any other provision in the WLEP 2011, development consent may only be granted for development on land in a river front area for various purposes listed in 7.6(2) of the WLEP 2011, none of which include a subdivision. The proposed boundary re-alignment does not fall within those purposes.

The applicant has provided a written Clause 4.6 request to vary the numerical development standard – development on river front area in Clauses 7.6 (2) of the WLEP 2011. Clause 4.6(2) of the WLEP 2011 allows variations of development standards.

The proposed development is for land with river frontage, with a variation of 100%.

As per Council delegations, applications with more than 10% variation and any development applications with three (3) or more submissions cannot be determined under delegated authority and must be determined by Council.

Recommendation

That Council:

1. Approve DA2026/063 for a two lot boundary re-alignment at Lot 5 DP 1253993 and Lot 3 DP 1250369 Pomona subject to conditions.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Council Resolution

That Council hold over the item until the next meeting.

Moved Cr. Crisp, Seconded Cr. Beaumont

CARRIED UNANIMOUSLY

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

For the Motion : **Clr.s Beaumont, Crisp, Evans, Linklater, Nichols, Starick and Weeding.**

Against the Motion: **Clr.s Armstrong and Rodda.**

Council Resolution

That Standing Orders be suspended for the purpose of comfort break.

Moved Cr. Rodda, Seconded Cr. Starick

CARRIED UNANIMOUSLY

9.21 DA2026/107 DWELLING WITH GARAGE, CARPORT, RETAINING WALL AND SWIMMING POOL WITH SAFETY BARRIER 18 HENDY ROAD LOT 570 DP 1306000 BURONGA

File Number: RPT/26/427

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: George Kenende - Strategic Planner

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 We value our civic leadership whose stewardship and decision making benefits present and future generations

Summary

A development application (DA2026/107) was received by Council on 16 June 2026 for a Dwelling with Garage, Carport, Retaining Wall and Swimming Pool with Safety Barrier at 18 Hendy Road Buronga (Lot 570 DP 1306000).

The subject site is zoned RU5 Village of the Wentworth Local Environmental Plan 2011 (WLEP 2011), with the proposed development being permitted with consent. The Dwelling and attached Garage is the primary use and the Carport, Retaining Wall and Swimming Pool with Safety Barrier being ancillary uses. The proposed development must also satisfy the requirements under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

The subject site is located adjacent to the Murray River, with proposed setbacks from the high bank of the river being 23.5 metres (a variation of 22%) for the dwelling and 8.62 metres (a variation of 71%) for the swimming pool and safety barrier. Therefore, the provisions of Clause 7.6 Development on river front areas in the WLEP 2011 are relevant to the application.

The **River front area** is defined as “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” in the WLEP 2011.

The **Murray River** is defined as “includes the Darling River and the Great Darling Anabranch” in the WLEP 2011.

Clause 7.6(2) specifies the types of developments that are permissible within the river front area. The proposed developments applicable to DA2026/107 are not listed under this clause. Therefore, the applicant has submitted a Variation Request in accordance with Clause 4.6 of the WLEP 2011, to vary the numerical development standard to support the application.

As the variation request is greater than 10%, the application cannot be determined under delegated authority and must be determined by Council.

Recommendation

That Council:

1. Approve subject to conditions DA2026/107 Dwelling with Garage, Carport, Retaining Wall and Swimming Pool with Safety Barrier at 18 Hendy Road Buronga (Lot 570 DP

1306000).

2. Call a division in accordance with S375A of the *Local Government Act 1993* (NSW).

Council Resolution

That Council:

1. Approve subject to conditions DA2026/107 Dwelling with Garage, Carport, Retaining Wall and Swimming Pool with Safety Barrier at 18 Hendy Road Buronga (Lot 570 DP 1306000).
2. Call a division in accordance with S375A of the *Local Government Act 1993* (NSW).

Moved Cr. Armstrong, Seconded Cr. Crisp

CARRIED UNANIMOUSLY

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

For the Motion : ***Clr.s Armstrong, Beaumont, Crisp, Evans, Linklater, Nichols, Rodda, Starick and Weeding.***

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

9.22 DA2026/113 DWELLING (CONCEPT APPLICATION) RIVER ROAD LOT 1 DP 1313154 POMONA

File Number: RPT/26/403

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: George Kenende - Strategic Planner

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 We value our civic leadership whose stewardship and decision making benefits present and future generations

Summary

A development application (DA2026/113) was lodged on 2 July 2026 for a dwelling concept application at Lot 1 DP 1313154 Pomona.

Under the RU4 Primary Production Small Lot zoning of the Wentworth Local Environmental Plan 2011 (WLEP 2011), the proposed concept development (dwelling house) is permitted with consent if the requirements under section 4.15 of the Environmental Planning and Assessment Act 1979 are met.

Clause 4.2B of the WLEP 2011 relates to "Erection of dwelling houses on land in Zones RU1, RU4, R5, C3 and C4" and establishes that development consent may only be granted for dwelling houses within the specified zones in instances where:

- a) *a lot that is at least the minimum lot size specified for that land by the Lot Size Map,*
or
- b) *a lot created under an environmental planning instrument before this Plan commenced and on which the erection of a dwelling house was permissible immediately before that commencement, or*
- c) *a lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision had been registered before that commencement.*

The proposed erection of a dwelling house on the site does not meet the requirements of clause 4.2B(3)(a), (b) & (c) shown above as follows:

- a) The lot is below the Minimum Lot Size (MLS) for the zone at 1.277 ha where the MLS is 10ha.
- b) Allotment was approved and created after the commencement of the WLEP 2011.

The proposed development is on land with an area of 1.277 ha, below the MLS of 10ha. This variation is greater than 10%, and as such, the application cannot be determined by delegated authority and must be determined by Council.

Recommendation

That Council:

1. Determine DA2026/113 for a dwelling (concept application) at Lot 1 DP 1313154 Pomona from the two nominated options within the report.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

Council Resolution

That Council:

1. Approve DA2026/113 for a dwelling (concept application) at Lot 1 DP 1313154 Pomona subject to draft conditions of consent.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

Moved Cr. Crisp, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

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

For the Motion : ***Clr.s Armstrong, Beaumont, Crisp, Evans, Linklater, Nichols, Rodda, Starick and Weeding.***

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

9.23 DA2026/114 DWELLING (CONCEPT APPLICATION) RIVER ROAD LOT 2 DP 1313154 POMONA

File Number: RPT/26/406

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: George Kenende - Strategic Planner

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 We value our civic leadership whose stewardship and decision making benefits present and future generations

Summary

A development application (DA2026/114) was lodged on 2 July 2026 for a dwelling concept application at Lot 2 DP 1313154 Pomona.

Under the RU4 Primary Production Small Lot zoning of the Wentworth Local Environmental Plan 2011 (WLEP 2011), the proposed concept development (dwelling house) is permitted with consent if the requirements under section 4.15 of the Environmental Planning and Assessment Act 1979 are met.

Clause 4.2B of the WLEP 2011 relates to "Erection of dwelling houses on land in Zones RU1, RU4, R5, C3 and C4" and establishes that development consent may only be granted for dwelling houses within the specified zones in instances where:

- a) *a lot that is at least the minimum lot size specified for that land by the Lot Size Map,*
or
- b) *a lot created under an environmental planning instrument before this Plan commenced and on which the erection of a dwelling house was permissible immediately before that commencement, or*
- c) *a lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision had been registered before that commencement.*

The proposed erection of a dwelling house on the site does not meet the requirements of clause 4.2B(3)(a), (b) & (c) shown above as follows:

- a) The lot is below the Minimum Lot Size (MLS) for the zone at 1.277 ha where the MLS is 10ha.
- b) Allotment was approved and created after the commencement of the WLEP 2011.

The proposed development is on land with an area of 1.086 ha, below the MLS of 10ha. This variation is greater than 10%, and as such, the application cannot be determined by delegated authority and must be determined by Council.

Recommendation

That Council:

1. Determine DA2026/114 for a dwelling (concept application) at Lot 2 DP 1313154 Pomona from the two nominated options within the report.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

Council Resolution

That Council:

1. Approve DA2026/114 for a dwelling (concept application) at Lot 2 DP 1313154 Pomona subject to draft conditions of consent.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

Moved Cr. Armstrong, Seconded Cr. Beaumont

CARRIED UNANIMOUSLY

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

For the Motion : ***Clr.s Armstrong, Beaumont, Crisp, Evans, Linklater, Nichols, Rodda, Starick and Weeding.***

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

9.24 DEVELOPMENT APPLICATION DETERMINATION REPORT - JULY 2026

File Number: RPT/26/425

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Chloe Stephenson - Coordinator Health & Planning

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 We value our civic leadership whose stewardship and decision making benefits present and future generations

Summary

For the month of July 2026, a total of 15 Development Applications and four (4) Modification Applications were determined.

The estimated value of the determined developments was \$6,181,166.29. This brings the financial year to date total to 15 Development Applications with an estimated development value of \$6,181,166.29 and four (4) Modification Applications.

Recommendation

That Council receives and notes the report for the Determined Development Applications for the month of July 2026.

Council Resolution

That Council receives and notes the report for the Determined Development Applications for the month of July 2026.

Moved Cr. Rodda, Seconded Cr. Evans

CARRIED UNANIMOUSLY

9.25 PROJECT & WORKS REPORT AUGUST 2026

File Number: RPT/26/416

Responsible Officer: Geoff Gunn - Director of Roads & Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Megan Jackson - Roads & Engineering Administration Officer

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

Strategy: 3.5 Infrastructure meets the needs of our growing Shire

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 months of July 2026, and the planned activities for August 2026.

Recommendation

That Council receives and notes the major works undertaken in July 2026 and the scheduled works for August 2026.

Council Resolution

That Council receives and notes the major works undertaken in July 2026 and the scheduled works for August 2026.

Moved Cr. Nichols, Seconded Cr. Armstrong

CARRIED UNANIMOUSLY

10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

Nil

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 Wentworth Flood Risk Management Process. (RPT/26/399)

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 PT2425/01 - Sewer Rehabilitation Works (year 2). (RPT/26/455)

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.

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 Wentworth Flood Risk Management Process. (RPT/26/399)

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 PT2425/01 - Sewer Rehabilitation Works (year 2). (RPT/26/455)

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.

Moved Cr. Crisp, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

12.1 WENTWORTH FLOOD RISK MANAGEMENT PROCESS

File Number: RPT/26/399

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: George Kenende - Strategic Planner

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

Strategy: 3.3 Minimise the impact on our natural environment

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 endorse the engagement of Lyall and Associates to conduct the next stage of the Flood Risk Management Process.

12.2 PT2425/01 - SEWER REHABILITATION WORKS (YEAR 2)

File Number: RPT/26/455

Responsible Officer: Geoff Gunn - Director of Roads & Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Scott Barnes - Manager Engineering Services

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

Strategy: 3.2 Our public assets are well maintained and able to meet the growing population demands

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 authorised the General Manager to approve the second-year scope (2026) as submitted by Insituform Pacific Pty Ltd for the extended Schedule of Rates amount of \$496,406.50 (GST inc) be accepted for the 2026 Sewer Rehabilitation works.

13 CONCLUSION OF THE MEETING

The meeting concluded at 6:02pm

NEXT MEETING

16 September 2026

.....
CHAIR

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

6.1 STATUS REPORT ON PREVIOUS COUNCIL RESOLUTIONS AS 16 SEPTEMBER 2026

File Number: RPT/26/484

Responsible Officer: Ken Ross - General Manager
 Responsible Division: Office of the General Manager
 Reporting Officer: Ebony Carter - Business Support Officer

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: 4.3 Provide a governance framework that is transparent and builds trust in local leadership

Summary

The Status Report on previous Council Resolutions provides details of actions that remain outstanding.

Officer Recommendation

That Council notes the list of outstanding action items for Council Resolutions as at 16 September 2026.

Attachments

1. Outstanding Resolutions as at 16 September 2026 [↓](#)

Division: Committee: Officer: Ordinary Council Date From: Date To: Printed: Wednesday, 9 September 2026 9:10:50 AM				
Outstanding Action Items Report				
Meeting	Item	Title	Item	Action Record (latest first)
Ordinary Council 17/09/2025	10.2	Advocacy Second Bridge at Monak	Council Resolution That Council note the Integrated Transport and Land Use Strategy document adopted by Mildura Rural City Council on 24 April 2025, and their advocacy priority titled Monak Bridge and commence advocacy in support of the Heavy Vehicle Bypass, including representation to State and Federal members, Transport ministers, and Transport for NSW. Moved Cr. Linklater, Seconded Cr. Rodda <u>CARRIED UNANIMOUSLY</u>	01 Sep 2026 3:29pm Carter, Ebony Ongoing
Ordinary Council 15/04/2026	10.1	Recognition of Local Community members	Council Resolution That Council: 1. Recognise the Rotunda at Gol Gol to display commemorative plaques of notable community figures. Council to establish a suitable (not more frequent than annual) process for community nominations and recognition. 2. An initial plaque to be affixed in honour of Ewen Reuben Cameron 1925-1975, known affectionately as ERKY. War hero and Gol Gol local. (Appropriate ceremony to be advised) 3. Name the lane way in Gol Gol parallel to the Sturt Highway and William Street from Bligh Street to Tapio Street "Cameron Lane" as per 2025 request from Lynne Cameron. 4. Erect a sign adjacent to the shared path near the Drings Hill Reserve "Tom Modica Pathway" in recognition of his decades of community service, including founding member of the Gol Gol Public School Parents and Citizens Association in 1966, Charter Member of Buronga-Gol Gol Lions Club, life member of local Senior Citizens Association, and keen daily walker of the Gol Gol shared path well into his 80's. (Appropriate ceremony to be advised).	28 Aug 2026 3:51pm Marsden, Gayle Cameron Lane has had signage installed and Tom Modica Pathway signage installed and opening complete.

Division: Ordinary Council Committee: Officer: Outstanding Action Items Report Date From: Date To: Printed: Wednesday, 9 September 2026 9:10:50 AM			
		Moved Cr. Linklater, Seconded Cr. Rodda <u>CARRIED UNANIMOUSLY</u>	
Ordinary Council 13/05/2026	8.1	<u>Council Resolution</u> That Council resolves to construct a plan to prepare the PS Ruby for static display and costs borne by Wentworth Shire Council are supplemented by grant funding through funding bodies appropriate to PS Rubys future preservation. Moved Cr. Starick, Seconded Cr. Crisp <u>CARRIED UNANIMOUSLY</u>	01 Sep 2026 3:30pm Carter, Ebony Working with the Committee members to clear and store items off the PS Ruby as the initial steps to achieving a static display.
Ordinary Council 19/08/2026	9.4	<u>Council Resolution</u> That Council 1. Authorises the General Manager to approve expenditure of up to \$670,000 (including GST) from the 2026/2027 Plant Replacement Budget for the purchase of a second-hand 23–25 tonne bulldozer. 2. Notes that a further report will be presented to Council following the procurement process, detailing the successful supplier, purchase price, and associated costs. Moved Cr. Crisp, Seconded Cr. Weeding <u>CARRIED UNANIMOUSLY</u>	01 Sep 2026 3:40pm Wall, Samantha A second-hand bulldozer is currently being sourced. Once procured, a report will be presented to Council
Ordinary Council 19/08/2026	9.5	<u>Council Resolution</u> That Council: a) Receives and notes the report	28 Aug 2026 3:49pm Marsden, Gayle Correspondence sent to Broken Hill City Council advising of Council's support for their resolution for the Western Division of Council meeting. Complete

Division: Committee: Officer:		Ordinary Council		Date From: Date To: Printed: Wednesday, 9 September 2026 9:10:50 AM
Outstanding Action Items Report				
	Facilities (Prohibition) Repeal Bill 2025 - Western Division of Councils		b) Support the resolution carried by Broken Hill City Council and lobby with Broken Hill for a review of the Uranium Mining and Nuclear Facilities (Prohibitions) Act 1986 (NSW) and consideration of a Community Benefits scheme. c) That correspondence be sent to the Premier of New South Wales, the Minister for Energy, the Minister for Natural Resources and the Member for Barwon seeking bipartisan consideration of these reforms and advocating for fair recognition of regional communities that host nationally significant industries. Moved Cr. Nichols, Seconded Cr. Starick <u>CARRIED</u>	
Ordinary Council 19/08/2026	9.11	AF003 Requests for Financial Assistance	<u>Council Resolution</u> That Council deal with the applications separately in the following order. a) Dareton Community Action Team b) Rubys cargo c) Murray Darling Amateur Swimming Club d) Wentworth Military Collection Moved Cr. Armstrong, Seconded Cr. Rodda <u>CARRIED UNANIMOUSLY</u>	01 Sep 2026 3:46pm Fraser, Annette All fund recipients have been notified
Ordinary Council 19/08/2026	9.12	Request for Event Funding 2026	<u>Council Resolution</u> That Council based on the information provided in the report provide funding of \$7,500 to the Pooncarie Racing Club. Moved Cr. Rodda, Seconded Cr. Armstrong	25 Aug 2026 4:08pm Hawkins, Aaron Notified applicants of funding approval.

Division: Ordinary Council Committee: Ordinary Council Officer: Outstanding Action Items Report Date From: Date To: Printed: Wednesday, 9 September 2026 9:10:50 AM			
	Pooncarie Races	<u>CARRIED UNANIMOUSLY</u>	
Ordinary Council 19/08/2026	9.13 <i>Request for Event Funding 2026 Christmas Eve Street Party</i>	<u>Council Resolution</u> That Council based on the information provided in the report approves funding of \$8,000 to The Wentworth Christmas Eve Street Party. Moved Cr. Weeding, Seconded Cr. Nichols <u>CARRIED UNANIMOUSLY</u>	25 Aug 2026 4:09pm Hawkins, Aaron Notified applicants of funding approval

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT SEPTEMBER 2026

File Number: RPT/26/482

Summary

The purpose of this report is to advise Council of meetings, conferences and appointments undertaken by Mayor Linklater from 20 August 2026 – 16 September 2026.

Recommendation

That Council receives and notes the information contained in the Mayoral report for September 2026.

Report

The following table lists the meetings attended by Mayor Linklater for the period of 20 August 2026 – 16 September 2026.

Date	Meeting	Location
24 Aug 2026	Meeting Steph Cooke MP	Online
24 Aug 2026	Briefing with David Farley MP	Wentworth
24 Aug 2026	Industry and Tourism Networking Evening	Wentworth
27 Aug 2026	NSW Joint Organisation Chairs Forum	Sydney
27 Aug 2026	Country Mayors Dinner with Prime Minister	Sydney
27-28 Aug 2026	Country Mayors Association Meeting	Sydney
29 Aug 2026	Official Opening of the Wentworth Show	Wentworth
31 Aug 2026	Mayoral Meeting	Wentworth
01 Sept 2026	Sturt Highway Taskforce	Online
07 Sept 2026	Mayoral Meeting	Wentworth
08 Sept 2026	MDA Region 4 Meeting	Online
10-11 Sept 2026	Western Division of Councils Mid Term Meeting	Broken Hill
12 Sept 2026	Mildura District Orchestra – Spring Performance	Wentworth
12 Sept 2026	Royal Flying Doctor Rowathon Survivors Dinner	Wentworth
14 Sept 2026	Mayoral Meeting	Wentworth
14 Sept 2026	South West Water Users & MDBA Meeting	Online
15 Sept 2026	Lightstate Committee of Management	Mildura
16 Sept 2026	Ordinary Meeting of Council	Wentworth

Attachments

Nil

8 REPORTS FROM COMMITTEES

8.1 MDA NATIONAL CONFERENCE 2026

File Number: RPT/26/513

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

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

Strategy: 3.3 Minimise the impact on our natural environment

Summary

Cr Evans has provided a brief of the Murray Darling Associations Annual National Conference 2026 held in Shepparton which he attended.

Recommendation

That Cr Evans report on the MDA National Conference be received and noted.

MDA National Conference Shepparton August 2026

Tour of Shepparton District

Victorian Fisheries site visit

Murray Cod and Golden Perch hatchery. A Government not for profit organisation introducing large numbers of hatchlings to Murray Darling rivers.

Flavorite Glass house production of Tomatoes

20,000 tonnes of large truss tomatoes produced, packed and distributed to major Australian retailers annually.

- Each glasshouse 7 hectares
- Each row is 100 metres long
- Open field tomato production requires 115 litres of water per/kilo
- Glass house production requires 22 litres per/kilo
- Seeing the technology utilised in the production is astounding and at the same time concerning
- Automation of processing of packing and distribution is a focus of most large industries.

Vision AI based in Melbourne is assisting developing an autonomous packing line. It is fully automated from selecting product by colour, ripeness and quality. The line is all robotic, from trimming to final packing.

Rubicon Water Infrastructure

This Australian company builds and exports all around the world water control and flow measuring infrastructure. Rubicon supplied engineering, technology including gate water regulation equipment, water measurement tech and software to develop the fully automated gravity water system in the Murrumbidgee irrigation area of Griffith NSW.

They sell their product in Australia and overseas eg India, America, China. Their business has grown to 70% now going overseas.

Redland Fruit Company

This company is an Australian owned operation which grows fruit including Apples and Citrus. They are involved in paddock to end consumer and own plantings in a number of areas. Their packing and processing is very state of the art, utilising the latest tech and robotics.

Conference Focus

Sustainable diversion limit adjustment mechanism (SDLAM) panel discussion. The figures although researched through the MDBA consultation and science are still put before Ministers for sign off. Government advisers make the final decisions and lock in the figures they assume are appropriate. The hard-earned research then becomes a political decision.

The Hon. Michael McCormack MP Federal Member for Riverina

The overwhelming policy of the opposition / Coalition / National Party is to protect and balance the use of water through water use efficiency. Buy backs of water to move water to the environmental water holder needs to be balanced.

The building of and improvement to dams in the basin is a policy focus.

Water security for everyone

How states may need to build dams along with the Commonwealth. The building of dams is very important but very expensive and planning for dams is very difficult and expensive.

Future of basin communities are going to be affected particularly in NSW through Water NSW and the increased costs for water. Following further investment in water recovery / efficiency including engineering solutions requires a return on investment / recovery.

Carp session

Carp density is above viable levels through 97% of our River systems. Over 100 kg per hectare.

Carp breeding and density is at its highest in the lower Darling and the lower Murray. This is primarily in slow and warmer waters of weir pools and wetlands.

There are a number of tools in the management of Carp control.

- Virus
- Agree on manageable levels of Carp numbers
- Carp trapping and downstream use of biomass
- Continued management and study of the effects of bio control

The virus research will continue to establish the outcomes of the release.

The assessment of the virus will continue through many agencies including universities, government panels and community groups.

Any short falls in risks will be followed up with further study, and the community sentiment will be considered but the amount of research will backup future deployment of the virus.

The efficacy of the virus is one of the most important and intense research efforts being undertaken at this time.

Carp have impacted on 24 endangered species including 13 species of fish.

Note: The before and after of wetlands without Carp and with Carp is profound.
Demonstrated through photos and videos of demonstration sites.

Attachments

Nil

8.2 AUDIT, RISK AND IMPROVEMENT COMMITTEE - 13 AUGUST 2026

File Number: RPT/26/498

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Reporting Officer: Simon Rule - Director Corporate Services

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: 4.3 Provide a governance framework that is transparent and builds trust in local leadership

Summary

A meeting of the Audit, Risk and Improvement Committee was held on 13 August 2026. The Minutes of the meeting are attached to this report for the information of Councillors.

The Committee considered the following items of business:

- Committee Terms of Reference
- Annual Report
- 2026-2027 Work Plan
- Audit Office of NSW Update
- Review of Internal Audit Charter
- Internal Audit Quarterly Update
- Business Continuity Plan Exercise
- Waste Services Contract – Probity Advisor Final Report
- Quarterly Risk Report
- Quarterly Operational Plan Progress Report
- Quarterly Budget Review – 4th Quarter 2025-2026
- Council Policies – Review of Key Governance Policies
- Asset Management Plans Update
- Quarterly Fraud Report
- Quarterly report on Legislative Updates
- Cyber Security Quarterly Update

The Audit, Risk and Improvement Committee advises that:

- It has conducted its meeting in accordance with its Charter and NSW OLG Guidelines; and
- Based on the matters reviewed, Council's governance, risk management, financial and control frameworks are operating adequately, noting that the risks and actions outlined will continue to be monitored.

Officer Recommendation

That Council:

- a) Receives and notes the draft minutes of the Audit, Risk and Improvement Committee Meeting held on 13 August 2026.
- b) Adopt the Terms of Reference for the Audit, Risk and Improvement Committee.
- c) Adopt the following policies
 - GOV023 Conflict of Interest Policy
 - GOV003 Fraud Control Policy
 - GOV001 Gifts and Benefits Policy

Additional Information

This report provides Council with a summary of matters considered by the Audit, Risk and Improvement Committee (ARIC) at its meeting held on 13 August 2026 and demonstrates how those matters support the Committee discharging its obligations under the *Guidelines for Risk Management and Internal Audit for Local Government in NSW* and the Committee's Charter.

At the meeting the Committee considered the following items:

- Committee Terms of Reference
- Annual Report
- 2026-2027 Work Plan
- Audit Office of NSW Update
- Review of Internal Audit Charter
- Internal Audit Quarterly Update
- Business Continuity Plan Exercise
- Waste Services Contract – Probity Advisor Final Report
- Quarterly Risk Report
- Quarterly Operational Plan Progress Report
- Quarterly Budget Review – 4th Quarter 2025-2026
- Council Policies – Review of Key Governance Policies
- Asset Management Plans Update
- Quarterly Fraud Report
- Quarterly report on Legislative Updates
- Cyber Security Quarterly Update

Matters Considered, Outcomes and Next Steps

Committee Terms of Reference

Outcome:

The Committee recommended that Council endorse the Terms of Reference for the Audit, Risk and Improvement Committee

Next Steps:

Action	Owner	Timeframe	Status
Terms of Reference tabled with the meeting minutes for endorsement.	Director Corporate Services	September 2026	● Green
Insurance Update report	Director Corporate Services	November 2026	● Green

Annual Report

Outcome:

The Committee recommended that Council note the Audit, Risk and Improvement Committee Annual Report for the period August 2025 to May 2026

Next Steps:

Action	Owner	Timeframe	Status
Committee Annual Report to be tabled with Council.	Director Corporate Services	September 2026	● Green

2026-2027 Work Plan

Outcome:

The Committee endorsed the 2026/2027 Work Plan

Next Steps:

N/A

Audit Office Update

Outcome:

The Committee received and noted the verbal report from the Audit Office

Next Steps:

N/A

Review of Internal Audit Charter

Outcome:

The Committee endorsed the Internal Audit Charter.

Next Steps:

N/A

Internal Audit Quarterly Update

Outcome:

The Committee received and noted the Internal Audit Quarterly Report including the Work Health and Safety Audit and the Procurement/Accounts Payable Audit.

The Committee endorsed the Internal Audit Work Plan for 2027-2029 noting further clarifications to occur between management and the internal auditors

Next Steps:

Action	Owner	Timeframe	Status
Clarify potential scope of works for the proposed service planning/review audit	Director Corporate Services	September-October 2026	● Green

Business Continuity Plan Exercise

Outcome:

The Committee noted the report and endorsed the Business Continuity Improvement Action Plan.

Next Steps:

Action	Owner	Timeframe	Status
Implement Improvement Action Plan	Director Corporate Services/Governance	Next 12 months	● Amber

Waste Services Contract – Probity Advisor Final Report

Outcome:

The Committee received and noted the Probity Advisor Final Report for the Waste Contract Direct Negotiation Process.

Next Steps:

N/A

Quarterly Budget Review Statements

Outcome:

The Committee reviewed the Quarterly Budget Review Statements and encouraged Council to continue to be vigilant in budget discipline including maximisation of revenue and prioritisation of essential expenditure in order to address short term cash flow issues.

Next Steps:

Action	Owner	Timeframe	Status
Management to continue monitoring expenditure and forecasting	Finance	Ongoing	● Amber
Report emerging financial risks to ARIC/Council	General Manager/Director Corporate Services	Ongoing	● Green

Quarterly Operational Plan Progress Report

Outcome:

The Committee noted the Quarterly Operational Plan Progress report.

Next Steps:

Action	Owner	Timeframe	Status
Management to continue monitoring delivery of Operational Plan actions	Management	Ongoing	● Green

Quarterly Fraud Report

Outcome:

The Committee received the report and noted there have been no instances of fraudulent activity or behaviour commencing 1 April to date.

Next Steps:

Action	Owner	Timeframe	Status
Maintain current fraud prevention detection and reporting controls	Director Corporate Services	Ongoing	● Green
Continuing periodic fraud awareness and training activities	Director Corporate Services	Ongoing	● Green

Cyber Security Update

Outcome:

The Committee noted the progress in implementing the Cyber Security Improvement Plan including a reduction in the residual risk to medium.

Next Steps:

Action	Owner	Timeframe	Status
Complete remaining Cyber Security Improvement Plan Actions	Manager Technical Services	6 months	● Amber
Continue monitoring evolving cyber threat environment	Manager Technical Services	Ongoing	● Amber

Quarterly Risk Report

Outcome:

The Committee received and noted that Council's risk profile remains stable with one new risk identified – ERP (Enterprise Resource Planning) end of life and the emerging short term cash flow remaining under close watch, including with the Committee.

Next Steps:

Action	Owner	Timeframe	Status
Implement short-term cash flow mitigation strategies	Director Corporate Services/Executive	Ongoing	● Amber
Progress ERP system replacement planning	Director Corporate Services	6-12 months	● Amber
Escalate risks to Council where they exceed tolerances or require strategic decisions	Committee	As required	● Green

Review of Council Policies

Policies Reviewed:

- Conflict of Interest Policy
- Fraud Control Policy
- Gifts and Benefits Policy

Outcome:

The Committee recommends that Council endorse the policies

Next Steps:

Action	Owner	Timeframe	Status
Presentation of policies to Council for endorsement.	Director Corporate Services	September	● Green

Asset Management Plan Update

Outcome:

The Committee received and noted progress in developing the Roads Asset Management Plan & Filtered Water Network Asset Management Plans as reported.

Next Steps:

Action	Owner	Timeframe	Status
Finalisation of Roads Asset Management Plan	Assets Co-Ordinator	October	● Green

Quarterly Legislative Update

Outcome:

The Committee received and noted the Quarterly Legislative update report.

Next Steps:

Action	Owner	Timeframe	Status
Monitor legislative changes and compliance impacts	Governance	Ongoing	● Green
Update policies and procedures as required	Management	As required	● Green
Provide ongoing updates to the Committee	Governance	Quarterly	● Green

RAG Status Legend

● Green	On track. Action is progressing as planned with no significant issues.
● Amber	Monitoring required. Minor issues, delays or risks exist and are being actively managed.
● Red	Action required. Significant risk, delay or issue requiring management and/or escalation.

The Committee draws Council's attention to the following key themes:

- Financial sustainability remains a key strategic risk requiring continued oversight. While Council's financial reporting and controls remain sound, maintaining cash reserves and addressing short-term cash flow pressures should remain a priority.
- Planning for replacement of Council's core business system should remain a strategic priority given the financial, operational and cyber security risks associated with aging systems.
- Council continues to improve its cyber security capability; however, cyber threats remain a significant strategic risk and ongoing investment in controls, training and testing is required.
- Continued development of asset management plans will be critical to improving long-term infrastructure planning, service delivery decision-making and financial sustainability.

The Audit, Risk and Improvement Committee advises that:

- It has conducted its meeting in accordance with its Charter and NSW OLG Guidelines; and
- Based on the matters reviewed, Council's governance, risk management, financial and control frameworks are operating adequately, noting that the risks and actions outlined above will continue to be monitored.

Attachments

1. Minutes - Audit, Risk and Improvement Committee 13 August 2026 [↓](#)
2. Terms of Reference [↓](#)
3. Conflict of Interest Policy - GOV023 [↓](#)
4. Fraud Control Policy - GOV003 [↓](#)
5. Gifts and Benefits Policy - GOV001 [↓](#)



**AUDIT, RISK AND IMPROVEMENT
COMMITTEE MEETING
MINUTES**

13 AUGUST 2026

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES 13 AUGUST 2026**TABLE OF CONTENTS**

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AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES**13 AUGUST 2026**

1 OPENING OF MEETING

The meeting opened at 9:56 am

2 PRESENT**MEMBERS**

Rosanne Kava (Chair)
Diane Schmidt
Caroline Smith
Councillor Jody Starick (Non-Voting)

OBSERVERS

Brett Hanger (Audit Partner Nexia)
Manuel Moncada (Audit Office of New South Wales)
Paul Harrison (Internal Audit Manager RSD Audit)

STAFF OBSERVERS

Ken Ross (General Manager)
Simon Rule (Director Finance and Policy)
Gayle Marsden (Executive Assistant General Manager)
Deb Zorzi (Governance Officer)
Mardi Cleggett (Governance Officer)
Ned Lamond (Financial Services Coordinator)

3 APOLOGIES

Nil

4 DECLARATIONS OF PECUNIARY INTEREST AND CONFLICTS OF INTEREST

Nil

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**Recommendation**

That the Minutes of the Audit, Risk and Improvement Committee Meeting held 14 May 2026 be confirmed as circulated.

Committee Resolution

That the Minutes of the Audit, Risk and Improvement Committee Meeting held 14 May 2026 be confirmed as circulated.

Moved CS Smith, Seconded DS Schmidt

CARRIED UNANIMOUSLY

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES

13 AUGUST 2026

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES 13 AUGUST 2026

7 REPORTS

7.1 OUTSTANDING ACTIONS LIST

File Number: RPT/26/368

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Report Author: Simon Rule - Director Corporate Services

Summary

The purpose of this report is to report on the status of Outstanding Actions from Previous Meetings.

Recommendation

That the Committee recommends that Council notes the Outstanding Actions List.

Committee Resolution

The Committee recommends that Council notes the Outstanding Actions List

CONSENSUS

The Committee deferred item 7.8 to a future meeting.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES 13 AUGUST 2026

7.2 COMMITTEE TERMS OF REFERENCE REVIEW

File Number: RPT/26/314

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Report Author: Simon Rule - Director Corporate Services

Summary

At its meeting held on 26 July 2022 the Committee endorsed the Terms of Reference which are based on the model template developed by the Office of Local Government and form part of the guidelines. The Terms of Reference were subsequently adopted by Council at its Ordinary Council Meeting in August 2022.

The guidelines require that the Committee should review the terms of reference annually to ensure that they are still relevant. The Terms of Reference were reviewed by the Committee as its August 2025 meeting.

Any changes to the terms of reference will need to be approved by Council.

Recommendation

That the Committee recommends that Council receives and notes that the Terms of Reference for the Audit, Risk and Improvement Committee remain unchanged.

Committee Resolution

The Committee recommends that Council endorse the Terms of Reference for the Audit, Risk and Improvement Committee.

CONSENSUS

Discussion regarding Conflict of Interest returns and the annual Disclosure of Interest Returns as designated officers.

Action: Conflicts of Interest returns to be completed by members in line with requirements of the Committee Terms of Reference.

A question was asked about what insurances does Council have to that covers the Committee Members. This lead to general discussion about all of Councils insurances.

Action: The Committee requested a report to a future meeting outlining what insurance policies Council has and what they cover.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES 13 AUGUST 2026

7.3 ANNUAL REPORT

File Number: RPT/26/313

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Report Author: Simon Rule - Director Corporate Services

Summary

Over the reporting period August 2025 to May 2026, the Audit, Risk and Improvement Committee (ARIC) delivered a comprehensive program of work in accordance with its Charter and the NSW Office of Local Government Guidelines. The committee maintained regular oversight of Council's financial reporting, risk management, internal and external audit activities, governance frameworks, compliance obligations and operational performance. Key assurance activities included review of Quarterly Budget Review Statements, Risk Report, Operational Plan progress, audit outcomes and governance policies, alongside targeted focus on emerging areas such as cyber security, asset management maturity and major project oversight.

The Committee's work identified that Council's core governance, financial reporting, compliance and control frameworks are generally operating as intended, with no material deficiencies observed. However, several areas require continued attention and monitoring, including short-term cash flow pressures, the end-of-life of the ERP system, completion of cyber security improvement actions, implementation of internal audit recommendations, and progression of asset management planning. The Committee has emphasised the importance of maintaining budget discipline, strengthening risk treatment implementation and ensuring timely delivery of improvement actions across these areas.

Looking forward, the Committee has identified key strategic themes for the coming year, focused on strengthening financial sustainability, progressing critical system replacement planning, enhancing cyber security resilience, and continuing to build organisational capability in governance and asset management. The Committee will maintain a strong focus in these areas through its oversight role, ensuring that risks are appropriately monitored, controls continue to mature, and any matters requiring escalation are brought to the attention of Council in a timely manner.

Recommendation

The Committee recommends that Council note the Audit, Risk and Improvement Committee Annual Report for the period August 2025 to May 2026.

Committee Resolution

The Committee recommends that Council note the Audit, Risk and Improvement Committee Annual Report for the period August 2025 to May 2026.

CONSENSUS

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES 13 AUGUST 2026

7.4 2026-2027 WORK PLAN

File Number: RPT/26/312

Responsible Officer: Simon Rule - Director Corporate Services
Responsible Division: Corporate Services
Report Author: Simon Rule - Director Corporate Services

Summary

The proposed 2026/2027 Audit, Risk and Improvement Committee Work Plan has been developed to support the Committee in fulfilling its responsibilities under section 428A of the *Local Government Act 1993*, the NSW Guidelines for Risk Management and Internal Audit, and Council's endorsed ARIC Strategic Work Plan.

The work plan combines ongoing quarterly assurance activities with a number of targeted reviews, audits and improvement initiatives that align with Council's strategic risk profile and organisational priorities. Through regular reporting on risk management, cyber security, fraud and corruption, compliance, internal audit activities, financial performance and operational delivery, the Committee will maintain oversight of Council's governance, risk and control environment.

In addition to these standing items, the Committee will consider a number of significant assurance activities during 2026/2027, including the completion of the Accounts Payable and Procurement Audit, the Injury Management and Return to Work Audit, outcomes of the biennial Fraud Risk Assessment, service reviews for Asset Management, Libraries and Roads, the Business Continuity Plan exercise outcomes, the Cyber Security Response Plan desktop review and the final report of the Probity Auditor for the waste contract negotiation process.

The work plan also provides for the introduction of complaints and customer feedback reporting to the Committee, strengthening visibility of service delivery issues, community concerns and opportunities for organisational improvement. The results of an assessment against key Audit Office governance and assurance focus areas will also be reported to the Committee to assist in identifying improvement opportunities and informing future assurance priorities.

Overall, the work plan is intended to provide a balanced approach to assurance, risk oversight and continuous improvement, while retaining sufficient flexibility to respond to emerging risks, changing organisational priorities and assurance requirements throughout the year.

Recommendation

The Committee endorses the 2026/2027 Work Plan.

Committee Resolution

The Committee endorses the 2026/2027 Work Plan.

CONSENSUS

General discussion regarding the workload included in the plan. Query was raised as to whether refine it now or review it as the year progresses. It was decided to leave as is and review during the year.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES 13 AUGUST 2026

Action: The Committee requested an updated Budget/Long Term Financial Plan report for a future meeting.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES 13 AUGUST 2026

7.5 AUDIT OFFICE UPDATE

File Number: RPT/26/317

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Report Author: Simon Rule - Director Corporate Services

Summary

This report is a place holder to allow Council's external auditor, the Audit Office of New South Wales to update the Committee on a quarterly basis on any matter of importance.

Recommendation

That the Committee receives and notes the report.

Committee Resolution

The Committee received and noted the verbal report from the Audit office.

CONSENSUS

An update on the interim audit was provided to the Committee. The Audit Office also provided an overview of recent performance reports that have been completed and outlined their workplan for the next 12 months. A copy of the work plan was provided by the Audit Office and forwarded to Committee members for information purposes.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES 13 AUGUST 2026

7.6 REVIEW OF INTERNAL AUDIT CHARTER

File Number: RPT/26/316

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Report Author: Simon Rule - Director Corporate Services

Summary

The Guidelines for Risk Management and Internal Audit for local government in NSW requires the Audit, Risk and Improvement Committee to review Council's Internal Audit Charter annually in consultation with the General Manager and the Internal Audit Coordinator.

At the last review in August 2025 the Committee endorsed the Charter in its current format.

Recommendation

That the Committee endorse the Internal Audit Charter.

Committee Resolution

The Committee endorse the Internal Audit Charter.

CONSENSUS

Action: The Committee will meet with Internal Auditors in camera separately before a future meeting.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES 13 AUGUST 2026

7.7 INTERNAL AUDIT QUARTERLY UPDATE

File Number: RPT/26/315

Responsible Officer: Simon Rule - Director Corporate Services
Responsible Division: Corporate Services
Report Author: Simon Rule - Director Corporate Services

Summary

This report provides an overview of the activities undertaken by Council's Internal Audit function during the last quarter. The Internal Audit program continues to support Council's commitment to good governance, risk management and continuous improvement by providing independent and objective assurance over key operations and processes.

During this quarter, the Internal Auditors successfully completed the Accounts Payable and Procurement Audit. The overall objective of the audit was to assess and evaluate the effectiveness of internal controls across Council's procurement and accounts payable functions. The review assessed compliance with legislative and better practice requirements, including the NSW Procurement Framework and NSW Local Government Procurement Guidelines

In addition, the auditors conducted a follow up WHA Audit, with a specific focus on Injury Management and Return to Work processes. The overall objective was to assess processes against relevant legislative requirements and the State Insurance Regulatory Authority (SIRA) Guidelines.

Recommendation

The Committee notes the Internal Audit Quarterly report and endorses the Strategic Internal Audit Plan 2027-2029.

Committee Resolution

The Committee noted the Internal Audit Quarterly report including the Work Health and Safety Audit and the Procurement/Accounts Payable Audit.

The Committee endorses the Strategic Internal Audit Plan 2027-2029 noting further clarifications to occur between management and the internal auditors.

CONSENSUS

The focus of the Procurement and Accounts Payable Internal Audit was focusing on existing controls and how they could be strengthened if needed.

Director Corporate Services and Internal Auditor to have further discussions regarding the scope of works for the proposed service planning/review audit.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES 13 AUGUST 2026

7.8 LIBRARY SERVICES REVIEW

File Number: RPT/26/358

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Report Author: Simon Rule - Director Corporate Services

COMMITTEE DEFERRED ITEM TO A FUTURE MEETING**Summary**

The Library Service Review has been completed to evaluate the effectiveness, efficiency and long-term sustainability of Council's library network and the operation of the Midway Centre.

The review examined current service delivery arrangements, community demand, facility utilisation, staffing, digital services, financial sustainability, future growth and network equity. Particular attention was given to the operation of the Midway Centre, recognising its evolution from a traditional library branch into a high-use, multi-purpose community facility.

The review concludes that Council's Library Service is performing well and continues to deliver valued services to the community. However, changing patterns of service demand, increasing digital service expectations, growth in community programs, operational complexity and future population growth present opportunities to strengthen service planning and improve long-term sustainability.

Since completion of the review, implementation has commenced through the development of a Library Service Level Framework. This work is already providing greater clarity around service expectations, branch roles and network planning, while also identifying the need to prepare a contemporary Library Strategic Plan to guide the future direction of the service.

This report provides the Committee with the outcomes of the review together with an update on implementation progress.

Recommendation

The Committee receives and notes the report.

The Committee notes and endorses the findings and recommendations of the Library Service Review and that it provides a foundation for further service planning, continuous improvement and future decision making.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES 13 AUGUST 2026

7.9 BUSINESS CONTINUITY PLAN EXERCISE

File Number: RPT/26/323

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Report Author: Mardi Cleggett - Governance Officer

Summary

This report summarises the outcomes of Council's Business Continuity Exercise and the resulting improvement actions developed to strengthen organisational resilience. It outlines a prioritised action plan and risk-based approach to enhance Council's business continuity capability and support ongoing governance oversight.

Recommendation

That the Committee note the report and endorse the Business Continuity Improvement Action Plan.

Committee Resolution

The Committee noted the report and endorses the Business Continuity Improvement Action Plan.

CONSENSUS

Committee was mindful that the Plan and supporting documentation doesn't grow bigger than it needs to be.

Plan to be reviewed again in 12 months as the improvement plan is progressed.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES 13 AUGUST 2026

7.10 CYBER SECURITY QUARTERLY UPDATE

File Number: RPT/26/352

Responsible Officer: Simon Rule - Director Corporate Services
Responsible Division: Corporate Services
Report Author: Simon Rule - Director Corporate Services

Summary

This report provides the Audit, Risk and Improvement Committee with an update on Council's implementation of the Cyber Security Improvement Plan since the previous reporting period.

During the quarter, Council continued to strengthen its cyber security governance and technical control environment through the delivery of several priority initiatives under both the NSW Local Government Cyber Security Guidelines and the Australian Cyber Security Centre (ACSC) Essential Eight. Significant progress has been made in developing Council's Cyber Security Strategy, progressing implementation of the highest priority Essential Eight control relating to privileged account management, and reducing the number of outstanding improvement actions.

An updated Cyber Security Risk Assessment has also been completed as part of the development of the Cyber Security Strategy. The assessment reflects Council's improved understanding of its cyber risk landscape, enhanced governance arrangements, strengthened technical controls and current cyber security maturity. Based on this assessment, Council's overall cyber security residual risk has been reassessed as Medium.

While eleven improvement actions remain outstanding, these actions represent the next phase of Council's cyber security maturity uplift and are primarily focused on extending existing controls across legacy systems, completing implementation of advanced technical controls and validating Council's resilience through testing. Continued implementation of these actions will further strengthen Council's cyber security capability and organisational resilience.

Recommendation

The Committee notes the progress in implementing the Cyber Security Improvement Plan.

Committee Resolution

The Committee noted the progress in implementing the Cyber Security Improvement Plan including a reduction in the residual risk to medium.

CONSENSUS

Committee discussed ongoing cyber security training for staff and the potential use of AI and cyber security. Director Corporate Services acknowledged that increased use of AI will increase risk exposure and would require additional controls.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES 13 AUGUST 2026

7.11 WASTE SERVICES CONTRACT - PROBITY ADVISOR FINAL REPORT

File Number: RPT/26/353

Responsible Officer: Simon Rule - Director Corporate Services
Responsible Division: Corporate Services
Report Author: Simon Rule - Director Corporate Services

Summary

Council engaged RSD Audit to provide independent probity advisory services for the direct negotiation process undertaken with Cleanaway for the provision of kerbside waste, recycling and Food Organics and Garden Organics (FOGO) collection services.

The Probity Advisor has completed a final review of the negotiation process and issued a Final Probity Report. The report concludes that the direct negotiation process was conducted in accordance with the probity principles established within Council's Probity Plan and the process was transparent, appropriately governed, free from bias or conflict, and capable of demonstrating value for money.

The report provides assurance regarding Council's management of governance, conflict of interest, confidentiality, accountability, record management and value for money considerations throughout the procurement process.

Recommendation

The Committee receives and notes the Probity Advisor Final Report for the Waste Contract Direct Negotiation process.

Committee Resolution

The Committee received and noted the Probity Advisor Final Report for the Waste Contract Direct Negotiation process.

CONSENSUS

Probity Advisor report was provided to Council at the March 2026 Council meeting as an attachment to the report endorsing the new Kerbside Waste Contract.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES 13 AUGUST 2026

7.12 QUARTERLY RISK REPORT

File Number: RPT/26/357

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Report Author: Simon Rule - Director Corporate Services

Summary

The purpose of the Quarterly Risk Report is to provide the Committee with an update on Council's key strategic and operational risk, the effectiveness of existing controls, and progress on risk management activities undertaken during the reporting period. The report supports the Committee in its oversight role by ensuring that significant risks are being appropriately identified, assessed, and managed in accordance with Council's Risk Management Framework.

Key highlights include:

- Total Risks: 49
- New Risks: 1
- Risk Rating Increase: 0
- Risk Rating Decrease: 0
- Emerging Risks: 0

Recommendation

That the Committee receives and notes the report.

Committee Resolution

The Committee received and noted that Council's risk profile remains stable with one new risk identified – ERP (Enterprise Resource Planning) end of life and the emerging short term cash flow risk remaining under close watch, including with this Committee.

CONSENSUS

Caroline Smith left the meeting at 11:30am

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES 13 AUGUST 2026**7.13 QUARTERLY BUDGET REVIEW STATEMENTS**

File Number: RPT/26/391

Responsible Officer: Simon Rule - Director Corporate Services
 Responsible Division: Corporate Services
 Report Author: Simon Rule - Director Corporate Services
 Ned Lamond - Financial Services Coordinator

Summary

The June Quarterly Budget Review Statement (QBRS) has been prepared in accordance with the NSW Office of Local Government's 2024-2025 Quarterly Budget Review Guidelines. The updated framework aims to improve transparency, consistency, and alignment with the Integrated Planning and Reporting principles.

The June QBRS provides a comprehensive review of Council's financial performance and budget position for the quarter ended 30 June 2026 noting that it does not reflect all end of year adjustments, including

- A detailed analysis of operating performance, including key variations in income and expenditure
- Reporting of capital works progress and associated funding sources
- Updated information on cash and investments, developer contributions, and loan balances; and
- A summary of budget variations exceeding the $\pm 10\%$ or \$50,000 materiality threshold

While the new QBRS format no longer includes financial Key Performance Indicator (KPI)'s, Council notes that the OLG is currently reviewing the financial and sustainability ratios used across the sector. At this stage, Council's priority is to bed down the requirements of the revised guidelines. The reintroduction of the previous suite of KPI's will be considered as part of future reporting.

Consistent with the updated reporting requirements, once this QBRS is formally tabled at the August Council Meeting, a copy of the report and its attachments will be published on Council's website to ensure transparency and public accountability.

Recommendation

That the Committee:

- a) Receive and note the June 2026 Quarterly Budget Review Statement
- b) Endorse the June 2026 Quarterly Budget Review Statement for presentation to the August Council Meeting.

Committee Resolution

The Committee:

- a) Received and noted the June 2026 Quarterly Budget Review Statement
- b) Endorses the June 2026 Quarterly Budget Review Statement for presentation to the August Council Meeting.
- c) Encourages Council to continue to be vigilant in budget discipline including maximisation of revenue and prioritisation of essential expenditure in order to address short term cash flow issues.

CONSENSUS

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES 13 AUGUST 2026

ACTION – The Committee requested that External/Internal/Unrestricted Cash Table that was included in the previous version of the QBRs be included in future QBRs reports.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES 13 AUGUST 2026**7.14 QUARTERLY OPERATIONAL PLAN PROGRESS REPORT**

File Number: RPT/26/359

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Report Author: Simon Rule - Director Corporate Services

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* (NSW) 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 completed on a quarterly basis.

Completed actions

- All annual actions
- 1.2.4 – Fibre Optic Symphonic Orchestra – Bruce Munro Art Installation
- 2.3.6 – Dareton CCTV
- 3.2.4 – Regional Emergency Road Repair Fund
- 3.3.5 – Wentworth Flood Study
- 3.4.8 – Buronga SPS #9
- 3.4.13 – Wentworth Raw Water Pump Station
- 3.4.14 – Dareton Raw Water Pump Station
- 3.4.15 – Gol Gol Water Treatment Plant
- 3.4.16 – Wentworth Water Treatment Plant
- 3.5.3 – Rose Street Stormwater
- 3.5.5 – Crane Drive Stormwater
- 3.5.8 – Dawn Ave Stormwater
- 3.5.9 – Land purchase Buronga

Recommendation

The Committee notes the report.

Committee Resolution

The Committee notes the Quarterly Operational Plan Progress report.

CONSENSUS

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES 13 AUGUST 2026

7.15 COUNCIL POLICIES - REVIEW OF KEY GOVERNANCE POLICIES

File Number: RPT/26/367

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Report Author: Deborah Zorzi - Governance Officer

Summary

The purpose of this report is to inform the Committee of the outcomes of a coordinated review of three key Governance policies:

1. Conflict of Interest Policy (GOV023)
2. Fraud Control Policy (GOV003)
3. Gifts and Benefits Policy (GOV001)

Recommendation

The Committee recommends that Council endorses the draft policies.

Committee Resolution

The Committee recommends that Council endorses the following draft policies:

1. Conflict of Interest Policy (GOV023)
2. Fraud Control Policy (GOV003)
3. Gifts and Benefits Policy (GOV001)

CONSENSUS

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES 13 AUGUST 2026

7.16 ASSET MANAGEMENT PLANS UPDATE

File Number: RPT/26/375

Responsible Officer: Simon Rule - Director Corporate Services
Responsible Division: Corporate Services
Report Author: Simon Rule - Director Corporate Services

Summary

Council is continuing to progress the development of its Asset Management Plans (AMPs) to improve the maturity of its asset management practices, strengthen the link between service delivery, asset condition, risk and long-term financial planning, and support informed decision-making regarding the management of Council's infrastructure assets.

Development of the **Roads Asset Management Plan** is progressing, with the draft AMP template agreed and work underway to populate the Roads-specific technical content. This includes documenting asset-related risks, defining levels of service and developing the financial modelling component. The financial modelling work is focused on aligning Long-Term Financial Plan expenditure allocations with asset management categories, documenting modelling assumptions, incorporating data into the NAMS.PLUS system and producing the detailed financial tables required to support the AMP.

Subject to continued progress, a draft Roads Asset Management Plan is expected to be available for **Executive Management endorsement within approximately 2–3 months (October 2026)**.

Work has also commenced on the **Filtered Water Network Asset Management Plan**, with the draft template and structure approximately **90% complete**. Following finalisation of the template, work will commence on incorporating asset-specific information, including risk, levels of service and financial modelling components.

Council will continue to provide progress updates to the Audit, Risk and Improvement Committee as the AMP development program advances.

Recommendation

The Committee notes the report.

Committee Resolution

The Committee notes progress in developing the Roads Asset Management Plan & Filtered Water Network Asset Management Plan.

CONSENSUS

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES 13 AUGUST 2026

7.17 QUARTERLY FRAUD REPORT

File Number: RPT/26/380

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Report Author: Simon Rule - Director Corporate Services

Summary

Having made the appropriate inquiries the General Manager can report that no instances of fraudulent activity or behaviour have been identified for the period 1 April 2026 to 30 June 2026.

Recommendation

That the Committee receives and notes the report.

Committee Resolution

The Committee received the report and notes there have been no instances of fraudulent activity or behaviour for the period commencing 1 April to date.

CONSENSUS

The Committee requested that the date of the future report be from the 1st day of each quarter to the date of the Committee meeting.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES 13 AUGUST 2026

7.18 QUARTERLY LEGISLATIVE UPDATE

File Number: RPT/26/389

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Report Author: Mardi Cleggett - Governance Officer

Summary

The Committee has requested a quarterly report on new and commencing NSW legislative, or substantial changes to existing legislation to help inform their deliberations.

This report and the attached Quarterly Legislative Update Table provides details on statutory instruments during the period April to June 2026, either new and upcoming changes and commencing legislation that impacts Council's legislative operating environment.

There are amendments that have or will affect Council across the quarter.

Recommendation

The Committee recommends that the Committee receives and notes the report.

Committee Resolution

The Committee received and noted the Quarterly Legislative update report.

CONSENSUS

The Committee asked about the Local Government Disallowance regulation regarding pre-meeting briefings.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES

13 AUGUST 2026

8 ACTIONS

9 NEXT MEETING

6 November 2026.

Meeting date to review Draft Annual Financial Statements to be advised

10 CLOSURE

The meeting was declared closed at 12:13 pm.

AUDIT, RISK & IMPROVEMENT COMMITTEE TERMS OF REFERENCE

Wentworth Shire Council has established an audit, risk and improvement committee (the committee) in compliance with section 428A of the *Local Government Act 1993* and clauses of the *Local Government (General) Regulation 2005*. These terms of reference set out the Committee's objectives, authority, composition and tenure, roles and responsibilities, reporting and administrative arrangements.

Objective

The objective of Council's audit, risk and improvement committee is to provide independent assurance to Council by monitoring, reviewing and providing advice about Council's governance processes, compliance, risk management and control frameworks, external accountability obligations and overall performance.

Independence

The Committee is to be independent to ensure it has no real or perceived bias or conflicts of interest that may interfere with its ability to act independently and provide Council with robust, objective and unbiased advice and assurance.

The Committee is to provide an advisory and assurance role only and is to have no administrative function, delegated financial responsibility or any management functions of the Council. The Committee will provide independent advice to the Council that is informed by the Council's internal audit and risk management activities and information and advice by Council, relevant external bodies and subject matter experts.

The Committee must at all times ensure it maintains a direct reporting line to and from the Council's internal audit function and act as a mechanism for internal audit to report to the governing body and general manager on matters affecting the performance of the internal audit function.

Authority

Council authorises the Committee, for the purposes of exercising its role and responsibilities, to:

- Access any information it needs from the Council;
- Use any Council resource it needs as relevant to its function;
- Have direct and unrestricted access to the General Manager and senior management of the Council;
- Seek the General Manager's permission to meet with any other Council staff member or contractor;
- Discuss any matters with the external auditor or other external parties as relevant to its function;
- Request the attendance of any employee at committee meetings; and
- Obtain external legal or other professional advice considered necessary to meet its responsibilities.

Information and documents pertaining to the Committee are confidential and are not to be made publicly available. The Committee may only release Council information to external parties that are assisting the Committee to fulfil its responsibilities with the approval of the General Manager, except

where it is being provided to an external investigative or oversight agency for the purpose of informing that agency of a matter that may warrant its attention.

Composition and Tenure

The Committee will consist of:

Members

- Independent external member (not a member of the Council to be the chairperson)
- Independent external member (not a member of the Council)
- Independent external member (not a member of the Council)
- Councillor (non-voting and cannot be the mayor)

The Council is to appoint the Chair and members of the Committee. The Chair is counted as one member of the Committee. Current committee members are:

Rosanne Kava	Independent chair
Caroline Smith	Independent member
Di Schmidt	Independent member
Cr Jody Starick	Councillor member

All committee members are to meet the independence and eligibility criteria prescribed in the *Guidelines for risk management and internal audit for local councils in NSW*.

Members will be appointed for a four-year period. Members can be reappointed for a further term, but the total period of continuous membership cannot exceed eight years. This includes any term as Chair of the Committee. Members who have served an eight-year term (either as a member or Chair) must have a two-year break from serving on the Committee before being appointed again. To preserve the Committee's knowledge of Council, ideally, no more than one member should leave the Committee because of rotation on any one year.

Specific member terms and conditions are to be disclosed in a letter of appointment. New members will be thoroughly inducted to their role and receive relevant information and briefings on their appointment to assist them to meet their committee responsibilities.

Prior to approving the reappointment or extension of the Chair's or an independent member's term the governing body is to undertake an assessment of the Chair's or committee member's performance. Reappointment of the Chair and members is also to be subject to the individual still meeting independence and eligibility requirements.

Members of the Committee are to possess and maintain a broad range of skills, knowledge and experience relevant to the operations, governance and financial management of Council. The environment in which Council operates, and the contribution that the Committee makes to the Council. At least one member of the Committee must have accounting or related financial management experience with an understanding of accounting and auditing standards in a local government environment.

All members should have sufficient understanding of the Council's financial reporting responsibilities to be able to contribute to the Committee's consideration of Council's annual financial statements.

Role

In accordance with section 428A of the *Local Government Act 1993*, the role of the Committee is to review and provide independent advice to the Council regarding the following aspects of the Council's operations:

- Compliance
- Risk management
- Fraud control
- Financial management
- Governance
- Implementation of the strategic plan, delivery program and strategies
- Service reviews
- Collection of performance measurement data by the Council, and
- Internal audit

The Committee must also provide information to the Council for the purpose of improving Council's performance of its functions.

The committee's specific audit, risk and improvement responsibilities under section 428A are outlined in Schedule 1 to this charter.

The Committee will act as a forum for the Council's internal audit function and oversee its planning, monitoring and reporting to ensure it operates effectively.

The Committee will have no power of direction over external audit or the manner in which the external audit is planned or undertaken but will act as a forum for the consideration of external audit findings.

The Committee is directly responsible and accountable to the governing body of the Council for the exercise of its responsibilities. In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of the Council rests with the governing body of the Council and the General Manager.

The responsibilities of the Committee may be revised or expanded in consultation with, or as requested by, the governing body of the Council from time to time.

Responsibilities of members

Independent members

The Chair and members of the Committee are expected to understand and observe the requirements of the *Guidelines for risk management and internal audit for local councils in NSW*. Members are also expected to:

- ✓ Make themselves available as required to attend and participate in meetings;
- ✓ Contribute the time needed to review and understand information provided to it;
- ✓ Apply good analytical skills, objectivity and judgement;
- ✓ Act in the best interest of the Council;
- ✓ Have the personal courage to raise and deal with tough issues, express opinions frankly, ask questions that go to the fundamental core of the issue and pursue independent lines of inquiry;
- ✓ Maintain effective working relationships with the Council;

- ✓ Have strong leadership qualities (Chair);
- ✓ Lead effective committee meetings (Chair); and
- ✓ Oversee the Council's internal audit function (Chair).

Councillor member

To preserve the independence of the Committee, the councillor member of the Committee is a non-voting member. Their role is to:

- ✓ Relay to the Committee any concerns the governing body may have regarding the Council and issues being considered by the Committee;
- ✓ Provide insights into local issues and the strategic priorities of the Council that would add value to the Committee's consideration of agenda items;
- ✓ Advise the governing body (as necessary) of the work of the Committee and any issues arising from it; and
- ✓ Assist the governing body to review the performance of the Committee.

Issues or information the councillor member raises with or provides to the Committee must relate to the matters listed in Schedule 1 and issues being considered by the Committee.

The councillor member of the Committee must conduct themselves in a non-partisan and professional manner. The councillor member of the Committee must not engage in any conduct that seeks to politicise the activities of the Committee or the internal audit function or that could be seen to do so.

If the councillor member of the Committee engages in such conduct or in any other conduct that may bring the Committee and its work into disrepute, the Chair of the Committee may recommend to the Council, that the councillor member be removed from membership of the Committee. Where the Council does not agree to the Committee Chair's recommendation, the Council must give reasons for its decision in writing to the Chair.

Conduct

Independent committee members are required to comply with the Council's code of conduct and be held to the same ethical, behavioural and conduct standards as officials of the Council.

Complaints or breaches of Council's code of conduct by an independent committee member are to be dealt with in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*. The General Manager must consult with the governing body before taking disciplinary action against an independent committee member in response to a breach of the Council's Code of Conduct.

Conflicts of interest

Once a year, Committee members will provide written declarations to the Council stating that they do not have any conflicts of interest that would preclude them from being members of that Committee. Independent committee members are 'designated persons' and must also complete and submit returns of interest.

Committee members and observers must declare any pecuniary or non-pecuniary conflicts of interest that they may have at the start of each meeting, before discussion of the relevant agenda item or issue, and when the issue arises. Where committee members and observers are deemed to have a pecuniary or a significant non-pecuniary interest, they are to remove themselves from

Committee deliberations on the issue. Details of any conflicts of interest should also be appropriately minuted.

Standards

Committee members are to conduct their work in accordance with the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors and the current Australian risk management standard where applicable.

Workplans

The work of the Committee is to be thoroughly planned and executed to ensure that all Council activities and functions are reviewed. The Committee must develop a strategic plan every four years to ensure that all matters listed in Schedule 1 are reviewed by the Committee and the internal audit function over each Council term. The strategic plan must be reviewed at least annually to ensure it remains appropriate.

The Committee may, in consultation with the Council's governing body vary the strategic work plan at any time to address new or emerging risks. The governing body of the Council may also, by resolution, request the Committee to approve a variation to the strategic work plan. However, any decision to vary the strategic work plan must be made by the Committee.

The Committee must also develop an annual workplan to guide its work, and the work of Council's internal audit function over the forward year.

When considering whether to vary the strategic or annual work plans, the Committee must consider the impact of the variation on the internal audit function's existing workload and the completion of pre-existing priorities and activities identified under the workplan.

Assurance Reporting

The Committee must regularly report to the Council to ensure that the Council is kept informed of matters considered by the Committee and any emerging issues that may influence the strategic direction of the Council or the achievement of the Council's goals and objectives.

The Committee will provide an update to the governing body and the General Manager of its activities and opinions after every meeting.

The Committee will provide an annual assessment to the governing body and General Manager each year on the Committee's work and its opinion on how Council is performing.

The Committee will provide a comprehensive assessment every council term of all matters listed in Schedule 1 to the governing body and General Manager.

The Committee may, at any time report to the governing body or General Manager, on any other matter it deems of sufficient importance to warrant their attention. The Mayor and Chair of the Committee may also meet at any time to discuss issues relating to the work of the Committee.

Should the governing body require additional information, a request for the information may be made to the Chair by resolution. The Chair may only provide the information requested by the governing body where the Chair is satisfied that it is reasonably necessary for the governing body to receive the information for the purposes of performing its functions under the Local Government Act. Individual Councillors are not entitled to request or receive information from the Committee.

Administrative arrangements

Meetings

The Committee will meet at least four times per year, with one of these meetings to include a review of Council's annual financial statements.

The Committee can hold additional meetings when significant unexpected issues arise, or if the Chair is asked to hold an additional meeting by a committee member, the General Manager or the governing body.

Committee meetings can be held in person, by telephone or videoconference. Proxies are not permitted if a member is unable to attend a meeting.

A quorum will consist of a majority of independent voting members. Where the vote is tied, the Chair has the casting vote.

The Chair of the Committee will decide the agenda for each committee meeting. Each committee meeting is to be minuted to preserve a record of the issues considered and the actions and decisions taken by the committee.

The General Manager and head of the internal audit function are to attend committee meetings as non-voting observers. The external auditor (or their representative) is to be invited to each committee meeting as an independent observer. The Chair can request the Council's Chief Financial Officer or equivalent, head of risk management function or equivalent, senior managers, any Councillors, any employee/contractor of the Council and any subject matter experts to attend committee meetings. These individuals must attend and provide any information requested, where possible. Observers have no voting rights and can be excluded from a meeting by the Chair at any time.

The Committee can hold closed meetings whenever it needs to discuss confidential or sensitive issues with only voting members of the committee present.

The Committee must meet separately with both the internal audit function and the Council's external auditor at least once per year.

Dispute resolution

Members of the Committee and Council's management should maintain an effective working relationship and seek to resolve any differences they may have in an amicable and professional way via discussion and negotiation.

In the event of a disagreement between the Committee and the General Manager or other Senior Managers, the dispute is to be resolved by the governing body of the Council.

Unresolved disputes regarding compliance with statutory or other requirements are to be referred to the Secretary of the Department of Planning, Industry and Environment in writing.

Secretariat

The General Manager will appoint a Council employee/s to provide secretariat support to the Committee. The secretariat will ensure the agenda for each meeting and supporting papers are circulated after approval from the Chair at least a week before the meeting and ensure that minutes of meetings are prepared and maintained. Minutes must be approved by the Chair and circulated within 3 weeks of the meeting to each member.

Resignation and dismissal of members

Where the Chair or a Committee member is unable to complete their term, or does not intend to seek reappointment after the expiry of their term, they should give 3 months' notice to the Chair and the governing body prior to their resignation to enable the Council to ensure a smooth transition to a new committee member.

The governing body can terminate via a resolution the engagement of any Chair or independent committee before the expiry of their term where the individual has:

- ✓ Breached the Independence requirements for being a committee member;
- ✓ Breached the Council's Code of Conduct;
- ✓ Performed unsatisfactorily or not to expectations;
- ✓ Been declared bankrupt or found to be insolvent;
- ✓ Experienced an adverse change in business status;
- ✓ Been proven to be in a serious breach of their obligations under any legislation; or
- ✓ Declared, or is found to be in, a position of a conflict of interest which is unresolvable.

The position of a Councillor member on the Committee can be terminated at any time by the governing body via resolution.

Review arrangements

At least once every council term the governing body must conduct an external review of the effectiveness of the Committee.

These terms of reference are to be reviewed annually by the Committee and once each council term by the governing body. Any substantive changes are to be approved by the governing body.

Further information

For further information on Council's audit, risk and improvement committee contact Council on council@wentworth.nsw.gov.au or by phone 03 5027 5027.

Reviewed by Chair of the audit, risk and improvement committee:

Signed:

Date:

Reviewed by Wentworth Council or in accordance with a resolution of the governing body:

Signed:

Date:

Resolution reference:

Next review date:

Schedule 1 – Audit, risk and improvement committee responsibilities

Audit

Internal Audit

- ✓ Provide overall strategic oversight of internal audit activities;
- ✓ Act as a forum for communication between the governing body, General Manager, Senior Management, the internal audit function and external audit;
- ✓ Coordinate, as far as is practicable, the work programs of internal and other assurances and review functions; and
- ✓ Review and advise the Council:
 - On whether the Council is providing the resources necessary to successfully deliver the internal audit function;
 - If the Council is complying with internal audit requirements, including conformance with the International Professional Practices Framework;
 - If the Council's Internal Audit Charter is appropriate and whether the internal audit policies and procedures and audit/risk methodologies used by the Council are suitable;
 - Of the strategic four-year plan and annual work plan of internal audits to be undertaken by the Council's internal audit function;
 - If Council's internal audit activities are effective, including the performance of the head of internal audit function and the internal audit function;
 - Of the findings and recommendations of internal audits conducted, and corrective actions needed to address issues raised;
 - Of the implementation by Council of these corrective actions;
 - On the appointment of the head of the internal audit function and external providers; and
 - If the internal audit function is structured appropriately and has sufficient skills and expertise to meet its responsibilities.

External Audit

- ✓ Act as a forum for communication between the governing body, General Manager, Senior Management, the internal audit function and external audit;
- ✓ Coordinate, as far as is practicable, the work programs of internal audit and external audit;
- ✓ provide input and feedback on the financial statements and performance audit coverage proposed by external audit and provide feedback on the audit services provided;
- ✓ Review all external plans and reports in respect of planned or completed audits and monitor Council's implementation of audit recommendations; and
- ✓ Provide advice to the governing body and/or General Manager on action taken on significant issues raised in relevant external audit reports and better practice guides.

Risk

Risk Management

Review and advise the Council:

- ✓ If the Council has in place a current and appropriate risk management framework that is consistent with the Australian risk management standard;
- ✓ Whether the Council is providing the resources necessary to successfully implement its risk management framework;
- ✓ Whether the Council's risk management framework is adequate and effective for identifying and managing the risks the Council faces, including those associated with individual projects, programs and other activities;
- ✓ If risk management is integrated across all levels of the Council and across all processes, operations, services, decision-making, functions and reporting;
- ✓ Of the adequacy of risk reports and documentation, for example, the Council's risk register and risk profile;
- ✓ Whether a sound approach has been followed in developing risk management plans for major projects or undertakings;
- ✓ Whether appropriate policies and procedures are in place for the management and exercise of delegations;
- ✓ If Council has taken steps to embed a culture which is committed to ethical and lawful behaviour;
- ✓ If there is a positive risk culture within the Council and strong leadership that supports effective risk management;
- ✓ Of the adequacy of staff training and induction in risk management;
- ✓ How the Council's risk management approach impacts on the Council's insurance arrangements;
- ✓ Of the effectiveness of Council's management of its assets; and
- ✓ Of the effectiveness of business continuity arrangements, including business continuity plans, disaster recovery plans and the periodic testing of these plans.

Internal controls

Review and advise the Council:

- ✓ Whether Council's approach to maintaining an effective internal audit framework, including over external parties such as contractors and advisors, is sound and effective;
- ✓ Whether Council has in place relevant policies and procedures and that these are periodically reviewed and updated;
- ✓ Whether appropriate policies and procedures are in place for the management and exercise of delegations;
- ✓ Whether staff are informed of their responsibilities and processes and procedures to implement controls are complied with;
- ✓ If the Council's monitoring and review of controls is sufficient; and
- ✓ If internal and external audit recommendations to correct internal control weaknesses are implemented appropriately.

Compliance

Review and advise the Council of the adequacy and effectiveness of the Council's compliance framework, including:

- ✓ If the Council has appropriately considered legal and compliance risks as part of the Council's risk management framework;
- ✓ How the Council manages its compliance with applicable laws, regulations, policies, procedures, codes and contractual arrangements; and
- ✓ Whether appropriate processes are in place to assess compliance.

Fraud and corruption

Review and advise the Council of the adequacy and effectiveness of the Council's fraud and corruption prevention framework and activities, including whether the Council has appropriate processes and systems in place to capture and effectively investigate fraud-related information.

Financial management

Review and advise the Council:

- ✓ If Council is complying with accounting standards and external accountability requirements;
- ✓ Of the appropriateness of Council's accounting policies and disclosures;
- ✓ Of the implications for Council of the findings of external audits and performance audits and Council's response and implementation of recommendations;
- ✓ Whether the Council's financial statement preparation procedures and timelines are sound;
- ✓ The accuracy of the Council's annual financial statements prior to external audit, including:
 - Management compliance/representations;
 - Significant accounting and reporting issues;
 - The methods used by the Council to account for significant or unusual transactions and areas of significant estimates or judgements; and
 - Appropriate management signoff on the statements.
- ✓ If effective processes are in place to ensure financial information included in the Council's report is consistent with signed financial statements;
- ✓ If the Council's financial management processes are adequate;
- ✓ The adequacy of cash management policies and procedures;
- ✓ If there are adequate controls over financial processes, for example:
 - Appropriate authorisation and approval of payments and transactions;
 - Adequate segregation of duties;
 - Timely reconciliation of accounts and balances;
 - Review of unusual and high value purchases.
- ✓ If policies and procedures for management review and consideration of the financial position and performance of the Council are adequate; and
- ✓ If Council's grants and tied funding policies and procedures are sound.

Governance

Review and advise the Council regarding its governance framework, including Council's

- ✓ Decision-making processes
- ✓ Implementation of governance policies and procedures
- ✓ Reporting lines and accountability
- ✓ Assignment of key roles and responsibilities;
- ✓ Committee structure;
- ✓ Management oversight responsibilities;
- ✓ Human resources and performance management activities;

- ✓ Reporting and communication activities;
- ✓ Information and communications technology (ICT) governance; and
- ✓ Management and governance of the use of data, information and knowledge.

Improvement

Strategic planning

Review and advise the Council:

- ✓ Of the adequacy and effectiveness of the Council's Integrated Planning & Reporting (IP&R) processes
- ✓ If appropriate reporting and monitoring mechanisms are in place to measure progress against objectives; and
- ✓ Whether the Council is successfully implementing and achieving its IP&R objectives and strategies.

Service reviews and business improvement

- ✓ Act as a forum for communication and monitoring of any audits conducted by external bodies and the implementation of corrective actions; and
- ✓ Review and advise the Council:
 - If Council has robust systems to set objectives and goals to determine and deliver appropriate levels of service to the community and business performance;
 - If appropriate reporting and monitoring mechanisms are in place to measure service delivery to the community and overall performance; and
 - How the Council can improve its service delivery and the Council's performance of its business and functions generally.

Performance data and measurement

Revise and advise the Council:

- ✓ If Council has a robust system to determine appropriate performance indicators to measure the achievement of its strategic objectives;
- ✓ If the performance indicators Council uses are effective; and
- ✓ Of the adequacy of performance data collection and reporting.



CONFLICT OF INTEREST POLICY

POLICY NUMBER & TITLE:	GOV023	CONFLICT OF INTEREST POLICY
DOCUMENT ID:	DOC/22/5544	
VERSION:	1.1	
ADOPTED MEETING DATE:	Click or tap to enter a date.	
REVIEW DUE:	Four yearly or following change of legislation or incident	
VERSION AMENDMENTS:	Minor Administrative Updates	

RESPONSIBLE DEPARTMENT:	Corporate Services
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CONFLICT OF INTEREST POLICY

POLICY OBJECTIVE

The objective of this policy is to protect the public interest by ensuring transparent and accountable decision-making, promoting individual responsibility and ethical leadership, and fostering a supportive organisational culture grounded in integrity.

1. POLICY STATEMENT

The community has a right to expect that Councillors and Council staff perform their duties in a fair and unbiased way and that the decisions they make are not affected by self-interest or personal gain.

It is normal that Councillors, Council staff and Council delegates may experience a conflict between their personal interests and those of Council at some time during their appointment. It is important in these circumstances to manage such conflicts appropriately and in line with Council Policy.

Conflicts of Interests can arise when Councillors or Council staff are influenced, or appear to be influenced, by personal interest(s) when carrying out their duties. The perception of a conflict can be as damaging as an actual conflict because it undermines public confidence in the integrity of the organisation and its Councillors and staff.

This policy both complements and should be read in conjunction with Council's Code of Conduct Policy. This policy is an enforceable part of the Code. In the event that this policy contradicts the Code of Conduct Policy, the Code of Conduct Policy will prevail.

2. POLICY COVERAGE

This policy applies to all areas of Council's operations and covers Councillors, staff, contractors, volunteers and delegates of Council.

3. STRATEGIC PLAN LINK

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

Strategy: 4.3 Provide a governance framework that is transparent and builds trust in local leadership.

4. DEFINITIONS AND ABBREVIATIONS

Term/Word	Definition
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Title: GOV023	CONFLICT OF INTEREST POLICY	V1.0	Version date: 17/03/2022
DOC ID: DOC/22/5544	Do not use this policy in printed form without first checking it is the current version		



CONFLICT OF INTEREST POLICY

Act	<i>Local Government Act 1993</i> (NSW)
Conflict of Interests	A conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty.
Council Representative	Includes Councillors, staff, contractors, volunteers, members of Council committees and delegates of Council.
Pecuniary Interest	This is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.
Non-pecuniary Interest	This is any private interest that does not relate to money. Non-pecuniary interests are private or personal interests the Council Representative has that do not amount to a pecuniary interest as defined in the <i>Local Government Act 1993</i> . A non-pecuniary interest may arise out of kinship, friendship, membership of an association, society, trade union or involvement/interest in sporting, social or cultural activities.
Actual Conflict of Interests	This involves direct conflict between a Council Representative's current duties and responsibilities and their existing private interests.
Perceived Conflict of Interests	This is where it could be perceived by others that a Council Representative's private interests could improperly influence the performance of their public duties – whether or not this is actually the case.
Potential Conflict of Interests	This arises when a Council Representative has private interests that could interfere with their public duties in the future.
Designated Person	Under section 440 of the <i>Local Government Act 1993</i>, designated persons include: • The General Manager and other senior staff of Council; • A person who, by virtue of their Council position exercises functions that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest; and A person (other than a member of the senior staff of Council) who is a member of a committee of Council who by virtue of their membership and associated committee functions that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.

5. POLICY CONTENT

Pecuniary Interests

Pecuniary interests must be disclosed.

Title: GOV023	CONFLICT OF INTEREST POLICY	V1.0	Version date: 17/03/2022
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CONFLICT OF INTEREST POLICY

A person will be considered to have a pecuniary interest if:

- They or a person with whom they are associated has a pecuniary interest;
- Their spouse, de facto partner, relative, partner or employer has a pecuniary interest (relative includes any of the following – parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or an adopted child of a person or the person's spouse); and
- They, a nominee, partner or employer are a member of a company or other body that has a pecuniary interest.

A person is not taken to have a pecuniary interest if:

- They are unaware of the relevant pecuniary interest of the spouse, defacto partner, relative, partner, employer or company or other body;
- Just because the person is a member of, or is employed by, a Council or statutory body or is employed by the Crown; and
- Just because the person is a member of or a delegate of Council to, a company or other body that has a pecuniary interest in that matter, so long as the person has no beneficial interest in any shares of the company or body.

A person does not have a pecuniary interest in a matter if the interest is so remote that it could not reasonably be regarded as likely to influence any decision the person makes in relation to the matter. (Section 442 of the Act).

Non-Pecuniary Interests

Non-pecuniary interests must be disclosed.

Council Representatives who are members of clubs should seriously consider whether their club membership could give rise to Conflicts of Interests in Council matters that may affect the clubs. The greater the involvement with the club, such as holding of an office, the greater the likelihood of a real or perceived Conflict of Interest.

In cases of a non-pecuniary interest, Council Representatives should not do anything which they could not justify to the public and should avoid any occasion for reasonable suspicion or the appearance of improper conduct or only partial performance of their public or professional duties.

Options for dealing with a non-pecuniary Conflict of Interest will depend on the circumstances of the matter and an objective assessment of it.

Options can include:

- Take no action because the conflict is assessed as minor in nature;
- Allow limited involvement (e.g. participate in discussions but not in decision making);
- Prohibit any involvement;
- Require that the individual concerned remove the source of conflict; or
- Include an independent process to provide assurances of probity.

Title: GOV023	CONFLICT OF INTEREST POLICY	V1.0	Version date: 17/03/2022
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CONFLICT OF INTEREST POLICY

Interest that need not be Disclosed

As per the Code of Conduct Policy the following interests do not have to be disclosed:

- An interest as an elector;
- An interest as a ratepayer or a person liable to pay a charge;
- An interest in any matter relating to the terms on which the provisions of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to the code;
- An interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to a relative of the person by Council in the same manner and subject to the same conditions as apply to persons who are not subject to the code;
- An interest as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not);
- An interest as member of a Council committee as a person chosen to represent the community or as a member of a non-profit organisation or other community or special interest group if the committee member has been appointed to represent the organisation or group on the committee;
- An interest relating to a contract, proposed contract or other matter if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 percent of the voting rights in the company;
- An interest of a person arising from the proposed making by Council of an agreement between Council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because a relative of the person is a shareholder (but not a director) of the corporation or is a member (but not a member of the committee) of the association or is a partner of the partnership;
- An interest of a person arising from the making by Council of a contract or agreement with a relative of the person for or in relation to any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by Council in respect of similar matters with other residents of the area:
 - The performance by Council at the expense of the relative of any work or service in connection with roads or sanitation;
 - Security for damage to footpaths or roads;
 - Or any other service to be rendered, or act to be done, by Council by or under any Act conferring functions on Council or by or under any contract.
- An interest relating to the payment of fees to Councillors;
- An interest relating to the payment of expenses and the provision of facilities to Councillors in accordance with a policy under Section 252 of the *Local Government Act 1993*;
- An interest relating to an election to the office of Mayor arising from the fact that a fee for the following 12 months has been determined for the office of Mayor;

Title: GOV023	CONFLICT OF INTEREST POLICY	V1.0	Version date: 17/03/2022
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CONFLICT OF INTEREST POLICY

- An interest of a person arising from the passing for payment of a regular account arising for payment of a regular account for wages or salary of an employee who is a relative of the person;
- An interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a Councillor or member of a Council committee; and
- An interest arising from appointment of a Councillor to a body as representative or delegate of Council, whether or not a fee or other recompense is payable to the representative or delegate.

Disclosing Interests

Councillors

Councillors who believe they have an interest in a matter, pecuniary or otherwise, must declare that interest in any meetings or discussions where that matter is to be considered.

Written notice of a Conflict of Interest must be given to the General Manager using the *Conflict of Interest (Declaration & Management) Form*.

Councillors must complete an annual *Disclosure of Interest Return*.

General Manager

If the General Manager declares a Conflict of Interest in a matter then the Mayor should decide future participation by the General Manager at any time during which the matter is being considered or discussed or voted upon by Council or the Committee.

Written notice of a Conflict of Interest must be given to the Mayor using the *Conflict of Interest (Declaration & Management) Form*.

The General Manager must complete an annual *Disclosure of Interest Return*.

Staff and other Council Representatives

Staff and other Council Representatives who believe they have an interest in a matter, pecuniary or otherwise, must declare that interest in any meetings or discussions where that matter is to be considered. The conflict must be disclosed to the relevant supervisor, the Director Corporate Services or the General Manager in the first instance in relation to staff and the Director Corporate Services and the General Manager in regards to all other Council representatives.

Written notice of a Conflict of Interest must be given to the Director Corporate Services or the General Manager using the *Conflicts of Interest (Declaration & Management Form)*.

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CONFLICT OF INTEREST POLICY

Disclosure of Interest Returns

A Councillor or designated person must complete and lodge with the General Manager, within three (3) months after becoming a Councillor or designated person, or after becoming aware of an interest, a return in the form in Schedule 2 of the Code of Conduct.

Thereafter, the return must be lodged within three (3) months of 30 June each year. Section 440 of the Act sets out the definitions of designated persons as set out in this Policy.

Disclosure at Meetings

A Council Representative who has a pecuniary or non-pecuniary interest in any matter with which Council is concerned and who is present at a meeting of Council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as possible.

If a pecuniary interest is disclosed by a Council Representative, the person must not be present at, or in sight of, the meeting of the Council or committee:

- At any time during which the matter is being considered or discussed by Council or committee; or
- At any time during which Council or committee is voting on any question in relation to the matter.

A person does not breach the Code of Conduct or the above clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a Pecuniary Interest.

The following criteria should be used to determine the extent of disclosure of the nature of the interest:

- The details should be sufficient to enable other Councillors, committee members and the public to appreciate, in general terms, the connection of the person with the matter under consideration;
- The disclosure **must not** reveal sensitive information which is not relevant to the matter before Council or committee;
- The disclosure **must not** reveal information which may be unnecessarily damaging to the reputation of some person(s) with whom the person disclosing the interest is associated; and
- The disclosure will not necessarily prejudice a sensitive commercial or legal situation.

A person who, at the request or with the consent of Council or a committee, gives advice on any matter at any meeting of Council or a committee must disclose the nature of any Pecuniary Interest the person has in the matter to that meeting at the time the advice is given.

The Code of Conduct is not breached if the advisor did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a Pecuniary Interest.

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CONFLICT OF INTEREST POLICY

Responsibility for Making a Disclosure

If a person is unsure as to whether or not they have a Conflict of Interest, they should give full written details to the Director Corporate Services or the General Manager or the Mayor or seek independent legal advice. The objective of notification is to protect both the individual and Council.

Neither the Mayor, the General Manager or the Director Corporate Services has the responsibility to provide a person with a determination on whether or not they have a Conflict of Interest in a matter.

The responsibility to determine a Conflict of Interest resets solely with the individual as only that individual is aware of the grounds upon which a potential for a Conflict of Interest arises. It is prudent to err on the side of caution by declaring an interest and by not participating in discussion or in decision making if there is any doubt as to their interest in the matter.

Managing Conflict of Interests

Apart from declaring an interest, Council Representatives must manage any identified conflict.

Strategies for managing a Conflict of Interest include:

Restrict	Restrictions are placed on the Council Representative's involvement in the matter.
Recruit	A disinterested third party is used to oversee part or all of the process that deals with the matter. In most circumstances, a subordinate would not be considered a disinterested third party.
Remove	The Council Representative removes themselves, or is removed, from the matter.
Relinquish or Resign	The Council Representative relinquishes the private interest that is creating the conflict. Where relinquishing the interest is not possible and the conflict cannot be managed in the public interest using one of the options above, the Council Representative may consider resigning.

Complaints Regarding Failure to Disclose an Interest

Council promotes a speak up culture. Staff, Councillors or persons engaged by Council may make a report if they believe a colleague has failed to disclose or properly manage a Conflict of Interest. Breaches or alleged breaches that may constitute *serious wrongdoing* are dealt with under the *Public Interest Disclosure Act 2022* (NSW) (the PID Act) and afforded strong protections.

Conflict of Interest Register

Council will maintain a register of all declared interests. This register will be available for public inspection under the *Government Information (Public Access) Act 2009*.

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CONFLICT OF INTEREST POLICY

6. RELATED DOCUMENTS AND LEGISLATION

Legislation

- *Local Government Act 1993 (NSW)*
- *Local Government (General) Regulation 2021 (NSW)*
- *Public Interest Disclosure Act 2022 (NSW)*
- *Government Information (Public Access) Act 2009 (NSW)*

Council Policies

- GOV001 – Gifts and Benefits Policy
- GOV003 – Fraud Control Policy
- GOV004 – Public Interest Disclosure Policy
- GOV005 – Procurement Policy
- GOV007 – Privacy Policy
- GOV008 – Access to Information Policy
- GOV009 – Delegations Policy
- GOV013 – Enterprise Wide Risk Management Policy
- GOV019 – Statement of Business Ethics Policy
- GOV020 – Code of Conduct Policy
- GOV022 – Compliance Policy

Other

- Code of Meeting Practice
- Conflict of Interest Procedure
- Conflict of Interest (Declaration & Management) Form
- Compliance Framework
- Gifts and Benefits Register
- Conflict of Interest Register
- Secondary Employment Policy (Operational)

7. ATTACHMENTS

Nil

8. DOCUMENT APPROVAL

This Council Policy is the latest version of the official policy of the Wentworth Shire Council, as adopted by Council on [Click or tap to enter a date..](#) All previous versions of this policy are null and void. This policy may be amended or revoked by Council at any time.

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FRAUD CONTROL POLICY

POLICY NUMBER & TITLE:	GOV003	FRAUD CONTROL POLICY
WORD DOCUMENT ID:	DOC/24/27683	
VERSION:	3.2	
REVIEW DUE:	Four yearly or following change of legislation or incident	
VERSION AMENDMENTS:	Minor administrative amendments to reflect legislative and role change	
RESPONSIBLE DEPARTMENT:	Corporate Services	

POLICY OBJECTIVE

Council is committed to preventing fraud at its origin. Council will endeavour to foster an environment that makes active fraud control a responsibility of all Councillors and Staff. The objectives of this policy are to:

- Promote an organisational culture that does not tolerate fraudulent activity or corruption;
- Ensure high standards of ethical and accountable conduct;
- Protect public funds and assets; and

Protect the integrity, security and reputation of Council and its staff.

1. POLICY STATEMENT

The intent of this policy is to:

- ensure that Councillors and staff are aware of their responsibilities for identifying possible exposures to fraudulent activities and for establishing controls and procedures for preventing such fraudulent activities and/or detecting such fraudulent activity when it occurs;
- to provide guidance as to action which should be taken where fraudulent activity is suspected;
- to provide clear guidance as to the process of investigating fraudulent activities and to provide a suitable environment to report such matters.

This policy should be read in conjunction with Council's Code of Conduct, Statement of Business Ethics and Public Interest Disclosures Policy. Council's Code of Conduct together with the Statement of Business Ethics forms the framework providing ethical standards for the performance of actions by Council staff.

2. POLICY COVERAGE

This policy applies to all Councillors, staff and contractors of Wentworth Shire Council.

3. STRATEGIC PLAN LINK

Objective: 4 - Wentworth Shire is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner.

Strategy: 4.3 – Provide a governance framework that is transparent and builds trust in local leadership

Title: GOV003	FRAUD CONTROL POLICY	V3.2	Version date: 22/11/2024
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FRAUD CONTROL POLICY

4. DEFINITIONS AND ABBREVIATIONS

Term/Word	Definition
Corruption	Corruption is broadly: - Any conduct of any person, including a Council official that adversely affects, or that could adversely affect, either directly or indirectly, the honest or impartial exercise of official functions by any public official, any group or body of public officials or any public authority; - Any dishonest or partial exercise of any official functions by a Council official; - Any conduct by a Council official that constitutes or involves a breach of public trust; or Any conduct of a Council official that involves the misuse of information or material that they have acquired in the course of their official functions, whether or not for their benefit or for the benefit of any other person.
Council	Council of the Shire of Wentworth.
Fraud	Dishonest activity causing actual or potential financial loss to any person or entity including theft of money or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position for personal financial benefit.
ICAC	Independent Commission Against Corruption
PID Act	<i>Public Interest Disclosures Act 2022</i>
Public Interest Disclosure	A disclosure satisfying the applicable requirements of Part 2 of the <i>Public Interest Disclosures Act 2022</i> . That is in part, a disclosure of information that the person making the disclosure honestly believes, on reasonable grounds, shows or tends to show corrupt conduct, serious maladministration, serious and substantial waste of public money, government information contravention or a privacy contravention, or local government pecuniary interest contravention by Council, councillors, staff or public officials or by another public authority or any of its officers.
Public Official	Section 14 of the PID Act provides the meaning of 'public official' for the purposes of the Act. Relevantly for Council, this includes

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FRAUD CONTROL POLICY

	a person employed by a local government authority or otherwise in the services of the local government authority.
Risk-Based Approach	An approach to fraud and corruption control whereby Council systematically identifies, assesses and prioritises risks based on their likelihood and potential impact, and applies controls, resources and oversight proportionate to those risks. This ensures higher-risk activities are subject to stronger and more targeted controls, while maintaining an efficient and effective overall control environment.

5. POLICY CONTENT

Prevention controls are the most common and cost-effective way to mitigate fraud. They reduce the likelihood and consequences of fraud by preventing or limiting the extent of the risk occurring.

Prevention controls can include people or process controls to increase transparency and influence behaviours, or processes and technology-based controls to stop or limit fraudulent activity.

Detection controls can help to identify when fraud has occurred. Detection controls can include people and process controls such as fraud aware staff and tip-off processes, or technology-based controls such as fraud detection programs.

Clear reporting and investigation processes need to be in place so that claims of suspected fraudulent activity can be responded to efficiently and effectively having due regard to legislative requirements and procedural fairness, including any requirement to report to other investigative authorities as required such as NSW Police and the Independent Commission Against Corruption (ICAC).

Council adopts a risk-based approach to fraud and corruption to ensure that controls and oversight are proportionate to the level and nature of risk. Fraud risks are systematically identified across Council activities, such as procurement, financial management and decision-making functions, and assessed based on their likelihood, impact and existing controls.

This ensures that higher-risk areas receive stronger and more targeted controls, consistent with best practice guidance that fraud control arrangements should be tailored to an organisation's specific risk profile rather than applying generic measures.

Controls are then designed, implemented and regularly reviewed to prevent, detect and respond to fraud and corruption, with effectiveness supported through integration into Council's broader governance framework, including risk management, internal audit and ARIC oversight.

Ongoing monitoring, periodic risk assessments and review of incidents ensure controls remain effective and responsive to emerging risks, aligning with better practices expectations for integrated prevention, detection and response mechanisms with a comprehensive fraud control framework.

It is the policy of this Council that:

Prevention

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FRAUD CONTROL POLICY

Council through its management team will create an environment and culture in which fraudulent acts will not be tolerated and which will be appropriately investigated when they are suspected or reported.

Prevention includes but is not limited to:

- Having a sound ethical culture;
- Senior management commitment;
- Staff accountability and awareness;
- Code of Conduct;
- Strong internal controls;
- Sound governance systems;
- Policies and procedures; and
- Periodic assessment of fraud and corruption risk including as part of Council's enterprise risk management process and by the Internal Audit Function.

Reporting

Council has an adopted Code of Conduct applicable to Councillors, staff and delegates of Council. Any allegations of breaches of the Code of Conduct by a Councillor, staff member or delegate will be handled in accordance with the Procedures for Administration of Council's Code of Conduct described therein.

Council is committed to a zero tolerance approach to fraud and corruption. In support of this commitment and in accordance with relevant legislative obligations, Council has developed a suite of policies to guide ethical behaviour of Council officials and any businesses that Council has dealings with. These policies also establish the framework for how reports of suspected fraud and corruption will be managed.

Members of the public are encouraged to make reports about suspected fraud or corruption involving Council to either the General Manager or the Director Corporate Services, or if the report concerns the General Manager it can be made to the Mayor.

All supervisors have the responsibility to report suspected fraud and corruption, confidentially, to the General Manager who has the responsibility of investigating suspected fraud and corruption with the assistance of appropriate senior staff.

If the General Manager is the subject of a suspected fraud, the matter must be reported to the Mayor and the Mayor has the responsibility of investigating the suspected fraud with the assistance of appropriate senior staff.

Breaches or alleged breaches of the Code of Conduct that may constitute *serious wrongdoing* are dealt with under the *Public Interest Disclosures Act 2022* (the PID Act) and afforded strong protections. Whilst there are six categories of serious wrongdoing described under the PID Act, any reports of wrongdoing or alleged breaches of the Code of Conduct should be reported. To be addressed under the PID Act, the report should be made to a Disclosure Officer /Integrity Agency either directly or through a person's supervisor/manager.

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FRAUD CONTROL POLICY

Further information is set out in Council's Public Interest Disclosures (PID) Policy including contact details of Disclosure Officers.

Investigation

All allegations of fraud whether reported through internal or external sources, are assessed with the aim of proving or disproving the allegations. All complaints of suspected fraudulent behaviour will be thoroughly, objectively and carefully investigated in accordance with Council's Procedures for the Administration of Wentworth Shire Council's Code of Conduct Policy and with the PID Policy, providing for the protection of those individuals making the complaint. The purpose of any internal investigation is to ascertain the facts surrounding the matter. Risks of any detrimental action against the PID maker will also be assessed.

All New South Wales (NSW) councils have a duty to report any actual or suspected corrupt conduct (which includes fraud) to ICAC. If the allegation of fraud appears to carry the imputation of criminal conduct, the matter must also be referred to the NSW Police Force. ICAC requests they be informed of any such referral.

In the event that an internal investigation is carried out, the relevant officers must carry out the investigation objectively, thoroughly and without prejudice.

Disciplinary Action

Where an internal investigation confirms fraud has occurred, appropriate disciplinary action will be recommended having regard to Council's Code of Conduct and the relevant provisions of the Local Government State Award. As noted above, these procedures and provisions do not override the provisions of the PID Act.

If an internal investigation substantiates criminal conduct has occurred, the matter will be referred to the NSW Police Force.

Staff should be aware that provision 316(1) of the *Crimes Act 1900* says that in certain circumstances, failure to report a serious offence (which could include fraud) is an offence.

Responsibility and Accountability

It is the ultimate responsibility of the General Manager to prevent and detect fraud. The General Manager is responsible for ensuring appropriate and effective internal control systems are in place to control the incidence of fraud.

It is the responsibility of all Directors and Managers to ensure that there are mechanisms in place within their area of control to:

- Assess the risk of fraud;
- Promote employee awareness of ethical principles;
- Educate employees about fraud prevention and detection;
- Facilitate the reporting of suspected fraudulent activities; and
- Ensure that reasonable steps are undertaken to ensure the Council contractors adhere to the provisions of this policy.

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FRAUD CONTROL POLICY

All employees have the responsibility to:

- Perform their functions and duties with diligence, honesty, integrity and impartiality;
- Comply with this policy and all legislative requirements to ensure they are not participating in corrupt or fraudulent behaviour;
- Report suspected fraud by immediately notifying their supervisor, and if the supervisor is suspected of involvement in fraudulent activity, the matter should be notified to the next highest level of supervision; and
- Report any identified weaknesses in internal controls that could potentially facilitate a fraudulent or corrupt act.

6. RELATED DOCUMENTS AND LEGISLATION

Legislation

- *Local Government Act 1993 (NSW)*
- *Local Government (General) Regulation 2021*
- *Independent Commission Against Corruption Act 1998 (NSW)*
- *Public Interest Disclosure Act 2022 (NSW)*
- *Crimes Act 1900 (NSW)*

Council Policies

- GOV001 – Gifts and Benefits Policy
- GOV004 – Public Interest Disclosure Policy
- GOV005 – Procurement Policy
- GOV009 – Delegation Policy
- GOV013 – Enterprise Risk Management Policy
- GOV019 – Statement of Business Ethics Policy
- GOV020 – Code of Conduct Policy
- GOV022 – Compliance Policy
- GOV023 – Conflict of Interest Policy

Council Documents

- Enterprise Risk Management Framework
- Procurement Manual
- Compliance Framework
- Governance Framework
- Fraud Control Plan
- Records & Information Management Policy (Operational)
- Information Security Policy (Operational)
- Gifts and Benefits Register
- Conflict of Interest Register

7. ATTACHMENTS

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FRAUD CONTROL POLICY

Nil

8. DOCUMENT APPROVAL

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Signed: _____
General Manager Wentworth Shire Council

Date

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GIFTS AND BENEFITS POLICY

POLICY NUMBER & TITLE:	GOV001	GIFTS AND BENEFITS POLICY
WORD DOCUMENT ID:	Doc/22/2386	
VERSION:	1.0	
ADOPTED MEETING DATE:		
REVIEW DUE:	Four yearly or following change of legislation or incident	
VERSION AMENDMENTS:	Nil	

RESPONSIBLE DEPARTMENT:	General Manager
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GIFTS AND BENEFITS POLICY

POLICY OBJECTIVE

The intent of this policy is to ensure that council officials are not compromised in the performance of their duties through innocently or in good faith accepting gifts or benefits which may result in a feeling of obligation or could be construed as an attempt to influence.

1. POLICY STATEMENT

Council officials must not solicit or accept gifts, benefits or hospitality that could influence, or be perceived to influence, the performance of their duties, or create a sense of obligation or perceived preferential treatment.

Council adopts a cautious and risk-based approach, recognising that perceptions of influence are as important as actual influence.

2. POLICY COVERAGE

This policy applies to all areas of Council's operations and is applicable to all Councillors, all staff, and anyone personally associated with them.

3. STRATEGIC PLAN LINK

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

Strategy: 4.1 Provide a governance framework that is transparent and builds trust in local leadership.

4. DEFINITIONS AND ABBREVIATIONS

Term/Word	Definition
Code of Conduct	Council's adopted Code of Conduct
Gift	A thing given willingly to someone without payment; a present.
Benefit	An advantage or profit gained from something
Reliansys	Internal Operational System holding various Registers

5. POLICY CONTENT

Title: GOV001	GIFTS AND BENEFITS POLICY	V1.0	Version date: 31/01/2022
DOC ID: DOC/22/2386	Do not use this policy in printed form without first checking it is the current version		



GIFTS AND BENEFITS POLICY

In relation to gifts and benefits all Councillors and staff are expected to abide by the requirements as defined in Part 4 of the Code of Conduct. Failure to abide by the requirements of this policy will be investigated in accordance with the Procedures for Administration of the Code of Conduct.

5.1 All offers of gifts and benefits must be declared

All offers of gifts and benefits must be declared, even if refused. Regardless of the value where a gift or benefit is offered it must be declared using the Gifts and Benefits declaration form.

5.2 Gifts and benefits of a token value

Gifts and benefits of a token value (as defined in the Code of Conduct cl. 4.8) can be accepted but must still be declared, using the Gifts and Benefits declaration form.

5.3 Gifts and benefits of more than a token value

Gifts and benefits of more than a token value (as defined in the Code of Conduct cl. 4.10) must not be accepted. Where you receive a gift or benefit of more than a token value that cannot be reasonably be refused or returned, the gift or benefit must be surrendered to the council, unless the nature of the gift or benefit makes this impractical (Code of Conduct cl. 4.7). Refer cl. 5.5 of this policy.

5.4 Cash-like gifts

Cash-like gifts refer to items that can be readily converted into cash or used in place of cash, such as gift cards, vouchers, prepaid cards, or similar instruments. These types of gifts present a higher integrity risk due to their inherent monetary value and potential to influence decision-making. As such, all cash-like gifts must be declared promptly, regardless of their value, whether accepted or declined using the Gifts and Benefits declaration form.

Where a cash-like gift is received, it must also be declared using the Gifts and Benefits declaration form.

5.5 Surrender of the item and lodgement of Declaration forms

Completed declaration forms are to be provided to the Office of the General Manager as soon as practicable after the receipt of the item. Where an item has been accepted it must be surrendered. The General Manager will determine what is to happen with the item. Options for disposal of the item may include, but are not limited to:

- Displaying the item in the council chambers
- Returning the item
- Allowing perishable items to be shared amongst all Councillors (or staff),
- Donation of promotional items to the stationery cupboard
- Donation of goods to a charity
- Allowing goods to be placed in a staff raffle or hamper

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GIFTS AND BENEFITS POLICY

5.6 Gifts and Benefits Register

Gifts and Benefits declarations are to be entered in the Gifts and Benefits Register in Reliansys with the document attached and linked to Content Manager.

6. RELATED DOCUMENTS AND LEGISLATION

Legislation

- *Government Information (Public Access) Act 2009 (NSW)*
- *Local Government Act 1993 (NSW)*
- *Local Government (General) Regulations) 2021 (NSW)*
- *Public Interest Disclosure Act 2022 (NSW)*

Council Policies

- GOV003 – Fraud Control Policy
- GOV004 – Public Interest Disclosures Policy
- GOV005 – Procurement Policy
- GOV007 – Privacy Policy
- GOV008 – Access to Information Policy
- GOV009 – Delegations Policy
- GOV013 – Enterprise Wide Risk Management Policy
- GOV019 – Statement of Business Ethics Policy
- GOV020 – Code of Conduct Policy
- GOV022 – Compliance Policy
- GOV023 – Conflicts of Interest Policy

Other

- Gifts and Benefits Declaration Form
- Compliance Framework
- Gifts and Benefits Register
- Conflict of Interest Register

7. ATTACHMENTS

Nil

8. DOCUMENT APPROVAL

This Council Policy is the latest version of the official policy of the Wentworth Shire Council, as adopted by Council on . All previous versions of this policy are null and void. This policy may be amended or revoked by Council at any time.

Signed: _____
General Manager Wentworth Shire Council

Click or tap to enter a date.
Date

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9 REPORTS TO COUNCIL

9.1 STATUTORY MEETING ITEM - ELECTION OF MAYOR AND DEPUTY MAYOR

File Number: RPT/26/478

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 We value our civic leadership whose stewardship and decision making benefits present and future generations

Summary

Councils that elect their Mayors are required to do so under the *Local Government Act 1993* section 290(1)(a) at the first meeting after an ordinary election of councillors, and within 3 weeks after the ordinary election

(b) if it is not that first election or an election to fill a casual vacancy--during the month of September

Under the *Local Government (General) Regulation 2021 Schedule 7*, provides for the election of a Mayor by Councillors by either ordinary ballot, open voting or by preferential ballot.

This procedure is overseen with the returning officer duties performed by the General Manager.

Recommendation

1. That Council determines in the event of two or more nominations being received for Mayor the process to elect the Mayor either by ordinary ballot (secret ballot) **or** open voting **or** preferential ballot;
2. That the General Manager receives nominations for the position of Mayor and declares whether an election is required, and if so conducts the election.
3. That Council determines if the position of Deputy Mayor will be elected for the Mayoral term being two years, or a shorter term.
4. That the General Manager receives nominations for the position of Deputy Mayor and declares whether an election is required, and if so conducts the election.

Detailed Report

Purpose

The purpose of this report is to conduct an election of a Mayor and Deputy Mayor.

Background

The *Local Government (General) Regulation 2021 Schedule 7*, provides for the election of Mayor by Councillors by either ordinary ballot, open voting or by preferential ballot. In recent years Council has used either a show of hands (open ballot) or the ordinary ballot (secret ballot) method of voting.

Returning Officer

The General Manager is the Returning Officer.

Nominations

- i. A Councillor may be nominated without notice for election as Mayor.
- ii. The nomination is to be made in writing by two or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- iii. The nomination is to be delivered or sent to the Returning Officer.
- iv. The Returning Officer is to announce the names of the nominees at the Council meeting at which the election is to be held.

Election

- i. If only one Councillor is nominated, that Councillor is elected.
- ii. If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
- iii. The election is to be held at the Council Meeting at which the Council resolves the method of voting.
- iv. In this Clause, ordinary ballot has its normal meaning of secret ballot, open voting means voting by a show of hands or similar means.

Deputy Mayor

The *Local Government Act 1993* Section 232 states:

- (1) The councillors may elect a person from among their number to be the deputy mayor.
- (2) The person may be elected for the mayoral term or a shorter term.
- (3) The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.
- (4) The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.

Conclusion

Council is required to determine the voting process to conduct a Mayoral election in the case of two or more nomination received. The Mayor elected at this meeting will hold their office until September 2028.

Attachments

Nil

9.2 STATUTORY MEETING ITEM - DELEGATIONS TO MAYOR AND DEPUTY MAYOR

File Number:	RPT/26/489
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:	4.3 Provide a governance framework that is transparent and builds trust in local leadership

Summary

The purpose of this report is to establish the delegated authority of the Mayor. Council Policy GOV009 sets the delegations for these positions. The policy is attached for reference to the schedules. There have been no amendments made to the delegation schedules.

Recommendation

That Council:

- a) Retains all functions, duties and responsibilities outlined in schedule 1 of Council Policy GOV009
- b) Pursuant to Section 377 of the *Local Government Act 1993*, delegates to the Mayor, as elected at the Council Meeting on 16 September 2026, the powers, duties, authorities and functions of the position as listed in schedule 2 of the Delegation Policy (GOV009).
- c) Resolves that in the absence of the Mayor, and when officially acting in the position of Mayor, the Deputy Mayor, as elected at the Council Meeting on 16 September 2026 is authorised to exercise delegations of the Mayor as listed in schedule 2 of the Delegation Policy (GOV009).
- d) Resolves that the delegations to the Mayor and Deputy Mayor remain in place for the term of this Council or until revoked or amended by Council.

Detailed Report

Purpose

The purpose of this report is to establish the delegated authority of the newly elected Mayor and Deputy Mayor.

Background

Section 377 of the *Local Government Act 1993* provides for the delegation of powers, duties, authorities and functions of Council. It should be noted that delegations in Schedule 3 for the General Manager and Acting General Manager remain operational from the 11 October 2024 meeting resolution.

Conclusion

It is recommended that Council delegate all functions, duties and responsibilities outlined in Schedule 1 and Schedule 2 of the Wentworth Shire Council Delegations Policy (GOV009) as per the *Local Government Act 1993*.

Attachments

1. Adopted Council Policy - GOV009 Delegations Policy - Approved 31 January 2022 [↓](#)

Wentworth Shire Council

Word Document Reference: DOC/22/1980

Council Policy No:GOV009**DELEGATIONS POLICY****POLICY OBJECTIVE**

The intent of this policy is to establish the functions of Council that it retains, and those it has delegated to others.

1. POLICY STATEMENT

This official Council ensures that Wentworth Shire Council establishes systems which deal with the delegation of powers and functions from the *Local Government Act 1993*.

2. POLICY COVERAGE

This policy applies to all areas of Council's operations and covers Council, the Mayor and the General Manager. The policy also extends to delegations from the General Manager to staff.

3. STRATEGIC PLAN LINK

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

4. DEFINITIONS AND ABBREVIATIONS

Term/Word	Definition

5. POLICY CONTENT

The *Local Government Act 1993* part 3 establishes the functions of a Council that can and cannot be delegated.

- Schedule 1 of this policy outlines the functions that are retained by Council, as required under section 377 of the Act.
- Schedule 2 of this policy outlines the functions of Council that it delegates to the Mayor.
- Schedule 3 of this policy outlines the functions of Council that it delegates to the General Manager.

It is the policy of this Council that:

- 5.1** Council retains all functions, duties and responsibilities outlined in schedule 1 of this policy.
- 5.2** Council delegates to the Mayor all powers, authorities, duties and functions outlined in schedule 2 of this policy.
- 5.3** There being no section 355 committees of council, no delegations of functions are required to section 355 Committees
- 5.4** Council delegates to the General Manager all powers, authorities, duties and functions outlined in schedule 3 of this policy.

Wentworth Shire Council

Word Document Reference: DOC/22/1980

Council Policy No:GOV009**DELEGATIONS POLICY**

- 5.5** The *Local Government Act 1993* and *Local Government (General) Regulations 2021* will, at all times, have precedence over any contradictory decision of council.
- 5.6** The General Manager is to maintain a Delegations Register for all delegations made to staff.
- 5.7** The Audit, Risk and Improvement Committee will review the exercising of delegations in its audit program.

6. RELATED DOCUMENTS & LEGISLATION*Local Government Act 1993 (NSW)**Local Government (General) Regulations 2021 (NSW)**Environmental Planning and Assessment Act 1979***7. ATTACHMENTS**

Schedule 1 - Council retained functions

Schedule 2 - Council to the Mayor

Schedule 3 - Council to the General Manager

8. DOCUMENT APPROVAL

This document is the latest version of the official policy of the Wentworth Shire Council, as adopted by Council on 31 January 2022. All previous versions of this policy are null and void.

This policy may be amended or revoked by Council at any time.

A PDF copy of the signed document can be accessed from Council's record management system and Reliansys.

Signed: 

2 February 2022

General Manager Wentworth Shire Council**Date**

Wentworth Shire Council

Word Document Reference: DOC/22/1980

Council Policy No:GOV009**DELEGATIONS POLICY****SCHEDULE 1 – COUNCIL RETAINED FUNCTIONS**

Pursuant to section 377 of the *Local Government Act 1993 (NSW)*, the Council retains the following functions, duties and responsibilities.

- (a) The appointment of a general manager,
 - (b) The making of a rate,
 - (c) A determination under section 549 as to the levying of a rate,
 - (d) The making of a charge,
 - (e) The fixing of a fee,
 - (f) The borrowing of money,
 - (g) The voting of money for expenditure on its works, services or operations,
 - (h) The compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
 - (i) The acceptance of tenders which are required under this Act to be invited by the council,
 - (j) The adoption of an operational plan under section 405,
 - (k) The adoption of a financial statement included in an annual financial report,
 - (l) A decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,
 - (m) The fixing of an amount or rate for the carrying out by the council of work on private land,
 - (n) The decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,
 - (o) The review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 8.2 of the Environmental Planning and Assessment Act 1979,
 - (p) The power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
 - (q) A decision under section 356 to contribute money or otherwise grant financial assistance to persons,
 - (r) A decision under section 234 to grant leave of absence to the holder of a civic office,
 - (s) The making of an application, or the giving of a notice, to the Governor or Minister,
 - (t) This power of delegation,
 - (u) Any function under this or any other Act that is expressly required to be exercised by resolution of the council.
- (1A) Despite subsection (1), a council may delegate its functions relating to the granting of financial assistance if—
- (a) the financial assistance is part of a specified program, and
 - (b) the program is included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and
 - (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and
 - (d) the program applies uniformly to all persons within the council's area or to a significant proportion of all the persons within the council's area.

Wentworth Shire Council

Word Document Reference: DOC/22/1980

Council Policy No:GOV009

DELEGATIONS POLICY

(2) A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Departmental Chief Executive except as provided by the instrument of delegation to the council.

(3) A council may delegate functions to a joint organisation only with the approval, by resolution, of the board of the joint organisation.

The above retained delegations are consistent with those listed in Section 377 General power of the council to delegate, which specifically prevents the council from delegating the above mentioned functions.

Wentworth Shire Council

Word Document Reference: DOC/22/1980

Council Policy No:GOV009**DELEGATIONS POLICY****SCHEDULE 2 - DELEGATIONS FROM THE COUNCIL TO THE MAYOR**

Pursuant to the Local Government Act and Regulations, and any expressed policy or direction of Council, the Council in accordance with the provisions of Section 377 of the Local Government Act 1993 and every other enabling statutory power, delegates to the person who occupies the position of Mayor, to perform on behalf of Council the following powers, authorities, duties or functions.

1.0 Executive Functions

- 1.1 On behalf of the Council, supervise the General Manager in terms of the Local Government Act 1993 and Council's policies and delegations and to control and advise the General Manager in the execution of Council's decisions and policies.
- 1.2 Fulfill the functions of chief elected member of the Council and to perform all duties imposed upon the Mayor under the Local Government Act or other Acts or Regulations.
- 1.3 To give effect to the resolutions of Council in conjunction with the General Manager.
- 1.4 Approve leave for the General Manager, attendance at conferences and seminars in the terms and provisions of the General Managers Contract of Employment with Council.
- 1.5 Be the necessary signatory to documents requiring the Council's seal.

2.0 Communications, media and public relations

- 2.1 To respond to media publicity on Council matters.
- 2.2 To issue media releases and make statements to the media on behalf of council.
- 2.3 To sign letters (such as letters of support, letters to Government Ministers and the like) on behalf of the Council.

3.0 Council meetings

- 3.1 To call extraordinary meetings of the Council as deemed necessary.

4.0 Legal

- 4.1 When considered necessary or urgent, to request the General Manager to obtain legal advice or legal representation in any matter in which the Council is or may become involved.

5.0 Policy

- 5.1 To exercise in cases of necessity for the efficient and effective administration of the Council, the policy making functions of the governing body of the Council between meetings of the Council.

6.0 Urgent Works (unbudgeted items)

- 6.1 To authorise any work which is deemed urgent at a cost not exceeding \$5,000 provided such expenditure is reported to the Council at its next Ordinary Meeting.

Wentworth Shire Council

Word Document Reference: DOC/22/1980

Council Policy No:GOV009**DELEGATIONS POLICY**

SCHEDULE 3 - DELEGATIONS FROM THE COUNCIL TO THE GENERAL MANAGER

Pursuant to the Local Government Act and Regulations, and any expressed policy or direction of Council, the Council in accordance with the provisions of Section 377 of the Local Government Act 1993 and every other enabling statutory power, delegates to the person who occupies the position of General Manager, to perform on behalf of Council the following powers, authorities, duties or functions.

1. The functions of Council as specified in:
 - i. The Act, and related instruments; and
 - ii. Other Acts under which Council has powers, authorities, duties and functions;
 - iii. Any lawful resolution of Council.
2. Any function delegated to the council by the Office of Local Government, unless specifically retained by Council in Schedule 1.
3. The functions delegated in accordance with and subject to all current policies and codes officially adopted by the Council.

The General Manager is not delegated to undertake any of the roles, responsibilities and functions of Council as set out in Schedule 1 of this policy.

The General Manager is not delegated to undertake any of the roles, responsibilities and functions of Council as set out in Schedule 2 of this policy.

The General Manager may delegate functions, duties, roles and responsibilities to staff members of the Council, however the General Manager retains ultimate accountability for the actions of all Council employees.

NB- These same delegations are extended to a person who is deemed to be, by a formal resolution of Council, the Acting General Manager for a period of time. These delegations do not automatically flow to an Acting General Manager unless there is a formal resolution of Council.

9.3 STATUTORY MEETING ITEM - COUNCIL MEETING DATES AND TIMES

File Number: RPT/26/475

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 We value our civic leadership whose stewardship and decision making benefits present and future generations

Summary

The purpose of this report is to set the date and time for the Ordinary Meetings of Council for the next twelve months.

Recommendation

That Council resolves the following in relation to Ordinary Meetings of Council:

1. Ordinary future meetings of Council will be held on the third Wednesday of all months except January 2027, May 2027 & June 2027, commencing at 4.00pm
2. The Ordinary meetings will be held Wednesday 12 May 2027 & Wednesday 23 June 2027, commencing at 4.00pm
3. The January 2027 meeting will not be held.

Detailed Report

Purpose

The purpose of this report is to set the date and time of Ordinary Meetings of Council up to the next statutory meeting to be held in September 2028.

Background

Section 365 of the *Local Government Act 1993* requires that Council meets at least ten times each year, each time in a different month.

The *Local Government Act 1993* or the *Local Government (General) Regulations 2021* does not cover the time a Council meeting should start.

The meeting time and dates for Ordinary Council meetings are required to be advertised in accordance with the requirements of the *Local Government Act 1993*.

If an Ordinary Meeting of Council clashes with an event, Council may alter the date of a particular Council Meeting by resolution of Council. It is also possible for Council to call an Extraordinary meeting of Council for a specific reason on a different day and time from that of the Ordinary meeting of Council.

In the past the May meeting has been moved forward 1 week and the June meeting moved back a week to ensure the draft Operational Plan, endorsed at the May meeting, has been on public exhibition for the required 28 days.

Report Detail

There are virtually no restrictions of what Council is able to resolve other than ensuring that at least ten meetings are held in the year. Council must decide the following:

- 1) The time of the Council meetings (currently 4:00pm).
- 2) The date and the day of the month of Council meetings (currently third Wednesday)
- 3) Whether a meeting will be held each month. Previous years the December meeting has been moved back a week and the January meeting has not been held.
- 4) Previously the date for the May meeting has been moved forward a week and the June meeting moved back a week to allow the draft Operational Plan, endorsed at the May meeting, to be on public exhibition for the required 28 days. This would mean the meetings would fall on Wednesday 12 May 2027 & Wednesday 23 June 2027.

Should Council choose for meetings to occur at the same time (third Wednesday of the month) and in line with the above, meeting dates would be:

21 October 2026

18 November 2026

16 December 2026

17 February 2027

17 March 2027

21 April 2027

12 May 2027 (brought forward 1 week)

23 June 2027 (moved back 1 week)

21 July 2027

18 August 2027

15 September 2027

Conclusion

Council is required to set the date and time of Ordinary Meetings of Council up to the next statutory meeting to be held in September 2027.

Attachments

Nil

9.4 REVIEW OF INTERNAL COMMITTEES 2026

File Number: RPT/26/476

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 We value our civic leadership whose stewardship and decision making benefits present and future generations

Summary

The Statutory meeting of Council is an opportunity for Council to review the committee structure that it requires for the upcoming 12 month period. Council is able to determine the number and type of committees that it wishes to establish and the functions of each committee.

Recommendation

That Council maintains the status quo of names and numbers of representation on the Internal Committees as provided in the attachment to this report.

Detailed Report

Report Detail

The following committees are Advisory Committees and have no delegated authority and no decision making responsibilities. All recommendations from the Committees requiring a decision are presented to Council for consideration.

- Internal Audit and Risk Management Committee (Independent Advisory Committee)
- Floodplain Risk Management Committee
- Heritage and History Advisory Committee
- General Managers Review Committee (Selected at the July 2025 meeting)

Council has established a number of User Groups specifically for Crown Reserves with Licensed Users namely:

- George Gordon Oval User Group
- Carramar Drive Sporting Complex User Group
- Wentworth Showgrounds User Group
- Wentworth Sporting Precinct User Group
- Pooncarie Sporting Reserve User Group

Council is advised that the James King Park User Group previously named as an Internal Committee is defunct as there are no Licensed Users of James King Park.

These groups also require Councillor representation and meeting minutes will be reported to Councillors.

Conclusion

Council strategically reviews its committee structure at the Statutory meeting each year, to ensure that the committee structure remains relevant to the needs of Council and its community and nominates representatives for the committees.

Attachments

1. Internal Committees [↓](#)

INTERNAL COMMITTEES

Listing of Internal Committees and User Groups			
Advisory Committees	Meeting Frequency	Council Delegate(s)	Other Advisory Officers
Floodplain Risk Management Committee	When required	Mayor, Cr Weeding, Cr Nichols and Cr Evans	Robert Rigby, David Buck, General Manager, Director Roads and Engineering, Manager Planning and Property Services, Strategic Planning Officer, SES
Audit, Risk and Improvement Committee	Min Quarterly	Cr Starick	Roseanne Kava (Chair) Diane Schmidt, Caroline Smith, General Manager, Director Corporate Services
Heritage and History Advisory Committee	Min Biannually	Cr Nichols, Cr Evans and Cr Weeding (Alternate)	Greg Harrison, Russell James, Robert Hannaford, Nikita Vanderbyl & Staff
General Managers Performance Review Committee	When Required	Mayor, Deputy Mayor, Council Representative Cr Starick, General Manager Representative Cr Nichols	
User Groups	Meeting Frequency	Delegate(s)	Alternate Councillor(s)
Carramar Drive Sporting Complex User Group	When required	Mayor, Cr Armstrong, Cr Rodda	N/A
George Gordon Oval User Group	When required	Cr Crisp, Cr Beaumont and Cr Weeding	N/A
Wentworth Showgrounds User Group	When required	Cr Nichols and Cr Evans	N/A
Wentworth Sporting Precinct User Group	When required	Cr Weeding, Cr Evans and Cr Beaumont	N/A
Pooncarie Sporting Reserve User Group	When required	Cr Rodda, Cr Armstrong and Cr Beaumont	N/A

9.5 REVIEW OF EXTERNAL COMMITTEES 2026

File Number: RPT/26/517

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 We value our civic leadership whose stewardship and decision making benefits present and future generations

Summary

In order to respond to the needs of its community, Council annually reviews the External Committees to which it has appointed representatives. Representation on these committees is important in our community engagement obligations.

Recommendation

That Council maintains the status quo of names and numbers of representations on the Internal Committees as provided in the attachment to this report.

Detailed Report

Report Detail

Council generally reviews the listing of external committees on which it has representation annually.

The nominated representatives on each committee are responsible for providing a delegate's report to Council. As a Council representative on external committees the Councillors attend as observers only, as such, Councillors do not have voting rights unless the specific external committee charter nominates that they do.

The current list of external committees with the previous membership is attached for reference and includes committees that have appointed representatives highlighted in yellow, and as such these will need to remain unchanged.

Conclusion

In order to respond to the needs of its community, Council annually reviews the External Committees and determines appropriate representation.

Attachments

1. External Committees [↓](#)

EXTERNAL COMMITTEES

Council periodically determines its representatives to a number of external bodies as indicated in the table below.

Committee	Meeting Frequency	Nominated Representative(s)
Australian Inland Botanic Gardens	Monthly	Cr Starick, Cr Rodda
Barkandji Indigenous Land Use Agreement Working Group	As required	Mayor, Deputy Mayor, Cr Nichols and General Manager
Bottle Bend Reserve Land Manager (Minister appt ex officio)	Monthly	Cr Armstrong, Cr Beaumont (Alternate)
Bush Fire Management Committee	Twice per annum	Cr Armstrong, Cr Weeding (Alternate)
ClubGRANTS Category One (1) Funding Committee	Twice per annum	Mayor and the General Manager
Country Mayor's Association of NSW	As required	Mayor
Community Safety Precinct Meeting	As required	Mayor, Cr Evans (Alternate)
Far West Joint Organisation	As required	Mayor and Deputy Mayor
Riverina Murray Joint Organisation	As required	Mayor and Deputy Mayor
Joint Regional Planning Panel (Appointed)	As required	Cr Crisp, Cr Nichols
Menindee Lakes SDLAM Stakeholder Advisory Group (SAG)	As required	Cr Nichols, Cr Weeding and Cr Armstrong
Murray Darling Association (Region 4)	Min. 4 times per annum	Mayor, Cr Nichols and Cr Evans
Public Libraries NSW	Twice per annum	Cr Starick
Wentworth Regional Tourism Inc.	Monthly	Cr Rodda, Cr Weeding (Alternate)
Wentworth Shire Health Interagency Group (WSIG)	Monthly	Cr Rodda, Cr Beaumont
Wentworth Shire Liquor Accord Committee	As required	Cr Nichols, Cr Armstrong (Alternate)
Western Division Group of Councils	Min. 3 times per annum	Mayor, Deputy Mayor, Cr Starick and Cr Evans
Willandra Lakes Region World Heritage Advisory Committee	Min. 3 times per annum	Sits with Balranald Council this term

9.6 GENERAL MANAGERS REPORT SEPTEMBER 2026

File Number: RPT/26/483

Responsible Officer: Ken Ross - General Manager
 Responsible Division: Office of the General Manager
 Reporting Officer: Ebony Carter - Business Support Officer

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 We value our civic leadership whose stewardship and decision making benefits present and future generations

Summary

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

1. OLG Circulars

- Council Circular 26-15 – Elections for Mayors and Elections for Chairpersons of Joint Organisation and County Councils.
- Council Circular 26-17 – Local Government Performance Ratios Discussion Paper
- Council Circular 26-18 – Consultation in Model Code of Conduct for Council Staff Delegates and Committee Members
- Council Circular 26-19 – Completion of Evaluation – Public Spaces (Unattended Property) Laws

2. Meetings

As listed.

3. Upcoming meetings or events

As listed.

4. Other items of note

Recommendation

That Council receive and note the information contained within the September 2026 report from the General Manager.

Detailed Report

1. Circulars

Council Circular - 26-15 – Elections for Mayors and Elections for Chairpersons of Joint Organisation and County Councils.

What's new or changing?

- Under the Local Government Act 1993 (the Act), mayors elected by councillors and chairpersons of joint organisations and county councils hold office for 2 years.
- Under section 290(1)(b) of the Act, councils that elect their mayors must hold a mid term mayoral election in September 2026.
- The deputy mayor, (if the council has one), holds their office for the mayoral term or a shorter term specified by resolution. An election for deputy mayor must be held after the deputy mayor's term expires (usually at the same meeting as the mayoral election).
- Joint organisations and county councils must also hold an election for the chairperson at the first meeting after the chairperson's term has ended (see clause 1 of Schedule 7A and clause 1 of Schedule 8 of the Local Government (General) Regulation 2021 (the Regulation)).

Council Circular - 26-17 – Local Government Performance Ratios Discussion Paper

What's new or changing?

- In March 2024, the Hon. Ron Hoenig MP, Minister for Local Government asked the Legislative Council's State Development Committee to undertake a review into the Ability of councils to fund infrastructure and services (the Inquiry).
- In response to the NSW Government's acceptance of Recommendation 17 from the Inquiry, the Office of Local Government (OLG) has undertaken a comprehensive review of the former performance ratio framework.
- OLG, in consultation with the Expert Advisory Panel and a range of stakeholders has developed the Local Government Performance Ratios Discussion Paper (the Discussion Paper) which seeks feedback from the sector on the proposed Performance Ratio Framework, including the proposed ratios, benchmarks and reporting approach, prior to finalisation.
- The proposed framework includes a combination of retained, refined and new performance ratios. The Discussion Paper includes targeted discussion questions to seek stakeholder views and test the applicability of the proposed framework across different council contexts.

Council Circular - 26-18 – Consultation on Model Code of Conduct for Council Staff, Delegates and Committee Members

What's new or changing?

- The Office of Local Government (OLG) is inviting feedback from the Local Government sector on the Model Code of Conduct for Council Staff, Delegates and Committee Members.
- A draft of the Model Code of Conduct for Council Staff, Delegates and Committee Members and information on how to make a submission is available on OLG's website: www.olg.nsw.gov.au.
- Submissions may be made up to 5pm 12 October 2026.

Council Circular - 26-19 – Completion of Evaluation – Public Spaces (Unattended Property) Laws

What will this mean for Council?

- The evaluation report has been publicly released.
- Councils are encouraged to review the evaluation report and consider any findings that may support improvements to their regulatory role and outcomes under the PSUP laws.
- Based on the findings, OLG proposes 4 short term key actions, specifically to:

- Educate the community and raise awareness about responsible owner obligations, focussed on vehicles, trailers and vans.
- Educate the community that retailers have primary responsibility to manage shopping trolleys.
- Improve corporate awareness of responsibilities and compliance from retailers on collection and management of shopping trolleys.
- Provide clearer guidance and education for councils to assist in the enforcement, compliance and exercise of discretion.
- A longer term action is proposed to consider the legislative and regulatory matters identified in the evaluation.

2. Meetings

Following is a list of meetings or events attended by the General Manager from 20 August 2026 – 16 September 2026

Date	Meeting	Purpose	Location
24 Aug 2026	Meeting Steph Cooke	Crown Land issues Native Title Water Infrastructure	Online
24 Aug 2026	Briefing with David Farley	Council Priorities: Water Utilities Infrastructure Pooncarie Aerodrome Pooncarie Swimming Pool Sturt Highway safety and Murray River crossing Gol Gol Creek regulator Fletchers Creek regulator Pooncarie Weir replacement Emergency Services Hub Native Title & Crown Land	Wentworth
24 Aug 2026	Industry & Tourism Networking Evening	Event hosted by Wentworth Regional Tourism Inc which provided an evening of networking, industry insights and regional tourism updates.	Wentworth
27-28 Aug 2026	Country Mayors Association Meeting	Kellie Sloan – NSW Leader of the opposition IPART – working with Councils Argyle Housing – affordable housing project Homes NSW – Council Partnerships	Sydney

31 Aug 2026	Mayoral Meeting	Meeting to update the Mayor and Deputy Mayor on the Local Government Area, community issues, services and infrastructure. Discussion points included: Grants Native Title & Crown Land issues	Wentworth
31 Aug 2026	Office of Local Government Webinar - H5 Bird Flu Response Briefing	AVOID contact with sick or dead wildlife and their surrounding environment. RECORD details including the date, time, exact location, and take a photo if safe to do so. REPORT it immediately to the Emergency Animal Disease Hotline on 1800 675 888 or make an online report via the DPIRD website.	Online
01 Sept 2026	General Managers Discussion Circle	Discussion points included: Code of Meeting Practice Code of Conduct	Online
07 Sept 2026	Mayoral Meeting	Meeting to update the Mayor and Deputy Mayor on the Local Government Area, community issues, services and infrastructure. Discussion points included: Upcoming meeting with Minister Hoenig	Wentworth
10-11 Sept 2026	Western Division of Councils Mid Term Meeting	Crs Linklater, Crisp, Starick, Evans and General manager attending	Broken Hill
14 Sept 2026	Mayoral Meeting	Meeting to update the Mayor and Deputy Mayor on the Local Government Area, community issues, services and infrastructure.	Wentworth
15 Sept 2026	Lightstate Committee of Management	Monthly Meeting of the decision-making body for the Light State Project – MRCC and Wentworth Shire Council.	Mildura

19 Aug 2026	Ordinary Council meeting	Monthly meeting to discuss, debate, and vote on local policies, budgets, and community issues.	Wentworth
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3. Events

Following is a list of events, conferences, or committee meetings, including out of region meetings where the Shire has been requested to attend in an official capacity from 17 September 2026 – 21 October 2026.

Date	Meeting	Proposed Attendees	Location
17 Sept 2026	Wentworth Shire Interagency Group Meeting	Cr Beaumont & Cr Rodda	Buronga
17 Sept 2026	Citizenship Ceremony	All Councillors	Wentworth
17 Sept 2026	Wentworth Showgrounds User Group Meeting	Cr Evans & Cr Nichols	Wentworth
22 Sept 2026	Carramar Drive Sporting Complex User Group Meeting	Mayor, Cr Armstrong & Cr Rodda	Buronga
23 Sept 2026	2026 RACV Pre-05 Pioneers Rally Welcome Reception	Mayor	Wentworth
05 Oct 2026	Wentworth Regional Tourism Inc Meeting	Cr Rodda	Dareton
06 Oct 2026	Wentworth Sporting Complex User Group Meeting	Cr Beaumont, Cr Evans & Cr Weeding	Wentworth

4. Other Items of Note

Attachments

1. Council Circular - 26-15 - Elections of Mayors and Elections for Chairpersons of Joint Organisation and County Councils.[↓](#)
2. Council Circular - 26-17 - Local Government Performance Ratios Discussion paper[↓](#)
3. Council Circular - 26-18 - Consultation on Model Code of Conduct for Council Staff Delegates and Committee Members[↓](#)
4. Council Circular - 26-19 - Completion of Evaluation - Public Spaces (Unattended Property) Laws[↓](#)

Department of Planning, Housing and Infrastructure
Office of Local Government



Circular to Councils

Subject/title	Elections for mayors and elections for chairpersons of joint organisations and county councils
Circular Details	Circular No 26-15/ 19 August 2026/ A1013723
Previous Circular	23-09 September 2023 Mayoral Elections
Who should read this	Councillors / General Managers / Executive Officers / Governance staff
Contact	Council Governance Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Council / Joint Organisation / County Council to Implement

What's new or changing?

- Under the *Local Government Act 1993* (the Act), mayors elected by councillors and chairpersons of joint organisations and county councils hold office for 2 years.
- Under section 290(1)(b) of the Act, councils that elect their mayors must hold a mid-term mayoral election in September 2026.
- The deputy mayor, (if the council has one), holds their office for the mayoral term or a shorter term specified by resolution. An election for deputy mayor must be held after the deputy mayor's term expires (usually at the same meeting as the mayoral election).
- Joint organisations and county councils must also hold an election for the chairperson at the first meeting after the chairperson's term has ended (see clause 1 of Schedule 7A and clause 1 of Schedule 8 of the *Local Government (General) Regulation 2021* (the Regulation)).

What will this mean for council?

- Elections for the mayor and deputy mayor must be conducted in accordance with Schedule 7 of the Regulation.



- Elections of chairpersons of joint organisations must be conducted in accordance with Schedule 7A of the Regulation.
- Elections for chairpersons of county councils must be conducted in accordance with Schedule 8 of the Regulation.
- Each of the Schedules prescribe three methods of election:
 - open ballot (eg a show of hands)
 - ordinary ballot, or
 - preferential ballot.
- The Office of Local Government has issued a fact sheet on conducting mayoral elections, which is available [here](#). The guidance in the fact sheet is equally applicable to elections for chairpersons of joint organisations and county councils.

Key points

- Councillors and members of joint organisations and county councils can participate in elections using an open ballot by audio visual link but not where the other two methods of election are used.
- Ordinary and preferential ballots are secret ballots and councillors and members of joint organisations and county councils will need to attend the meeting in person to vote if the election is held using either of these methods.
- The disallowed 2025 Model Code of Meeting Practice for Local Councils in NSW (Model Meeting Code) did not permit councillors and members of joint organisations and county councils to attend meetings by audio visual link at which there was to be an election for the mayor or chairperson. This restriction does not apply under the currently applicable 2021 Model Meeting Code.

Where to go for further information

- The Office of Local Government has issued a fact sheet on conducting mayoral elections, which is available [here](#).
- For further information please contact the Council Governance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.

A blue ink signature of Brett Whitworth.

Brett Whitworth PSM
Deputy Secretary, Local Government

Department of Planning, Housing and Infrastructure
Office of Local Government



Circular to Councils

Subject/title	Local Government Performance Ratios Discussion Paper
Circular Details	Circular No 26-17 / 26 August 2026 / A1011845
Who should read this	Councillors / General Managers / Council finance staff
Contact	Performance Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Information / Response to OLG

What's new or changing?

- In March 2024, the Hon. Ron Hoenig MP, Minister for Local Government asked the Legislative Council's State Development Committee to undertake a review into the Ability of councils to fund infrastructure and services (the Inquiry).
- In response to the NSW Government's acceptance of Recommendation 17 from the Inquiry, the Office of Local Government (OLG) has undertaken a comprehensive review of the former performance ratio framework.
- OLG, in consultation with the Expert Advisory Panel and a range of stakeholders has developed the *Local Government Performance Ratios Discussion Paper* (the Discussion Paper) which seeks feedback from the sector on the proposed Performance Ratio Framework, including the proposed ratios, benchmarks and reporting approach, prior to finalisation.
- The proposed framework includes a combination of retained, refined and new performance ratios. The Discussion Paper includes targeted discussion questions to seek stakeholder views and test the applicability of the proposed framework across different council contexts.

What will this mean for council?

- Councils are invited to review the Discussion Paper and provide feedback on the proposed Performance Ratio Framework, including the proposed ratios, benchmarks and reporting approach. Feedback received will inform the finalisation of the framework.

T 02 4428 4100 TTY 02 4428 4209, E olg@olg.nsw.gov.au
Locked Bag 3015 NOWRA NSW 2541
www.olg.nsw.gov.au



- Councils are also encouraged to review the Appendices to the Performance Ratios Discussion Paper, which provide additional context and supporting information to inform their feedback.
- The proposed framework includes a combination of performance ratios across key areas of operating performance, liquidity, leverage and developer contributions.
- The Discussion Paper seeks feedback on proposed reporting matters, including benchmarking, the use of rolling five-year averages, three-year trends, forward-looking projections and reporting frequency.
- If adopted, the final framework may inform future council performance reporting requirements and the assessment of council financial performance against established benchmarks.
- OLG will consider all submissions received during the four-week consultation period as part of the review process. Feedback will help ensure the final framework is practical, evidence-based and appropriate for councils across NSW.

Key points

- The proposed framework has been developed in response to initial stakeholder engagement and a review of the previous framework, which identified opportunities to improve the relevance, comparability and timeliness of performance reporting.
- The proposed framework introduces six council classification for benchmarking purposes, recognising the diverse operating environments and financial characteristics of NSW councils
- The proposed framework includes a combination of retained, refined and new ratios, as well as updated benchmarking provisions. Proposed changes are outlined in the Discussion Paper and OLG seeks the views of the sector on the proposals.

Where to go for further information

- The Discussion Paper is available on the OLG website under [Financial Sustainability Reforms](#) webpage.
- Feedback is welcome from councils, individual councillors, council staff and key sector stakeholders. Feedback can be provided via:
 - **Online:** Complete the online feedback form on OLG website at [Financial Sustainability Reforms](#), or
 - **By email:** Complete the Word version of the feedback form and email it to olg@olg.nsw.gov.au with the subject 'Performance Ratios Review', or



- **By post:** Complete the Word version of the feedback form and post it to

Performance Ratios Review
Sector Performance
Office of Local Government
Locked Bag 3015
Nowra NSW 2541

- Submissions will be accepted until 5:00 pm on Wednesday 7 October 2026.

A handwritten signature in blue ink, appearing to read "Brett Whitworth".

Brett Whitworth PSM
Deputy Secretary, Local Government

Department of Planning, Housing and Infrastructure
Office of Local Government



Circular to Councils

Subject/title	Consultation on Model Code of Conduct for Council Staff, Delegates and Committee Members
Circular Details	Circular No 26-18 / 31 August 2026 / A1014917
Previous Circular	<i>Circular 26-08 Consultation on Councillor Conduct Reforms</i>
Who should read this	Councillors / General Managers / Council Governance and Human Resources Staff
Contact	Council Governance Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Response to OLG

What's new or changing?

- The Office of Local Government (OLG) is inviting feedback from the Local Government sector on the Model Code of Conduct for Council Staff, Delegates and Committee Members.
- A draft of the Model Code of Conduct for Council Staff, Delegates and Committee Members and information on how to make a submission is available on OLG's website: www.olg.nsw.gov.au.
- Submissions may be made up to 5pm 12 October 2026.

What will this mean for council?

- As part of the development of the new Councillor Conduct Framework, the Model Code of Conduct for Local Councils in NSW is being split into 2 separate codes: one that applies specifically to councillors and another that will apply to council staff, delegates, and committee members. This will allow the prescription of ethical and behavioural standards for councillors on the one hand and council staff and others on the other, to better reflect the different nature of their roles.



- The new Model Code of Conduct for Council Staff, Delegates and Committee Members largely retains many of the existing provisions of the current Model Code of Conduct for Local Councils in NSW in a more simplified form.
- Like the new Model Code of Conduct for Councillors, the Model Code of Conduct for Council Staff, Delegates and Committee Members will modernise how designated persons disclose their personal interests.
- It is unlikely that there will be significant changes to current requirements for the management of code of conduct complaints about council staff, delegates, and committee members under the new Councillor Conduct Framework. Councils will continue to be required to manage breaches of the Model Code of Conduct for Council Staff, Delegates and Committee Members under an amended version of the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW.

Key points

- The Model Code of Conduct for Councillors has previously been issued for consultation. The consultation is now closed, and submissions are being assessed.
- Both the Model Code of Conduct for Councillors and the Model Code of Conduct for Council Staff, Delegates and Committee Members will be prescribed at the same time.

Where to go for further information

- The Model Code of Conduct for Council Staff, Delegates and Committee Members and information about how to make a submission is available on the [‘Reforms to the regulation of councillor conduct’](#) webpage on OLG’s website.
- For more information, contact OLG’s Council Governance Team by telephone on 02 4428 4100 or by email at olg@olg.nsw.gov.au.

A handwritten signature in blue ink, appearing to read 'Brett Whitworth'.

Brett Whitworth PSM
Deputy Secretary, Local Government

Department of Planning, Housing and Infrastructure
Office of Local Government



Circular to Councils

Subject/title	Completion of Evaluation – Public Spaces (Unattended Property) Laws
Circular Details	Circular No 26-19 / 1 September 2026 / A1007310
Previous Circular	25-09
Who should read this	Councillors / General Managers / Regulatory staff / Staff managing public spaces
Contact	Sector Policy and Frameworks team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Information

What's new or changing?

- The Office of Local Government (OLG) has completed an evaluation of the *Public Spaces (Unattended Property) Act 2022* and the *Public Spaces (Unattended Property) Regulation 2022* (the PSUP laws).

What will this mean for council?

- The evaluation report has been publicly released.
- Councils are encouraged to review the evaluation report and consider any findings that may support improvements to their regulatory role and outcomes under the PSUP laws.
- Based on the findings, OLG proposes 4 short term key actions, specifically to:
 - Educate the community and raise awareness about responsible owner obligations, focussed on vehicles, trailers and vans.
 - Educate the community that retailers have primary responsibility to manage shopping trolleys.
 - Improve corporate awareness of responsibilities and compliance from retailers on collection and management of shopping trolleys.



- Provide clearer guidance and education for councils to assist in the enforcement, compliance and exercise of discretion.
- A longer term action is proposed to consider the legislative and regulatory matters identified in the evaluation.

Key points

- This is the first evaluation of the PSUP laws since commencement on 1 November 2022 to help keep our public places safe, accessible, and enjoyable for communities in NSW, now and into the future.
- The evaluation examined the effectiveness of the legislative framework and how the laws have been applied in practice.
- The evaluation was informed by correspondence received about PSUP laws,¹⁴¹ submissions to an online public survey, and analysis of 7,956 Penalty Infringement Notices (PIN) issued under the PSUP laws.
- Overall, the evaluation indicated that the PSUP laws have provided, or have the potential to provide, an effective framework to better manage unattended property left in public spaces. There is broad support for the increased regulatory powers and offence penalties the PSUP laws provide, particularly for vehicles.
- Councils that responded to the survey generally consider the laws effective, but raised challenges relating to resourcing, community expectations, regulatory complexity and consistent application of discretion, including determining whether property is 'unattended'.
- Community feedback reflected specific concerns about certain types of private property remaining unattended beyond what is considered to be reasonable timeframes in public spaces, in particular, trailers and shopping trolleys. It also reflected strong expectations for swift enforcement action from councils and assumed there was no discretion in enforcement.
- Penalty data shows most PINs relate to vehicle offences and are predominantly issued by metropolitan councils.

Where to go for further information

- The evaluation report has been publicly released on the [Public Spaces Unattended Property](#) webpage on the OLG website at www.olg.nsw.gov.au.



A handwritten signature in blue ink, appearing to read "Brett Whitworth".

Brett Whitworth PSM
Deputy Secretary, Local Government

9.7 AUDIT, RISK & IMPROVEMENT COMMITTEE ANNUAL REPORT

File Number: RPT/26/497

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Reporting Officer: Simon Rule - Director Corporate Services

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: 4.3 Provide a governance framework that is transparent and builds trust in local leadership

Summary

The Audit, Risk and Improvement Committee (ARIC) is established under section 428A of the *Local Government Act 1993* (NSW) and in accordance with the guidelines for *risk management and internal audit for local councils in NSW*.

The ARIC provides independent assurance and advice to Council on governance, risk management and internal control, financial reporting, service reviews, continuous improvement and compliance.

This Annual Report provides an overview of the Committee's activities during 2025-2026 and demonstrates compliance with the Guidelines.

Committee Membership

- Independent Chair: Rosanne Kava
- Independent Member: Dianne Schmidt
- Independent Member: Caroline Smith
- Councillor Representative: Cr Jody Starick

The Committee met 5 times during the reporting year. All meetings were conducted in accordance with the adopted Terms of Reference.

- 15 August 2025
- 26 September 2025 (standalone meeting to review the Annual Financial Statements)
- 12 November 2025
- 06 February 2026
- 14 May 2026

Recommendation

That Council receives and notes the Audit, Risk and Improvement Committee Annual Report for the year end 30 June 2026

Detailed Report

Purpose

The purpose of this report is to outline the Audit, Risk & Improvement Committee's activities for the 2025-2026 financial year.

Background

The Audit, Risk and Improvement Committee (ARIC) is established under section 428A of the *Local Government Act 1993* (NSW) and in accordance with the guidelines for *risk management and internal audit for local councils in NSW*.

The ARIC provides independent assurance and advice to Council and has the following responsibilities as set out in its Terms of Reference:

- Reviewing and monitoring Council's governance, risk management and control frameworks
- Providing oversight of the internal audit function
- Monitoring external audit activity and Council's implementation of audit recommendations
- Reviewing financial management and reporting
- Considering issues of compliance, legislative obligations and ethical conduct
- Advising on continuous improvement, value for money and efficiency in service delivery
- Monitoring implementation of Council's Community Strategic Plan

This Annual Report provides an overview of the Committee's activities during 2024-2025 and demonstrates compliance with the Guidelines.

Matters under consideration

Committee Membership

- Independent Chair: Rosanne Kava
- Independent Member: Dianne Schmidt
- Independent Member: Caroline Smith
- Councillor Representative: Cr Jody Starick

The Committee met 5 times during the reporting year. All meetings were conducted in accordance with the adopted Terms of Reference.

- 15 August 2025
- 26 September 2025 (standalone meeting to review the Annual Financial Statements)
- 12 November 2025
- 06 February 2026
- 14 May 2026

The Committee's role is to provide independent and objective assurance and advice to Council regarding governance, risk management, internal control effectiveness, financial reporting, compliance and continuous improvement. This report demonstrates how the Committee has discharged its responsibilities.

During the reporting period, the Committee delivered a structured and comprehensive work program aligned to its Charter and statutory responsibilities.

The Committee:

- Maintained a structured program of quarterly reporting and oversight
- Considered both routine assurance items and targeted deep-dive topics
- Focused on emerging risks including financial sustainability and cyber security
- Supported improvements in Governance maturity and organisational capability.

Financial Reporting and Sustainability

The Committee maintained oversight of Council's financial position through:

- Review of Quarterly Budget Review Statements
- Review of Draft Annual Financial Statement
- Receipt of Audit Office updates

Key observations:

- Financial reporting processes are sound and reliable
- Emerging pressures were identified in short-term cash flow
- The Committee emphasised:
 - Budget discipline
 - Prioritisation of essential expenditure

The Committee will continue to monitor financial performance closely given increasing fiscal pressures.

Risk Management and Internal Control

The Committee oversaw Council's enterprise risk framework through:

- Quarterly risk reports
- Monitoring of high and extreme internal audit actions
- Review of emerging risks

Key risk theme:

- Short-term liquidity risk
- ERP system end-of-life
- Operational delivery risk (statutory planning)

Observations

- Risk management framework is established and operating
- Continued improvement is required in:
 - Risk treatment implementation
 - Proactive escalation of emerging risks

Internal Audit and Continuous Improvement

The Committee oversaw internal audit activities and supported organisational improvement.

Audits completed:

- Asset management
- Waste Management

Audits commenced:

- Procurement and Accounts Payable
- WHS Follow-up (Return to Work)

Additional Oversight

- Review of internal audit independence
- Monitoring of implementation of recommendations

- Oversight of high-risk actions

Observations

- Strong progress in audit delivery
- Continued focus required on timely implementation of recommendations
- Endorsement of the ARIC Strategic Plan to guide future work priorities

External Audit

The Committee maintained engagement with the Audit Office through quarterly updates.

Observations:

- External audit processes are operating effectively
- Audit issues are being appropriately managed
- Strong alignment with reporting and accountability expectations

Governance, Policies and Frameworks

The Committee undertook a structured review of governance frameworks and policies.

New policies reviewed:

- Works in Kind Agreement for Developer Contributions
- Council use of CCTV

Existing policies reviewed:

- Privacy
- Access to Information
- Complaints Management
- Procurement
- Statement of Business Ethics
- Credit Card

Additional governance activities

- Endorsed the Good Governance Framework
- Reviewed the Complaints Management Framework

Observations:

- Governance frameworks continue to strengthen
- Policy review supports compliance, transparency and accountability

Compliance, Integrity and Legislative Oversight

The Committee maintained oversight through:

- Quarterly legislative updates
- Quarterly fraud report
- Quarterly WHS reports

Additional focus:

- Implementation of Child Safe Standards

Observations:

- No fraud identified during the reporting period

- Compliance systems are operating effectively
- Continued focus required on embedding compliance culture

Cyber Security and Information Risk

Cyber security remains a key focus area.

Activities

- Reviewed Cyber Security Self- Assessment
- Monitored Improvement Plan progress
- Reviewed response to a cyber security incident, including:
 - Activation of response plan
 - Critical incident review outcomes

Observations:

- Improvement actions progressing
- Residual risk remains
- Ongoing oversight required due to evolving threat environment.

Asset Management Oversight

The Committee reviewed:

- Asset management internal audit
- Asset management plan action plan

Observations:

- Progress underway, but maturity still developing
- Key priorities include:
 - Completion of asset management plans
 - Improved data and lifecycle planning
 - Integration with financial planning

Major projects and Operational Updates

The Committee received updates on:

- Buronga Landfill Redevelopment Project

Observations:

- Project governance arrangements are in place
- Ongoing monitoring supports identification of delivery risks

Committee Performance and Effectiveness

The Committee completed its Annual Self-Assessment

Outcomes:

- Identification of improvement opportunities
- Confirmation of alignment with Charter and OLG Guidelines
- Continued focus on strengthening effectiveness

Annual Assurance and Performance Summary

Area of Oversight	Assessment	Commentary
Financial Management & Reporting	● Amber	Strong reporting processes: emerging cash flow pressures require monitoring
Risk Management Framework	● Amber	Framework established; improvement required in risk escalation and treatment delivery
Internal Audit & Improvement	● Amber	Audit delivery progressing; implementation of recommendations requires continued focus
External Audit Engagement	● Green	Effective engagement with Audit Office; no significant issues identified
Governance & Policy Frameworks	● Green	Strong policy review program and governance framework established
Compliance & Integrity	● Green	No fraud identified; systems operating effectively
Cyber Security & IT Risk	● Amber	Improvement program progressing; residual risk remains
Asset Management	● Amber	Maturity improving; further development required
Major Projects Oversight	● Green	Oversight in place; no material issues escalated

RAG Status Legend:

- Green – On track; no issues or escalation required
- Amber – Monitoring required; risks being actively managed by management and ARIC
- Red – Action required; significant issue requiring management attention and potential Council intervention.

Key Risk and Themes for the Coming Year (2026-2027)

Based on its work, the Committee has identified the following key areas requiring ongoing focus:

Financial Reporting and Cash Flow

- Continued budget discipline required
- Strengthening forecasting and financial resilience

Committee focus: monitoring cash flow trends, management mitigation strategies and financial performance reporting.

ERP System Replacement

- End-of-life risk presents major operational and major challenge

Committee focus: oversight of planning, funding and implementation risks

Cyber Security

- Increasing threat environment
- Remaining uplift actions still to be completed

Committee focus: monitoring maturity controls and incident response capability

Audit Action Implementation

- Ensuring timely delivery of high-risk audit actions

Committee focus: monitoring and challenging delays

Asset Management Maturity

- Completion of plans and improved lifecycle management

Committee focus: oversight of Asset Management Action Plan

Governance and Compliance

- Ongoing policy and framework development
- Embedding compliance culture

Committee focus: ensuring governance frameworks remain fit-for-purpose

Conclusion

Over the reporting period, the Committee has:

- Delivered a structured and comprehensive assurance program
- Provided independent advice across key governance domains
- Supported continuous improvement in Council's systems and processes.

Based on the matters reviewed, the Committee considers that Council's governance, risk management, financial and control frameworks are operating adequately, noting the areas identified for ongoing monitoring and improvement.

Attachments

Nil

9.8 MONTHLY FINANCE REPORT - AUGUST 2026

File Number: RPT/26/492

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Reporting Officer: Vanessa Lock - Finance Officer

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 A well engaged and informed community

Summary

Rates and Charges collections for the month of August 2026 were \$3,175,521.22. After allowing for pensioner subsidies, the total levies collected are now 33.21%. For comparison purposes 32.52% of the levy had been collected at the end of August 2025. Council currently has \$38,543,885.88 in cash and investments.

Recommendation

That Council receives and notes the Monthly Finance Report for August 2026.

Detailed Report**Purpose**

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 August 2026

The reconciliation has been carried out between the Cash Book of each fund and the Bank Pass Sheet as at 31 August 2026.

	Combined Bank Account
Cash Balance as at 1 August 2026	\$ 3,311,500.17
Add: Receipts for the Period Ending 31 August 2026 Rates, Debtors, Miscellaneous	\$ 7,377,009.12
Less: Payments for the Period Ending 31 August 2026 Cash Book entries for this Month	\$ 4,357,891.76
Cash Balance of Operating A/C as at 31 August 2026	\$ 6,330,617.53
Trust Fund Balance	\$ 1,213,268.35
Total Investments as at 31 August 2026	\$ 31,000,000.00
TOTAL FUNDS AVAILABLE	\$ 38,543,885.88

Collection of Rates and Charges

Rates and Charges collections for the month of August 2026 were \$ 3,175,521.22. After allowing for pensioner subsidies, the total levies collected are now 33.21%. A summary of the Rates and Charges situation as at 31 August 2026 is as follows:

Note: For comparison purposes 32.52% of the levy had been collected at the end of August 2025.

LEVIES	RATES & CHARGES	
Balance Outstanding at 30 June 2026 - Rates / Water	1,097,815.37	
Rates and Charges Levied 17 July 2026	12,743,777.02	\$ 13,841,592.39
+ Additional Water Charges	646,312.16	
+ Supplementary Rates and Charges	8,258.62	
+ Additional Charges	5,223.66	
- Credit Adjustments	2,882.14	
- Abandonments	946.29	\$ 14,497,558.40
DEDUCTIONS		
- Payments	4,660,646.09	
- Less Refunds of Payments	20,394.02	\$ 4,640,252.07
		\$ 9,857,306.33
- Pensioner Subsidy		
Government Subsidy	95,631.45	
Council Subsidy	78,243.92	\$ 173,875.37
RATES/WATER CHARGES OUTSTANDING 31 AUGUST 2026		\$ 9,683,430.96

Rates/Water write offs and adjustments

The following rates or charges have been written off or adjusted under the delegated authority of the General Manager for the month of August 2026.

Account	Date	Amount	Comment
Rates			
1013-208	10/08/2026	1084.5	Adjust the water access charge as the incorrect tapping size was recorded on the rates account.
Water			
1250	5/08/2026	465.38	Credit water usage charge due to a leaking water meter
Debtors			
MTV	10/08/2026	\$ 3,750.00	Cancelled Standpipe fee - not used
NSWF	19/08/2026	\$ 3,700.00	Lease cancelled -Equipment has been removed from water tower

Council Loans Report

Name	Institution	Purpose	Interest Rate	Loan Amount	Amount Outstanding	Due Date
Loan 202	ANZ Bank	Civic Centre	3.47% Fixed	\$ 850,000.00	\$ 420,542.52	21/10/2026
Loan 203	National Australia Bank	Midway Centre	3.586% Fixed	\$ 1,900,000.00	\$ 1,027,411.90	1/06/2033
Loan 204	Bendigo Bank	Buronga Landfill	5.29% Fixed	\$ 1,500,000.00	\$ 996,595.11	12/05/2037
CFWC310604	T-Corp	Trentham Cliffs Sewer	1.82% Fixed	\$ 750,000.00	\$ 392,114.73	4/06/2031
CFWC310624	T-Corp	Burong/Gol Gol Stormwater	1.79% Fixed	\$ 1,250,000.00	\$ 653,666.88	24/06/2031
Loan 205	National Australia Bank	Willowbend Caravan Park	2.2% Fixed	\$ 1,500,000.00	\$ 847,196.73	25/01/2027
Loan 206	Bendigo Bank	Buronga Landfill #3	1.85% Fixed	\$ 900,000.00	\$ 301,185.88	25/09/2028
Loan 207	National Australia Bank	Willowbend Caravan Park	1.933% Fixed	\$ 3,000,000.00	\$ 1,932,642.31	31/03/2028
CFWC440209	T-Corp	Civic Centre	5.45% Fixed	\$ 4,000,000.00	\$ 3,703,428.21	9/02/2044
CFWC440523	T-Corp	Stormwater	5.73% Fixed	\$ 2,000,000.00	\$ 1,885,821.92	23/05/2044
CFWC440822	T-Corp	Buronga Landfill	5.48% Fixed	\$ 12,000,000.00	\$ 11,479,732.83	22/08/2044
355806	T-corp Loan #5	DTN Packers / BGA ES Hub	5.69% Fixed	\$ 1,000,000.00	\$ 981,378.55	28/05/2036
				TOTAL	\$ 24,621,717.57	

Overtime and Travelling

Month	Aug-26	Pay Periods	3 & 4			
Overtime from 18 July 2026 to 14 August 2026						
Overtime						
	Time and a Half Includes Time		Double Time		Total	2026/27 Accumulative Total
Department	Hours	Amount	Hours	Amount		
Animal Services	7.00	411.33	6.50	574.16	\$ 985.49	\$ 2,567.36
Civil	4.00	212.20	2.00	133.56	\$ 345.76	\$ 512.23
Council Roads	150.00	8,554.58	17.00	1553.08	\$ 10,107.66	\$ 67,185.06
Grants - Finance	1.00	92.59			\$ 92.59	\$ 92.59
Health & Planning	1.50	90.23			\$ 90.23	\$ 90.23
IT Support	2.00	187.50	2.00	250.00	\$ 437.50	\$ 608.26
Landfill Transfer Stations	6.00	305.61	27.50	1858.60	\$ 2,164.21	\$ 3,901.06
Library					\$ -	\$ 326.63
Parks & Gardens	8.00	410.88	9.00	618.04	\$ 1,028.92	\$ 2,126.05
RMS Roads	5.00	274.38	2.00	155.27	\$ 429.65	\$ 684.70
Tourism & Promotion	2.00	111.63	3.00	223.26	\$ 334.89	\$ 707.53
Water & Waste Water	60.00	3,755.28	70.50	5738.90	\$ 9,494.18	\$ 18,395.91
Workshop					\$ -	\$ 784.36
Total	246.50	14,406.21	139.50	11,104.87	\$ 25,511.08	\$ 97,981.97
Travel Allowance						
Department	Kms	Amount				
Total	0	\$ -				
Grand Total		\$ 25,511.08				

Overtime comments provided by the Director Roads & Engineering

Roads team overtime is associated with:

- Road reconstruction works on External Grant funded project – Polia Road

Water team overtime is associated with:

- After hours operations and maintenance of water treatment plants & sewer blockages.

Conclusion

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

Attachments

Nil

9.9 MONTHLY INVESTMENT REPORT - AUGUST 2026

File Number: RPT/26/493

Responsible Officer: Simon Rule - Director Corporate Services
Responsible Division: Corporate Services
Reporting Officer: Ned Lamond - Financial Services Coordinator

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: 4.4 Manage public resources responsibly and efficiently for the benefit of the community

Summary

As of 31 August 2026, Council had \$31 million invested in term deposits and fixed bonds with \$7,543,885.88 in other cash investments. Council received \$108,561.09 from its investments for the month of August 2026.

In August 2026 Council investments averaged a rate of return of 4.35% and it currently has \$4,4580,371.92 of internal restrictions and \$28,440,552.37 of external restrictions.

Recommendation

That Council receives and notes the monthly investment report for August 2026.

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 of 31 August 2026, Council had \$38,543,885.88 invested with Six (6) financial institutions and one (1) Treasury Corporation. This is an increase of \$2,019,117.36 from the previous month.

The investment of surplus funds remains in line with Council's Investment Policy. Council's current cash flow has resulted in the temporary use of some internally restricted funds to assist with day-to-day operational requirements. These funds are designed for specific purposes and will need to be progressively replenished to support future commitments.

While Council continues to meet its operational obligations, this position highlights the importance of maintaining a balanced and measured financial approach over the coming 12-24 months. In this context, careful consideration will be given to discretionary expenditure, with a focus on prioritising essential services and supporting the gradual restoration of internal reserves.

At the end of June, an 80% prepayment of the 2026/27 Financial Assistance Grant was received, which has significantly increased liquidity. However, it is recommended that the above matter remain a high priority, as this funding will need to be apportioned across the entire financial year.

Interest Received from Cash Investments in August 2026

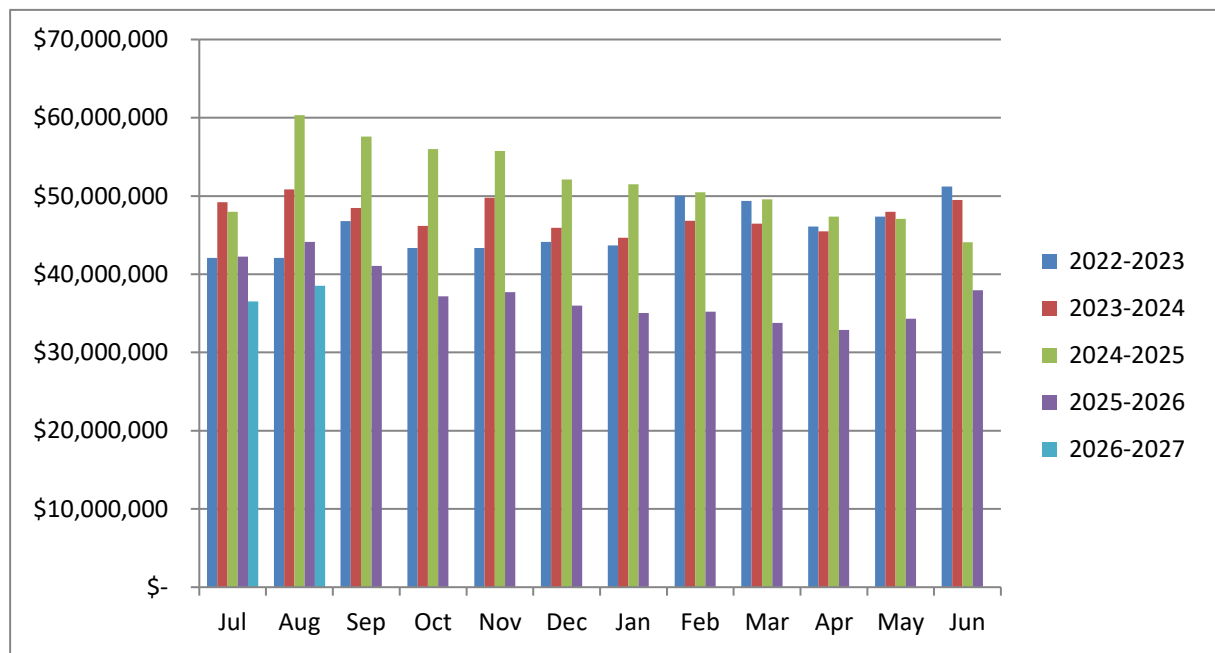
22 deposits matured or provided interest in July earning Council \$108,561.09 in interest. The budget for July is \$115,875.00. Year to date Council has received \$95,959.71 in interest based on cash accounting compared to the original budget of \$1,390,500.00

Expired investments are now shown in the attached report along with a summary of accrued interest.

Restrictions

Internal Restrictions		
- Employee Entitlements	\$2,449,411.00	
- Future Development Reserve	\$0	
- Trust Account	\$1,336,960.92	
- Capital Projects Reserve	\$0	
- Plant Replacement Reserve	\$0	
- Landfill Reserve	\$794,000.00	\$4,580,371.92
External Restrictions		
- Water Fund	\$12,777,590.08	
- Sewer Fund	\$8,129,878.46	
- T-Corp Storm Water Loan Balance	\$2,259,944.00	
- T-Corp Land Loan Balance	\$327,033.60	
- Developer Contributions Reserve	\$1,297,124.40	
- Unexpended Grants	\$2,807,079.79	
- Crown Reserves Reserve	\$222,399.65	
- Prepayments Cemeteries	\$615,502.39	\$28,440,552.37
Day to Day Liquidity		\$5,522,961.59
Total Funds Available		\$38,543,885.88

Total Funds Invested



Summary – Unexpended Grants as at 31 August 2026

Grant	Amount	Expiry
OLG Flood Recovery Grants	\$68,427.65	30/06/2027
Crown Reserve Improvement Fund Astronomy Park	\$377,380.04	30/06/2026
Crown Reserve Improvement Alcheringa Changerooms	\$616,000.00	22/06/2027
Regional Emergency Road Repair Program	\$1,542,113.09	31/10/2027
Drought Resilience	\$72,211.33	30/6/2026
Roads to Recovery	\$130,947.68	30/6/2029
Total	\$2,807,079.79	

Conclusion

The Director Corporate Services has certified 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

1. Yield Hub Report - August 2026 [🔗](#)



Wentworth Shire Council

Holdings Report

As At 31st of August, 2026

Important Disclaimer



Disclaimer

This document is for informational purposes only and is intended for wholesale investors as defined under the Corporations Act 2001 (Cth). It does not constitute financial advice, an offer, solicitation, or recommendation to buy, sell, or hold any financial products.

While reasonable care has been taken to ensure the accuracy of the information, we make no representations or warranties as to its completeness, reliability, or fitness for any purpose. Any opinions, estimates, or assumptions contained in this document are subject to change without notice.

Before making any investment decision, you should seek independent financial, legal, and tax advice to determine the appropriateness of any information in the context of your own circumstances.

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Regulatory Information

The YieldHub platform is powered by Curve Securities Ltd.
ABN 94 143 558 598 | AFS Licence 405751
Phone: (02) 9690 2188 | Curve: 1300 128 783 | Email: yield@curve.com.au
Suite 1801, Level 18, 1 Bligh St, Sydney, NSW, 2000

Portfolio Performance Dashboard as at 31/08/2026





Portfolio Cost

\$31,000,000



Portfolio Value

\$31,000,000



Unrealised Gain/Loss

\$0



Weighted Avg. Term

36.5 days



Weighted Avg. Yield

4.3942%



August 2026 Interest

\$108,561



FY27 Interest

\$204,521



Accrued Interest

\$136,145

Portfolio metrics current as of reporting date

Investment Distribution by Value

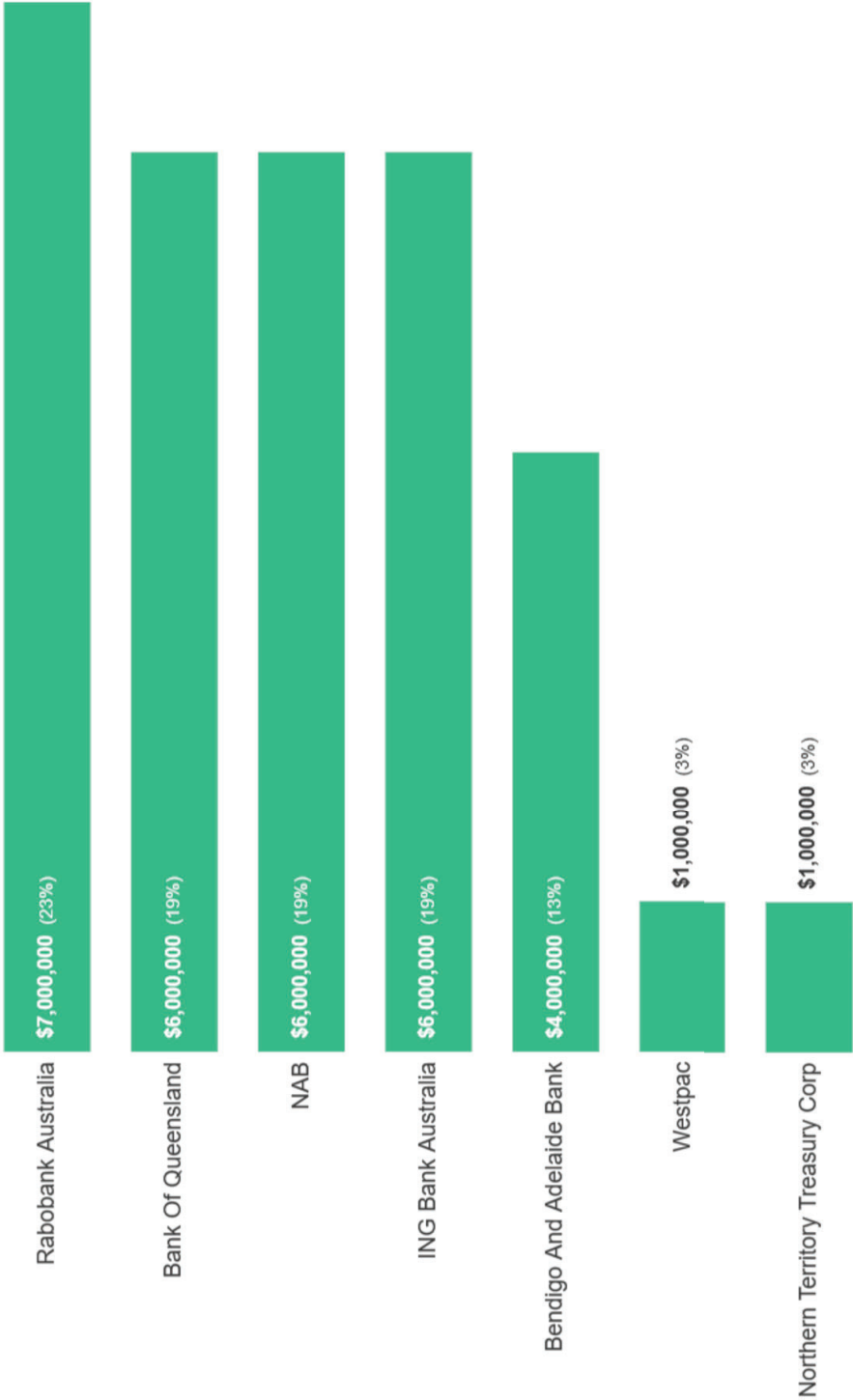


Investments as at 31/08/2026



This chart shows the distribution of investments by product type based on current portfolio value.
Values used: Term Deposits use Consideration value. NCDs use Consideration value. Bonds use Gross Value (market value including accrued interest at month end). Cash Accounts use Current Balance.

Investment Distribution by Counterparty



TERM DEPOSITS (31) | Total Consideration (excl. accrued): \$31,000,000

INVESTMENT	INSTITUTION	S&P RATING	CONSID.	SETTLE DATE	TERM	MATURITY	YIELD	INT. FREQ.	INT. ACCRUED	TOTAL INT.	NEXT PMT	FOSSIL STATUS	COMMENTS
CN# 111582 Wentworth Shire Council	Rabobank Australia	A-1 / A	\$1,000,000	31/08/2026	31	01/10/2026	4.4500%	At maturity	Monthly: \$121.92 Total: \$121.92	\$3,779.45	01/10/2026	Not Fossil Free	
CN# 111581 Wentworth Shire Council	Rabobank Australia	A-1 / A	\$1,000,000	31/08/2026	31	01/10/2026	4.4500%	At maturity	Monthly: \$121.92 Total: \$121.92	\$3,779.45	01/10/2026	Not Fossil Free	
CN# 111532 Wentworth Shire Council	Bank of Queensland.	A-2 / A-	\$1,000,000	27/08/2026	32	28/09/2026	4.2500%	At maturity	Monthly: \$582.19 Total: \$582.19	\$3,726.03	28/09/2026	Fossil Free	
CN# 111531 Wentworth Shire Council	Bank of Queensland.	A-2 / A-	\$1,000,000	27/08/2026	32	28/09/2026	4.2500%	At maturity	Monthly: \$582.19 Total: \$582.19	\$3,726.03	28/09/2026	Fossil Free	
CN# 111456 Wentworth Shire Council	NAB	A-1+ / AA-	\$1,000,000	24/08/2026	63	26/10/2026	4.6000%	At maturity	Monthly: \$1,008.22 Total: \$1,008.22	\$7,939.73	26/10/2026	Not Fossil Free	
CN# 111455 Wentworth Shire Council	NAB	A-1+ / AA-	\$1,000,000	24/08/2026	63	26/10/2026	4.6000%	At maturity	Monthly: \$1,008.22 Total: \$1,008.22	\$7,939.73	26/10/2026	Not Fossil Free	
CN# 111454 Wentworth Shire Council	Bendigo and Adelaide Bank.	A-2 / A-	\$1,000,000	24/08/2026	31	24/09/2026	4.1000%	At maturity	Monthly: \$898.63 Total: \$898.63	\$3,482.19	24/09/2026	Fossil Free	
CN# 111453 Wentworth Shire Council	Bank of Queensland.	A-2 / A-	\$1,000,000	24/08/2026	31	24/09/2026	4.2500%	At maturity	Monthly: \$931.51 Total: \$931.51	\$3,609.59	24/09/2026	Fossil Free	
CN# 111401 Wentworth Shire Council	Rabobank Australia	A-1 / A	\$1,000,000	20/08/2026	32	21/09/2026	4.4500%	At maturity	Monthly: \$1,463.01 Total: \$1,463.01	\$3,901.37	21/09/2026	Not Fossil Free	
CN# 111400 Wentworth Shire Council	ING Bank (Australia)	A-1 / A	\$1,000,000	20/08/2026	32	21/09/2026	4.2600%	At maturity	Monthly: \$1,400.55 Total: \$1,400.55	\$3,734.79	21/09/2026	Not Fossil Free	
CN# 111328 Wentworth Shire Council	NAB	A-1+ / AA-	\$1,000,000	17/08/2026	31	17/09/2026	4.1000%	At maturity	Monthly: \$1,684.93 Total: \$1,684.93	\$3,482.19	17/09/2026	Not Fossil Free	
CN# 111325 Wentworth Shire Council	Rabobank Australia	A-1 / A	\$1,000,000	17/08/2026	31	17/09/2026	4.4500%	At maturity	Monthly: \$1,828.77 Total: \$1,828.77	\$3,779.45	17/09/2026	Not Fossil Free	
CN# 111291 Wentworth Shire Council	Bendigo and Adelaide Bank.	A-2 / A-	\$1,000,000	13/08/2026	32	14/09/2026	4.1000%	At maturity	Monthly: \$2,134.25 Total: \$2,134.25	\$3,594.52	14/09/2026	Fossil Free	
CN# 111290 Wentworth Shire Council	Bendigo and Adelaide Bank.	A-2 / A-	\$1,000,000	13/08/2026	61	13/10/2026	4.1000%	At maturity	Monthly: \$2,134.25 Total: \$2,134.25	\$6,852.05	13/10/2026	Fossil Free	
CN# 111273 Wentworth Shire Council	ING Bank (Australia)	A-1 / A	\$1,000,000	13/08/2026	91	12/11/2026	4.5400%	At maturity	Monthly: \$2,363.29 Total: \$2,363.29	\$11,318.9	12/11/2026	Not Fossil Free	
CN# 111272 Wentworth Shire Council	ING Bank (Australia)	A-1 / A	\$1,000,000	13/08/2026	32	14/09/2026	4.2700%	At maturity	Monthly: \$2,222.74 Total: \$2,222.74	\$3,743.56	14/09/2026	Not Fossil Free	
CN# 111271 Wentworth Shire Council	Rabobank Australia	A-1 / A	\$1,000,000	13/08/2026	61	13/10/2026	4.5500%	At maturity	Monthly: \$2,368.49 Total: \$2,368.49	\$7,604.11	13/10/2026	Not Fossil Free	
CN# 111270 Wentworth Shire Council	Rabobank Australia	A-1 / A	\$1,000,000	13/08/2026	32	14/09/2026	4.4500%	At maturity	Monthly: \$2,316.44 Total: \$2,316.44	\$3,901.37	14/09/2026	Not Fossil Free	
CN# 111221 Wentworth Shire Council	NAB	A-1+ / AA-	\$1,000,000	11/08/2026	31	11/09/2026	4.1000%	At maturity	Monthly: \$2,358.9 Total: \$2,358.9	\$3,482.19	11/09/2026	Not Fossil Free	
CN# 111181 Wentworth Shire Council	ING Bank (Australia)	A-1 / A	\$1,000,000	10/08/2026	31	10/09/2026	4.2700%	At maturity	Monthly: \$2,573.7 Total: \$2,573.7	\$3,626.58	10/09/2026	Not Fossil Free	

Term Deposits (continued)

INVESTMENT	INSTITUTION	S&P RATING	CONSID.	SETTLE DATE	TERM	MATURITY	YIELD	INT. FREQ.	INT. ACCRUED	TOTAL INT.	NEXT PMT	FOSSIL STATUS	COMMENTS
CN# 111180 Wentworth Shire Council	ING Bank (Australia)	A-1 / A	\$1,000,000	10/08/2026	31	10/09/2026	4.2700%	At maturity	Monthly: \$2,573.7 Total: \$2,573.7	\$3,626.58	10/09/2026	Not Fossil Free	
CN# 110795 Wentworth Shire Council	Bank of Queensland.	A-2 / A-	\$1,000,000	20/07/2026	91	19/10/2026	4.8000%	At maturity	Monthly: \$4,076.71 Total: \$5,654.79	\$11,987.12	19/10/2026	Fossil Free	
CN# 110683 Wentworth Shire Council	ING Bank (Australia)	A-1 / A	\$1,000,000	13/07/2026	63	14/09/2026	4.3000%	At maturity	Monthly: \$3,652.05 Total: \$5,890.41	\$7,421.92	14/09/2026	Not Fossil Free	
CN# 110676 Wentworth Shire Council	Bendigo and Adelaide Bank.	A-2 / A-	\$1,000,000	13/07/2026	92	13/10/2026	4.8000%	At maturity	Monthly: \$4,076.71 Total: \$6,575.34	\$12,098.63	13/10/2026	Fossil Free	
CN# 110675 Wentworth Shire Council	Bank of Queensland.	A-2 / A-	\$1,000,000	13/07/2026	63	14/09/2026	4.6000%	At maturity	Monthly: \$3,906.85 Total: \$6,301.37	\$7,939.73	14/09/2026	Fossil Free	
CN# 110667 Wentworth Shire Council	NAB	A-1+ / AA-	\$1,000,000	10/07/2026	90	08/10/2026	5.0000%	At maturity	Monthly: \$4,246.58 Total: \$7,260.27	\$12,328.77	08/10/2026	Not Fossil Free	
CN# 110171 Wentworth Shire Council	Westpac	A-1+ / AA-	\$1,000,000	23/06/2026	153	23/11/2026	5.0700%	At maturity	Monthly: \$4,306.03 Total: \$9,723.29	\$21,252.33	23/11/2026	Not Fossil Free	
CN# 110162 Wentworth Shire Council	Rabobank Australia	A-1 / A	\$1,000,000	23/06/2026	153	23/11/2026	5.1400%	At maturity	Monthly: \$4,365.48 Total: \$9,857.53	\$21,545.75	23/11/2026	Not Fossil Free	
CN# 110091 Wentworth Shire Council	NAB	A-1+ / AA-	\$1,000,000	18/06/2026	92	18/09/2026	5.0500%	At maturity	Monthly: \$4,289.04 Total: \$10,376.71	\$12,728.77	18/09/2026	Not Fossil Free	
CN# 068928 Wentworth Shire Council	Bank of Queensland.	A-2 / A-	\$1,000,000	04/12/2023	1095	03/12/2026	5.2500%	Annually	Monthly: \$4,458.9 Total: \$38,979.45	\$157,500	03/12/2026	Fossil Free	
CN# 054172 Wentworth Shire Council	Northern Territory Treasury Corporation (Territory Bonds)	NR / AA-	\$1,000,000	16/09/2021	1916	15/12/2026	1.3500%	Quarterly	Monthly: \$1,146.58 Total: \$2,847.95	\$70,865.75	16/09/2026	Not Stated	

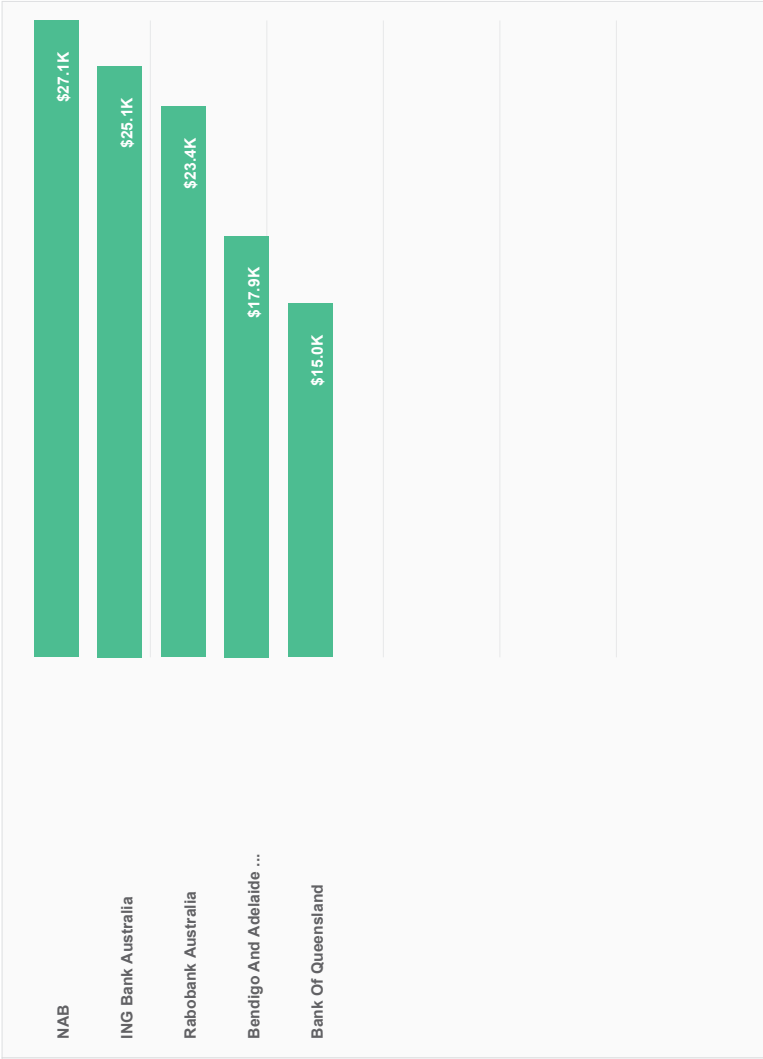
Transaction Activity (01/08/2026 to 31/08/2026)



TRANSACTION TOTALS



INTEREST PAYMENTS BY COUNTERPARTY



Transaction Summaries by Counterparty (01/08/2026 to 31/08/2026)



Investments	
Counterparty	Amount
Rabobank Australia	\$6,000,000
ING Bank Australia	\$5,000,000
NAB	\$4,000,000
Bank Of Queensland	\$3,000,000
Bendigo And Adelaide...	\$3,000,000
TOTAL	\$21,000,000

Maturities	
Counterparty	Amount
Rabobank Australia	\$6,000,000
ING Bank Australia	\$5,000,000
NAB	\$4,000,000
Bendigo And Adelaide...	\$4,000,000
Bank Of Queensland	\$3,000,000
TOTAL	\$22,000,000

Interest Payments	
Counterparty	Amount
NAB	\$27,067.12
ING Bank Australia	\$25,132.33
Rabobank Australia	\$23,408.22
Bendigo And Adelaide...	\$17,920.55
Bank Of Queensland	\$15,032.88
TOTAL	\$108,561.1

Transaction Summaries by Investment Type (01/08/2026 to 31/08/2026)



Investments	
Investment Type	Amount
Term Deposit	\$21,000,000.00
TOTAL	\$21,000,000.00

Maturities	
Investment Type	Amount
Term Deposit	\$22,000,000.00
TOTAL	\$22,000,000.00

Interest Payments	
Investment Type	Amount
Term Deposit	\$108,561.10
TOTAL	\$108,561.10

Portfolio Performance Summary As at 31/08/2026



Time Period	Term Deposits	Total Avg Yield	RBA Cash	1m BBSW	3m BBSW	AusBond Bank Bill	AusBond Annualised	vs RBA	vs 1m BBSW	vs 3m BBSW	vs AusBond
As At 31/8/2026	4.39%	4.39%	4.35%	4.30%	4.55%	10593.008	---	+0.04%	+0.09%	-0.16%	---
1m	4.41%	4.41%	4.35%	4.32%	4.50%	0.38%	4.44%	+0.06%	+0.09%	-0.09%	-0.03%
3m	4.19%	4.19%	4.35%	4.30%	4.46%	1.15%	4.55%	-0.16%	-0.11%	-0.27%	-0.36%
6m	3.80%	3.80%	3.85%	3.81%	3.99%	2.16%	4.29%	-0.05%	-0.01%	-0.19%	-0.49%
12m	4.00%	4.00%	3.60%	3.55%	3.57%	3.99%	3.99%	+0.40%	+0.45%	+0.43%	+0.00%

UNDERSTANDING YOUR PERFORMANCE DATA:

- Portfolio Weighted Average Yield: Your yield is calculated by examining each investment and weighting its contribution based on its size relative to your total portfolio. Larger investments have greater influence on the overall portfolio yield.
- Benchmark Comparisons: The "vs" columns show how your portfolio yield compares to standard market references, helping you understand whether your investment strategy is delivering returns above or below alternatives. Green values indicate outperformance.
- Time Periods: Rows labeled "1m", "3m", "6m", and "12m" represent historical lookback periods from your report date, allowing you to track how your portfolio and market yields have changed over time and evaluate long-term performance.

Note: Historical performance data is provided for informational purposes only and does not guarantee future results.

9.10 A54 WILGA ROAD - ROAD CLOSURE AND LAND SWAP

File Number: RPT/26/494

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

Objective: 3.0 Wentworth Shire is a community that works to enhance and protect its physical and natural environment
 Strategy: 3.2 Our public assets are well maintained and able to meet the growing population demands

Summary

This report is submitted to obtain Council authority to:

1. Acquire Lot 540 DP1297629, being part of Lot 1 DP803555, known as 101 Wilga Road, Gol Gol that fronts Wilga Road, to complete and formalise the realignment of the Wilga Road to a consistent 20-metre-wide road corridor; and
2. To complete the land acquisition by an exchange of land with the landowner in lieu of the payment of compensation.
3. For the land exchange to be completed, Council must first formally close an unused portion of Wilga Road in accordance with the *Roads Act 1993*.

Recommendation

That Wentworth Shire Council:

1. Authorise the acquisition of Lot 540 DP1297629, being part of Lot 1 DP803555, known as 101 Wilga Road, Gol Gol, as shown shaded on Attachment 2 for the widening of Wilga Road under the *Roads Act 1993*.
2. Council authorise the formal closure of the portion of Public Road adjoining Lot 1 DP 803555, known as 101 Wilga Road, Gol Gol, as shown hatched in Attachment 1 under the *Roads Act 1993*.
3. Council publicly notify the formal closure in accordance with the *Roads Act 1993* and the General Manager be delegated authority to resolve any submissions or objections to the road closure.
4. Upon closure, pursuant to section 43 of the *Roads Act 1993*, the land vest to Council as Operational Land for the purpose of the *Local Government Act 1993*.
5. Pursuant to section 44 of the *Roads Act 1993*, Council authorities a land exchange with the owners of Lot 1 DP803555, known as 101 Wilga Road, Gol Gol, of the closure portion of public road as compensation for the land being acquired for road widening.
6. The General Manager be authorised to finalise the terms and conditions for the land exchange with the landowners of Lot 1 DP803555, known as 101 Wilga Road, Gol Gol, including entering into a Deed of Agreement or Contract for the Sale of Land (whichever is recommended by Council's legal representative).

7. The Mayor and General Manager be authorised to affix the Common Seal of Council to any documentation required to give effect to this resolution and Mayor and General Manager be authorised to sign any documentation necessary to give effect to this resolution.

Detailed Report

Purpose

The purpose of this report is to seek a resolution to acquire a portion of privately owned land for the purpose of the widening of Wilga Road, Gol Gol and lieu of the payment of compensation, transfer to the landowner a portion of unused public road adjoining their land.

Background

Council proposes to facilitate the realignment and widening of the existing Wilga Road, road reserve fronting Lot 1 DP803555, known as 101 Wilga Road, Gol Gol, to regularise and increase the road pavement to improve traffic movements in the area.

This will require the acquisition of Lot 540 DP1297629, being part of Lot 1 DP803555 as shown shaded in Attachment 2.

The road widening acquisition will be completed under the provisions of the *Roads Act 1993* which requires the payment of compensation to the landowner. However, section 44 of the *Roads Act 1993* permits Council to enter into a land exchange with a landowner as compensation in lieu of monetary payment.

In this matter, there is surplus unused public road reserve adjoining the landowners property as shown hatched on Attachment 1 and it is proposed this area of road be formally closed and transferred to the owners as compensation for the road widening land acquisition.

Council officers have informally discussed this with the landowners, who have indicated their agreement to the land exchange.

It is proposed the Council formally commence the road closure process as required under the *Roads Act 1993*, by giving public notice of the proposal and notifying the relevant statutory authorities and service utilities.

Should any objection be received to the closure, Council delegate to the General Manager, the authority to negotiate and resolve the objection(s) to facilitate the formal road closure.

Upon closure, pursuant to section 44 of the *Roads Act 1993*, the land will vest in Council as operational land to allow Council to dispose of the former road reserve land.

Once the road closure is gazetted and land title issued, the land can be transferred to the adjoining landowner in exchange for the transfer to the road widening land to Council as public road.

Matters under consideration

The proposed road-widening acquisition has been initiated, and in a matter of good faith, Council has proposed to engage in a land exchange of a portion of unused public road with the landowners, of 101 Wilga Road, Gol Gol.

For the portion of unused public road to be used in the land exchange, it must first be formally closed as public road. Council must therefore be satisfied that the proposal to close the public road meets the requirements of section 38A of the *Roads Act 1993* prior to resolving to proceed with the road closure process.

The requirements of Section 38A are:

- (a) the road is not reasonably required as a road for public use (whether for present or future needs), and
- (b) the road is not required to provide continuity for an existing road network, and
- (c) if the road provides a means of vehicular access to particular land, another public road provides lawful and reasonably practicable vehicular access to that land.

Preliminary investigations have confirmed that the closure will not adversely affect public access or surrounding landowners and that the requirements of section 38A has been met.

Utility providers and relevant authorities will be consulted as part of the statutory road closure notification process under the *Roads Act 1993*.

Options

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

- a. Proceed as recommended with the road widening acquisition and road closure to facilitate a land exchange, or
- b. Proceed with only the land acquisition for the road widening and pay monetary compensation to the landowner under the Land Acquisition (Just Terms Compensation) Act 1991.

Legal, strategic, financial or policy Implications

Council being the road authority is required to undertake the proposed road closure in accordance with the legislative road closure procedures set out in the *Roads Act 1993*.

Upon the closure of the road, the land will be classified as Operational Land pursuant to the *Local Government Act 1993* and enable Council to proceed with the land exchange of a portion of unused public road with the landowners of 101 Wilga Road, Gol Gol.

The costs to Council associated with this matter are limited to Council officers' time, statutory advertising and notification, survey and legal costs associated with the transfer of land which form part of Council's operational budget.

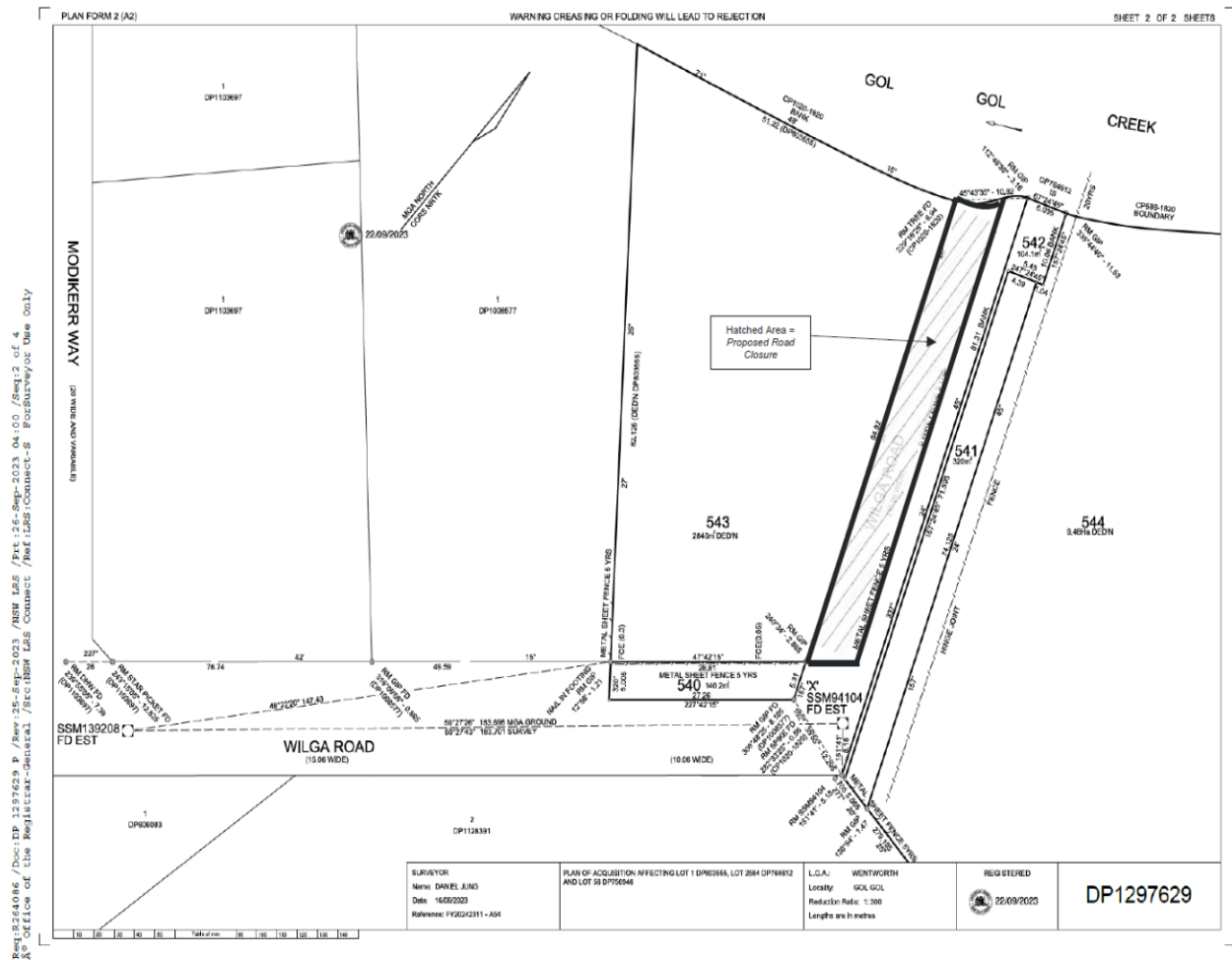
Conclusions

After considering the information provided in this report the most appropriate course of action is for Council to proceed as recommended by this report.

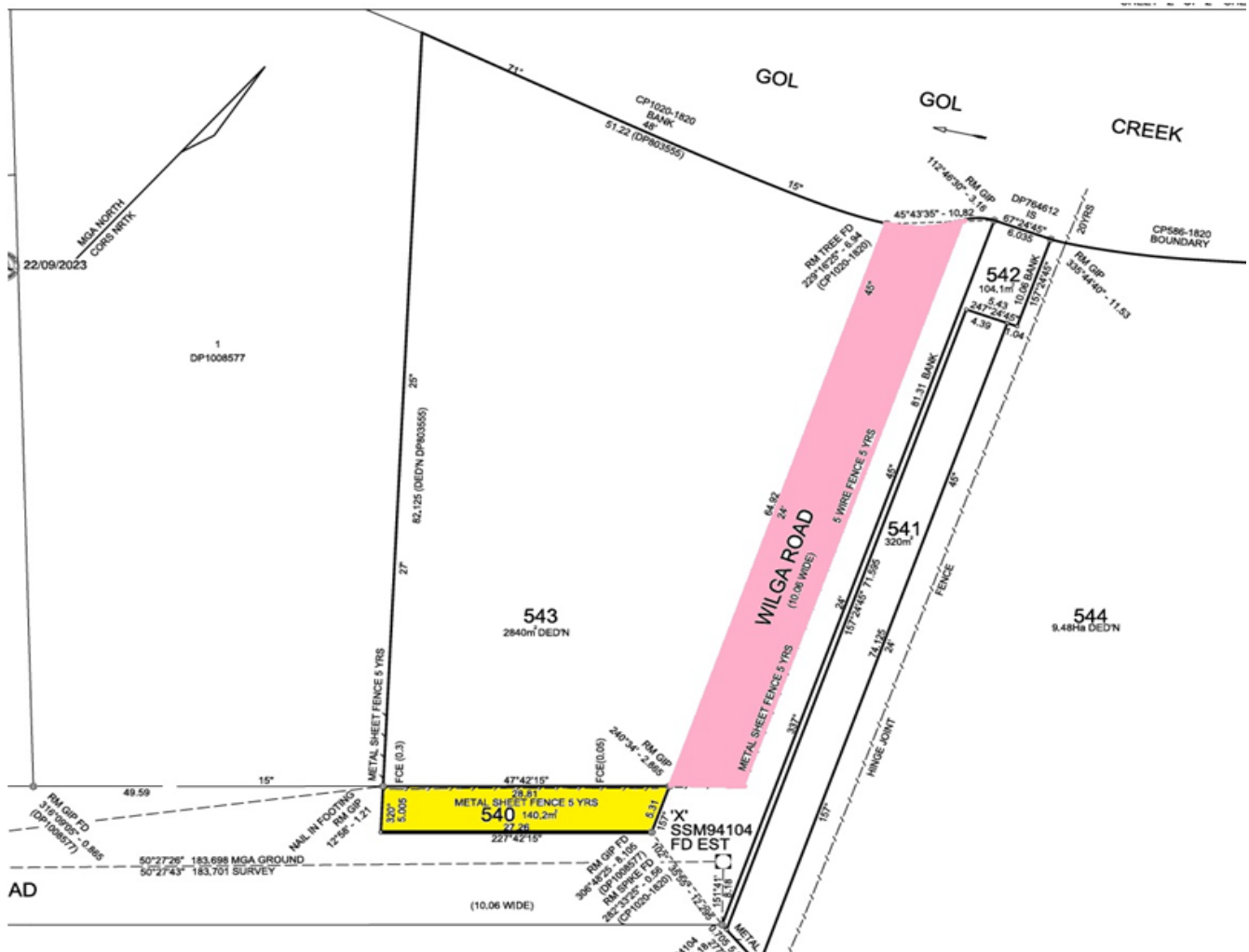
Attachments

- 1. RPT/26/494 - Attachment 1 - Proposed Road Closure Plan [↓](#)
- 2. RPT/26/494 - Attachment 2 - Proposed Land Swap Plan [↓](#)

RPT/26/494 - ATTACHMENT "1" - PROPOSED ROAD CLOSURE PLAN



RPT/26/494 - ATTACHMENT "2" - PROPOSED LAND SWAP PLAN



LEGEND

Pink Area = to be transferred to the owners of 101 Wilga Road, Gol Gol

Yellow Area = to be acquired by Wentworth Shire Council for the purposes of widening Wilga Road

9.11 DA2026/063 TWO LOT BOUNDARY RE-ALIGNMENT LOT 5 DP 1253993 AND LOT 3 DP 1250369 POMONA

File Number: RPT/26/499

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: George Kenende - Strategic Planner

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 We value our civic leadership whose stewardship and decision making benefits present and future generations

Summary

A development application (DA2026/063) was lodged with Council for a two (2) lot boundary adjustment at Lot 5 DP 1253993 and Lot 3 DP 1250369 Pomona.

Under the *Wentworth Local Environmental Plan 2011* (WLEP 2011), subdivision (which includes boundary re-alignments) is a development type permitted with consent.

The proposed development will adjust the existing boundaries between allotments from 13.8ha and 4876.279ha to 19.24ha and 4,870.9ha.

The application was publicly notified for 14 days as per the Council Community Participation Plan. During the public notification five (5) submissions were received by Council, although one was subsequently withdrawn, raising concerns to the proposed development.

River front area is defined as “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” in WLEP 2011.

Murray River is defined as “includes the Darling River and the Great Darling Anabranch” in WLEP 2011.

Clause 7.6(2) establishes that despite any other provision in the WLEP 2011, development consent may only be granted for development on land in a river front area for various purposes listed in 7.6(2) of the WLEP 2011, none of which include a subdivision. The proposed boundary re-alignment does not fall within those purposes.

The applicant has provided a written Clause 4.6 request to vary the numerical development standard – development on river front area in Clauses 7.6 (2) of the WLEP 2011. Clause 4.6(2) of the WLEP 2011 allows variations of development standards.

The proposed development is for land with river frontage, with a variation of 100%.

As per Council delegations, applications with more than 10% variation and any development applications with three (3) or more submissions cannot be determined under delegated authority and must be determined by Council.

Recommendation

That Council:

1. Approve DA2026/063 for a two lot boundary re-alignment at Lot 5 DP 1253993 and Lot 3 DP 1250369 Pomona subject to conditions.
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 for Council to determine Development Application DA2026/063, having consideration to the details both within this report and the attachments provided.

Background

A development application (DA2026/063) was lodged with Council on 15 April 2026 for a two lot boundary re-alignment at Lot 5 DP 1253993 and Lot 3 DP 1250369 Pomona.

Under the RU1 Primary Production zoning of the Wentworth Local Environmental Plan 2011 (WLEP 2011), the proposed development (2 lot boundary re-alignment) is permitted with consent.

River front area is defined as *“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”* in WLEP 2011.

Murray River is defined as *“includes the Darling River and the Great Darling Anabranch”* in WLEP 2011.

Clause 7.6(2) establishes that despite any other provision in the WLEP 2011, development consent may only be granted for development on land in a river front area for various purposes listed in 7.6(2), none of which include a boundary re-alignment. As the proposed development does not fall within those purposes, the consent authority must be satisfied of various other matters set out in clause 7.6(3).

The boundary adjustment affects land on river front areas – defined to be 30m from the top of bank of the Murray River (itself defined in the WLEP 2011 to include the Darling River and the Great Darling Anabranch).

Refer to attachment 1 – Development Application

Refer to attachment 2 – Statement of Environmental Effects

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 2 lot boundary re-alignment is permitted with consent under the RU1 Primary Production zone under the WLEP 2011.

The proposed development meets the relevant provisions of Chapter 5 of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*.

The proposed development for two (2) lot boundary adjustment is listed as being permitted with consent and meets the zone objectives of the RU1 Primary Production zone under the WLEP 2011.

The proposed boundary re-alignment would create allotments that are below the minimum lot size of 10,000 ha. However, clause 4.2D of the WLEP 2011 provides a pathway for boundary re-alignment of land that would create allotments below the minimum lot size. Assessment of the development has shown compliance with matters for consideration under clause 4.2D.

The boundary re-alignment 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 7.4, 7.5, 7.6 and 7.7 of the WLEP 2011. The development application was able to satisfy matters for consideration under these clauses. Although the development did not comply with clause 7.6, a 4.6 variation was provided with enough justification to allow the development.

Due to the nature of the proposed development, it was assessed against Chapter 5 of the Wentworth Development Control Plan (DCP) 2011. The development complies with provisions under this chapter.

During public notifications five (5) submissions were received by Council, although one was subsequently withdrawn, raising concerns to the proposed development. A summary of the concerns and assessors' response are shown within the attached s4.15 assessment report.

Refer to attachment 4 – s4.15 Assessment Report

Refer to attachment 5 – Applicants response to submissions

Refer to attachment 6 – Submissions (excluding withdrawn submission)

Refer to attachment 7 – Draft Conditions of Consent

Options

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

- Approve DA2026/063 for a two lot boundary re-alignment at Lot 5 DP 1253993 and Lot 3 DP 1250369 Pomona subject to draft 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 the determination to Council under Section 8.2 of the Environmental Planning and assessment Act 1979.

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 and Assessment Act 1979.

Conclusion

Having consideration to the content of this report, it is concluded that the appropriate course of action is to approve DA2026/063 subject to draft conditions.

Attachments

1. Development Application (under separate cover)⇒
2. Statement of Environmental Effects↓
3. Plans⇒
4. S4.55 Assessment report↓
5. Applicant Response to Submissions (under separate cover)⇒
6. Submissions excluding withdrawn submission (under separate cover)⇒
7. Draft Conditions of Consent↓
8. Correspondence to Pinion (Under Separate Cover)⇒
9. Pinion Response to Correspondence (Under Separate Cover)⇒



Statement of Environmental Effects

372 and 1476 Low Darling Road, Wentworth
Lot 5 DP1253993 & Lot 3 DP1250369

December 2025

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Introduction

Development approval is sought for a boundary adjustment between two lots. The legal description of the lots is Lot 5 on DP 1253993 (1476 Low Darling Road) and Lot 3 on DP1250369 (372 Low Darling Road) in Wentworth.

The existing configuration of Lot 5 DP 1253993 consists of multiple separate parts linked by a vinculum. The southeastern most portion of the land is located east of the Low Darling Road between Cudmore Road and the Darling River. This portion of the land is remote from the main landholding of Junction Vineyards (client) and not actively used or managed by Junction Vineyards.

It is proposed for this portion of the lot to be consolidated with Lot 3 DP1250369 by way of a minor boundary adjustment. The boundary adjustment will enable the land to be included in the developing agricultural pursuits of Lot 3 DP1250369 and for it to be actively managed. At present no land management activities are undertaken due to its remoteness from the main Junction Vineyards operation to the north.

The land is located in the RU1 Zone – Primary Production, and the boundary adjustment is appropriate given the contents of the Wentworth Local Environment Plan (LEP) and Wentworth Development Control Plan (DCP):

- ♦ The proposed boundary adjustment is permitted with consent under Clause 4.2D of the LEP as it aims to improve the agricultural viability of the land.
- ♦ No adverse impact on the existing character or amenity of the area will result.
- ♦ The proposed boundary adjustment is consistent with the layout of the locality and functional aspects of the land.
- ♦ The boundary adjustment will allow for efficient operations and management of the land.

As a result, the proposed boundary adjustment should be supported with the issue of development consent.

Background

A development application for the proposed subdivision was previously lodged in 2024. At the time, matters concerning land use on Lot 3 were unresolved. During the notification period of the application, four (4) submissions were received which included concern regarding the unresolved land use.

As a result of the submission, the application was heard at a Council meeting on 26 June 2024. While the Council officer recommendation was to approve the application, the decision by Council was to defer the item pending further information. Subsequent to the decision to defer, the application was withdrawn on the 19 July 2024, to allow the respective parties to resolve outstanding matters.

Since consideration of the previous application for subdivision an alternative subdivision layout was put forward by representatives of the landowner of Lot 5 DP 1253993. The alternative arrangement was to consolidate the eastern most portion of Lot 5 DP 1253993 with Lot 1 DP 1106411. The layout was understood to resolve previous land tenure and easement issues. The offer was declined by the landowner of Lot 1 DP 1106411.

As matters relating to the land use have since been resolved through the issue of development consent for the use of land for a depot (DA2024/016) and operation consent for the construction of a dwelling (DA2021/011), the application for the boundary adjustment is being resubmitted.

While the previous application was withdrawn to allow resolution of outstanding matters, it is noted that decisions are to be made in accordance with Section 4.15 of the *Environmental Planning and Assessment Act*, with consideration limited solely to the proposal itself. Any additional matters raised in submissions that fall outside the scope of the proposal are not relevant to the determination of the development application.

Proposal

Existing conditions

The application seeks development approval for a boundary adjustment between two (2) lots. The legal description of the lots is Lot 5 on DP 1253993 and Lot 3 on DP 1250369. The combined lots occupy an extensive area to the north of the Darling river spanning across both the east and west of High Darling Road and Low Darling Road. Details of the lots are as follows:

Table 1 Existing conditions of the lots

Lot	Area	Use
3/DP1250369	13.84 ha	Agriculture and dwelling
5/DP1253993	5,067 ha	Irrigated horticulture and remediation land

Lot 5 DP 1253993

Covering an extensive area and divided into several parts, Lot 5 includes a number of uses include irrigated horticulture to the northeast operated by Junction Vineyards. Connected by vinctulum, the parts of the lot to the south are well removed from the larger parts to the north with several small parts that are difficult to manage under the current lot configuration, see figures 1 and 2. Lot 5 extends to the south with parts either side of Low Darling Road including a small part to the east of Lot 3 DP1250369. This part has an area of 5.397 ha and is currently not under active management due to its distance from the primary Junction Vineyards operations.

Lot 3 DP1250369

Lot 3, also known as 372 Low Darling Road, has an area of 13.84 ha. The lot is undergoing redevelopment to support agricultural pursuits. A recent operational consent (DA2021/011) has allowed for the construction of an approved dwelling to commence and the land also benefits from approval for the use of land as a depot (DA2024/016).

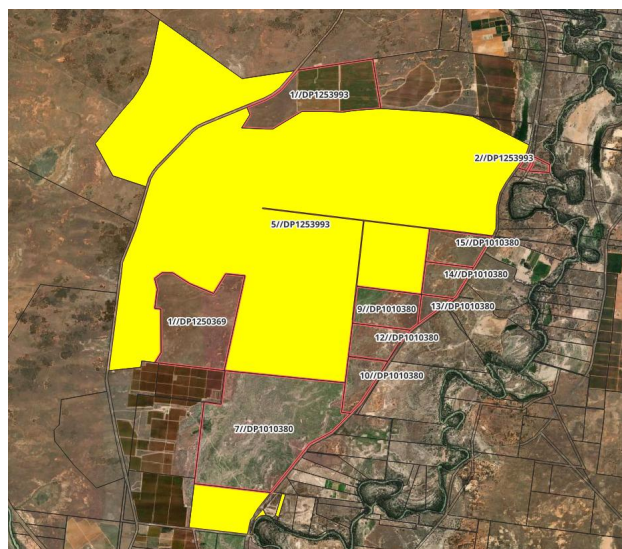


Figure 1 Extent of Lot 5 DP1253993

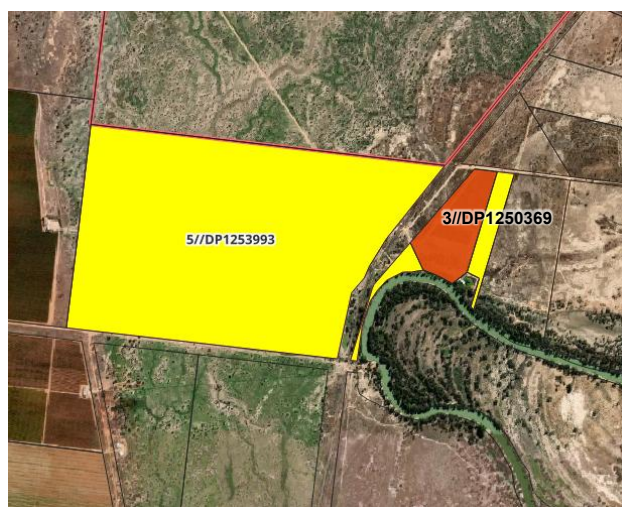


Figure 2 Southern part of Lot 5 relative to Lot 3 DP1250369

Proposed adjustment

The proposal seeks to adjust the existing boundaries to consolidate the 5.397 ha area of Lot 5 with the 13.84 ha area of Lot 3. This minor boundary adjustment will bring the land under a single ownership, enabling coordinated and active management by the owners, who will reside in

close proximity to the site. The adjustment will also benefit Junction Vineyards by removing the responsibility for managing this portion of land.

The existing and proposed lot layout configurations are as follows:

Table 2 *Proposed lot configuration*

Lot	Area	Use
Lot 1	5,143.9 ha	Irrigated horticulture and remediation land
Lot 2	19.24 ha	Agriculture and dwelling

As Lot 3 already has approval for a dwelling, the boundary adjustment is solely for the purpose of extending agricultural activities.

The proposed configuration sought by this application results in a pragmatic approach to the functioning and role of the agricultural layout and operations of the land.



The subject land consists of two parcels referred to as Lot 5 on DP 1253993 and Lot 3 on DP 1250369 (372 Low Darling Road, Wentworth). The locality of the lots is approximately 14 kilometres north of the township of Wentworth. The extensive area covered by the lots includes a variety of land uses including irrigated horticulture, agriculture, dedicated remediation vegetation, dwelling, depot and undeveloped land.

Lot 3 is located to the north of the Darling River with direct access from Low Darling Road. The irregular lot has an area of 13.84 ha. The lot is undergoing redevelopment to support agricultural pursuits. A recent operational consent (DA2021/011) has allowed for the construction of an approved dwelling to commence and the land also benefits from approval for the use of land as a depot (DA2024/016).

Easements and restrictions

The title to Lot 5 includes numerous of easements and several property vegetation plans. Within the area proposed to be consolidated there are two easements identified as 'FF' and 'GG'. Easement 'FF' is a 10m wide easement for carriageway and services. Easement 'GG' is a 10m wide easement for electricity purposes.

[illegible]

Figure 4 Aerial image of site – Lot 3 and Lot 5 to east

Locality

The locality is largely used for agriculture and horticultural purposes. The locality includes varied lot sizes reflective of proximity to the Darling River. Larger parcels of land, typically to the northern region, contain remnant vegetation and are utilised for livestock grazing.

Dwellings within the area are typically located along the Darling River corridor. A dwelling in separate ownership is located to the southeast of Lot 3 and the south of Lot 5. The land on which the dwelling is located is landlocked with access provided via carriageway easement on Lot 5. The carriageway easement and the access to the dwelling will remain unchanged.



Figure 5 Aerial image of the locality

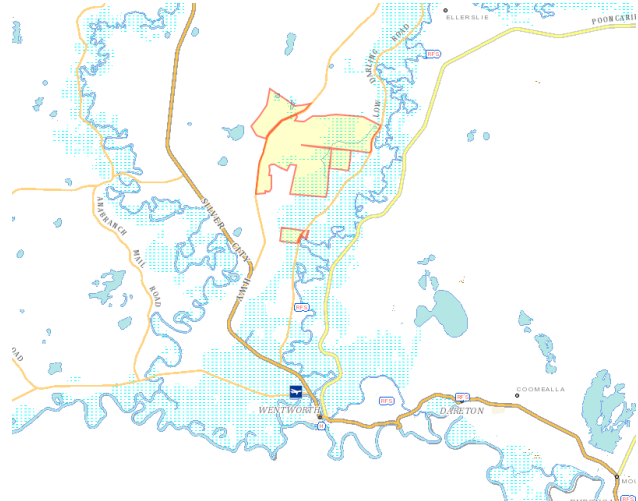


Figure 6 Location of site and broader area



Planning controls

Definition

Subdivision

In accordance with Section 6.2 of the *Environmental Planning and Assessment Act 1979*, the subdivision of land is defined as:

“...the division of land into two or more parts that, after the division, would be obviously adapted for separate occupation, use or disposition. The division may (but need not) be effected:

- (a) by conveyance, transfer or partition, or*
- (b) by any agreement, dealing, plan or instrument rendering different parts of the land available for separate occupation, use or disposition.*

Environmental Planning and Assessment Act 1979

The statutory process under the *Environmental Planning and Assessment Act, 1979* requires an evaluation in accordance with the provisions of Section 4.15. The matters for consideration include:

a) *The provisions of:*

- i. any environmental planning instrument, and*
- ii. any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- iii. any development control plan, and*
- iv. any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
- v. the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*

that apply to the land to which the development application relates,

- b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- c) the suitability of the site for the development,*
- d) any submissions made in accordance with this Act or the regulations,*
- e) the public interest.*

Responses to the relevant matters are outlined in the planning assessment below.

Relevant State Environmental Planning Policies (SEPPs)

SEPP (Exempt and Complying Development Codes) 2008

Subdivision 38 of the SEPP provides exemptions for subdivisions including:

“(b) a realignment of boundaries-

- (i) that is not carried out in relation to land on which a heritage item or draft heritage item is situated, and*
- (ii) that will not create additional lots or increase the number of lots with a dwelling entitlement or increase the opportunity for additional dwellings, and*
- (iii) that will not result in any lot that is smaller than the minimum size specified in an environmental planning instrument in relation to the land concerned (other than a lot that was already smaller than that minimum size), and*
- (iv) that will not result in any increased fire risk to existing buildings, and*
- (v) if located in Zone RU1, RU2, RU3, RU4, RU6, C1, C2, C3 or C4-that will not result in more than a minor change in the area of any lot, and*
- (vi) if located in any other zone-that will not result in a change in the area of any lot by more than 10%.*

While it is considered that the boundary adjustment will result in only a minor change to Lot 5 (0.10%), the increase to Lot 3 is approximately 39% and therefore not consider to be a minor change.

Relevant provisions of LEP

Zone RU1 Primary Production

In accordance with the Wentworth LEP 2011 zoning maps the land is contained within the Zone RU1 Primary Production.

The objectives of the RU1 are:

- ♦ *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- ♦ *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- ♦ *To minimise the fragmentation and alienation of resource lands.*
- ♦ *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- ♦ *To encourage and promote the growth and diversification of economic and employment opportunities in agriculture, horticulture and tourism.*
- ♦ *To enable the development of restaurants and cafes and kiosks as part of agritourism development.*

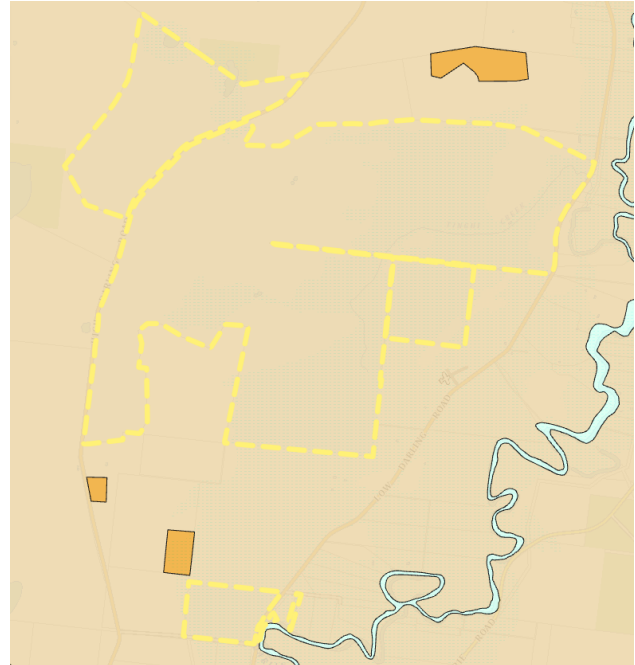


Figure 7 Zone map – Lot 5 DP1253993

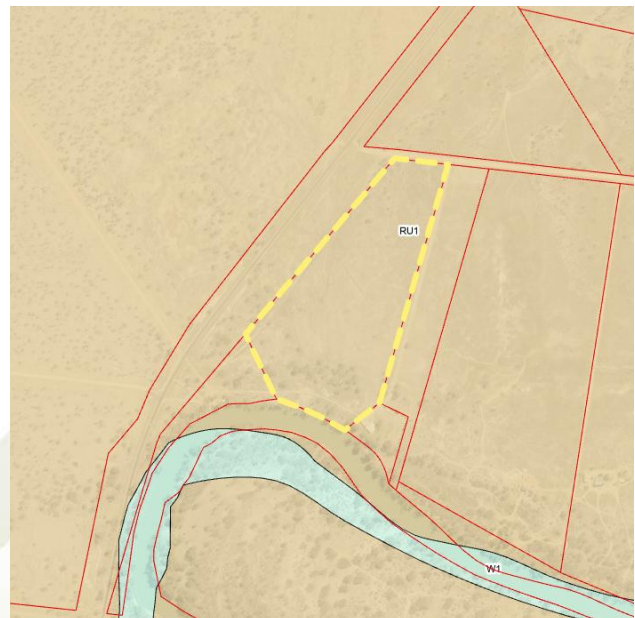


Figure 8 Zone Map – Lot 3 DP1250369

Clause 2.6 Subdivision – consent requirements

The clause provides the following in relation to consent requirements:

- (1) *Land to which this Plan applies may be subdivided, but only with development consent.*

The Plan applies to the subject land and therefore development consent is required to subdivide the land.

Clause 4.1 Minimum subdivision lot size

In accordance with the WLEP Lot Size Map, the minimum lot size is 10,000 hectares.

The objectives of the clause are-

- ♦ *To ensure subdivision of land occurs in a manner that promotes suitable land uses and development,*
- ♦ *To establish minimum lot sizes that are consistent with relevant zone objectives,*
- ♦ *To prevent the fragmentation of productive rural land,*
- ♦ *To ensure subdivision does not inappropriately impact on the natural environmental values of the area,*
- ♦ *To provide for more intensive small lot agricultural uses in areas with access to commercial quantities of irrigation water.*

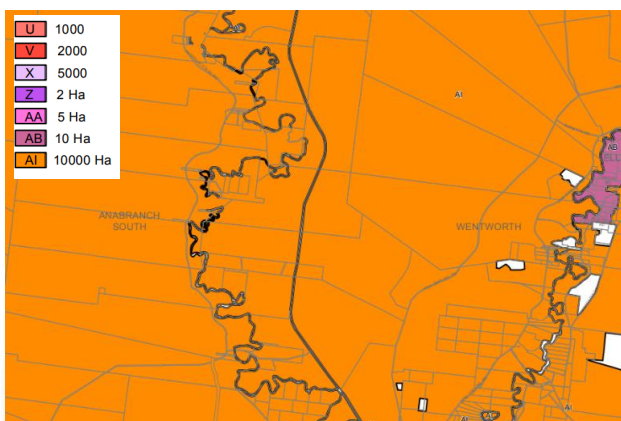


Figure 9 Minimum Lot Size (10,000 ha) (LEP)

Clause 4.2D Boundary adjustments in Zones RU1, RU4 and C3

The objective of the clause is-

- ♦ *To facilitate boundary adjustments between lots where 1 or more resulting lots do not meet the minimum lot size shown for the land on the Lot Size Map but the objectives of the relevant zone can be achieved.*

An assessment of the relevant matters is outlined in the planning assessment below.

7.4 Terrestrial biodiversity

Through the area of the subject lots, land is affected by terrestrial biodiversity mapping.

The objectives of the clause are to:

- ♦ *Protecting native fauna and flora, and*
- ♦ *Protecting the ecological processes necessary for their continued existence, and*
- ♦ *Encouraging the conservation and recovery of native fauna and flora and their habitats.*

An assessment of the relevant matters is outlined in the planning assessment below.

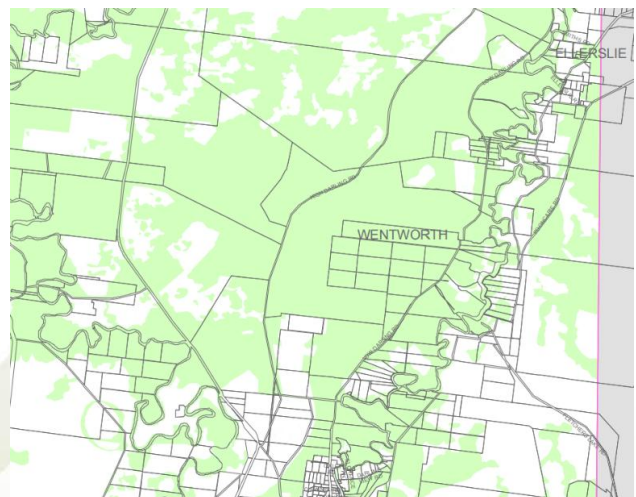


Figure 10 Terrestrial biodiversity mapping



Figure 11 Lot 3 Terrestrial biodiversity mapping

7.5 Wetlands

A small area to the south of Lot 3 is affected by the wetlands map.

An assessment of the relevant matters is outlined in the planning assessment below.



Figure 12 Lot 3 Wetlands Map (LEP)

7.7 Riparian land and Murray River and other watercourses - general principles

A small area to the south of Lot 3 is affected by the Riparian Lands and Watercourses mapping.

The objective of the Clause are to protect and maintain the following-

- ♦ *Water quality within the Murray River and other watercourses,*
- ♦ *The stability of the bed and banks of the Murray River and other watercourses,*
- ♦ *Aquatic riparian habitats,*
- ♦ *Ecological processes within the Murray River and other watercourses and riparian areas.*

An assessment of the relevant matters is outlined in the planning assessment below.



Figure 13 Lot 3 Watercourse Map (LEP)

Additional LEP mapping

Biodiversity values mapping affects Lot 5 to the south and within a central area to the north. The biodiversity values mapping also affects Lot 3 to the south.

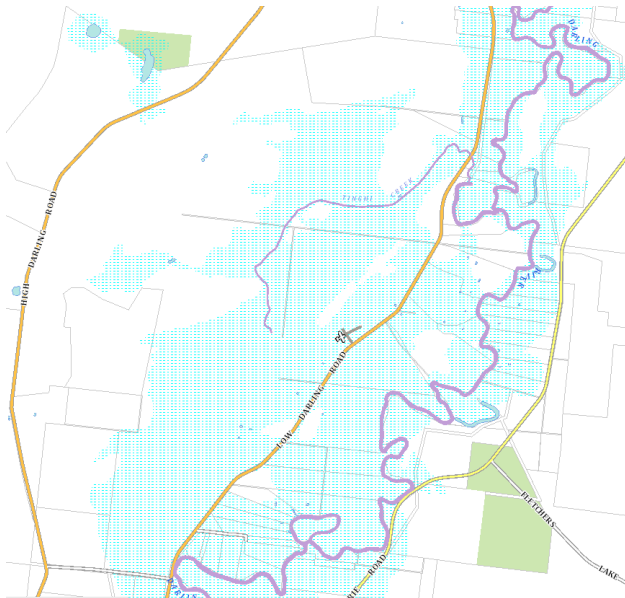


Figure 14 Biodiversity Values Map (BVM)

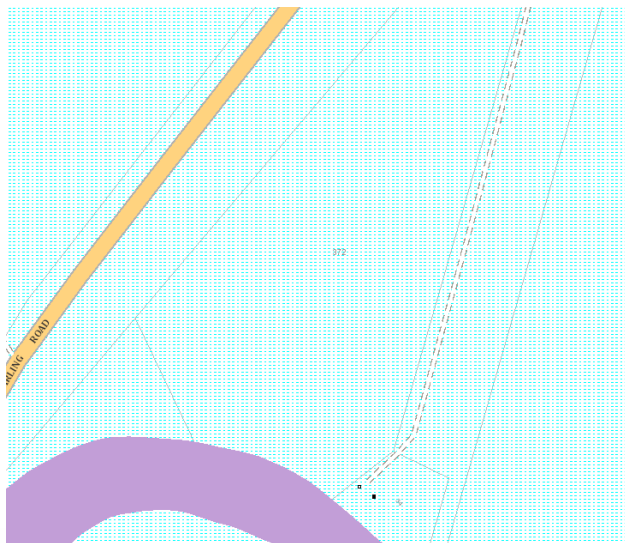


Figure 15 Lot 3 Biodiversity Values Map (BVM)

Wentworth Development Control Plan 2011

Chapter 5.2 (Subdivision) is relevant to the proposal and has the following objectives:

- ◆ Control the density of development in order to limit population growth and maintain the rural character of the area.
- ◆ Promote lots of sufficient size to conduct agriculture and other rural pursuits.

The following controls (as relevant) are outlined in the DCP in Chapter 5.2:

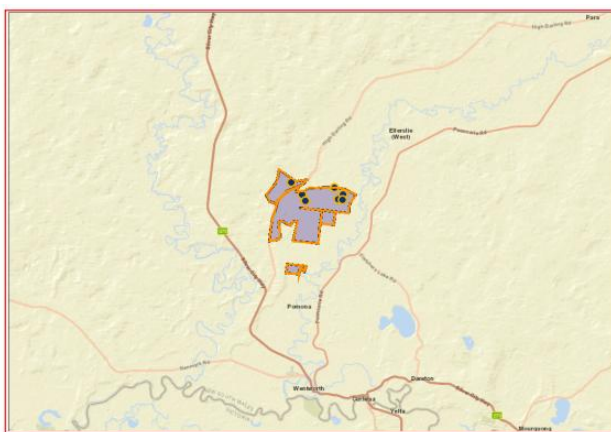
- ◆ The controls outlined in this DCP are additional to the compulsory requirements of State Environmental Planning Policy – Rural Lands 2008 as amended from time to time. In relation to the subdivision of land, the Rural Subdivision Principles must be addressed to the satisfaction of Council.
- ◆ Minimum lot sizes are specified in the lot size maps to the Wentworth Local Environmental Plan 2011.
- ◆ Lots should be designed to maximise useable areas of the site and have regard for the topography.
- ◆ Subdivision design should provide opportunity for the retention of significant landscape features including remnant vegetation, rocky outcrops, water elements, appropriate location of boundary lines and building envelopes.

Aboriginal cultural heritage

All Aboriginal cultural heritage is protected by the *NSW National Parks and Wildlife Act, 1974* (the Act). Responsibility rests with the proponent of development to demonstrate that due care and diligence have been taken to identify and avoid impacts on archaeological sites through construction works.

Division 1 of Part 6 - Aboriginal Objects and Aboriginal Places, of the Act provides defences to a prosecution for an offence. Item (2) of Section 87 includes whether the defendant has exercised due diligence to determine whether the act or omission constituting the alleged offence would harm an Aboriginal object and reasonably determined that no Aboriginal object would be harmed.

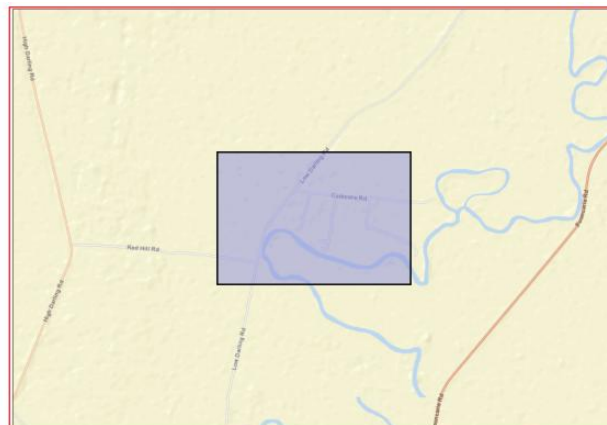
The *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (DECCW), provides an outline of due diligence measures to determine whether an Aboriginal Heritage Impact Permit (AHIP) is required. A search of the *Aboriginal Heritage Information Management System* (AHIMS) has been undertaken and while aboriginal sites have been identified in the northern part of Lot 5, no Aboriginal sites or places have been identified within the southern parts of Lot 5 or within Lot 3, see figures 17, 18 and 19.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

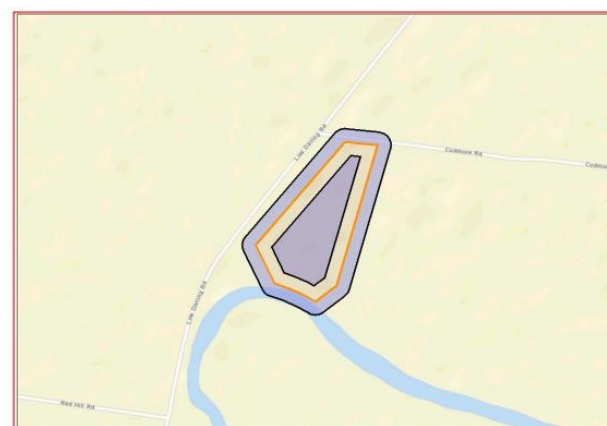
Figure 16 AHIMS search Lot 5



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Figure 17 AHIMS search southern part Lot 5



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Figure 18 AHIMS search Lot 3



Planning assessment

Environmental Planning and Assessment Act 1979

In response to the provisions of Section 4.15, the following is provided:

- ♦ An assessment against the relevant environmental planning instruments has been provided below.
- ♦ At the time of this submission, no proposed instrument that is or has been the subject of public consultation under the Act or that has been notified to the consent authority has been identified.
- ♦ Responses to the relevant provisions of the Wentworth Development Control Plan are provided below.
- ♦ There has not been a planning agreement entered into or a draft agreement offered under section 7.4 of the Act.
- ♦ No regulations applying to the land to which the application relates have been identified.
- ♦ The proposed boundary adjustment is unlikely to result in environmental impacts as the land to be consolidated with Lot 3 contains little remnant vegetation. The consolidation will ensure the continued management of the land to ensure control of pests and weeds. The frontage to the Darling River at Lot 5 is approximately 20m wide with no activity likely to cause impacts upon the river to occur at this location.
- ♦ The site is considered suitable for the proposed boundary adjustment which will increase the size of a small rural lot with only a minor decrease in the size of a larger holding. The existing carriageway easement and access to a neighbouring dwelling will remain unchanged.

Wentworth LEP Zone

The proposed subdivision aligns with the objective of the Zone RU1 – Primary Production by increasing the size of

a small rural lot to allow for agricultural pursuits and appropriate land management.

Clause 4.1 Minimum subdivision size

The minimum lot size across the two sites is 10,000 hectares. While neither lot will achieve the minimum lot size, Clause 4.2D allows for boundary adjustments resulting in lot areas below the minimum lot size.

The proposal results in a considerable increase of the smaller lot while resulting in only a minor reduction of the larger lot. As such, the proposal will result in lot sizes that are better aligned with the minimum lot size than the current condition.

Clause 4.2D Boundary adjustments in Zones RU1, RU4 and C3

The Clause allows for boundary adjustments resulting in lots below the minimum lot size provided the objectives of the zone are achieved. In response to the relevant matters of consideration, the following is provided:

- ♦ The boundary adjustment will not result in the opportunity for additional dwellings. Operational consent for a dwelling on Lot 3 has recently been granted with no additional dwelling proposed on the larger land holding.
- ♦ For the reasons outlined above, the number of dwellings will remain the same.
- ♦ The boundary adjustment will not result in the potential for land use conflict as the area is a rural locality with agricultural uses included as a primary objective of the zone and currently undertaken within the surrounding area.
- ♦ The boundary adjustment will improve the viability of agricultural opportunity for Lot 3 while having minimal impact upon the continued agricultural activity of Lot 5.
- ♦ No increase in bushfire risk to an existing building will occur due to the intended land use at the consolidated portion of Lot 5.
- ♦ The dominant land uses are agriculture and horticulture. The proposal will allow for the expansion



of agricultural pursuits in accordance with the dominant land use of the area.

- ♦ The proposed boundary adjustment is a pragmatic approach to the characteristics of the land which will result in the eastern boundary of Lot 3 being shifted approximately 90m further east, increasing the size of the small rural lot.
- ♦ The proposed boundary adjustment will ensure ongoing management of the land resulting in an environmental benefit. No additional activity is proposed toward the river frontage.

The proposal aligns with the relevant provisions of the Wentworth DCP as it will enlarge a small rural lot to enhance its agricultural potential. It will also relieve the larger landholding of the ongoing responsibility to maintain land that is surplus to its needs.

The proposed boundary adjustment is consistent with the objectives of Chapter 5.2 relating to rural subdivisions as the resulting lot sizes will be more appropriate for the area and the ability for agricultural uses. No significant landscape features will be impacted by the proposal and significant vegetation will not be impacted.

7.4 Terrestrial biodiversity

The terrestrial biodiversity mapping in the area of the proposed boundary adjustment is limited to a small area in the southern most extent of Lot 3 and Lot 5. No activity is proposed within this area as a result of the boundary adjustment. No additional development is proposed within the affected area and therefore no impacts to the vegetation, habitat, ecological value or biodiversity is expected as a result of the proposed boundary adjustment.

7.5 Wetlands

The area of the subject land affected by the wetlands map is limited to the same small areas as the terrestrial biodiversity mapping. The proposed boundary adjustment does not impede upon the ability for the preservation of natural wetlands. No additional development is proposed within the affected area and therefore no impacts to native flora or fauna, habitats or surface or groundwater are expected.

7.7 Riparian land and Murray River and other watercourses – general principles

No additional development is proposed in proximity to the watercourse and the intent of the boundary adjustment will not impact upon water quality or flows, aquatic or riparian species, bank stability, fish passage, or future rehabilitation.

Wentworth Development Control Plan 2011

Conclusion

The proposed boundary adjustment is considered acceptable for the following reasons:

- ♦ Consistent with the provisions of the *Environmental Planning and Assessment Act 1979*, *Wentworth LEP 2011*, and *Wentworth DCP 2011*.
- ♦ Increases the size of a small rural lot to enhance agricultural productivity and land management.
- ♦ Results in only a minor reduction to the larger rural holding, with no loss of its agricultural viability.
- ♦ Does not enable additional dwellings or create potential for land use conflict.
- ♦ No significant environmental impacts anticipated, including to biodiversity, wetlands, or riparian areas.
- ♦ Maintains existing access arrangements and does not alter easements.
- ♦ Supports ongoing environmental stewardship through consolidated ownership and active management.



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 Wentworth SHIRE COUNCIL	Health & Planning Department 61 Darling Street PO Box 81 WENTWORTH NSW 2648 Tel: 03 5027 5027 council@wentworth.nsw.gov.au	DA Assessment Report Section 4.15 Evaluation Environmental Planning & Assessment Act 1979 as amended
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File Reference:	DA2026/063 & PAN-567308
Property Title & Address:	Related to: P216/023: PROPERTY - Property File - 372 Low Darling Road Wentworth Lot 3 DP 1250369 Related to: P216/024: PROPERTY - Property File - Low Darling Road - Lot 7 9 10 12 13 14 15 DP 1010380 Lot 1 2 5 DP 1253993 P216/024 - 1476 Low Darling Road Lot 5 DP 1253993 Pomona
Property owner(s):	Junction Vineyards Pty Ltd
Applicant(s):	Pinion Advisory
Proposal:	Two (2) Lot Boundary Realignment
Previous DAs:	P216/023 DA2018/034 & DA2021/011 & DA2024/008 & 2024/016 & DA2025/125 P216/024 N/A
Cost of proposed development:	\$0.00
Recommendation of Officer:	Approval, subject to conditions of consent

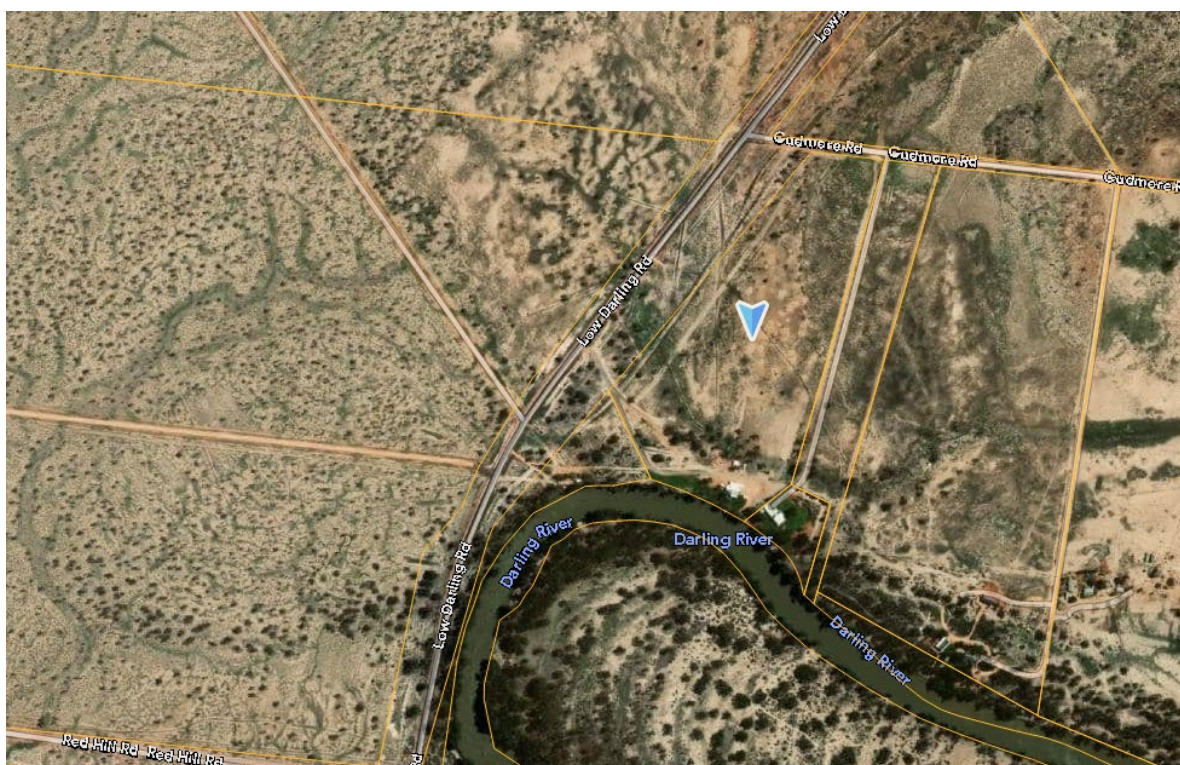


Figure 1: Aerial view of the site (Lot 3 marked with blue arrow).

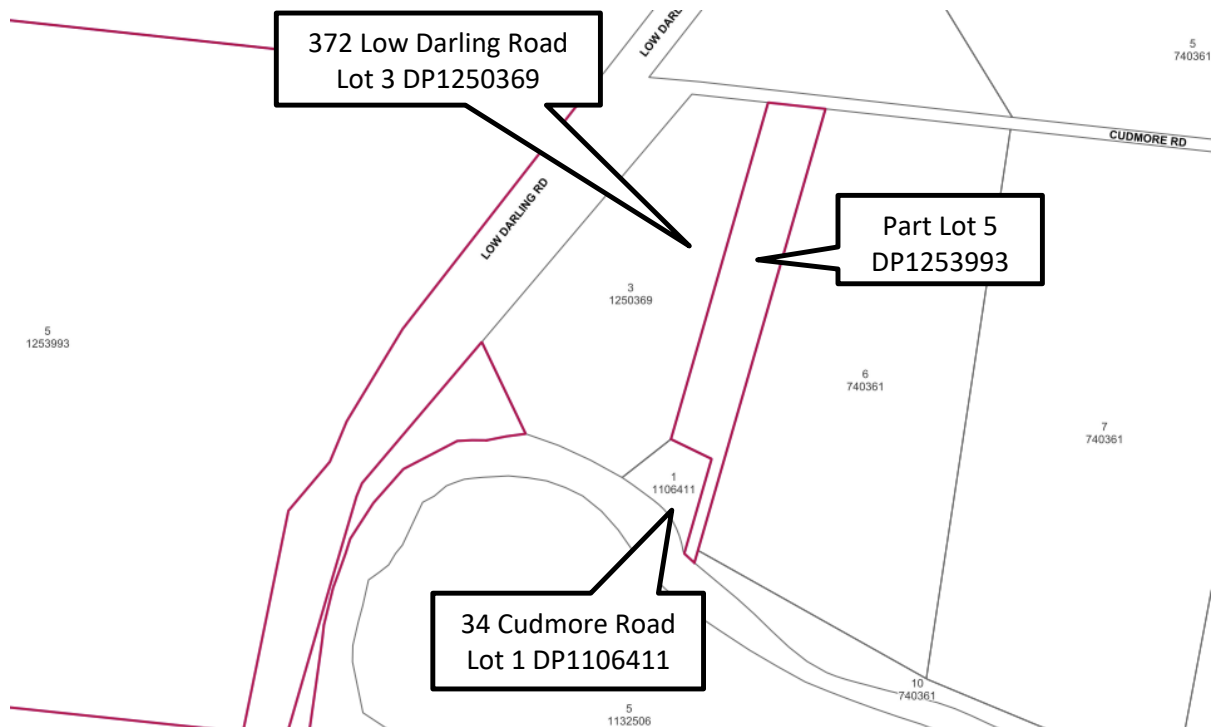


Figure 2: Part Lot 5 is highlighted to the east of Lot 3

SITE AND SURROUNDING DEVELOPMENT

The application is for subdivision by way of a boundary adjustment between Lot 5 DP1253993 (1476 Low Darling Road Wentworth) and Lot 3 in DP1250369 (372 Low Darling Road Wentworth).

Lot 5 DP1253993 is a very large lot and, includes multiple separated parts spread over a large area. One of those parts is the south eastern most part of Lot 5 of 5.397 hectares, which is proposed by this application, to be incorporated into Lot 3 DP1250369 (referred to in this assessment as “Part Lot 5”). Lot 5 is currently under the ownership of Junction Vineyards Pty Ltd.

Part Lot 5 has a frontage to Cudmore Road to the north (of 91.27m), Lot 3 DP 1250369 to the west (of 551.28m), part Lot 6 DP740361 to the east (of 743.3m), and southern boundaries of 71.43m to Lot 1 DP1106411 and 21.64m to the Darling River. Cudmore Road, joins to Low Darling Road. Part Lot 5 also has a narrow battleaxe style frontage to the Darling River of 21.64m.

Part Lot 5 is burdened by an existing right of carriageway and easement for services 10 wide – created under DP1106411 in 2007 for the benefit of Lot 1 DP 1106411 – being 34 Cudmore Road Wentworth. At the time, Lot 3 DP1250369 formed part of what is now Lot 5.

The battle axe handle is also burdened by an easement for electricity purposes 10 wide which is also created under DP 1106411. That easement also burdens and benefits the neighbouring Lot 1 DP1106411 (34 Cudmore Road).

There is no apparent development on Part Lot 5, nor does it appear that the site is currently used for agriculture.

Lot 3 DP1250369 is an irregular shaped lot of 13.84 hectares. It has a frontage to Cudmore Road to the north (of 121.33m), Low Darling Road to the east (of 511.48m), Part Lot 5 to the west (of

551.28m), another section of Lot 5 DP1253993 to the south west (of 161.83m), Lot 1 DP1106411 to the south east (of 97.98m) and a frontage to the low bank of the Darling River to the south (of 177.31m). The lot is burdened by the easement for electricity purposes 10 wide (established under DP1106411). The site includes a dwelling house and outbuildings very close to the Darling River at the south of the Lot. Access to the site is from the southern end of the Lot off Low Darling Road.

Lot 3 was created in May 2019 and was land formerly within what is now Lot 5. Lot 3 is currently under the ownership of Martin Earthworx Pty Ltd.

Sited between Part Lot 5 and Lot 3 adjacent to the Darling River, is Lot 1 DP1106411 known as 34 Cudmore Road Wentworth, which is a Lot of 1.275 hectares. Lot 1 has no direct access to Cudmore Road or any other road other than by the right of carriageway which burdens Part Lot 5. Lot 1 DP1106411 fronts the Darling River and is otherwise landlocked. Improvements include a dwelling house and landscaping.

Prior to the creation of Lot 3 in 2019, DP1106411 created Lot 1 and Lot 2 in DP1106411. Lot 1 is 34 Cudmore Road. Lot 2 in DP1106411 was what is essentially now Lot 5 in DP1253993 (but including the current Lot 3 in DP1250369. Current Lot 3 and Part lot 5 formed part of Lot 2 in DP1106411. The subdivision created (relevantly) a right of carriageway 10 wide and an easement for services 10 wide, which burdened Lot 2 (currently Part Lot 5) and benefitted Lot 1 at 34 Cudmore Road. The easements were created by The State of New South Wales and are indicated as affecting Lot 5 in the title search of Lot 5 DP1253993.

The right of carriageway is illustrated in **Figure 3**. The terms of the right of carriageway are found in Schedule 8 of the Conveyancing Act 1919 and are as follows, however note that there is no requirement for maintenance or repairs to the right of carriageway:

Full and free right for every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof with which the right shall be capable of enjoyment, and every person authorised by that person, to go, pass and repass at all times and for all purposes with or without animals or vehicles or both to and from the said dominant tenement or any such part thereof.

The terms of the easement for services 10 wide is also found in Schedule 8 of the Conveyancing Act 1919 as follows:

- 1** *The owner of the lot benefited may—*
 - (a) *use each lot burdened, but only within the site of this easement, to provide domestic services to or from each lot benefited, and*
 - (b) *do anything reasonably necessary for that purpose, including—*
 - *entering the lot burdened, and*
 - *taking anything on to the lot burdened, and*
 - *carrying out work, such as constructing, placing, repairing or maintaining pipes, poles, wires, cables, conduits, structures and equipment.*
- 2** *In exercising those powers, the owner of the lot benefited must—*
 - (a) *ensure all work is done properly, and*
 - (b) *cause as little inconvenience as is practicable to the owner and any occupier of the lot burdened, and*
 - (c) *cause as little damage as is practicable to the lot burdened and any improvement on it, and*
 - (d) *restore the lot burdened as nearly as is practicable to its former condition, and*

- (e) make good any collateral damage.
- 3 For the purposes of this easement, **domestic services** includes supply of water, gas, electricity, telephone and television and discharge of sewage, sullage and other fluid wastes.

Lot 1 DP1106411 is Crown Land and is under a Crown lease ID-396719 or ID4202729. Cudmore Road is Crown Land for road purposes. The land along the western boundary of Lot 3 is Crown Land of approximately 2.9Ha and subject to enclosure permit 678701 dated 1st December 2025 in favour of Martin EarthworX Pty Ltd.

All of the abovementioned sites and their surroundings (other than the Darling River) are zoned RU1 Primary Production.

Site details are in Table 1 and an aerial view in Figure 1.

Table 1: Site details

Zoning of the site	RU1 Primary Production
Heritage	No
Flooding affected	Not mapped, but there is likely to be flood affectation given the location adjacent to the Darling River
Wetlands	The southern part of Lot 3 and southern part of Part Lot 5 (most of the battleaxe handle)
Terrestrial Biodiversity	As per the wetlands mapping
Bushfire affected	The whole of Lot 3 and the majority of Part Lot 5 are vegetation category 1, with the majority of Part Lot 5's battleaxe handle as Vegetation Category 1
Biodiversity Values mapped	Very southern tips of Lot 3 and Part Lot 5 are mapped close to the Darling River
Urban release areas mapped	No
Minimum lot size	10,000 hectares

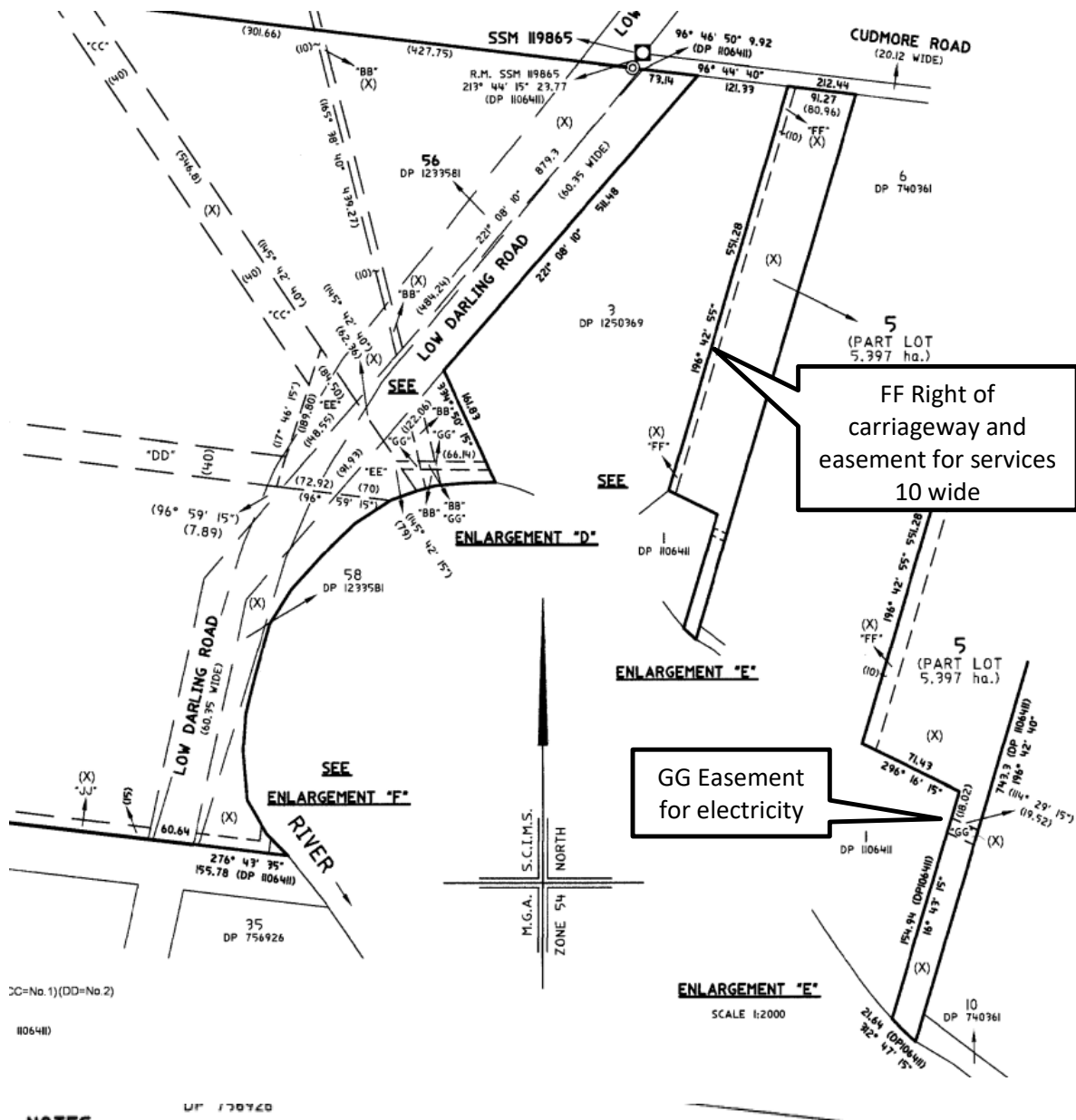


Figure 3: Extract from DP1253993 showing the right of carriageway marked FF benefitting 34 Cudmore Road and easement GG burdening Part Lot 5.

DESCRIPTION OF PROPOSAL

Council has received an application for a boundary adjustment between Part Lot 5 DP1253993 and Lot 3 DP1250369. The effect is:

- that Part Lot 5 will be added to Lot 3;
- the entirety of Lot 5 will be known as Lot 1 in the new subdivision plan and be reduced in size by 5.397 hectares, and
- the current Lot 3 will be known as Lot 2 and increase by 5.397 hectares to total 19.24 hectares. The changes are set out in Table 2.

Table 2: Changes to be effected by the proposal

Lot No	Area	Current use as stated in the SEE
Lot 3 DP1250369	13.84Ha	Agriculture and dwelling. Approval for use for an area of 40m x 15m as a depot granted under DA2024/016. In DA2024/016 it was indicated that the remainder of the lot is used for small scale grazing with the potential for expansion of agricultural operations maintained.
Lot 5 DP1253993	4876.279 Ha	Irrigated horticulture and remediation land
(Part Lot 5)	5.397 Ha	Not under active management due to distance from the primary Junction Vineyards operations (per SEE)
Proposed		
Lot 1	4,870.9 Ha	
Lot 2	19.24 Ha	

HISTORY RELEVANT TO THE DEVELOPMENT APPLICATION

16 August 2021	DA2021/011 Approval of deferred commencement for construction of a dwelling at 372 Low Darling Road (Lot 3)
25 January 2024	DA2024/008 lodged with Council for the identical subdivision scheme as DA2026/063
7 February 2024	DA2024/016 lodged for erection of a structure, transport depot, jetty and mooring at 372 Low Darling Road (Lot 3)
26 June 2024	DA2024/008 considered by Council in meeting due to there being more than 3 submissions. It was recommended for approval. The matter was deferred.
19 July 2024	DA2024/008 was withdrawn
15 November 2024	S4-55/2024/023 Approved s4-55 modification application modifying DA2021/011
20 November 2024	DA2024/016 approved for use of part of Lot 3 as a depot (40m x 15m) (between 7am and 6pm Monday to Friday) at 372 Low Darling Road. The jetty and mooring were not approved. Equipment was limited to 5 vehicles – being grader, water truck, backhoe, excavator, and truck and trailer.
24 December 2024	Order No. 2024/004 issued under section 9.34 and Item 11 of the table in Schedule 5 Part 1 of the EP & A Act in relation to the unlawful erection of a storage shed, storerooms and amenities constructed without prior development consent and a prior construction certificate.
16 July 2025	Building information certificate approval 24/009 for domestic shed storeroom and sanitary facilities at 372 Low Darling Road

2 September 2025	Approval of DA2025/125 for use of the existing domestic shed with wet area at 372 Low Darling Road. Consent conditions provide it can not be used for habitation and is to be used for domestic purposes only.
8 October 2025	Construction certificate CC2025/046 issued for dwelling construction at 372 Low Darling Road.
15 April 2026	The development application DA2026/063 was lodged with Council.
17 April 2026	The development application was placed on 14 days public exhibition until 1 May 2026. Five submissions were received, although one was later withdrawn.
20 May 2026	A response to the five submissions originally received was provided by the applicant
5 June 2026	A request for additional information letter was submitted to the applicant, requesting the following: 1. The Section 88B Instrument in DP1106411 which created the right of carriageway, easement for services, and easement for electricity purposes - all 10m wide and which are noted as affecting Lot 5 DP/1253993. Note that Council already has a copy of the plan of DP1106411. 2. A clause 4.6 exception request is required in relation to clause 7.6 of the Wentworth LEP. "Development" is defined to include subdivision (section 1.5 of the EP & A Act). The proposed boundary adjustment is a form of subdivision. The boundary adjustment affects land in the river front area (ie within 30m of the Murray River), which itself is defined in the LEP to include the Darling River and the Great Darling Anabranh. Subdivision is not one of the stated purposes in section 7.6(2) of the LEP which are excluded from the need for a clause 4.6 exception request. Insufficient evidence has been provided to demonstrate that the purpose of the boundary adjustment is extensive agriculture or intensive plant agriculture as set out in section 7.6(2)(d). 3. For the purposes of meeting the requirements of: (a) Section 5.12 (4) of Chapter 5 of the SEPP (Biodiversity and Conservation) 2021 which requires consideration of the intended use of the land and the likely effect on the wetland; and (b) Demonstrating consistency with the objective of clause 4.2D of the Wentworth LEP, which requires achievement of the objectives of the RU1 zone; please provide: i. evidence of the currently undergoing redevelopment to support agricultural pursuits (as stated in the SEE) ii. evidence that the land is currently being used for agricultural purposes (small scale grazing) as set out in the SEE iii. describe how the applicant intends to improve the viability of agricultural opportunity on the land (as set out in the SEE) by, for

	instance providing a description of what agricultural activity/primary industry is proposed to be expanded or commenced iv. indicate how the natural resource base will be improved v. Indicate how the continued agricultural use of Lot 5 (being the part to be incorporated into Lot 3), is to be minimally impacted (page 16 of the SEE) when on page 6 of the SEE it is indicated that that area is currently not under active management. vi. You must detail how the objectives of the zone are achieved, as otherwise the gateway requirement of clause 4.2D (being the objective) cannot be reached (see similar reasoning by Preston CJ in relation to section 4.2 of the LEP in David Casson trading as Casson Planning & Development Services v Upper Hunter Shire Council (No 2) [2017] NSWLEC 149)
22 and 23 June 2026	Response to request for additional information received

The location of the recently approved uses and dwelling on Lot 3 (372 Low Darling Road) are shown in **Figures 4 and 5**. The right of way and Part Lot 5 are to the east of the boundary line (ie above the top most boundary in the two figures). Note that the depot use is restricted to a small part of the Lot 3.

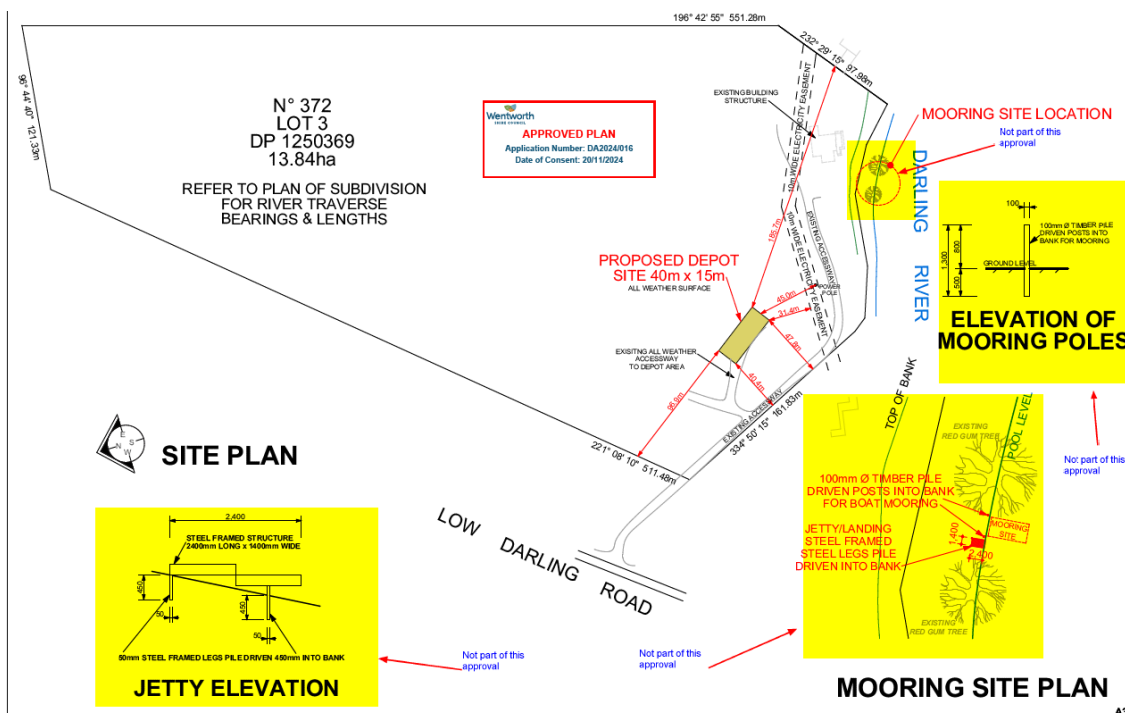


Figure 4: Approved Depot location on 372 Low Darling Road under DA2024/016

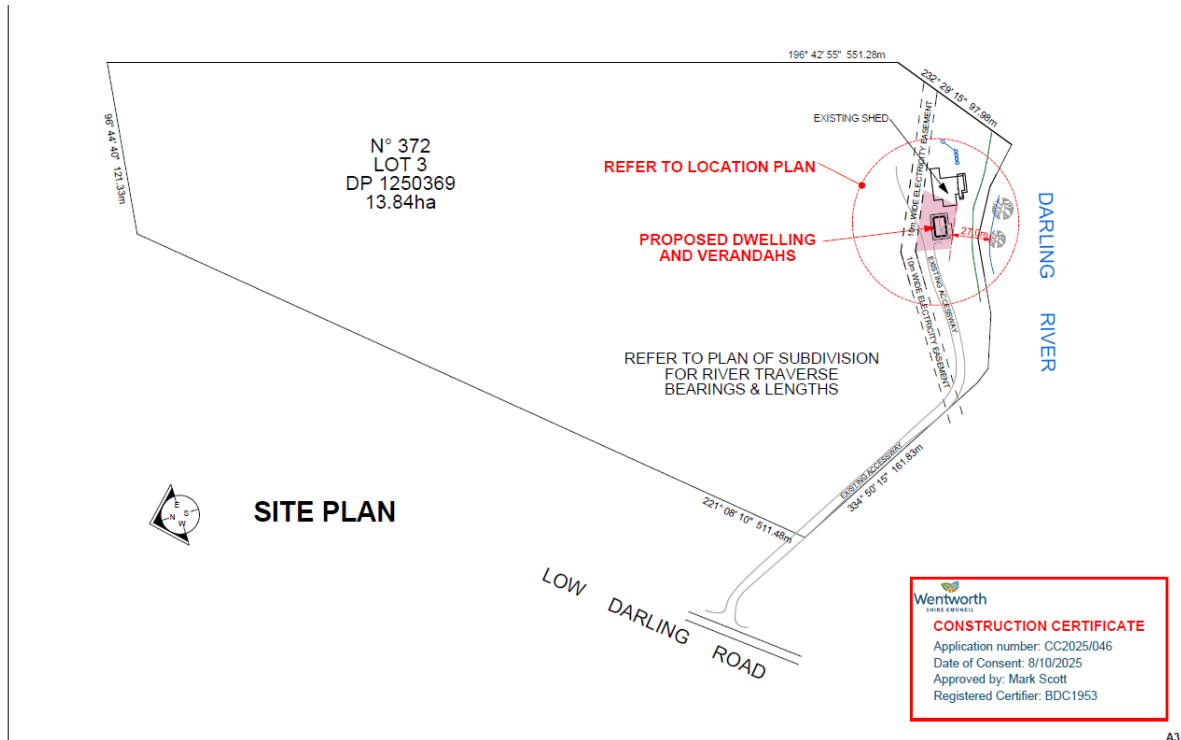


Figure 5: Plan showing the location of the dwelling approved under DA2021/011 and the existing shed for which approval for use was granted under DA2025/125

SECTION 4.15 ASSESSMENT – EP&A ACT 1979

The following is an assessment of the application under Section 4.15(1) of the EP&A Act 1979.

(1) *Matters for consideration – general*

In determining an application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) *the provision of:*
- (i) *any environmental planning instrument,*

STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

Chapter 2 Vegetation in non-rural areas

This chapter applies relevantly to land in zones RU5, R5, E1, E3, E4, SP1, SP2, SP3, RE1, RE2, C2, C3, C4. Part 2.2 (relevantly and generally) applies to clearing of native vegetation above the Biodiversity Offset Scheme threshold where an approval from the Native Vegetation Panel is required. The site is in the RU1 zone and the provisions do not apply. No removal of vegetation is proposed. Part 2.3 does not apply as the WDCP does not declare any vegetation to be that to which Part 2.3 applies. Part 2.5 does not apply as the Council is not within the allowable clearing areas mapped.

Chapter 3 Koala habitat protection 2020

Chapter 3 applies (relevantly) to land in the RU1 Primary Production and RU3 Forestry zones with an area of more than 1 hectare or which together with adjoining land in the same ownership has an area of more than 1 hectare. The site is within the RU1 zone and exceeds 1 hectare.

The only koala habitat trees in the Council area are the River Red Gum (*Eucalyptus camaldulensis*). No removal of vegetation is proposed and there is nothing in the application which impacts vegetation on the sites. No koala plan of management is approved for parts of Wentworth Shire Council area. The Far West and South-West Koala Management Area is mostly unsuitable for koalas. Therefore no further consideration of this chapter is required.

Chapter 5 River Murray lands

Chapter 5 applies to riverine land of the River Murray in the Wentworth Shire. The River Murray is defined to include:

- The waters of the main channel of the Murray River and its bed and banks (Murray River), and
- The waters and the bed and banks of its tributaries and associated water bodies (including related anabranches, creeks, lagoons, lakes, billabongs and wetlands), as shown on the map.

The chapter does apply to the application as the subdivision affects land adjacent to the Darling River – a tributary of the River Murray.

Part 5.2 of the SEPP requires planning principles to be considered by the consent authority when determining a development application and requires the consent authority to consider the aims, objectives and planning principles of the chapter, any relevant River Management Plan and likely effects and cumulative impacts. Those matters and the specific principles in section 5.9 of the SEPP have been considered satisfactory.

Section 5.12 comprises the planning control and consultation table. As the application is for subdivision of lands which are mapped as wetlands, (as referred to in part 31 of the Table of section 5.12) consultation was conducted with TfNSW which had no objection comment on the proposal assessed on the grounds of impact to navigation.

Consultation is required with the Department of Planning, Industry and Environment if the development is:

- (a) *likely to significantly affect threatened species, within the meaning of the [Biodiversity Conservation Act 2016](#), section 7.2, and*
- (b) *in the flood planning area.*

Although the land may well be in the flood planning area, the subdivision is not considered to likely significantly affect threatened species as defined, and the referral to DPIE was therefore not considered required.

Section 5.12(4) of Chapter 5 requires that specific matters for consideration listed in the table to section 5.12 must be considered before carrying out the development. Those matters are:

- * *The intended use of the land and its likely effect on the wetland.*
- * *The need to impose conditions relating to—
subdivision design; effluent disposal; the retention or planting of a vegetated buffer; and fencing to exclude stock or vermin.*

The SEE states that Lot 3 is currently undergoing redevelopment to support agricultural pursuits. The response to the Request for Further Information in June 2026 identified active continued

investment to support and enhance the use of the site for primary production, including photographic evidence, of:

- Installation of extensive boundary and internal fencing, including gated access, to define paddocks, manage stock movement, and improve property security
- Construction and maintenance of well-formed internal access tracks, enabling efficient movement of vehicles, machinery, and livestock, and supporting effective paddock rotation
- Provision of multiple stock shelters to improve animal welfare and operational resilience
- Installation of water infrastructure, including numerous stock troughs distributed throughout paddocks to ensure reliable stock watering
- Establishment and refinement of paddock divisions, facilitating controlled grazing and stock rotation to improve pasture condition and productivity
- Implementation of weed and pest management programs, contributing to the protection and enhancement of pasture quality and the broader natural resource base
- Selective ground preparation and clearing (where permissible) to support future cropping or pasture improvement activities
- Maintenance of agricultural shedding for storage of equipment, fodder, and operational materials
- Use and maintenance of on-site agricultural machinery and equipment essential for land management, property maintenance, and primary production activities

The SEE also states that the larger size of (current) Lot 3 will improve the viability of agricultural opportunity and states that the dominant land uses are agriculture and horticulture. The response to the RFI indicates that once consolidated with Lot 3, Part Lot 5 will:

- become part of a single operational agricultural holding;
- be actively managed in conjunction with the balance of Lot 3;
- provide additional grazing land and agricultural production area;
- improve efficiency of fencing, weed management and pest animal control;
- enable more effective land stewardship due to direct proximity to the landowner's residence

The wetlands mapping is relevantly in the battleaxe handle of Part Lot 5 as shown on **Figure 6**.

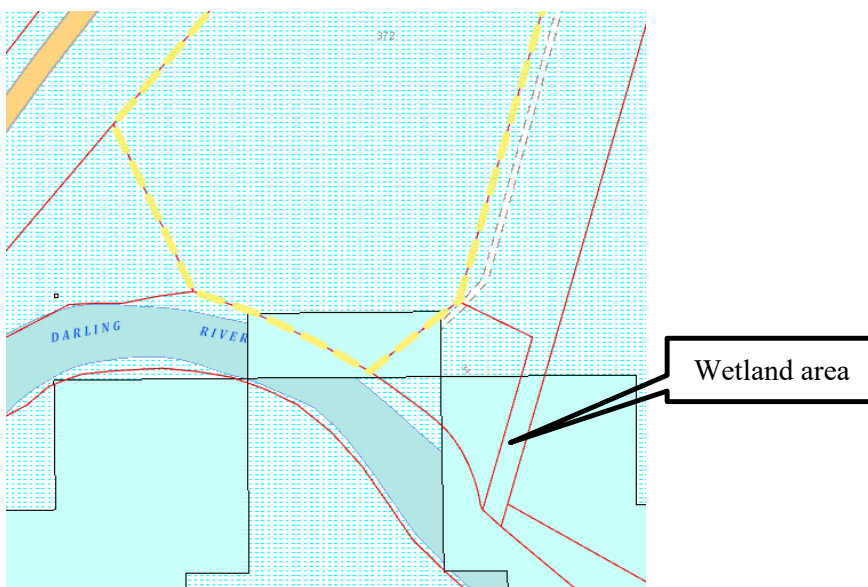


Figure 6: Wetland mapping of the area in pale blue

STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

Chapter 4 – Remediation of Land applies to the land and, pursuant to Section 4.15 of the EP&A Act 1979, is a relevant consideration. A review of the available history for the site gives no indication that the land associated with this development is contaminated. There were no historic uses that would trigger further site investigations.

WENTWORTH LOCAL ENVIRONMENTAL PLAN (WLEP) 2011

The development site is subject to WLEP 2011.

Part 1 Preliminary

Clause 1.9A of WLEP 2011 includes the standard instrument suspension of covenants, agreements and instruments provision, which suspends the operation of covenants which restrict the carrying out of development for the purposes of development.

Subsection (3) is as follows: *This clause does not affect the rights or interests of any public authority under any registered instrument.*

On the western edge of Part Lot 5 is a right of carriageway burdening that land and benefitting Lot 1 DP1106411 (34 Cudmore Road). The covenant was imposed by the State of NSW, as demonstrated by the s 88B instrument accompanying the registration of DP1106411. It remains applicable to development.

Part 2 – Permitted or Prohibited Development

The site is zoned RU1 Primary Production, where subdivision is permissible with consent under clause 2.6 of the WLEP. Consistency with the zone objectives is considered in the discussion concerning clause 4.2D(1).

Part 4 – Principal Development Standards

Part 4 Principal Development Standards are not applicable to this application.

Applicable WLEP 2011	Development Standard	Proposal	Compliance
4.1 Minimum lot size for subdivision	The lot size map shows the minimum lot size as 10,000 hectares	Lot 1: 4870.9 Ha Lot 2: 19.24 Ha	No
4.2 Rural Subdivision in zones RU1, RU3, RU4	Subdivision is possible for the purpose of primary production to create a lot of less than the minimum lot size. Cannot be applied if an existing dwelling would, as a result of the subdivision be situated on that lot (4.2(4)). A dwelling cannot be erected on that lot (4.2(5)). The objective	There is a dwelling currently under construction on the current lot 3 (approved under DA2021/011) and it would be situated on the lot which is less than the minimum lot size. If it is taken that there is an existing dwelling on the lot (albeit only part built), due	No

Applicable WLEP 2011	Development Standard	Proposal	Compliance
	requires allowing land owners a greater chance to achieve the objectives for development in the relevant (RU1) zone	to subsection 4.2(4), the applicant cannot therefore meet the conditions of using this clause. If it is taken that there is no existing dwelling, note that 4.2(5) is a prohibition against a dwelling being erected on the lot should subdivision occur. It is unnecessary to therefore consider whether the subdivision achieves the objectives of the RU1 zone, or whether it is for the purpose of primary production. Given that the applicant is constructing a dwelling, the use of clause 4.2 is not helpful and has not been applied or sought to be relied upon.	
4.2D Boundary adjustments in Zones RU1, RU4 and C3	Consent for a subdivision can be granted if at least 1 lot resulting from the subdivision does not meet the minimum lot size, however the consent authority must be satisfied of various matters in (4) and consider the matters in (5). The objective seeks that the objective of the relevant zone be achieved.	See discussion below	Yes
4.6 Exceptions to Development Standards	(6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production,if (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or	(a) There are two lots less than the minimum lot size (b) Both lots are less than 90% of the minimum lot size	No. Therefore clause 4.6 cannot be applied to clause 4.1

Applicable 2011	WLEP	Development Standard	Proposal	Compliance
		(b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.		

Clause 4.2D Boundary Adjustments

The application is made relying upon Clause 4.2D of the WLEP which is set out below:

4.2D Boundary adjustments in Zones RU1, RU4 and C3

- (1) *The objective of this clause is to facilitate boundary adjustments between lots where 1 or more resulting lots do not meet the minimum lot size shown for the land on the [Lot Size Map](#) but the objectives of the relevant zone can be achieved.*
- (2) *This clause applies to land in the following zones—*
 - (a) *Zone RU1 Primary Production,*
 - (b) *Zone RU4 Primary Production Small Lots,*
 - (c) *Zone C3 Environmental Management.*
- (3) *Development consent may be granted to a subdivision of land to which this clause applies for the purposes of a boundary adjustment between adjoining lots if at least 1 lot resulting from the subdivision does not meet the minimum lot size shown for the land on the [Lot Size Map](#).*
- (4) *Development consent must not be granted unless the consent authority is satisfied—*
 - (a) *the subdivision will not create additional lots or the opportunity for additional dwellings, and*
 - (b) *the number of dwellings on each lot after the subdivision will be the same as before the subdivision, and*
 - (c) *the subdivision will not create the potential for land use conflict, and*
 - (d) *for land in Zone RU1 Primary Production—the subdivision will not have a significant adverse effect on the agricultural viability of the land, and*
 - (e) *for land in Zone RU4 Primary Production Small Lots—the subdivision will not have a significant adverse effect on the intensive agricultural viability of the land, and*
 - (f) *for land in Zone C3 Environmental Management—the subdivision will result in the continued protection and long-term maintenance of the land, and*
 - (g) *the subdivision will not result in increased bush fire risk to an existing building.*
- (5) *In deciding whether to grant development consent, the consent authority must consider whether the subdivision—*
 - (a) *is likely to be incompatible with the dominant land uses in the surrounding area, and*

- (b) *is likely to have a significant adverse effect on the dominant land uses in the surrounding area, and*
- (c) *is appropriate with regard to natural and physical characteristics of the land, and*
- (d) *is likely to have a significant adverse impact on the environmental values of the land.*
- (6) *This clause does not apply—*
 - (a) *to the subdivision of individual lots within a strata plan or community scheme, or*
 - (b) *if the boundary adjustment would create a lot that may be subdivided under clause 4.1.*

The clause applies to the RU1 zoned site.

Preston CJ in *David Casson trading as Casson Planning & Development Services v Upper Hunter Shire Council (No 2)* [2017] NSWLEC 149 considered the equivalent of clause 4.2 of the LEP but in the Upper Hunter LEP 2013. The structure of the provision considered in *David Casson* is not dissimilar to clause 4.2D of the WLEP 2011, in that:

- subsection (1) contains the objective of the clause which references achievement of the objectives of the relevant zone
- Subsection (2) sets out the zones to which the clause applies
- Subsection (3) sets out the purpose for the subdivision

In *David Casson*, Preston CJ [at 136-144] and [180] establishes that subsection (1) contains the first gateway to the use of the clause – namely consideration (in this case) of whether the objectives of the relevant zone can be achieved. It is also considered that there is a secondary gateway in this clause – namely to consider whether the proposal is in fact a “boundary adjustment”.

Secondly, Preston CJ in *David Casson* identified a second gateway provision in subsection (3), namely (in this case) that the purpose of the subdivision is for the purposes of a boundary adjustment. Until satisfaction of those elements arises there is no need to make any discretionary determination.

Clause 4.2D(1) Consideration of the objective (being the achievement of the RU1 zone objectives):

The objectives of the RU1 zone are as follows:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To encourage and promote the growth and diversification of economic and employment opportunities in agriculture, horticulture and tourism.*
- *To enable the development of restaurants and cafes and kiosks as part of agritourism development.*

The SEE does not address how the objectives of 4.2D(1) or whether the objectives of the zone are achieved. An RFI requested this information and the response is as follows:

"The proposal satisfies the objective of Clause 4.2D because the objectives of the RU1 Primary Production Zone are achieved.

To encourage sustainable primary industry production by maintaining and enhancing the natural resource base

The proposal facilitates active management of currently underutilised land and supports improved weed, pest and vegetation management outcomes.

To encourage diversity in primary industry enterprises and systems appropriate for the area

The proposal supports expansion of agricultural opportunities on Lot 3 and enables greater flexibility in the operation of the rural holding.

To minimise the fragmentation and alienation of resource lands

The proposal reduces fragmentation by consolidating an isolated parcel with the adjoining property that can effectively utilise and manage the land.

To minimise conflict between land uses

No new land uses are proposed, and there is no increase in development potential. The proposal is limited to a boundary adjustment and maintains the existing rural land use pattern.

The land is zoned RU1 Primary Production, where agricultural activities are the primary and expected use. As such, any dwelling on the land should have a reasonable expectation of adjoining agricultural operations, including livestock grazing, machinery use, and associated rural impacts such as noise and dust.

To encourage and promote growth and diversification of economic and employment opportunities in agriculture and horticulture

The proposal improves the practical utility and productive capacity of Lot 3 and supports continued agricultural use of the land.

Accordingly, the proposal achieves the objectives of the RU1 zone and satisfies the gateway requirement under Clause 4.2D of the Wentworth LEP 2011."

Supporting the above statements, the response to the RFI also provided evidence of agricultural improvements recently made to Lot 3 and the statement that the consolidated Lot would be managed as a single operation in conjunction with Lot 3. Additionally, the RFI response states:

The proposal supports the natural resource base by:

- *bringing currently unmanaged land into active management;*
- *improving weed and pest animal control;*
- *facilitating ongoing monitoring and maintenance of vegetation and riparian areas;*
- *reducing the likelihood of land degradation associated with unmanaged rural land;*

- *improving long-term stewardship through ownership consolidation.*

The proposal itself does not involve clearing, earthworks or physical disturbance. Rather, it improves the management framework through which environmental values can be maintained and enhanced.

The proposed boundary adjustment will only engage to any extent, the first, second, third and fourth objectives considered below:

- **First Objective:** The evidence of infrastructure and agricultural use on Lot 3 is accepted. It is accepted that the remoteness of Part Lot 5 from the majority of Lot 5 is likely to render Part Lot 5 unproductive by the owners and operators of Lot 5. It is noted that subdivision is not necessary to enhance the primary industry production on Part Lot 5, as it would be possible for a lease of Part Lot 5 to be provided to Lot 3. The discussion on benefits to the natural resource base are accepted.
- **Second objective:** The SEE states that there is some agricultural activity being undertaken on Lot 3, although it is noted that there is development consent for a depot on part of Lot 3. The evidence of the existing primary industry on Lot 3 is accepted. Any expansion of the earthworks depot onto Part Lot 5 (which would require development consent) will not encourage diversity in primary industry enterprises. It is accepted that consent is not required for agriculture in RU1 zoned land. As no application for any use is included in the application, the objective is only very peripherally engaged.
- **Third objective:** The proposal will have the effect of consolidating two pieces of land into a single larger area, whilst slightly reducing the size of an already highly fragmented lot (Lot 5). It is considered that the proposal supports this objective.
- **Fourth objective:** There are two considerations here:
 - **To minimise conflicts between land uses within the zone:** The relevant land uses within the zone for this application are the land uses of a depot and some agricultural use on Lot 3, and the residential use at 34 Cudmore Road which will continue to obtain its only access via the existing right of carriageway. The approved depot use is some 185.7m from the boundary with 34 Cudmore Road. The continued use of a registered right of carriageway for the residential use, should be unaffected by the approved use of a depot at some distance from the right of carriageway, and the (permissible without consent) agricultural uses. The uses themselves will not create conflicts.

What is clear from the submissions, is that there are conflicts between the owners of Lot 3 and occupiers of 34 Cudmore Road in relation to the boundary to the right of carriageway. However, possible breaches of conditions of consent under the various development consents on Lot 3, and alleged intimidatory behaviour, do not of themselves mean that the land uses create conflict. There are numerous examples of an agricultural land use adjacent to the residential land use which coexist without land use conflict.

Development consents run with the land, and do not relate to the specific applicant or occupier of the land. This application is for a boundary adjustment and not for any change of use, and it is not considered that the subdivision itself will lead to conflicts between land uses. The concern of the submitters that it is the actions of the occupier of Lot 3 (which are seemingly unrelated to the land use permitted on the nearby parts of Lot 3) will increase the conflicts between the neighbours.

Land use conflict was considered in *Ardill Payne & Partners v Tweed Shire Council* [2021] NSWLEC 1682 (per Bish C) and [at 39] it was stated:

I adopt the opinion of his Honour Moore C in Bailey v Oberon Shire Council [2006] NSWLEC 815 at [51], whereby I must assume that the agricultural activities of the adjoining lands will be conducted in a lawful and safe manner.
<https://www.caselaw.nsw.gov.au/decision/17ce962b502150a81d61632b>

In *Bailey v Oberon Shire Council* [2006] NSWLEC 815 at Moore C (as he then was) [at 51], stated:

I am of the view that it would be entirely improper for a member of this Court to rely on an unlawful activity to sustain an objection and use such objection to warrant or contribute to the refusal of an otherwise lawful application.

In these circumstances, the issue of whether or not there is to be land use conflict between uses, must be viewed as though parties behaved in a lawful manner and the persistent behaviour of the applicant which is set out in the submissions must not be relied upon to refuse an otherwise lawful application.

- To minimise conflicts between land uses within adjoining zones: It is not considered that there will be any conflicts arising with adjoining zones.

The first gateway has been achieved by minimising the fragmentation and alienation of resource lands and encouraging sustainable primary industry production by enhancing the natural resource base.

Regarding the subsidiary “boundary adjustments”, see discussion relating to clause 4.2D(3).

Clause 4.2D(2) Application of the clause:

The land is in the RU1 zone and the clause applies.

Clause 4.2D(3) Whether the application is for the purposes of a boundary adjustment between adjacent lots:

A similar boundary adjustments clause (clause 4.1E of the Port Stephens LEP 2013) was considered by Preston CJ in *Vollmer v Port Stephens Council* [2025] NSWLEC 120. The subdivision in that case involved the consolidation of two lots and the ultimate subdivision into two lots of different shapes sizes and locations. Preston CJ found that did not constitute a boundary adjustment because it involved two simultaneous actions. Firstly the consolidation of two or more existing lots into a single lot, which results in there no longer being any adjoining lots. Secondly the redivision of the consolidated lots along new boundaries in a situation where there are now no adjoining lots.

It is considered that the subdivision by this current proposal is a boundary adjustment between adjoining lots because:

- Consolidation is not required to effect the change in boundaries
- Because a different part of the current Lot 5 will still be adjacent to the southwest corner of current Lot 3, the boundary adjustment will still be “between adjoining lots”.

Clause 4.2D(4) Discretionary satisfaction requirements

Clause 4.2D(4) requires the consent authority to be satisfied of a number of matters prior to granting consent. These are considered below:

Satisfaction matter in cl 4.2D(4)	Consideration
(a) the subdivision will not create additional lots or the opportunity for additional dwellings, and	No additional lots are created – it is simply that Lot 3 will increase in size and Lot 5 will decrease
(b) the number of dwellings on each lot after the subdivision will be the same as before the subdivision, and	There are no dwellings on Part Lot 5, so there will be no change in the number of dwellings on either lot
(c) the subdivision will not create the potential for land use conflict, and	See consideration of this under the objectives of the zone clause 4.2D(1) fourth objective. No land use conflict is likely to arise
(d) for land in Zone RU1 Primary Production—the subdivision will not have a significant adverse effect on the agricultural viability of the land, and	If anything the opportunity for agricultural viability on the land by combining Lot 3 with Part Lot 5 will increase agricultural viability
(g) the subdivision will not result in increased bush fire risk to an existing building.	No increased fire risk is envisaged

Clause 4.2D(5) Considerations for the grant of development consent

Consideration matter in cl 4.2D(5)	Consideration
(a) is likely to be incompatible with the dominant land uses in the surrounding area, and	The dominant land uses in the surrounding area are rural residential and agricultural grazing. The boundary adjustment will not be incompatible with those uses
(b) is likely to have a significant adverse effect on the dominant land uses in the surrounding area, and	The boundary adjustment will not significantly adversely affect that dominant use of agricultural grazing with some residential uses. In effect it will make Lot 3 a size which is better sized for some agricultural production.
(c) is appropriate with regard to natural and physical characteristics of the land, and	The boundary adjustment is considered to be appropriate having regard to the natural and physical characteristics of the land. It is likely flood affected and is bush fire prone land, however those factors will not be altered by the boundary adjustment. It is noted that Lot 1 at 34 Cudmore Road obtains its land access via a right of carriageway over Part Lot 5, which would, as a result of the boundary adjustment, be over the extended Lot 3 land. The terms of the right of carriageway will not alter and hence there is nothing in relation to the characteristics of the land which would cause the boundary adjustment to be inappropriate.

(d) is likely to have a significant adverse impact on the environmental values of the land.	The boundary adjustment will not significantly adversely affect environmental values of the land
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Clause 4.2D(6) When the clause does not apply

- (a) It does not apply to the subdivision of individual lots within a strata plan or community scheme – this does not apply to the proposal.
- (b) It does not apply if the boundary adjustment would create a lot that may be subdivided under clause 4.1.

Clause 4.1 of the LEP establishes a minimum lot size of 10,000Ha. Clause 4.6(6) prevents the use of clause 4.6 for a subdivision in RU1:

- (a) if the subdivision will result in 2 or more lots less than the minimum lot size (both the revised Lot 5 and revised lot 3 will both be under the minimum lot size)
- (b) if the subdivision will result in at least one lot that is less than 90% of the minimum lot area (both resulting lots will be less than 90% of the minimum lot size).

Therefore, neither proposed lot can be subdivided under clause 4.1 and clause 4.2D(6) does not prevent the use of clause 4.2D(3).

Conclusion regarding clause 4.2D

The proposal may apply clause 4.2D to effect the boundary adjustment because:

- it is a boundary adjustment between lots which do not meet the minimum lot size
- there are sufficient indications that the objectives of the zone can be achieved
- this is a boundary adjustment between adjoining lots, given that current lot 5 and current lot 3 will remain as adjoining lots in the southwest corner
- Council is satisfied of the matters set out in clause 4.2D(4)
- Council has considered the matters set out in clause 4.2D(5) and finds them to be satisfactory
- The clause is not excluded from operation by virtue of clause 4.2D(6).

Part 5 – Miscellaneous Provisions

Clause 5.10 - Heritage Conservation

The site is not listed as a heritage item nor located within a heritage conservation area nor in the vicinity of such an item or area. Therefore the provisions of this clause do not apply.

Clause 5.16 – subdivision or, or dwellings on, land in certain rural, residential or conservation zones

Not applicable as the clause only applies where the development is for subdivision of land proposed to be used for the purposes of a dwelling, or the erection of a dwelling. Neither applies to this boundary adjustment.

Clause 5.21 - Flood Planning

The proposed site is not located within the flood planning levels shown in Intramaps or POZI. The most recent flood study approved in 2026 does not cover the area in any detail, however it appears that there may be some flood affectation.

It is possible that Clause 5.21 applies. The proposal does not create any additional dwelling entitlement and will not change the flood behaviour on the land as no works are involved. No change of use is proposed.

It is considered that, subject to suitable conditions, the development is compatible with the flood function of the land, will not result in significant adverse effects on flood behaviour or the environment, and appropriate measures can manage risk to life in the event of a flood. Additionally, the proposed development is considered to satisfy the objectives of Chapter 3 Section 4 of the WSDCP 2011.

Part 7 Additional Local Provisions

Clause 7.1 Earthworks

The proposal does not include any significant excavation or basement works. Accordingly, Clause 7.1 of WLEP 2011 is not applicable to this application.

Clause 7.2 Essential Services

Clause 7.2 of WLEP 2011 requires consideration to be given to the adequacy of essential services available to the site, however does not apply to RU1 zoned land.

Clause 7.4 Terrestrial Biodiversity

The site is identified as partly terrestrial biodiversity and section 7.4 of WLEP 2011 requires consideration of the maintenance and protection of terrestrial biodiversity at the site. The proposal does not include any works, therefore the proposal is unlikely to disrupt or affect the condition, ecological value and significance of the fauna and flora on the land. It is unlikely to affect the importance of the vegetation on the land to the habitat and survival of native fauna. There is limited potential for to fragment, disturb or diminish the biodiversity structure, function and composition of the land. Accordingly, the proposal is considered to satisfactorily address the objectives of Clause 7.4 of WLEP 2011.

Clause 7.5 Wetland

The site is partly identified as a wetland on the Natural Resources – Wetlands Map and section Clause 7.5 of the WLEP 2011 requires consideration on the potential adverse impacts from the development. The proposal does not include any works hence is unlikely to disrupt or affect the condition and significance of the native flora on the land and whether it should be substantially retained. It is unlikely to affect the provision and quality of habitats for indigenous and migratory species on the land. There is no potential for adverse impacts on the surface and groundwater characteristics of the site, including water quality, natural water flows and salinity of the land. Accordingly, the proposed development is considered to satisfactorily address the objectives of Clause 7.5 of WLEP 2011.

Clause 7.6 – Development on river front areas – these are defined in the WLEP 2011

The boundary adjustment affects land on river front areas – defined to be 30m from the top of bank of the Murray River (itself defined in the WLEP 2011 to include the Darling River and the Great Darling Anabranch). An RFI sought the provision of a clause 4.6 exception request as the boundary adjustment is not any of the types of development which are outlined in clause 7.6(2) and the clause 4.6 request was provided.

Considering clause 4.6(3)(a) of WLEP, the objectives of clause 7.6 are as follows:

- (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.

The clause 4.6 argues that it is unreasonable or unnecessary to comply with clause 7.6. because (in summary):

- The proposal is administrative in nature (no additional lots or increase in development potential or yield)
- There is no physical impact within the river front area
- The objectives of clause 7.6 are achieved because the proposal:
 - Maintains the existing natural environment
 - Does not introduce development pressure near waterways
 - Supports improved land management outcomes across the holding
- Subdivision is directly tied to the ongoing agricultural land use and does not introduce a new or competing land use.

Additionally, the clause 4.6 states that the objectives of clause 7.6 are satisfied because the proposal:

- Avoids disturbance within the river front area
- Maintains existing environmental and riparian values
- Does not intensify or expand development
- Supports improved land management across the site

It is considered that the clause 4.6 has demonstrated that the objectives of the clause are achieved notwithstanding non-compliance with the control

In relation to clause 4.6(3)(b), the applicant states that the following are environmental planning grounds which justify contravention of the standard:

- Firstly the clause 4.6 implies that a clause 4.6 exception request is not required because the development is for the purpose of extensive agriculture and intensive plant agriculture as set out in section 7.6(2)(d). Whilst the clause 4.6 identifies evidence of current agricultural use (small scale grazing), as the use is for subdivision and not for the purpose of extensive agriculture and intensive plant agriculture, this argument is not convincing.
- Other environmental planning grounds identified are:
 - (b) Ongoing agricultural investment and redevelopment

The SEE and supporting material confirm that the land is undergoing progressive development to enhance agricultural productivity, including:

- *Establishment and refinement of paddocks*
- *Installation of fencing, access tracks, and water infrastructure*
- *Weed management and pasture improvement*
- *Ground preparation for potential cropping*

This demonstrates that the subdivision is being undertaken to support and expand agricultural use, not for non-rural purposes.

○ *(c) Improved agricultural viability*

The boundary adjustment will:

- *facilitate integration of Lot 3 into a more cohesive and functional landholding, thereby enabling future active agricultural use*
- *Enable more efficient grazing and land management practices*
- *Consolidate operational areas and improve access*

This directly supports ongoing and enhanced agricultural productivity, consistent with both the RU1 zone and Clause 7.6(2)(d).

○ *(d) No adverse environmental outcomes*

- *No impact on wetlands or river systems (consistent with SEPP Biodiversity and Conservation 2021)*
- *No increase in land use intensity*
- *No encroachment or disturbance within the riparian corridor*

It is not appropriate for a clause 4.6 to refer to the SEE, or in fact other documentation provided in the RFI, for support for the clause 4.6 (which is a standalone document). However the clause 4.6 includes details of progressive development on Lot 3 with the subdivision to expand agricultural use and facilitate a more cohesive and functional landholding for both Lot 3 and Part Lot 5. It also identifies a lack of adverse environmental impacts which are consistent with the objectives and considerations in clause 7.6.

It is considered that the applicant has demonstrated the matters required under clause 4.6(3) of the WLEP,

Clause 7.7 - Riparian land and Murray River and other watercourses

Clause 7.7 applies to land identified as a watercourse on the Natural Resource – Watercourse map and land within 40 metres of the top of bank. The boundary adjustment will affect land within 40m of the top of bank of a watercourse set out in the Watercourse Map.

Council has considered the matters set out in subsection (3) and does not anticipate that the development of a boundary adjustment will be unlikely to cause any adverse impact, and will not increase water extraction from a watercourse.

Council is satisfied of the matters set out in clause 7.7(4).

(ii) any draft instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and

There are no draft instruments that are relevant to an assessment of the proposed development on the site.

(iii) any development control plan,

The proposed development is subject to the provisions of the Wentworth Shire Development Control Plan (WSDCP) 2011 which is considered in the below table.

Wentworth Development Control Plan (DCP) 2011

Chapter 5 section 5.2 of WDCP 2011 considers rural subdivision. The boundary adjustment does not enable either site to meet the minimum lot size in the WLEP 2011, however clause 4.2D of the WLEP 2011 which provides flexibility by allowing boundary adjustments creating lots below the minimum lot size, is considered in detail above. No additional dwelling entitlement is created by the boundary adjustment. As the boundary adjustment is between two lots only, a land capability assessment is not required. The requirements of WDCP 2011 are considered to be satisfied.

(iiia) Any planning agreement entered into under section 7.4 of draft planning agreement which has been offered

None are relevant.

(iv) Any matters prescribed by the regulations,

The relevant clauses of the Regulations have been satisfied and appropriate conditions of consent recommended.

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

The proposed development is of a scale and character that is in keeping with other developments being constructed in the locality. The environmental impacts have been assessed in detail above as summarised in the table below. The proposal is not considered to have a significant impact on the natural and built environment or any negative social or economic impacts on the locality.

Impact item (insert an 'x' in the relevant section)	Acceptable	Not acceptable	Not relevant	Comment
Context and setting			X	Not relevant as no physical changes proposed
Public domain & Streetscape			X	Not relevant as no physical changes to the public domain
Landscaping			X	Not part of this application
Stormwater			X	No change to the existing onsite arrangements

Impact item (insert an 'x' in the relevant section)	Acceptable	Not acceptable	Not relevant	Comment
Heritage			X	None located on site.
Soils & Soils Erosion			X	No works proposed
Air and microclimate			X	No effect from proposed development anticipated as no works proposed.
Water Resources			X	No effect anticipated
Biodiversity (Flora & Fauna)			X	No change to existing environment.
Land Resources	X			Only a positive outcome is anticipated as set out above.
Utilities			X	No building works proposed
Access & Parking			X	No change to the current use proposed
Roads & Traffic	X			No change to existing provisions. The right of carriageway will continue to apply to the land
Solar Access and Energy Efficiency			X	NA
Overshadowing			X	NA as no works proposed
Privacy & Overlooking			X	NA as no works proposed.
Flooding	X			Insufficient information for the area, however not relevant due to the nature of the proposal.
Bushfire Prone Area	X			Land is in a bush fire prone land designation, however no assessment is required as not works are proposed and due to the nature of the boundary adjustment.
Noise			X	No noise anticipated as no works are proposed
Technological hazards			X	None anticipated from the development.
Safety, Security & Crime Prevention	X			Development will not affect the safety of the area. There is no change to the access to properties other than a change of land ownership
Social and Economic Impacts		X		It is considered that there is a very real chance that the occupiers of Lot 1 DP 1106411 (34 Cudmore Road) will encounter increased harassment and intimidation by the current owner of Lot 3 given past documented behaviour. The danger from this is exacerbated by the proposal as the right of carriageway providing the only land access to the site

Impact item (insert an 'x' in the relevant section)	Acceptable	Not acceptable	Not relevant	Comment
				they occupy will now be under the ownership of the person in the company who has been documented as providing the adverse impacts along the right of way and to their quiet enjoyment. Unfortunately for the occupants of 34 Cudmore Road, unlawful or intimidatory behaviour is not a planning reason to refuse consent.

(c) the suitability of the site for the development,

The size, shape, topography and vegetation of the site and its relationship to adjoining developments is suitable for the proposed development. Although neither lot meets the minimum lot size, the smaller of these lots (current Lot 3) will increase in size as a result of the boundary adjustment. No additional dwelling entitlement arises from the boundary adjustment. The site is likely flood affected, however the boundary adjustment will make no alteration to environmental impacts and risks as a result of the flooding.

(d) any submissions made in accordance with this Act or the regulations,

In accordance with the provisions of Council's Community Participation Plan (CPP), the application was placed on public exhibition for 14 days where adjoining property owners were notified in writing of the proposal and invited to comment.

Five submissions were received, although one was subsequently withdrawn, raising the following concerns:

Concern	Comment
The likely impacts under section 4.15(1) of the EP & A Act.	These are considered elsewhere in this report
The boundary adjustment affects land burdened and/or benefitted by a registered easement critical for 34 Cudmore Road, introducing a risk of interference with the easement (including obstruction, dispute and unilateral control), and ambiguity over ownership, maintenance and access rights. There is a foreseeable risk of impeded or contested access to the landlocked property	The right of carriageway will legally remain untouched. Breaches of the rights imposed by that easement are issues for enforcement between the property owners and are not planning issues
A risk to life and property due to possible compromised emergency access to 34 Cudmore Road	See above

Concern	Comment
Documented history of conflict including with the NSW Police and court system with a risk of further disputes and safety concerns. Includes blocking the easement, parking vehicles on it, diverting water over the easement, driving up and down after heavy rainfall etc	Note, however those issues are for the police, or an action in nuisance or for enforcement issues between the parties with the benefit and burden of the easement.
Practical risk of conflict must be considered with the orderly and sustainable land use planning principles. Has not demonstrated that the easement will remain fully functional in practice and that there is no adverse impacts	There is to be no legal alteration to the easement which will remain on the title of the land on which it is based. It is not a planning requirement to demonstrate that the future landowner will comply with the terms of the easement.
Public interest to avoid ongoing conflict and potential harm	Noted, this is a matter under section 4.15(1) of the EP & A Act.
If approved, the submitters seek conditions including preservation of the easement, legal mechanisms ensuring access, conditions to prevent obstruction, interference or alteration to the access, allocation of maintenance obligations	The conditions of the right of carriageway will remain the same. The conditions have made reference to these matters
Land use conflict.	No land use conflict risk assessment was provided with the DA, however one is not required by the DCP either under section 5.8 of the DCP. Consideration of the objectives of the RU1 zone under clause 4.2D(1) above, concludes that there will be no land use conflict. Behavioural conflict of the current occupants of the land, is not land use conflict, and parties must be assumed to act in a lawful manner.
Lot 3 is used for heavy earthworks and as a machinery depot and it is incorrect to say it, and the land to be incorporated, will be used for agriculture as there is native vegetation on both lots.	Agriculture can be carried out on the land without consent. Compliance with the Depot consent, including the restricted area in which that consent operates under DA2024/016, is for Council and is not a planning reason to take into consideration under an application for boundary adjustment.
Inconsistent with the objectives of clause 4.2D of the LEP as: - the adjustment of boundaries will not lead to the enhancement of natural resources, - will not encourage additional feasible agricultural production,	The response to the RFI considered those objectives and the response is considered to be acceptable. Land use conflict – see above discussion under clause 4.2D(1) of WLEP 2011

Concern	Comment
- the land on the eastern side of 34 Cudmore Road is too narrow for any form of production - will lead to increased land use conflict given the history and illegal uses - the soil is of poor quality and there are no water entitlements to the land - will result in inappropriate impacts on native vegetation and watercourses - no additional economic potential - it is not compatible with the dominant land uses in the area – being the lifestyle home - is inappropriate given the natural features of the land	The dominant land uses in the surrounding area are stated in the SEE to be agriculture and horticultural purposes, including livestock grazing.
Breach of the consent for the depot with machines being used on the land which is not within the depot and machines accessing and blocking the right of carriageway. Poor conduct by the owner of Lot 3.	This is a matter for the compliance team at Council and is not a matter for consideration for a boundary adjustment.
Council has a duty of care to manage and regulate land use	Noted
Attempts to purchase that part of Lot 5 from the current owners were rebuffed and a narrow right of way which was not against the eastern boundary, was offered, however it still had some land on the eastern side which would form part of the expanded Lot 3	Failed negotiations between the owner of Lot 5 and the occupiers of 34 Cudmore Avenue do not provide an impediment to approval of the boundary adjustment.
Apparent uses of the land will impact native flora, fauna and habitats, surface and groundwater and waterways. Lot 3 already has multiple diggings and roads	As stated above, occupiers of land must be assumed to act in a lawful manner. Development consents apply to the land and not to the current occupants. Any wrongful use of the site is a matter for compliance with consents
Privacy concerns due to CCTV just outside the entrance to 34 Cudmore Road, breaching safety and privacy.	Not a relevant matter for a boundary adjustment
Overshadowing by illegal sheds	The shed is now covered by a building information certificate 24/009 and its use is approved under DA2025/125. Overshadowing by the existing shed is not a relevant matter for a boundary adjustment.

In response, the applicant responded as follows:

- The application seeks consent solely for the re-alignment of existing property boundaries within the RU1 Primary Production zone. No additional land use, intensification of use,*

buildings, works, or subdivision creating additional allotments is proposed as part of this application. Accordingly, matters raised in submissions relating to unrelated activities, speculative future development, or broader operational matters are outside the scope of the development application currently under assessment and are not relevant considerations in determining the proposal.

- The proposed boundary adjustment represents a minor rationalisation of existing cadastral boundaries and will result in only an insignificant variation to the overall land areas of the affected lots. The proposal does not alter the rural character or function of the land, does not increase development potential, and does not create any additional allotments or land use entitlements beyond those already existing.
- Concerns raised regarding remediation works associated with Lot 3 relate to obligations and requirements arising from a separate and existing development approval. The proposed boundary re-alignment does not modify, remove, or diminish any obligations associated with those remediation requirements. Any existing conditions of consent, environmental management obligations, or compliance requirements applicable to Lot 3 will continue to apply independently of the current application.
- The proposed re-alignment will not result in any substantial change to the existing environmental, agricultural, or operational conditions of the site or surrounding landholdings. Rather, the application seeks a minor refinement of existing property boundaries to improve cadastral alignment and land management outcomes. The proposal does not alter the established pattern of development, introduce land use conflict, or create unreasonable impacts in terms of visual amenity, land capability, environmental values, or rural operations.
- The submissions do not adequately demonstrate that the proposed boundary realignment would give rise to any adverse impacts on local amenity, environmental values, or the orderly use and development of land, having regard to the nature of the approval sought and the relevant objectives and provisions of the Wentworth Local Environmental Plan 2011 and applicable Development Control Plan relevant to minor boundary adjustment applications.
- The proposal does not seek to amend, relocate, remove, or otherwise alter any existing easement. As such, no impacts are anticipated in relation to existing access arrangements, services, or rights benefiting Lot 1 DP1106411 or any adjoining land. Existing legal access arrangements will remain unchanged as a consequence of the proposed boundary adjustment.
- Existing easements registered on title are legally binding instruments that continue to operate irrespective of the proposed boundary re-alignment. The application does not extinguish or diminish the rights of any benefiting party, nor does it interfere with lawful access or use rights established under those easements. Any matters relating to the interpretation or enforcement of easement rights are governed by separate legal mechanisms and are not altered by the current proposal.
- A number of matters raised within the objections relate to issues beyond those that can reasonably be considered in the determination of the application under Section 4.15 of the Environmental Planning and Assessment Act 1979. In assessing the application, consideration is appropriately limited to the merits of the proposed boundary re-alignment, including compliance with relevant planning controls, environmental impacts, suitability of the site, and the public interest. Matters unrelated to the proposed development or unsupported by demonstrable planning impacts cannot reasonably justify refusal of the application.

Assessing officer's comments made further to the submissions

The submissions detail a long history of antagonism between the owner of Lot 3 and the occupants of Lot 1 at 34 Cudmore Road. It is noted that land use conflict is not an issue that relevantly arises in a planning sense. However there is a very real anticipation that there may be an increase in the difficulties already experienced in relation to the use of the right of way, particularly as the right of way is now to be fully enclosed within the new combined lot 2 (which is proposed to be fully utilised for agricultural pursuits) and will no longer relate in any sensible way to a subdivision boundary.

It is further noted that the right of carriageway terms do not set out the maintenance requirements of the right of carriageway or easement for services. As detailed above, the terms of the right of carriageway are found in Schedule 8 of the Conveyancing Act 1919 and are as follows:

Full and free right for every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof with which the right shall be capable of enjoyment, and every person authorised by that person, to go, pass and repass at all times and for all purposes with or without animals or vehicles or both to and from the said dominant tenement or any such part thereof.

The objects of the EP & A Act include the following:

- (a) *to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources, and*
- (k) *to promote the orderly and economic use and development of land.*

There is a concern that the social welfare of the community (most particularly the occupants of Lot 1 at 34 Cudmore Road) may be open to being negatively impacted by the proposed subdivision, particularly by way of access to their property along the right of way. Section 4.17 of the EP & A Act grants the right to impose conditions if (relevantly):

- (a) *it relates to any matter referred to in section 4.15(1) of relevance to the development the subject of the consent, or*
- (a1) *it relates to a likely impact of the development the subject of the consent, or*

In the interests of ensuring that the proposed boundary adjustment is in the public interest, and noting that the removal of the boundary adjacent to the eastern boundary of the existing right of carriageway 10 wide, it is proposed to impose a condition which places further requirements upon the owner of proposed Lot 2 in relation to the ongoing use of the right of carriageway and easement for services both 10 wide which benefit Lot 1 DP1106411 (34 Cudmore Road).

(e) the public interest.

The proposed development is of a scale and character that promotes the objectives of the zone. The proposal generally meets the requirements of the planning controls.

It is noted that the behaviour of the applicant does not appear to bode well for a smooth relationship with the occupants of Lot 1 at 34 Cudmore Road, however, as discussed above, this is not a planning reason to refuse consent. It does however raise a concern as to whether the proposal is in the public interest. It is for this reason that the condition regarding the ongoing use of the right of carriageway is recommended for inclusion.

COMMENTS FROM EXTERNAL REFERRALS

Department	Referred Y/N	Comments
Essential Energy	Y	General comments were provided which can be included in the conditions of consent
Transport for NSW	Y	In response to documentation for the subject proposal uploaded onto the NSW ePlanning portal, I wish to confirm that the NSW Maritime Branch of Transport for NSW (Maritime) has no objections to this proposal, assessed on the grounds of impact to navigation. It is important to note that the proponent, or any entity or contractor acting on their behalf, are not exempt from the provisions of the Marine Safety Act 1998, or any other relevant legislation, and all parties must comply with any direction given by NSW Maritime Authorised officers with regard to safe navigation or the prevention of pollution.
Rural Fire Service	N	
Heritage NSW	N	
NSW Dept of Primary Industries	N	
Water Group NSW	N	

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	

Conclusion

The application has been assessed having regard to the matters for consideration under Section 4.15(1) of the EP&A Act 1979, including the provisions of the WLEP 2011 and WDCP 2011. Following detailed assessment, it is considered that DA 2026/063 should be approved:

1. There are no unreasonable environmental impacts.
2. With the imposition of a condition regarding ongoing use of the right of carriageway 10 wide, the application is considered in the public interest.
3. The proposal was assessed against each of the mandatory relevant considerations of Section 4.15 of the EP&A Act 1979 in the assessment report, and found to be acceptable.

Delegate report author	Delegated approval and endorsement
Signature:	Signature:
Rosalind Read Consultant Planning Officer	
Date: 7 July 2026	Date:

 Wentworth SHIRE COUNCIL	Health & Planning Department 61 Darling Street PO Box 81 WENTWORTH NSW 2648 Tel: 03 5027 5027 council@wentworth.nsw.gov.au	TEMPLATE CONDITIONS
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DA2026/063 372 LOW DARLING ROAD AND 1476 LOW DARLING ROAD WENTWORTH

GENERAL CONDITIONS

1.	Approved development Approval is for a two lot boundary adjustment. Condition reason: To ensure all parties are aware of the approved development.
2.	Approved Plans and Documentation The development shall be in accordance with the following plans, documentation and recommendations made there in: - Plan of subdivision of Lot 3 in DP1250369 and Lot 5 in DP1253993 by Surveyor Ralph Ian Anderson dated 19/10/2023 Ref: 23099 23M (COMP) sheet 1 of 2 - Plan of subdivision of Lot 3 in DP1250369 and Lot 5 in DP1253993 by Surveyor Ralph Ian Anderson dated 19/10/2023 Ref: 23099 23M (COMP) sheet 2 of 2 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. 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. Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.
3.	Essential Energy - Conditions - As part of the subdivision, an easement is created for any existing electrical infrastructure. The easement is to be created using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision. - If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment; - Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with; - All Torrens lots must have access and frontage to a public road as per Service and Installation rules this is to allow for the provision of power/services to the new development, a right of carriageway can not to be used for the provision of power/services to any part of the new development. - Council should ensure that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with

	respect to all proposed lots which will form part of the subdivision, prior to Council releasing the Subdivision Certificate. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision, which may include the payment of fees and contributions; f) In addition, Essential Energy's records indicate there is electricity infrastructure located within the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure; g) Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW); h) Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets. Condition reason: To ensure essential energy requirements are met.
4.	Compliance with relevant legislation and Australian standards The proponent shall comply with all relevant Australian Standards and Codes (including Building Code of Australia) and obtain all necessary approvals required by State and Commonwealth legislation in undertaking a development described in this approval. Condition reason: To ensure other relevant legislation and standards are complied with.
5.	Development Description Planning Approval is granted for the following works: • Two (2) Lot boundary re-alignment; • No change to existing easements; • No additional infrastructure works are approved; Condition reason: To ensure the development complies with conditions of approval.
6.	Lapsing of Approval Without the further consent of the Wentworth Shire Council, in writing, 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 development consent. Condition reason: Ensure everyone is aware of the lapsing of the approval.
7.	Works outside the property boundary This development consent does not authorise works outside the property boundaries on adjoining lands. Condition reason: To ensure all approved works occur within the property boundaries.
8.	Mediation

	Where this approval requires further consent from Council, the parties shall not act unreasonably, preventing an agreement from being reached. In the event that an agreement is unable to be reached within 3 months or a timeframe otherwise agreed to by the General manager, the matter is to be referred to the General Manager for resolution. All areas of disagreement and the position of each party are to be clearly stated to facilitate resolution. Reason: To ensure timely mediation
9.	Staging This consent does not provide for any staging. Reason: To identify all staging being approved

SUBDIVISION WORK

BEFORE ISSUE OF A SUBDIVISION WORKS CERTIFICATE

No additional conditions have been applied to this stage of development.

BEFORE ISSUE OF A SUBDIVISION CERTIFICATE

10.	Condition of consent requirements All conditions set out in this application are to be fulfilled prior to Council releasing the subdivision plans and the issuance of the subdivision certificate. Reason: To ensure conditions of consent have been complied with
11.	Provision of electricity Prior to the issue of a Subdivision Certificate, written advice from the applicant is required choosing to comply with either option a, b or c under section 5.1.1 of Councils policy "PR018: Provision of electricity supply an telecommunications service for subdivisions" in relation to electricity supply to the allotments Reason: To ensure the appropriate provision of electricity to the development.
12.	Subdivision certificate application An application for a Subdivision Certificate, complying with the conditions of this Development Approval is to be lodged (and issued) before the Council of the Shire of Wentworth will sign the subdivision plans that are to be lodged with the Titles Office for registration, Or An application for a Subdivision Certificate, complying with the requirements of the Building Code of Australia, the Local Government Act 1993, and the conditions of this approval is to be obtained from the Principal Certifier before the Shire of Wentworth will sign the Subdivision Plan to permit the plan

	of subdivision to be registered. Reason: To ensure development is certified
13.	Subdivision certificate application documentation The application for a Subdivision Certificate for Council official endorsement shall be accompanied by all relevant documentation. Reason: To ensure development is certified

ONGOING USE FOR SUBDIVISION WORK

14.	Maintenance of the right of carriageway and easement for services 10 wide The owner of the Lot 2 created by this subdivision (being the lot burdened by the right of carriageway 10 wide and the easement for services 10 wide) must: (a) ensure that the right of carriageway 10 wide created by the s 88B instrument under DP1106411 which benefits Lot 1 DP1106411 (known as 34 Cudmore Road) is maintained in a good and serviceable condition; (b) must not do or allow anything to be done to damage or interfere with the right of carriageway or easement for services 10 wide; (c) must not change the surface of the carriageway to an inferior one, or otherwise disrupt or degrade the surface of the carriageway; (d) must not place any fencing or gates over the right of carriageway; (e) must not obstruct the right of carriageway. Reason: To ensure quiet enjoyment of the easements and rights created under DP1106411.
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9.12 DEVELOPMENT APPLICATION DETERMINATION REPORT - AUGUST 2026

File Number: RPT/26/500

Responsible Officer: Ken Ross - General Manager
 Responsible Division: Office of the General Manager
 Reporting Officer: Chloe Stephenson - Coordinator Health & Planning

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 We value our civic leadership whose stewardship and decision making benefits present and future generations

Summary

For the month of August 2026, a total of 14 Development Applications and seven (7) Modification Applications were determined.

The estimated value of the determined developments was \$6,271,381.18. This brings the financial year to date total to 29 Development Applications with an estimated development value of \$12,452,547.47 and 11 Modification Applications.

Recommendation

That Council receives and notes the report for the Determined Development Applications for the month of August 2026.

Detailed Report

Purpose

The purpose of this report is to provide Council with a list of Development Applications as tabled in the attachment, determined in the month of August 2026.

Conclusion

The total value of determinations was \$6,271,381.18 for the month of August 2026. The average determination time for Development Applications was 33 days, and 19 days for Modification Applications.

Attachments

1. Development Application Determinations August 2026 [↓](#)

DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF AUGUST 2026

FILE NUMBER	APPLICANT	LOCATION	DESCRIPTION	VALUE (EX GST)	DETERMINATION DATE	COMMUNITY VIEWS	ACTIVE DAYS
DA2026/107 PAN 646394	Jackson Planning	18 Hendy Road Lot 570 DP 1306000 Buronga	Dwelling with Garage, Carport, Retaining Wall and Swimming Pool with Safety Barrier	\$2,950,000.00	19 August 2026	No submissions received	59
DA2026/109 PAN 648685	Jackson Planning	157 Memorial Road Lot 11 DP 804040 Curlwaa	Dwelling with Garage, Storage Shed and Three (3) Rainwater Tanks	\$897,998.00	13 August 2026	No submissions received	52
DA2026/113 PAN 649485	Cadell Consulting Services	River Road Lot 1 DP 1313154 Pomona	Dwelling (Concept Application)	\$0.00	19 August 2026	No submissions received	48
DA2026/114 PAN 649503	Cadell Consulting Services	River Road Lot 2 DP 1313154 Pomona	Dwelling (Concept Application)	\$0.00	19 August 2026	No submissions received	48
DA2026/120 PAN 649121	Jackson Planning	11 Cielo Court Lot 8 DP 1300407 Gol Gol	Swimming Pool with Safety Barrier	\$89,500.00	5 August 2026	No submissions received	26
DA2026/121 PAN 648723	Jackson Planning	9 Cielo Court Lot 7 DP 1300407 Gol Gol	Residential Storage Shed with Wet Area	\$49,500.00	5 August 2026	No submissions received	26
DA2026/122 PAN 656987	MH2 Engineering & Architectural Services	90 & 88 Melaleuca Street Lot 2 & 1 DP 1075225 Buronga	Two (2) Lot Boundary Realignment	\$0.00	10 August 2026	No submissions received	21

DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF AUGUST 2026

DA2026/124 PAN 657373	Jackson Planning	5C Dawn Avenue Lot 2 DP 1121446 Gol Gol	Nine (9) Lot Torrens Residential Subdivision	\$0.00	21 August 2026	No submissions received	30
DA2026/125 PAN 659317	Jackson Planning	16 Grandview Drive Lot 26 DP 1300121 Burunga	Dwelling with Garage, Storage Shed and Colorbond Fencing	\$637,000.00	17 August 2026	No submissions received	25
DA2026/126 PAN 659314	Jackson Planning	6 Hayley Court Lot 53 DP 1306718 Gol Gol	Dwelling with Garage, Retaining Wall and Colorbond Fencing	\$450,000.00	20 August 2026	1 submission received, assessed and considered	28
DA2026/128 PAN 659315	Jackson Planning	5 Hayley Court Lot 51 DP 1306718 Gol Gol	Dwelling with Garage, Retaining Wall and Fencing	\$482,000.00	20 August 2026	No submissions received	23
DA2026/129 PAN 659397	Jackson Planning	76 Drivers Drive Lot 151 DP 756946 Gol Gol	Demolition of Existing Outbuilding and Replace with New Storage Shed	\$83,000.00	26 August 2026	No submissions received	25
DA2026/130 PAN 659403	Jackson Planning	4 Amanda Court Lot 62 DP 1306178 Gol Gol	Dwelling with Garage, Storage Shed, Retaining Wall and Extension to Existing Colorbond Fencing	\$600,000.00	19 August 2026	No submissions received	20
DA2026/131 PAN 659538	Marilyn Marrows Voullaire	1178 River Road Lot 1 DP 1193562 Boeill Creek	Demolition of Dwelling and Concept Application of New Dwelling	\$32,383.18	26 August 2026	No submissions received	26

DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF AUGUST 2026

S4-55/2026/026 (1A) PAN 653777	Jackson Planning	16 Panuccio Rise Lot 8 DP 1167396 Gol Gol	Modify DA2021/037 Dwelling with Garage & Swimming Pool - Amend Approved Plans	\$0.00	3 August 2026	No submissions received	17
S4-55/2026/027 (2) PAN 652739	BW&A National Building Consultants	61 Pitman Avenue Lot 3 DP 878007 Buronga	Modify DA2023/140 Centre-Based Childcare Facility - Amend Approved Plans	\$0.00	10 August 2026	No submissions received	27
S4-55/2026/028 (2) PAN 660181	BW&A National Building Consultants	32 Corbett Avenue Lot 2 DP 1305730 Buronga	Modify DA2025/201 Warehouse - Amend Approved Plans	\$0.00	21 August 2026	No submissions received	24
S4-55/2026/029 (2) PAN 660175	BW&A National Building Consultants	30 Corbett Avenue Lot 1 DP 1305730 Buronga	Modify DA2025/195 Warehouse - Amend Approved Plans	\$0.00	21 August 2026	No submissions received	24
S4-55/2026/030 (1A) PAN 659236	Cadell Consulting Services	Cudmore Road Lot 14 DP 756926 Pomona	Modify DA2024/104 Fram Shed with Carport - Amend Approved Plans	\$0.00	20 August 2026	No submissions received	23

DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF AUGUST 2026

S4-55/2026/032 (1) PAN 662981	Pinion Advisory	5083 Rufus River Road Lot 1 DP 620852 & 4983 Rufus River Road Lot 2 DP 756184 Lake Victoria Rufus	Modify DA2026/096 Upgrades to Irrigation Infrastructure (Water Supply) - Amend Approved Conditions	\$0.00	26 August 2026	No submissions received	13
S4-55/2026/033 (1) PAN 668025	Parks Victoria	Tapalin Mail Road Lot 8 DP 756094 Mallee & Sturt Highway Lot 63 DP 822044 Monak	Modify DA2023/086 Reconstruction of Two (2) Existing Boat Launching Ramps (Horseshoe Bend & Karadoc Reserve) on the Victorian Side of Murray River – Amend Approved Notice of Determination	\$0.00	26 August 2026	No submissions received	5

9.13 PROJECT & WORKS REPORT SEPTEMBER 2026

File Number: RPT/26/488

Responsible Officer: Geoff Gunn - Director of Roads & Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Megan Jackson - Roads & Engineering Administration Officer

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

Strategy: 3.5 Infrastructure meets the needs of our growing Shire

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 months of August 2026, and the planned activities for September 2026.

Recommendation

That Council receives and notes the major works undertaken in August 2026 and the scheduled works for September 2026.

Detailed Report

Refer below for updates of the works completed in August 2026, and the planned activities for September 2026.

Projects and Works Completed in August 2026 and Scheduled for September 2026.

Roads	<u>Maintenance Grading</u> • Works have been completed on the Nulla and Pine Camp Roads. • Works are scheduled to be completed on the Springwood Road, before heading over to the eastern side of the Silver City Highway to commence on the Old Broken Hill and Popio Roads. <u>Ivanhoe Road Resheeting Works</u> • Funded by the Regional Emergency Road Repair Fund, a 6km section west of the Wilkurra Road intersection will receive a 100mm top up of locally sourced gravel. • A contractor has installed a new bore casing which will provide a water source right next to the job rather than carting from Pooncarie. <u>TfNSW Maintenance</u> • Wentworth Shire Council will be undertaking crack-sealing night works on the Silver City Highway from the Buronga Roundabout to Arumpo Road intersection during the week commencing Monday 7th September 2026. Duration of works will be a maximum of 4 nights from 5.30pm until 10.00pm <u>Polia Road Upgrade to Gravel</u> • The hired bulldozer has arrived onsite and commenced extracting gravel from the pit. • Works include the upgrade of total 6.6km in three sections • Works are expected to take approximately 4 weeks to complete and be finished mid September. • Two additional trucks have been contracted to assist Council with the
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Roads

(continued)

project.

New Gravel Pits

- Due to the possibility for future upgrades, and a high number of cultural heritage sites in the area it has been decided to undertake a survey and design for the extent of the project. Request for quotes will be sent out with the expectation that survey will commence by the end of September.
- New pits on the Arumpo and Polia Roads have been registered and added to Council's Head license.
- The gravel pits will supply material for significant road surface upgrades forecasted in the area.

Arumpo Mungo Formation and Drainage Works

- Final approval/consultation has been received by the relevant authorities.
- Prior to the commencement of works, all employees, contractors and subcontractors will be undertaking a cultural heritage induction for the project.
- Works consist of major earthworks over a 10km section which falls within the World Heritage Area, the proposed work has required significant environmental approvals before commencement.

Arumpo Road Heavy Grade

- Approximately 35km of the road is scheduled for upgrade which includes forming up utilising grader, pad foot roller and water carts. These works will be completed in line with the formation/drainage works commencing in September and completed by the end of December.

Pitman Ave West, Carramar Drive, Melaleuca Street & Paringi Road

- Request for quote has just been sent out for engineers to commence design works.
- Tender documents for the stabilisation component and supply of material will be completed and uploaded on Vendorpanel.

Minda Road Resheeting

- The proposed upgrade includes importing 100mm thick locally sourced gravel material over a total distance of 2.86km which will allow all weather access for local residents in the area.
- Works have commenced and will be completed by early September.
- Two new grids have been installed prior to the new layer of gravel is installed
- Two additional trucks have been contracted to assist Council with the project.

Natural Disaster Funding

- Following the recent heavy rain event and flooding, several sealed and unsealed roads were left with damage. Council has since completed an assessment of these areas and submitted estimates with an application for natural disaster funding.
- Emergency repair work has been completed on several roads to reinstate access the vehicle users. Further works will be completed once funding has been approved and allocated.

	<u>Milpara Road / Tara Downs culvert and road improvement works</u> - Received preliminary designs from Tonkin Consulting – Now in review <u>Melaleuca Street and Pitman Avenue Intersection</u> - Option Study complete - Preliminary line marking design implemented to improve intersection safety. - Design commenced on preferred small round-a-bout option.
Water and Sewer	<u>Wentworth Water Treatment Plant SCADA</u> - Early long lead items to be ordered in September. - Focus on having the updated operation and monitoring system implemented before higher summer demands. <u>Wentworth Water Treatment Plant Office and Laboratory Relocation</u> - Workshop meeting still to be held with Engineering and Operational staff to finalise the relocated office renovations and final location on site. <u>Gol Gol Water Treatment Plant Lagoon 2 Cleaning</u> - Contractor completed the cleaning of the Lagoon in August. - Lagoon to be back in service this summer. - Complete <u>Sewer Rehabilitation</u> - Contractor undertaking sewer relining works. - Year two works commenced. - Proposing to complete a total of 3 kilometres: 2 km in Wentworth 1.3 km in Buronga and Gol Gol. <u>Wilkes St Wentworth Sewer Repair</u> - Sewer Relining contractor identified that the sewer in Wilkes St, Wentworth is unable to be relined and needs replacement. - Quotes are currently being sought for this sewer repair project. <u>Hydro Vacuum Excavation Trailer</u> - WSC has a significant amount of buried Water and Wastewater assets. - A significant amount of hire of hydro-vacuum excavation equipment occurs to reduce the risk of damaging the services when excavating. - A trailer mounted hydro-vacuum unit has been procured to reduce the dependence on hiring such equipment. Procurement of the trailer included training. - Complete <u>Dareton House Boat Effluent Disposal Station</u> - Electrical design is out to market for quotation. - Additional service locations being undertaken around the existing sewer pump station near the Coomealla Golf Club Rooms. - The main design and construct “river works” contract is still being drafted.

Projects	<u>Punt Road Stormwater Upgrade</u> • New concrete kerb now complete. New asphalt works completed onsite. • All works now 100% complete. <u>Pooncarie Hall – Acoustic Works</u> • Works commenced (31/08/26) to install new acoustic fabric panels to existing walls and ceilings to reduce noise in the town hall. Works are scheduled to be completed on the 03/09/26. <u>Wentworth Rowing Club Upgrade</u> Extension Works • Handover documentation submitted • Complete Landscaping Works • WSC Parks & Gardens to complete irrigation works and installation of turf to restore the site. <u>Wentworth Civic Centre Carpool Enclosure</u> • Site works have commenced – base preparation completed. • Concrete foundations to commence in the coming weeks. <u>Alcheringa Oval – Netball Changerooms</u> • Fee proposals from local Architects have been reviewed with GSD Architects being nominated to provide detailed drawing/plans to assist with tendering purposes. Preliminary drawings are underway.
Projects (continued)	<u>Three Sisters Stormwater Drainage</u> • Design and construct contract is currently being prepared and expected to go to public tender in September. <u>Hendy Road Stormwater Drainage</u> • Existing survey data investigated to determine if additional survey is required. • Scope and budget to be reviewed based on concept estimate. <u>Murray Street Kerbing Wentworth</u> • Kerbing completed on the north side of Murray Street and the two median islands. • Associated roadworks completed • Remaining restoration works required such as nature reserve irrigations systems repaired and driveways.. <u>Avoca Street Footpath Dareton</u> • Design and documentation updated with information gained from the tendering of Cadell St Shared path. • Expecting to go to quote in early September <u>Cadell Street Footpath Wentworth</u> • Works commenced onsite on 18/08/26, works progressing well. Works scheduled to be completed late November. <u>Perry / Adams Street Kerbing Wentworth</u> • Design and documentation being updated with information gained from the construction of the Murray Street kerb.

	• Expecting to go to quote in October <u>Darling Street Kerbing Wentworth</u> • Design and documentation being updated with information gained from the construction of the Murray Street kerb. • Expecting to quote after Perry / Adams Street kerb works have been quoted. <u>Ski Reserve Upgrade Wentworth</u> • Site meeting required to review scope which includes playground, BBQ, seating, shade structure, footpath from Tuckers Creek and a retaining wall.
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Attachments

1. Minda Road [↓](#)
2. Lagoon Cleaning & New Vac Trailer [↓](#)
3. Sewer Rehab [↓](#)
4. Civic Centre Carpool Compound [↓](#)
5. Punt Road Stormwater [↓](#)
6. Wentworth Showgrounds Sharedway [↓](#)
7. Pooncarie Hall Accoustic Works [↓](#)
8. Murray Street Kerbing [↓](#)

















10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

10.1 SECURING OUT WATER SUPPLY

File Number: RPT/26/514

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

Motion

That Council:

1. Note the release of the Local Government NSW and Water Directorate action plan, *Securing Our Water Supply: Delivering safe, reliable and affordable water and sewerage services for regional communities at risk*,
2. Endorse the proposal's asks, which call on the NSW Government to:
 - a. Provide capital grant funding of \$5 billion for at least a further 10 years.
 - b. Strengthen drinking water quality in rural, regional and remote NSW including support for LWUs to address emerging contaminants such as PFAS.
 - c. Reduce unnecessary regulatory burdens on LWUs in rural, regional and remote NSW including the NSW Regulatory and Assurance Framework, water utility strategic planning and Section 60 approvals.
 - d. Implement a complementary Community Service Obligation model for better targeted, more efficient and predictable funding for councils that cannot raise sufficient revenue to meet the costs of running their water and sewerage systems.
 - e. Commit \$4 million per annum to a Local Water Utilities Alliance program, enabling utilities to share expertise, access specialist skills, coordinate planning and to respond more effectively to droughts, emergencies and asset management challenges.
 - f. Commit to a \$15 million, 10-year Regional Water Workforce Development Program to build a skilled and sustainable regional water workforce and allocate \$2.5 million over 5 years to create dedicated career pathways for Aboriginal and Torres Strait Islander peoples.
3. Write to the Premier and Minister for Water:
 - a. Asking that the NSW Government adopt the Securing Our Water Supply Action Plan, and
 - b. Setting out the risks for Council's water and sewer services if the NSW Government fails to take action.

Background

Access to a clean, safe and reliable water supply is a basic human right. Every person in NSW, regardless of their postcode, should be able to turn on the tap and access safe, clean water.

Across rural and regional NSW, Local Water Utilities (LWUs) provide essential drinking water and sewerage services to almost two million people. These services underpin public health, housing delivery, economic development and community wellbeing.

But the sector is under growing pressure from ageing infrastructure, increasing water security risks and uncertainty about future investment.

The NSW Government's \$1.1 billion Safe and Secure Water Program was established in 2017 but has now been fully allocated, with no replacement program announced.

As evidenced in the Auditor General's report published in January 2026¹, an urgent investment of at least \$1 billion is needed to fund the backlog of water infrastructure programs. Estimates of the broader need for investment paint an even bleaker picture, suggesting that approximately \$5 billion is required to address priority risks². Councils simply cannot meet these costs.

Without coordinated action, water security risks will continue to grow, infrastructure failures will become more likely and housing delivery will face increasing constraints.

For Wentworth Shire Council, a number of water and sewerage services challenges exist:

- population growth especially in Buronga and Gol Gol impacting water consumption and wastewater treatment.
- Aging infrastructure with the main treatment plants reaching half life and in need of critical electrical and mechanical upgrades.
- Water security with increase risks from climate change including algal blooms and black water events impacting on water quality treatment process. Pooncarie township is particularly impacted.
- New water and wastewater infrastructure investment assist with unlocking additional new residential and commercial development.

Preliminary estimates have the minimum investment needed to ensure that Wentworth Shire Council can continue to provide the water and sewerage services beyond 2050 at \$30 million. With a significant portion of that funding needed over the next 5 years to meet the needs in the near future.

Local Government NSW and the Water Directorate have developed a policy proposal, *Securing Our Water Supply: Delivering safe, reliable and affordable water and sewerage services for regional communities at risk*, with six key asks of the NSW Government:

1. Provide capital grant funding of \$5 billion for at least a further 10 years.
2. Strengthen drinking water quality in rural, regional and remote NSW including support for LWUs to address emerging contaminants such as PFAS.
3. Reduce unnecessary regulatory burdens on LWUs in rural, regional and remote NSW including the NSW Regulatory and Assurance Framework, water utility strategic planning and Section 60 approvals.
4. Implement a complementary Community Service Obligation model for better targeted, more efficient and predictable funding for councils that cannot raise sufficient revenue to meet the costs of running their water and sewerage systems.
5. Commit \$4 million per annum to a Local Water Utilities Alliance program, enabling utilities to share expertise, access specialist skills, coordinate planning and to respond more effectively to droughts, emergencies and asset management challenges.
6. Commit to a \$15 million, 10-year Regional Water Workforce Development Program to build a skilled and sustainable regional water workforce and allocate \$2.5 million over 5 years to create dedicated career pathways for Aboriginal and Torres Strait Islander peoples.

¹ [Local government 2025](#), Audit Office of New South Wales, 28 January 2026

² [Report: Inquiry into protecting local water utilities from privatisation](#), Parliament of NSW, 28 March 2024

This report recommends that Council endorse the Securing Our Water Supply Action Plan and write to the NSW Premier and Minister for Water asking that they adopt this plan.

Attachments

1. Action Plan: Securing Our Water Supply - Delivering safe, reliable and affordable water and sewerage services for regional communities at risk. [↓](#)
2. Letter to NSW & Minister for Water - Safe reliable and affordable water & sewerage services [↓](#)



SECURING OUR WATER SUPPLY

A Growing Crisis, A Shared Responsibility

Delivering safe, reliable and affordable water and sewerage services for regional NSW communities.





PRESIDENT'S FOREWORD: THE CHALLENGE

Access to a clean, safe and reliable water supply is not just an essential service – it's a basic human right. Every person in NSW regardless of their postcode should be able to turn on the tap and access safe, clean water. Across regional NSW, Local Water Utilities (LWUs) provide essential drinking water and sewerage services to almost two million people. These services underpin public health, housing delivery, economic development and community wellbeing.

But the sector is under growing pressure from ageing infrastructure, increasing water security risks and uncertainty about future investment.

Beyond public health, a reliable water supply is also essential for businesses and regional growth. Every aspect of life in the regions is reliant on safe and well-managed water resources – primary production, tourism, manufacturing, healthcare and education.



All of this is at risk if urgent action isn't taken to secure our water resources.

Without coordinated action, threats to water security will continue to grow, infrastructure failures will become more likely and housing delivery will face increasing constraints. The NSW economy is at risk of stagnation without investment in essential water and sewerage services, workforce shortages will deepen and regional communities will face increasing inequality in access to water supplies.

We must learn our lessons from the most recent droughts and heed the warning of authorities such as the NSW Auditor General. Regional NSW is not currently in a water crisis, but without action on funding, resilience and long-term planning, we soon will be.

Local Government NSW and the Water Directorate have developed a Regional Water Action Plan to secure the future of water and sewerage services across regional NSW. We are calling on the State Government to partner with us in taking that action and to secure these vital water services for regional communities.



Darcy Byrne

Mayor Darcy Byrne
President LGNSW



THE PROBLEM



Water security risks are increasing, the funding gap is growing and red-tape is causing delay.

Drought, climate variability and growing demand are placing increasing pressure on regional water supplies. Many communities are reliant on single water sources and are served by ageing infrastructure designed for past climatic conditions.

Regional councils own and operate billions of dollars of water and sewerage infrastructure. Many assets are ageing and require renewal or replacement, while construction costs and regulatory obligations continue to rise.



For many local water utilities, costs are growing faster than the capacity to fund them.

As evidenced in the Auditor General's report published in January 2026¹, an urgent investment of at least **\$1 billion is needed to fund the backlog** of water infrastructure programs. Estimates of the broader need for investment paint an even bleaker picture, suggesting that approximately **\$5 billion is required to address priority risks**². Councils simply cannot meet these costs.

In addition the red-tape and administrative burden around water infrastructure planning and approvals continues to delay the delivery of essential water infrastructure for communities across NSW. This burden has been hindering innovative alternative solutions for our treatment, distribution and collection systems in regional NSW.

1. [Local government 2025 | Audit Office of New South Wales](#)

2. [Report: Inquiry on Protecting Local Water Utilities from Privatisation | Parliament of NSW](#)



ACTION PLAN

LGNSW and the Water Directorate are calling on the NSW Government to:

1

Provide capital grant funding of \$5 billion for LWUs for at least a further 10 years.

2

Strengthen drinking water quality in rural, regional and remote NSW including support for LWUs to address emerging contaminants such as PFAS.

3

Reduce unnecessary regulatory burdens on LWUs in rural, regional and remote NSW including the NSW Regulatory and Assurance Framework, water utility strategic planning and Section 60 approvals.

4

Implement a complementary Community Service Obligation model for **better targeted, more efficient and predictable funding for councils** that cannot raise sufficient revenue to meet the costs of running their water and sewerage systems.

5

Commit \$4 million per annum to a **Local Water Utilities Alliance program**, enabling utilities to share expertise, access specialist skills, coordinate planning and to respond more effectively to droughts, emergencies and asset management challenges.

6

Commit to a \$15 million, 10-year Regional Water Workforce Development Program to **build a skilled and sustainable regional water workforce** and allocate \$2.5 million over 5 years to create dedicated career pathways for Aboriginal and Torres Strait Islander peoples.

Local Government NSW



Our Reference: DOC/26/24072
Your Reference:
Prepared By: General Managers Office
Date: 16 September 2026

The Hon. Chris Minns MP
Premier
By email: kogarah@parliament.nsw.gov.au

The Hon. Rose Jackson MLC
Minister for Water
By email: office@jackson.minister.nsw.gov.au

Dear Premier Minns and Minister Jackson

SAFE, RELIABLE AND AFFORDABLE WATER AND SEWERAGE SERVICES FOR WENTWORTH SHIRE COUNCIL

I write on behalf of Wentworth Shire Council to ask that the NSW Government take urgent action to secure safe, reliable and affordable water and sewerage services for regional and rural NSW.

Our Council provides essential drinking water and sewerage services to 6000 residents, protecting public health and supporting housing, local employment, economic development and community wellbeing.

Council faces significant pressures from population growth, ageing infrastructure, water security risks, and skills shortages. Our priority unfunded projects include:

- Gol Gol Water Treatment Plant Upgrade. This project will increase water capacity to Council's fast growing area of Buronga Gol Gol, with an estimated investment requirement of \$15 Million.
- Wentworth Water Treatment Plant Upgrade. This project will renew aging infrastructure to provide reliable water supply to Wentworth, with an estimated investment requirement of \$10 Million.

Without timely investment, the consequences may include drinking water risk, constraints on unlocking proposed dwelling lots and commercial subdivision development. Funding would enable Council to upgrade the system which will provide greater certainty for existing and future commercial development and provide optimal supply for existing and future housing.

Local Government NSW and the Water Directorate have developed a policy proposal, *Securing Our Water Supply: Delivering safe, reliable and affordable water and sewerage services for regional communities at risk*, with six key asks of the NSW Government:

1. Provide capital grant funding of \$5 billion for at least a further 10 years.
2. Strengthen drinking water quality in rural, regional and remote NSW including support for LWUs to address emerging contaminants such as PFAS.
3. Reduce unnecessary regulatory burdens on LWUs in rural, regional and remote NSW including the NSW Regulatory and Assurance Framework, water utility strategic planning and Section 60 approvals.
4. Implement a complementary Community Service Obligation model for better targeted, more efficient and predictable funding for councils that cannot raise sufficient revenue to meet the costs of running their water and sewerage systems.
5. Commit \$4 million per annum to a Local Water Utilities Alliance program, enabling utilities to share expertise, access specialist skills, coordinate planning and to respond more effectively to droughts, emergencies and asset management challenges.



Our Reference: DOC/26/24072
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6. Commit to a \$15 million, 10-year Regional Water Workforce Development Program to build a skilled and sustainable regional water workforce and allocate \$2.5 million over 5 years to create dedicated career pathways for Aboriginal and Torres Strait Islander peoples.

Wentworth Shire Council has endorsed this action plan and is calling on the NSW Government to adopt these actions to secure the vital water services for regional and rural communities.

Premier and Minister, I look forward to receiving your response to the action plan and your advice on how the NSW Government will invest in long-term water security needs of regional and rural NSW.

Yours sincerely

CR DANIEL LINKLATER
MAYOR
WENTWORTH SHIRE COUNCIL

cc: Local Government NSW

11 CONCLUSION OF THE MEETING
NEXT MEETING