



LEETON
SHIRE COUNCIL

ORDINARY COUNCIL MEETING
AGENDA

22 SEPTEMBER 2021
7.00PM

TO BE HELD IN THE
COUNCIL CHAMBERS
23-25 CHELMSFORD PLACE
LEETON NSW 2705

Authorised for release: Jackie Kruger General Manager

LEETON SHIRE COUNCIL

AGENDA

ORDINARY COUNCIL MEETING

22 September 2021

7.00PM

1. CIVIC PRAYER
 2. ACKNOWLEDGEMENT OF COUNTRY
 3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS
 4. CONFIRMATION OF MINUTES AND ANY MATTERS ARISING
- RECOMMENDATION**
- THAT the Minutes of the Ordinary Council Meeting held on Wednesday 25 August 2021, as circulated, be taken as read and CONFIRMED.
5. DISCLOSURES OF INTERESTS
 6. PUBLIC REPRESENTATIONS
 7. MAYORAL MINUTES
 - 7.1 REVIEW OF CONSULTATION PROCESS AND CRITERIA FOR SETTING SPEED LIMITS IN NSW4
 - 7.2 INFRASTRUCTURE CONTRIBUTIONS REFORM - CALL FOR WITHDRAWAL6
 8. REPORTS TO COUNCIL
- GENERAL MANAGER'S MATTERS**
- 8.1 ELECTION OF THE DEPUTY MAYOR32
 - 8.2 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 9 SEPTEMBER 202139
 - 8.3 CHRISTMAS/NEW YEAR ARRANGEMENTS52
-

CORPORATE MATTERS

8.4 DISSOLVING THE LEETON MEN'S SHED SECTION 355 COMMITTEE.....	56
8.5 INVESTMENTS REPORT FOR AUGUST 2021	64

OPERATIONAL MATTERS

8.6 MINUTES OF THE LEETON LOCAL AREA TRAFFIC COMMITTEE MEETING - 26 AUGUST 2021	76
----------------------------------------------------------------------------------------------	-----------

ACTIVATION MATTERS

8.7 SERVICE NSW PARTNERSHIP AGREEMENT	85
8.8 DRAFT DEVELOPER CONTRIBUTIONS DEFERRED PAYMENT POLICY	110
8.9 ADOPTION OF GOGELDRIE WEIR RECREATION RESERVE MASTER PLAN.....	123
8.10 MINUTES OF THE SUNRICE FESTIVAL COMMITTEE - MARCH TO JULY 2021.....	146

9. NOTICES OF MOTIONS

10. COUNCILLOR ACTIVITY REPORTS

10.1 COUNCILLOR ACTIVITY REPORT.....	156
---------------------------------------------	------------

11. CONFIDENTIAL MATTERS

12. CONCLUSION OF THE MEETING

Council meetings are now video recorded. Members of the public are advised that their voice and/or image may form part of that recording.

PUBLIC REPRESENTATION

If any member of the public wishes to formally address the Council in relation to a matter in this agenda they are to register to speak for a maximum of three (3) minutes by Tuesday 12 noon preceding the meeting.

Contact Kate Weston – 02 6953 0903

ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

A GUIDING CHECKLIST FOR COUNCILLORS,
OFFICERS AND COMMUNITY COMMITTEES

ETHICAL DECISION MAKING

- Is the decision or conduct legal?
- Is it consistent with Government policy, Council's objectives and Code of Conduct?
- What will the outcome be for you, your colleagues, the Council, anyone else?
- Does it raise a conflict of interest?
- Could your possible conflict of interest lead to private gain or loss at public expense?
- Can the decision be justified in terms of public interest?
- Would it withstand public scrutiny?

CONFLICT OF INTEREST

- A conflict of interest is a clash between private interest and public duty. There are two types of conflict: Pecuniary – regulated by the Local Government Act and Division of Local Government and, Non-pecuniary – regulated by Codes of Conduct and policy. ICAC, Ombudsman, Division of Local Government (advice only).

THE TEST FOR CONFLICT OF INTEREST

- Is it likely I could be influenced by personal interest in carrying out my public duty?
- Would a fair and reasonable person believe I could be so influenced?
- Conflict of interest is closely tied to the layperson's definition of "corruption" – using public office for private gain.
- Important to consider public perceptions of whether you have a conflict of interest

IDENTIFYING PROBLEMS

- 1st Do I have private interest affected by a matter I am officially involved in?
- 2nd Is my official role one of influence or perceived influence over the matter?
- 3rd Do my private interest conflict with my official role?

Whilst seeking advice is generally useful, the ultimate decision rests with the person concerned.

AGENCY ADVICE

Officers of the following agencies are available during office hours to discuss the obligations placed on Councillors, Officers and Community Committee members by various pieces of legislation, regulation and Codes.

Contact	Phone	Email	Website
Leeton Shire Council	6953 0911	council@leeton.nsw.gov.au	www.leeton.nsw.gov.au
ICAC	8281 5999 Toll Free 1800 463 909	icac@icac.nsw.gov.au	www.icac.nsw.gov.au
Office of Local Government	4428 4100	olg@olg.nsw.gov.au	www.olg.nsw.gov.au
NSW Ombudsman	9286 1000 Toll Free 1800 451 524	nswombo@ombo.nsw.gov.au	www.ombo.nsw.gov.au

MAYORAL REPORTS

ITEM 7.1 REVIEW OF CONSULTATION PROCESS AND CRITERIA FOR SETTING SPEED LIMITS IN NSW

RELATED FILE NUMBER EF21/517

RECORD NUMBER 21/355

SUMMARY/PURPOSE

Councillors would have recently noticed the installation of new speed zones at the railway crossings on MR80 (Irrigation Way). Last week I became aware of reduced speed zones at Mackellar Road/Regulator Road where there is a rail crossing near JBS Australia. The latter are local roads where Leeton Shire Council is the Roads Authority.

Not one of these locations has ever been identified as a high safety risk in Leeton Shire.

It is time for Transport for NSW (TfNSW) to be more overt and more transparent about the criteria and consultation processes with Councils when changing and or modifying speed limits in NSW.

The speed zones should be tailored to each situation and not just applied in a blanket fashion with minimal consultation with Council.

- The practice of extending 50km speed zones well outside town limits makes a mockery of the reason for establishing 50km speed zones in the first place.
- It defies common sense to routinely introduce both 60km and 80km speed zones for all railway crossings on highways and local roads. For example, McKellar Road is a local council road with low traffic volumes and therefore a reduction in this location is unwarranted and serves no purpose.
- Speed zones should be assessed on a case-by-case basis in response to individual site-specific risk analysis. The setting of speed zones without regard to site-specific risk has the potential to hamper traffic flow and expose drivers to increased likelihood of incurring traffic infringements.
- Council should be provided with more opportunity to give feedback on site specifics and potential issues in regards to the establishment and modification of speed limits/zones.

RECOMMENDATION

THAT Council:

1. Endorses Mayoral advocacy on behalf of Leeton Shire to the Minister for Regional Transport and Roads, the Hon. Paul Toole MP, calling for TfNSW to increase and improve its consultation with local authorities well before the installation of new speed zones in NSW, with such consultation needing to be both authentic and timely.
-

2. Endorses Mayoral advocacy that RAMJO, Country Mayors and LGNSW be asked to collaborate on a campaign calling for more sensible application of speed zones.
-

ATTACHMENTS

There are no attachments for this report.



Infrastructure Contributions Reforms

Cr Linda Scott, President

Infrastructure Contributions Reforms

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Background

- The **Infrastructure Contributions Bill** was introduced into Parliament on 22 June, and then referred to the Upper House Planning & Environment Committee for inquiry and report.
- The Committee called for **submissions** and held a **hearing** on 16 July 2021 where local government representatives, including LGNSW, appeared as witnesses.
- LGNSW made a **submission** to the inquiry, opposing the passage of the Bill in this form and calling for it to be withdrawn.
- The Committee tabled its **report** on 10 August 2021 and recommended that the Bill not proceed until the draft regulations have been developed and released for consultation and the reviews into the rate pegging system, benchmarking and the essential works list have been published by the Independent Pricing and Regulatory Tribunal.



Why are contributions important?

- **Helps to deliver the infrastructure needed as communities grow.**
- **A means of financing public infrastructure that is required as a direct or indirect result of new development.**
- **Based on a long-standing impactor/beneficiary pays principle of the existing planning system.**
- **Local infrastructure delivered via contributions includes roads, footpaths, street lighting, stormwater and drainage facilities, parks, playgrounds, playing fields, skate parks, basketball courts, libraries, childcare centres and public pools.**

What's being proposed?

- Led by the Treasurer Dominic Perrottet and Planning and Public Spaces Minister Rob Stokes.
- Changes to planning rules, including rules governing developer contributions, through the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill.



New South Wales

Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.
This Bill is cognate with the *Appropriation Bill 2021*.

Overview of Bill

The object of this Bill is to amend the *Environmental Planning and Assessment Act 1979* and other instruments as follows—

- to enable a contributions plan to identify land in a land value contributions area for the purpose of requiring a land value contribution for the land,
- to establish a regional infrastructure contributions scheme,
- to make further provision for existing local infrastructure contributions,
- to make other consequential amendments.

Infrastructure Contributions Reforms

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What's the potential impact?

- **The Bill could:**
 - **Reduce the type of community infrastructure that could be funded by developer contributions;**
 - **Siphon-off developer contributions into four regional funds, with no guarantees that the money would be funnelled back into projects in the local areas where the funds have been collected;**
 - **Dictate to councils on what and how they can spend their contributions (through Ministerial directions); and**
 - **Enable future governments to make further potentially-damaging changes to the system without parliamentary scrutiny.**

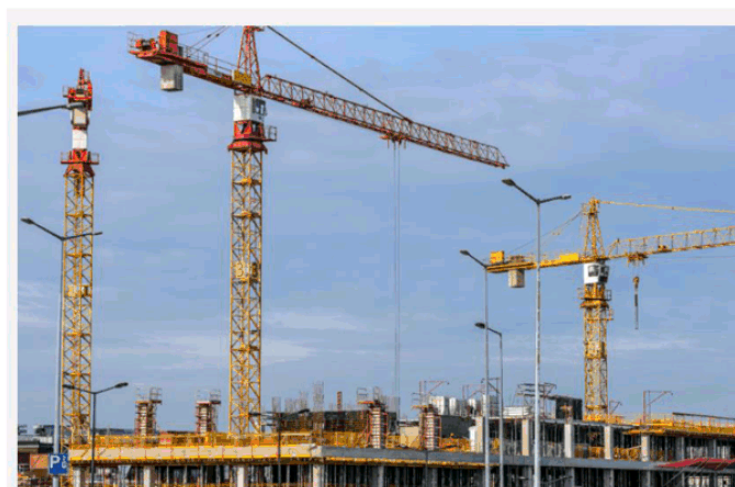


What's the potential impact?

- Council contributions will be significantly reduced....while State Government revenue (via regional contributions) will increase.
- Councils will be forced to either forgo the infrastructure or raise rates, cost-shifting the delivery of infrastructure from developers to ratepayers.
- Significant financial impact on councils' ability to deliver community infrastructure ranging in the millions to tens of millions of dollars.
- IPART "essential" infrastructure works list review - may further restrict the type of community infrastructure that could be funded via contributions.
- Won't reduce housing prices....Parliamentary Committee concluded it would 'just move costs between developers and landowners'.

LGNSW advocacy on your behalf

- **LGNSW has opposed the Bill in its current form and has called for it to be withdrawn from the NSW Parliament.**
- **We need a guarantee that councils and their communities are not left worse off as a result of these reforms, including in any current or future financial year taking into account projected future increases local governments are likely to receive under the current system.**



NSW councils to oppose rule changes to infrastructure contributions

16 July 2021

Local Government NSW (LGNSW) will oppose infrastructure contribution rule changes that threaten to defer and reduce critical developer payments to councils at a Parliamentary inquiry this week.

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LGNSW advocacy on your behalf

Dear Treasurer

Environmental Planning & Assessment Amendment (Infrastructure Contributions) Bill

I write to advise that Local Government NSW (LGNSW) opposes the passage of the Environmental Planning & Assessment Amendment (Infrastructure Contributions) Bill 2021 (the Bill) at this stage.

The Bill introduces a major overhaul of the infrastructure contributions system in NSW and has wide ranging implications for councils and the communities they serve.

LGNSW is concerned about the lack of broad consultation on the Bill and the attempt to expedite its passage by making it a cognate Bill of the NSW Budget Appropriation Bills, therefore avoiding the level of scrutiny that it deserves.

Engagement with Government

Submission
No 98

INQUIRY INTO ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT (INFRASTRUCTURE CONTRIBUTIONS) BILL 2021

Organisation: Local Government NSW
 Date Received: 11 July 2021

Submission

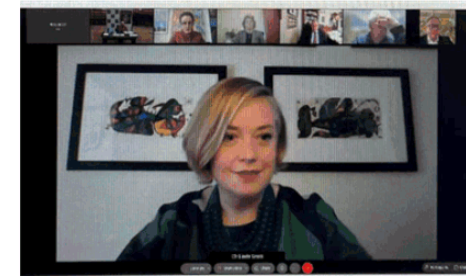


Councils concerned about infrastructure contribution rule changes

25 June 2021

Local Government NSW says State Government infrastructure contribution rule changes sneaked into Parliament this week have the power to defer and reduce critical developer payments to councils.

Media



Inquiry

Dear Mr Shoebridge,

Environmental Planning & Assessment Amendment (Infrastructure Contributions) Bill

I write to advise that Local Government NSW (LGNSW) opposes the passage of the Environmental Planning & Assessment Amendment (Infrastructure Contributions) Bill 2021 (the Bill) at this stage.

The Bill introduces a major overhaul of the infrastructure contributions system in NSW and has wide ranging implications for councils and the communities they serve. LGNSW is concerned that these reforms will result in further cost shifting from developers onto local government and ratepayers.

LGNSW is also concerned about the lack of consultation on the Bill and the attempt to expedite its passage by making it a cognate Bill of the NSW Budget Appropriation Bills, therefore avoiding the level of scrutiny that it deserves.

It is premature to push forward with this legislation while so much of the infrastructure reform agenda remains unknown. More detail is required about regulations and subordinate legislation that will follow.

I have written to the Treasurer outlining our concerns and requesting that the Bill be withdrawn, and further consultation undertaken (copy attached).

Will you commit to opposing this Bill?

Engagement with cross benchers

Infrastructure Contributions Reforms





LGNSW advocacy on your behalf

- **Campaign microsite and TVC under development – to raise public awareness of the importance of developer contributions to neighbourhoods – show what’s at stake:**
 - **Fact sheet/Infographics**
 - **Customisable/shareable assets**
 - **Downloadable letter/email**
 - **Petition functionality**
 - **Facebook/Twitter/LinkedIn links**
 - **Testimonials/stories**

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What can you do?

- Resolve a **Mayoral Minute**
- Write to Government Ministers
- Write and seek meetings with your local MPs
- Issue a media release and speak to your local media to raise community awareness
- Share the TVC and other campaign materials on your social media networks

ITEM MAYORAL MINUTE – INFRASTRUCTURE CONTRIBUTIONS REFORMS

Department

Author _____

Recommendation

1. That (Council) calls on the NSW Government to withdraw the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (the Bill) from the NSW Parliament.
2. That (Council) calls on the NSW Government to undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions system.

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LOCAL
GOVERNMENT
NSW

Questions and comments



Submission
No 98

**INQUIRY INTO ENVIRONMENTAL PLANNING AND
ASSESSMENT AMENDMENT (INFRASTRUCTURE
CONTRIBUTIONS) BILL 2021**

Organisation: Local Government NSW
Date Received: 11 July 2021



Draft submission

Parliamentary inquiry into the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021

July 2021

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Table of contents

Introduction.....	3
Financial sustainability of councils.....	4
Role of infrastructure contributions.....	6
Productivity Commissioner Recommendations - LGNSW response..	6
General comments on the Bill	7
Specific concerns	8
Timing of infrastructure contributions payments.....	8
Essential works list.....	10
Contribution of State significant development towards local infrastructure.....	10
Two parallel reforms.....	11
Conclusions	12
Summary of recommendations	12



Introduction

Thank you for the opportunity to make a submission to the parliamentary inquiry into the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (Infrastructure Contributions Bill).

Local Government NSW (LGNSW) is the peak body for local government in NSW, representing NSW general purpose councils and related entities. LGNSW facilitates the development of an effective community-based system of local government in the State.

LGNSW thanks the Committee for the invitation to make a submission on this Bill. LGNSW has been concerned about the lack of broad consultation on the Bill and the attempt to expedite its passage by making it a cognate Bill of the NSW Budget Appropriation Bills, therefore avoiding the level of scrutiny that it requires. We therefore welcome the opportunity this important inquiry provides to gather evidence on the implications and appropriateness of the Bill towards enhancing the infrastructure contributions system.

This submission remains in draft form until endorsed by the LGNSW Board. Any revisions made by the Board will be forwarded as soon as possible.

Opening

LGNSW opposes the Bill in its current form. The Bill introduces legislation that may enable the Government to implement the recommendations of the NSW Productivity Commission Review of Infrastructure Contributions (PC Review) but may also provide the Government with unfettered power to implement other reforms, that are outside the scope of the PC Review, without further parliamentary scrutiny.

Implementation of the recommendations will have far reaching financial implications for councils and communities that are unknown at this stage. The detail will not become clear until all proposed regulatory changes, Ministerial Directions and subordinate legislation that will give effect to the Government's infrastructure contributions reform agenda are released for scrutiny. Councils and other stakeholders are not in a position to provide informed comment without this additional level of detail.

LGNSW has advocated for a review of the infrastructure contributions system for some years with the aim of reducing complexity, improving transparency and equity and releasing the financial burden placed on councils providing local infrastructure to support population growth and/or the changing needs of communities. LGNSW has therefore welcomed reforms to this complex system.

However, it is essential that councils and communities are not left worse off by the NSW Government's infrastructure contributions reform agenda. While the modelling conducted under the PC Review indicates that the reforms will benefit councils, modelling conducted by individual councils and Regional Organisations of Councils (ROCs) refutes this conclusion, instead finding many councils will be negatively affected.

This will result in the delay or removal of projects from council plans, with a detrimental impact on community wellbeing and participation in civic life. It will also result in a consequential loss



of jobs that would have been generated through the design, development, delivery and operation of these public facilities.

Councils have led their communities through the previous 18 month's raft of disasters, headlined by the COVID pandemic. Ensuring councils have access to ongoing funding through infrastructure contributions will empower councils to drive a locally led economic recovery and help them create tens of thousands of new jobs for their communities.

This issue, particularly the determination of costs and benefits, is further complicated by the Government decision to make proposed reforms to the rate peg contingent on infrastructure contributions reforms. LGNSW strongly objects to this linkage and maintains that the respective reforms should be considered independently. This is discussed further below.

Further information is required to provide the necessary assurance that councils and their communities will not be worse off as a result of these reforms.

LGNSW calls on the NSW Government to withdraw the Bill until such time as that complete information has been made available for analysis and the financial implications are understood.

Clarity is required on many aspects of the reforms including:

- the definition of "development contingent infrastructure" and what infrastructure will be retained on the Essential Works List (EWL). The EWL is to be subject of an IPART review that has not yet commenced;
- future caps on s7.11 contributions;
- the introduction of caps and the apparent removal of a percentage levy on fixed rate contributions under s7.12;
- the operations of the proposed land value contributions;
- the rationale for proposing to change the review requirements for council's Local Strategic Planning Statements (LSPS) from 7 to 5 years (without any consultation with councils);
- details on the new Regional Infrastructure Contribution which is to be imposed by a State environmental planning policy (SEPP); and
- the Government response to the recommendations of the current Independent Pricing and Regulatory Tribunal (IPART) Review of the Rate Peg to include Population Growth.

LGNSW support for many other provisions of the Bill is contingent on our views on the regulatory changes that will follow the Bill, which are currently unknown. The Government should also undertake extensive consultation before reintroducing the Bill. At present, LGNSW considers the Infrastructure Contributions Bill is akin to the State Government asking councils to sign over a blank cheque and say "trust me".

Financial sustainability of councils

The enduring, pre-eminent challenge facing NSW local government is financial sustainability.



Local government is under sustained financial stress. This is a result of the compounding impacts of growing responsibilities, rate pegging and other financial constraints, cost shifting from the Federal and State governments and declining Commonwealth Financial Assistance Grants (in real terms). Cost shifting by the NSW Government onto local government is currently estimated to be around \$800 million per annum (representing over 6% of total local government revenue).

This has a direct bearing on council capacity to fund the provision and maintenance of infrastructure and the mechanisms used by local government to do so.

Rate pegging has been widely identified as a major reason for the financial difficulties and the large infrastructure delivery, renewal and maintenance backlogs faced by NSW councils.

The Productivity Commission identified rate pegging as a major constraint on local government finances and that prolonged rate pegging has produced undesired social and economic consequences. It found that: *“Under current arrangements, options for funding infrastructure are limited. A council’s ability to maintain consistent service levels is particularly constrained for those with growing communities, more so to the extent that community expectations are increasing. A significant contributor to the lack of fiscal flexibility is the local government rate peg, which currently includes no provision for population growth.”*

The Independent Pricing and Regulatory Tribunal (IPART) *Review of the Rate Peg to include Population Growth* also states that: *“Councils are not adequately compensated for population growth under the current rating system, which disincentivises them from accepting development and population growth”* and that: *“Our analysis shows the costs of growth are not being fully met for NSW councils in general, with faster growing councils tending to be unable to recover additional revenue through general income in proportion to their growth. The outcome is an expenditure gap between the cost of growth and what councils spend. Submissions from councils supported our finding, indicating the costs of servicing growth outstrip the revenue that councils can recover through rates to service growth”*.

These conclusions have also been supported by representative bodies such as the Committee for Sydney and the Sydney and Western Sydney Business Chambers.

These findings confirm the long-held views of local government and the findings of numerous other inquiries over past decades that the current rate peg process is undermining the financial sustainability of councils and diminishing their capacity to deliver infrastructure and services.

Over 40 years of rate pegging in NSW has resulted in the under-provision of community infrastructure and services and the deferral of infrastructure maintenance and renewal expenditure resulting in infrastructure backlogs. The backlog was estimated to be \$38 billion in 2018-19.

The NSW Productivity Commission also confirmed that NSW has the lowest per capita rates as the result of rate pegging and estimated that NSW rates are around 30% below the national average with NSW councils having foregone \$15 billion over the past 20 years when compared to Victorian councils. This has inarguably had a negative impact on the provision of local



infrastructure and services and local job creation in NSW and continues to undermine the financial sustainability of NSW councils.

LGNSW advocates the removal of rate pegging as a key measure in strengthening the financial sustainability of local government and reducing the infrastructure backlog. Short of this, LGNSW welcomes changes that will incrementally improve the operation of the rate pegging system and is supportive of the proposal to link the rate peg to population growth, which is currently being reviewed by IPART.

However, LGNSW warns against viewing rates as an alternative or replacement for infrastructure contributions, in part because one of the key purposes of rates is to help maintain existing infrastructure and services rather than to fund new infrastructure associated with new and increased demand generated by development. This is explored in further detail below.

Role of infrastructure contributions

Infrastructure contributions are made by developers to help deliver the infrastructure needed as communities grow. They are a means of financing public infrastructure that is required as a direct or indirect result of new development. They are provided in the form of monetary contributions, the dedication of land and/or the provision of capital works.

This is based on a long-standing impactor/beneficiary pays principle of the existing planning system i.e. new development makes a contribution towards the cost of infrastructure that will meet the additional demand it generates and benefits from.

Councils rely on development contributions to fund new infrastructure to support population growth and new development. Local government infrastructure responsibilities include local road, bridge, pedestrian and cycle networks, local water and sewerage utilities, stormwater and water management, buildings and facilities, regional airports and aerodromes, public domains, parks and open spaces, recreation, cultural, family and community services facilities, and a range of other infrastructure vital to local communities and important for creating liveable communities.

Council contribution plans are generally limited to the initial costs of providing this infrastructure. The ongoing life cycle costs of managing and maintaining infrastructure are not typically included in these plans and are generally funded through rates and other income streams.

Given the magnitude of infrastructure required (and expected) to support new communities, the inevitable reduction in infrastructure contributions will far outweigh any short to medium increase in rate revenue, resulting in funding shortfalls and unnecessary delays in the delivery of critical infrastructure to support those new communities.

Productivity Commissioner Recommendations - LGNSW response

LGNSW welcomed the Productivity Commissioner (PC) *Review of Infrastructure Contributions in NSW* and actively participated throughout the review process, making a [submission](#) in response to the Issues Paper and a [submission](#) in response to the PC Green Paper:



Continuing the productivity conversation. LGNSW supports many of the 29 recommendations made by the Productivity Commission and accepted by the NSW Government. But we also oppose several recommendations and/or have offered highly qualified support for a number of the others.

The Infrastructure Contributions Bill, combined with the other PC recommendations (that do not necessarily involve or require legislation amendment) introduces a major overhaul of the infrastructure contributions system in NSW and has wide ranging implications for councils and the communities they serve.

An overriding concern of the local government sector is that without full understanding of the ensuing details, these reforms will result in further cost shifting from developers onto local government and ratepayers.

LGNSW specifically opposed recommendations in relation to further restricting the essential works list to development contingent costs, permanent deferment of payments of infrastructure contributions, the removal of value capture and value sharing Voluntary Planning Agreements and restricting planning agreements for mining and energy projects to contingent infrastructure.

General comments on the Bill

LGNSW opposes the passage of the Infrastructure Contributions Bill until further details are known.

Notwithstanding the local government sector's general support for reforms to the system, LGNSW is disappointed that the NSW Government did not consult with the sector on an exposure draft of the Bill. Instead, the Government attempted to expedite its passage by making it a cognate Bill of the NSW Budget Appropriation Bills, therefore avoiding the level of scrutiny that it requires. LGNSW is therefore pleased that the Committee is now assessing the merits of the Bill.

It is premature to push forward with this legislation while so much of the infrastructure reform agenda remains unknown. Local government does not feel confident the reforms will create a fair and equitable system that does not make councils worse off. This is generating many questions within the sector and there is resounding agreement that before the Bill can proceed, more detail is required about regulations and subordinate legislation that will follow, including further analysis and modelling of impacts.

A further concern for LGNSW is that this Bill is a rushed attempt to make permanent some temporary arrangements that were put in place in response to COVID-19 and no evidence has been provided to support their permanent adoption. The most concerning example for LGNSW is the provision in the Bill to allow the Minister to make directions which will permanently defer the payment of infrastructure contributions until occupation certificate (OC) stage in the development process. (See details below.)

Recommendation 1: The NSW Government should withdraw the Bill until such time as current and proposed reviews have been completed, further analysis and modelling of



impacts undertaken, and more detail is known about ensuing regulations and subordinate legislation. Further, the Government should commit to extensive consultation on these additional elements.

Specific concerns

Specific comments related to certain provisions contained in the Bill are outlined below.

Timing of infrastructure contributions payments

LGNSW objects to the Government seeking to extend temporary provisions made in response to the pandemic and make these permanent.

The Bill proposes to replace existing provisions which apply only during the prescribed COVID-19 pandemic period with new permanent provisions that enable Ministerial Directions to set the timing of contributions payments at any time beyond the pandemic period. This is a significant overreach of Ministerial powers and is strongly opposed by LGNSW and the local government sector.

The existing provisions and proposed changes are compared in the table below.

Existing provision in EP&A Act section 7.17	Proposed in the Bill to replace s 7.17(1A) and (1B)
<p>(1A) A direction under subsection (1)(h) may be given only during the prescribed period within the meaning of section 10.17.</p> <p>(1B) A provision of a development consent granted before and inconsistent with a direction under subsection (1)(h) is taken to be modified so as to be consistent with the direction, but only for a contribution or levy (or a component of a contribution or levy) that has not been paid before the direction is given.</p>	<p>(1A) The Minister may extend a direction under subsection (1)(h) to an <i>existing development consent</i>— (a) that was granted before the direction was given, and (b) that is subject to a condition imposing a monetary contribution or levy that has not been paid or has not become due.</p> <p>(1B) An existing development consent to which subsection (1A) applies is taken to be modified to make it consistent with the direction if the direction specifies a later time for payment than is specified in the consent.</p>

The existing provision applies only during the prescribed pandemic period. That is, it is currently the subject of a sunset provision which is tied to Ministerial health-related directions. Whereas, the Bill is proposing that the Act enables the Minister to make directions allowing the deferral of contributions payments on a permanent basis. There is no evidence provided on which to base this significant policy change nor any regulatory impact analysis of the consequences for local infrastructure delivery. This change is also in direct conflict with the NSW Government's aim of delivering the right infrastructure at the right time. LGNSW resolutely objects to this amendment.

This was introduced as a temporary measure in response to the extraordinary circumstances of the COVID-19 pandemic, which in good faith, local government did not oppose.



Our opposition to making this measure permanent is due to the following reasons:

- Permanent deferral of contributions payments to councils to the OC stage will delay provision of essential community infrastructure or require existing communities to carry the burden of paying for the infrastructure costs for new developments until the payments are made. Contemporary community expectations are that essential services and facilities will be available when residents move into an area. It should also be noted that in instances where developers negotiate the delivery of contributions through works-in-kind, it is essential that delivery of those works aligns to the delivery of the associated development.
- Many councils across the State do not have the financial capacity to forward fund multiple infrastructure projects while awaiting vital contributions payments from developers for those projects.
- Councils already face issues recovering significant sums of money owed for infrastructure contributions where private certifiers have issued OCs. The time and administrative costs in pursuing these outstanding payments can be substantial. It also exposes councils to greater risk of default by developers and costly, protracted debt recovery proceedings.
- LGNSW notes that as part of COVID-19 measures the Environmental Planning and Assessment Regulation 2000 was amended to require certifiers to obtain evidence from a council or the Department that there are no outstanding infrastructure contributions before issuing an occupation certificate, and that failure to comply is a breach under the EP&A Act. However, there still remains a risk that private certifiers may be put under pressure to issue OCs and development companies may fold upon building occupation which may make recovery of unpaid contributions very difficult. The burden of enforcement in this area is most likely to fall on councils and the risk of revenue loss is significant.
- Some councils already have policies that allow conditions requiring infrastructure payments at the time of OCs, and LGNSW maintains that this should be a decision for each individual council not a blanket provision imposed by the State.
- While the current economic conditions are acknowledged, in terms of developers' access to liquidity, interest rates have never been lower and are not likely to rise for some time. No doubt, local government will learn from this sleight of hand reform and pause before so readily agreeing to future 'emergency provisions' in which the sector suffers a financial disbenefit.

Recommendation 2: Delete Schedule [24] which proposes to replace sections 7.17 (1A) and (1B) with new provisions to allow the Minister to make directions allowing the deferral of contributions payments on a permanent basis, if and when the Bill does proceed.

Recommendation 3: If Schedule [24] is retained in the Bill, then the current provisions in the EP&A Act and EP&A Regulation that create an offence should certifiers issue a certificate without evidence of an infrastructure contribution payment should be retained.



Essential works list

The PC has recommended that the Independent Pricing and Regulatory Tribunal review the Essential Works List and provide advice on the approach to considering efficient infrastructure design and application of nexus. At the time of writing, the terms of reference had yet to be issued.

The Essential Works List is relevant to contributions plans that propose contribution levels above the relevant contributions cap. A list of essential infrastructure is prescribed by DPIE¹. This list does not include community facility buildings, only the land component of these facilities.

A longstanding policy of LGNSW is the amendment of the Essential Works List to include the capital costs of providing core community facility buildings. It is not sufficient to provide land for such facilities. Contemporary community expectations are that these essential services and facilities will be available and completed before they move into an area. Councils' social licence for increased density and development also comes from associated improvements to community infrastructure and services. As community facility buildings are not included on the current essential works list, local government faces significant funding shortfalls for providing community facilities.

The provision of a high quality public domain and facilities by local government is also instrumental in driving commercial demand, new business formation, private sector investment and investment by developers and is essential in supporting the NSW government's commitment to commercial and economic growth.

Local Government's capacity to plan and deliver high quality public domain works would be impossible to fund without appropriate contributions from development. LGNSW has therefore specifically opposed the PC recommendations in relation to further restricting the essential services list to development contingent costs.

Recommendation 4: The principle that infrastructure contributions should capture both the land and capital costs of providing core community facilities must be recognised in legislation, if and when the Bill does proceed.

Contribution of State significant development towards local infrastructure

In local government areas where major developments such as mining, solar farms and resource activity are placing added pressure on local infrastructure, services and housing, local government needs additional financial resources to augment public infrastructure and cater for the increased demands of industry expansion and population increase. As councils are not the consent authority for state significant development (SSD), they have little control over and cannot rely on the inclusion of developer contributions as a condition of consent for these proposals.

¹ NSW Planning and Environment, Local Infrastructure Contributions Practice Note, January 2019



An area of uncertainty, particularly for rural and regional councils, is that conditions requiring local infrastructure contributions for SSD are not being applied consistently, as they are for locally approved development. In regional areas of the state, SSD commonly includes mines, solar farms and other large resource developments.

Councils are concerned that their communities are being overlooked for important supporting infrastructure because the approval bodies for these developments do not always require payment of contributions for local infrastructure as a condition of approval for SSD. LGNSW is not aware of any mandatory framework to formalise the requirement for such contributions or to extend such contributions to benefit neighbouring councils that may be also directly affected because of the cumulative impacts of many developments in adjoining LGAs.

Recommendation 5: Due to the significance of local government's role in the provision of local infrastructure to support state significant development, the Act should be amended to ensure that where an SSD project occurs within an LGA, mechanisms are in place to ensure that councils can have genuine input to the assessment of the project, including giving the council concurrence on the conditions of consent for SSD.

Two parallel reforms

LGNSW strongly objects to the Government's decision to tie reform of the rate peg to cater for population growth to reductions in infrastructure (developer) contributions. While this was not specified in the terms of reference for the PC Review or the IPART Review, this was implicit in the Government's unqualified acceptance of the PC recommendations, was an integral part of the modelling by the Centre for International Economics (CIE) that supported the PC report and it was the clear message in media and consultations.

LGNSW is of the view that the findings of the PC on the negative effects of rate pegging are independent of the infrastructure contributions process and the matters should be addressed separately. Councils overwhelmingly see the decision to link the two as a cost shift from developers onto ratepayers and councils. While it is acknowledged there may be ways to design the policy to help ensure there is a net gain to councils, the linkage detracts from the primary objective of reducing the negative impacts of rate pegging.

As noted above (under Financial sustainability of councils), both the PC and IPART have found that there is an underlying need to reform rate pegging independently of reforms to the infrastructure contributions framework.

It is relevant to note that the recommendations of the draft report of the current IPART Review of the Rate Peg to include Population Growth presents some major obstacles to the proposed infrastructure contributions reforms. The draft report states that the preferred methodology would have delivered NSW local government an additional \$116 million over the past four years (2017-18 to 2020-21), in total. This represents an increase in total General Income for the sector of only 0.6%. While this is welcome, it is a small amount and will barely assist with the existing financial needs of councils. It clearly does not provide any scope for the reduction of developer infrastructure contributions on the back of increased rate revenues. It is noteworthy that 96 councils would have gained increased General Income (albeit very small increases in most cases) and no councils would have been worse off.



This result challenges some of the underpinnings of the proposed infrastructure contributions reforms and presents another reason for withdrawing the Bill.

Recommendation 6: That the rate peg reforms be decoupled from the infrastructure contributions reform agenda; and that the modelling behind the PC's recommendations be revisited in light of what appears to have been overinflated estimates of increased rate income.

Conclusions

First and foremost, LGNSW opposes the passage of the Infrastructure Contributions Bill and requests it be withdrawn until such time as to allow for consultation with local government and other stakeholders. We cannot support the Bill until we are assured that councils and communities will not be worse off under the legislation. We need to be assured that the Bill will not result in further cost shifting from developers onto local government and ratepayers. Communities depend on councils to deliver for the public good. This Bill risks reducing these efforts. More detail is required about regulations and subordinate legislation that will follow. It is premature to push forward with this legislation while so much of the infrastructure reform agenda remains unknown.

Furthermore, LGNSW and the local government sector do not agree with the Government trying to tie rate reform to infrastructure contributions reform and this Bill.

Summary of recommendations

In summary, LGNSW makes the following recommendations:

Recommendation 1: The NSW Government should withdraw the Bill until such time as current and proposed reviews have been completed, further analysis and modelling of impacts undertaken, and more detail is known about ensuing regulations and subordinate legislation. Further, the Government should commit to extensive consultation on these additional elements.

Recommendation 2: Delete Schedule [24] which proposes to replace sections 7.17 (1A) and (1B) with new provisions to allow the Minister to make directions allowing the deferral of contributions payments on a permanent basis, if and when the Bill does proceed.

Recommendation 3: If Schedule [24] is retained in the Bill, then the current provisions in the EP&A Act and EP&A Regulation that create an offence should certifiers issue a certificate without evidence of an infrastructure contribution payment should be retained.

Recommendation 4: The principle that infrastructure contributions should capture both the land and capital costs of providing core community facilities must be recognised in legislation, if and when the Bill does proceed.

Recommendation 5: Due to the significance of local government's role in the provision of local infrastructure to support state significant development, the Act should be amended to ensure that where an SSD project occurs within an LGA, mechanisms are in place to ensure



that councils can have genuine input to the assessment of the project, including giving the council concurrence on the conditions of consent for SSD.

Recommendation 6: That the rate peg reforms be decoupled from the infrastructure contributions reform agenda; and that the modelling behind the PC's recommendations be revisited in light of what appears to have been overinflated estimates of increased rate income.

* * *

LGNSW would welcome the opportunity to assist with further information during this Inquiry to ensure the views of local government are appropriately considered.

GENERAL MANAGER'S MATTERS

ITEM 8.1 ELECTION OF THE DEPUTY MAYOR

RECORD NUMBER	21/325
RELATED FILE NUMBER	EF10/506
AUTHOR/S	Executive Manager IPR, Governance and Engagement
APPROVER/S	General Manager

SUMMARY/PURPOSE

The purpose of this report is to elect a Deputy Mayor for the remaining term of the current Council.

RECOMMENDATION

THAT:

1. The Returning Officer proceeds with the election of the Deputy Mayor in accordance with the provisions of the *Local Government Act 1993* and the *Local Government (General) Regulation 2005* for the period up until the upcoming Local Government Elections, which are currently scheduled for 4 December 2021.
 2. The method of electing the Deputy Mayor be by the Ordinary Ballot Voting Method.
 3. The Returning Officer reads out publicly the final vote count.
 4. No fees be paid to the Deputy Mayor.
-

REPORT

(a) Background

Under the *Local Government Act 1993*, Council can determine to elect a Deputy Mayor from within the elected Council to exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from the function or if there is a casual vacancy in the Office of the Mayor.

If no Deputy Mayor is elected or if the Deputy Mayor is unable to act, Councillors may elect one of their number to act as the Deputy Mayor.

Section 231(2) of the *Local Government Act 1993* allows the person elected to be the Deputy Mayor to be elected for the Mayoral Term (2 years) or a shorter term (1

year). Last year, given that Local Government elections were postponed until September 2021 to address the risks posed by COVID-19, the Deputy Mayor was elected for one year.

COVID-19 remains an issue in 2021 and the Local Government elections have been postponed for a further 3 months, necessitating an election of a Deputy Mayor for the remainder of the extended Council term.

Further, as per Section 249(5) of the *Local Government Act 1993*:

A Council may pay the Deputy Mayor (if there is one) a fee determined by the Council for such time as the Deputy Mayor acts in the Office of the Mayor. The amount of the fee so paid must be deducted from the Mayor's annual fee.

This Council has traditionally resolved to:

- conduct the election of the Deputy Mayor by Ordinary Ballot
- pay no fees to the Deputy Mayor.

(b) Discussion

The recommendation, as written, takes into account the timeframe imposed by the upcoming Local Government elections and reflects Council's past decisions regarding the conduct of the election and the fees applicable to the Deputy Mayor. Options for Councillors to consider are listed below.

Conduct of Election

The election of the Mayor and Deputy Mayor of Leeton Shire Council must be held in accordance with Schedule 7 of the Local Government (General) Regulation 2005 – Election of Mayor by Councillors and Council's Code of Meeting Practice.

Schedule 7 of the Local Government (General) Regulation 2005 outlines the following procedures for the election:

1. The Returning Officer will invite nominations. These nominations are to be announced and elections are to be conducted at the same Council meeting.

A Councillor may be nominated without notice for election as the Deputy Mayor. The nomination is to be made in writing by two or more councillors, one of whom may be the nominee.

Nomination forms have been circulated prior to this meeting and will also be available at the Ordinary Council Meeting. The nomination is not valid unless the nominee has indicated their consent to the nomination in writing.

2. The nomination is to be delivered or sent to the Returning Officer nominated by the General Manager.
3. The Returning Officer is to announce the names of the nominees at the Ordinary Council Meeting.

4. If there is only one nomination or if all the Councillor candidates nominated except one decline, then the Returning Officer shall declare the nominee elected to the position of Deputy Mayor for the period up until the forthcoming Local Government elections.
5. If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by:
 - (i) Ordinary Ballot
 - (ii) Preferential Ballot
 - (iii) Open Voting (voting by show of hands or similar means).

Note: The elections of Mayor and Deputy Mayor are the only times that Council can choose to vote by way of a secret ballot. In all other matters open voting must be used. The election is to be held at the Council meeting at which the Council resolves the method of voting.

6. Preferential and Ordinary Ballots will be secret ballots.
7. Where the election is by ballot, the General Manager (or a person appointed by the General Manager) shall, pursuant to Clause 1, Schedule 7 of the Local Government (General) Regulation 2005 be the Returning Officer.

The Ballot shall be conducted by the preparation, marking and counting of the ballot papers in the presence of the Council; and it shall be necessary to carry out all of the procedures of the secret ballot.

Ordinary Ballot

Part 2 – Ordinary Ballot or Open Voting

This Part applies if the election proceeds by Ordinary Ballot or by Open Voting

8. Clause 5, Schedule 7 of the Local Government (General) Regulation 2005 deals with the marking of ballot-papers and provides:
 - (i) *If the election proceeds by Ordinary Ballot, the Returning Officer is to decide the manner in which votes are to be marked on ballot papers.*
 - (ii) *The formality of a ballot-paper under this Part must be determined in accordance with clause 345 (1) (b) and (c) and (6) of this Regulation if it were a ballot-paper referred to in that clause.*
 - (iii) *An informal ballot-paper must be rejected at the count.*
9. Clause 6, Schedule 7 of the Local Government (General) Regulation 2005 deals with an election involving two candidates and provides:
 - (i) *If there are only 2 candidates, the candidate with the higher number of votes is elected.*
 - (ii) *If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.*
10. Clause 7, Schedule 7 of the Local Government (General) Regulation 2005 deals with an election involving three or more candidates and provides:
 - (i) *If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.*

- (ii) *If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.*
- (iii) *If after that, 3 or more candidates still remain, the procedure set out in subclause (ii) is to be repeated until only two candidates remain.*
- (iv) *A further vote is to be taken of the 2 remaining candidates.*
- (v) *Clause 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.*
- (vi) *If at any stage during a count under subclause (i) or (ii), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.*

Preferential Ballot

Part 3 – Preferential Ballot

This Part applies if the election proceeds by Preferential Ballot

11. Clause 9, Schedule 7 of the Local Government (General) Regulation 2005 deals with ballot-papers and voting and provides:
 - (i) *The ballot-papers are to contain the names of all of the candidates. The councillors are to mark their votes by placing the numbers "1", "2" and so on against the various names so as to indicate the order of their preference for all of the candidates.*
 - (ii) *The formality of a ballot-paper under this Part is to be determined in accordance with Clause 345 (1) (b) and (c) and (5) of this Regulation as if it were a ballot-paper referred to in that clause.*
 - (iii) *An informal ballot-paper must be rejected at the count.*
12. Clause 10, Schedule 7 of the Local Government (General) Regulation 2005 deals with the count and provides:
 - (i) *If a candidate has an absolute majority of first preference votes, that candidate is elected.*
 - (ii) *If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.*
 - (iii) *A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.*
 - (iv) *In this clause "absolute majority" in relation to votes means a number which is more than one-half of the number of unexhausted formal ballot-papers.*
13. Clause 11, Schedule 7 of the Local Government (General) Regulation 2005 deals with tied candidates and provides:

- (i) *If, on any count of votes, there are 2 candidates in, or remaining in, the election and the number of votes cast for the 2 candidates are equal, the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.*
- (ii) *If on any count of votes, there are 3 or more candidates in, or remaining in, the election and the number of votes cast for 2 or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of votes – the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.*

Open Voting

Follows the same procedures as for Ordinary Ballot excepting it is by a show of hands or similar means.

Choosing by Lot

14. Clause 12, Schedule 7 of the Local Government (General) Regulation 2005 deals with choosing by lot and provides:

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the Returning Officer, the slips are folded by the Returning Officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the Returning Officer and the candidate whose name is on the drawn slip is chosen.

Result

The result of the election (including the name of the candidate elected as Deputy Mayor) is:

- (a) *To be declared to the Councillors at the Council Meeting at which the election is held by the Returning Officer.*
- (b) *To be delivered or sent to the Director-General and to the Secretary of the Local Government and Shires Association of New South Wales.*

The General Manager has nominated the Executive Manager IPR, Governance and Engagement to be the Returning Officer. The Executive Manager IPR, Governance and Engagement will conduct the election of the Deputy Mayor in accordance with the requirements of the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*.

(c) Options

Council has the following options available to it:

Deputy Mayor

1. Elect a Deputy Mayor for the period up until the next Local Government elections.
2. Not elect a Deputy Mayor.

Conduct of election

To conduct the election by:

1. Ordinary Ballot
2. Preferential Ballot
3. Open Voting Method.

Announcement of results

1. The Returning Officer reads out publicly the name of the candidate with the most votes.
2. The Returning Officer reads out publicly the name of the candidate with the most votes and the final vote count.

Fee

1. Elect to pay a fee to the Deputy Mayor (deducted from the fee payable to the Mayor).
2. Elect not to pay a fee to the Deputy Mayor.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

Nil

(b) Policy

Code of Meeting Practice.

(c) Legislative/Statutory

Local Government (General) Regulation 2005

Schedule 7

Local Government Act 1993

231 Deputy Mayor

- (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.*

249 Fixing and payment of annual fees for the Mayor

- (5) *A Council may pay the Deputy Mayor (if there is one) a fee determined by the Council for such time as the Deputy Mayor acts in the Office of the Mayor. The amount of the fee so paid must be deducted from the Mayor's annual fee.*

(d) Risk

Not having a Deputy Mayor could leave the council without someone to step-in if the Mayor became indisposed.

CONSULTATION

(a) External

Nil

(b) Internal

Nil

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

Under the Key Priority Area THEME 6 - "STRONG LEADERSHIP" within Council's adopted Delivery Program/Operational Plan – 20 – A community that is always on the front foot – 20a is to – Ensure the aspirations of the community are delivered – Operate an efficient and effective Local Government.

ATTACHMENTS

There are no attachments for this report

ITEM 8.2 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 9 SEPTEMBER 2021

RECORD NUMBER	21/344
RELATED FILE NUMBER	EF18/46
AUTHOR/S	Executive Manager IPR, Governance and Engagement
APPROVER/S	General Manager

SUMMARY/PURPOSE

The purpose of this report is to submit the Minutes of the Audit, Risk and Improvement Committee (ARIC) meeting held on Tuesday 9 September 2021.

RECOMMENDATION

THAT Council endorses the Minutes of the Audit, Risk and Improvement Committee meeting held on 9 September 2021 and notes the information contained in the Chairman's Report on DRAFT Financial Statements for the year ending 30 June 2021.

REPORT

(a) Background

Leeton Shire Council's ARIC met on Thursday 9 September 2021. The Agenda (**Attachment 1**) Minutes of the meeting (**Attachment 2**) and the Chairman's Report on the meeting (**Attachment 3**) are now presented for Council's information.

The ARIC is charged with providing independent assurance and assistance to Council on risk management, control, governance and external accountability responsibilities, as well as for the purposes of quality assurance and quality improvement.

(b) Discussion

At the meeting of 9 September 2021, ARIC reviewed the draft Financial Statements for the 2020/21 financial year. **See Confidential Attachment 4.**

As per the Chairman's Report to Council, the ARIC made a number of recommendations in relation to the DRAFT Financial Statements for the financial year ending 30 June 2021.

Other matters on the Agenda for the ARIC Meeting of 9 September 2021 included:

- actions undertaken in relation to the treatment of Rural Fire Service (RFS) Plant and Equipment in Council General Purpose Financial Statements (GPFS)
- the DRAFT scope for the upcoming audit of Council's Real Estate Development and Sales
- the DRAFT scope for the upcoming audit of Council's Water Trading Activities
- the DRAFT "Guidelines for Risk Management and Internal Audit for Local Councils in NSW"
- a Records Management Audit Update.

ARIC now seeks Council's endorsement of its resolutions as recorded within the Minutes of the 9 September 2021 meeting.

(c) Options

The attached documents are provided for Council's information and endorsement. Council may choose not to endorse the ARIC's recommendations.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

All audits and improvement plan actions are being undertaken within existing operational budgets. The proposed audits for 2021/22 have been allowed for in the draft Budget 2021/22.

(b) Policy

There are no policy implications arising from this report.

(c) Legislative/Statutory

The Audit, Risk and Improvement Committee is established under the *Local Government Act 1993*.

The ARIC is bound by Council's Code of Conduct and Code of Meeting Practice.

(d) Risk

Leeton Shire Council's exposure to risk would increase if it failed to undertake internal audits.

CONSULTATION

(a) External

The ARIC membership includes three independent external members, including the Chair.

(b) Internal

ARIC Councillor members

Group Manager Corporate
Manager Finance
Records Officer

[LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN \(DPOP\)](#)

Under the Key Priority Area THEME 6 - "STRONG LEADERSHIP" within Council's adopted Delivery Program/Operational Plan – 20 - A community that is always on the front foot – 20c is to: Strive to deliver the aspirations of the community through sound governance practice – Continue to hold Audit, Risk and Improvement Committee meetings.

[ATTACHMENTS](#)

- 1 [↗](#) Agenda of Audit, Risk and Improvement Committee - Thursday 9 September 2021 - *Attached separately*
- 2 DRAFT Leeton Shire Council Annual Financial Statements 2020/21 - *Attached separately* - **Confidential**
- 3 [↓](#) Minutes of Audit, Risk and Improvement Committee - Thursday 9 September 2021
- 4 [↓](#) ARIC Chairman's Report to Council - September 2021



**MINUTES OF THE
AUDIT, RISK AND IMPROVEMENT COMMITTEE
LEETON SHIRE COUNCIL
THURSDAY 9 SEPTEMBER 2021
COMMENCING AT 6.40PM
VIA VIDEOCONFERENCE**

LEETON SHIRE COUNCIL
Audit, Risk and Improvement Committee - Thursday 9 September 2021

1. **Voting Members – PRESENT via videolink:** Graham Bradley (Chair), Bill Robertson, Emerson Doig, Cr Tony Reneker, Cr Tracey Morris

Non-Voting Attendees – PRESENT: Jackie Kruger (General Manager), Kerrie-Anne Hare (Executive Manager IPR, Governance and Engagement), Mandy Rogers (Group Manager Corporate)

PRESENT via videolink – Lawrence Amato (Manager Finance), Angela Stevens (Records Officer)

2. **APOLOGIES**

Nil

3. **CONFIRMATION OF THE MINUTES**

Resolved

THAT the Minutes of the Audit, Risk and Improvement Committee held on Monday 3 May 2021, as circulated, be taken as read and CONFIRMED.

(Moved Cr Reneker, seconded Cr Morris)

4. **DECLARATION OF INTEREST**

Nil

5. **OFFICER'S REPORT**

Item 5.1 MATTERS ARISING FROM PREVIOUS MINUTES

Resolved

THAT the Audit, Risk and Improvement Committee:

1. Receives and notes the update on matters arising from previous meetings.
2. Requests the addition of a further action: that the Chair be invited to participate in a preliminary workshop with the Manager Finance and Group Manager Corporate on the development of the 2022/23 budget.

(Moved Cr Reneker, seconded Cr Morris)

LEETON SHIRE COUNCIL
Audit, Risk and Improvement Committee - Thursday 9 September 2021

Item 5.2 CHAIRMAN'S REPORT ON ACTION UNDERTAKEN IN RELATION TO THE ACCOUNTING TREATMENT FOR RURAL FIRE SERVICE (RFS) ASSETS

Resolved

THAT:

1. The Chairman's report on actions undertaken in relation to the treatment of Rural Fire Service (RFS) Plant and Equipment in Council General Purpose Financial Statements (GPFS) be received and noted.
2. The Chairman's letter to the Auditor General dated 22 June 2021 be resubmitted to the Audit Office with an accompanying covering letter expressing serious concern and disappointment with the Audit Office's failure to address any of the questions enunciated in the Chairman's letter, and calling on the Audit Office to respond in a comprehensive manner to each and every question detailed.
3. Further action proposed by the Chairman be deferred until the receipt of the final report by BDO and an appropriate time allowed for responses from the NSW Audit Office and the Department of Planning, Industry and Environment, being 21 days from the date of issue to both organisations.

(Moved Cr Morris, seconded Cr Reneker)

Item 5.3 REVIEW OF LEETON SHIRE COUNCIL'S DRAFT ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDING 30 JUNE 2021

Resolved

THAT The Audit, Risk and Improvement Committee (ARIC):

1. Notes the Draft Annual Financial Statements for the 2020/21 Financial Year as presented and notes that the Chairman will forward comments to the Mayor.
2. Notes that senior Audit Office personnel have not attended Council's offices since assuming responsibility for Council's annual audit, and therefore invites the Auditor General and/or Mr Aaron Green to personally attend the Leeton Shire Council meeting on 24 November to present the Audit Report for the financial year ending 30 June 2021.

(Moved Cr Morris, seconded Mr Doig)

LEETON SHIRE COUNCIL
Audit, Risk and Improvement Committee - Thursday 9 September 2021

**Item 5.4 DRAFT GUIDELINES FOR RISK MANAGEMENT AND INTERNAL AUDIT
FRAMEWORK FOR LOCAL COUNCILS IN NSW**

Resolved

THAT the Audit, Risk and Improvement Committee notes the draft "Guidelines for Risk Management and Internal Audit for Local Councils in NSW" and determines that no feedback on the document will be submitted to the Office of Local Government (OLG).

(Moved Mr Robertson, seconded Mr Doig)

**Item 5.5 LEETON SHIRE COUNCIL INTERNAL AUDIT PROGRAM FOR 2021/22 -
CONFIRMATION OF SCOPE**

Resolved

THAT the Audit, Risk and Improvement Committee reviews the draft scopes for internal audits of Leeton Shire Council's sales of real estate and trading of temporary water and endorses the scopes as amended in line with the following:

1. Scope for Audit of Leeton Shire Council's Town Water Allocation –
Temporary Transfer
 - Add reference to:
 - Trading responsibly
 - Trading in line with community expectations
 - Maximising return while minimising risk.
 - Change the date for the endorsement of the final report and action plan by Council to 30 June 2022.
2. Scope for Audit of Leeton Shire Council's Sale of Real Estate
 - Add reference to:
 - The allocation of costs over staged developments
 - The way in which prices are set.
 - Replace the word 'and' between the two dates 30 June 2018 and 30 June 2022 with the word 'to'.
 - Change the date for the endorsement of the final report and action plan by Council to 30 June 2022.

(Moved Mr Robertson, seconded Cr Morris)

LEETON SHIRE COUNCIL
Audit, Risk and Improvement Committee - Thursday 9 September 2021

Item 5.6 RECORDS MANAGEMENT AUDIT UPDATE

Resolved

THAT the Audit, Risk and Improvement Committee notes for information the status of actions arising from the Records Management Audit.

(Moved Cr Morris, seconded Mr Doig)

The meeting closed at 9.10pm.

The next meeting of the ARIC will be held on Thursday 11 November 2021 at 6.30pm.

..... signed by
the Chairman of the meeting held on
11 Nov 2021 at which meeting the
signature hereon was subscribed.

AUDIT, RISK AND IMPROVEMENT COMMITTEE

CHAIRMAN'S REPORT TO COUNCIL

Attention Paul Maytom - Mayor

I advise that the Leeton Shire Council Audit, Risk and Improvement Committee met on Thursday 9th September. Due to Covid restrictions in place this meeting was conducted via a "Zoom teleconference" All Committee members participated together with Council representatives including Jackie Kruger, Kerrie Anne Hare and Mandy Rogers. Lawrence Amato and Angela Stevens joined us via video link to address their respective presentations.

I am again pleased to report that the agenda and accompanying reports were delivered/forwarded to the Committee members in the week prior to our meeting which enabled considered and informed discussions.

Our principal items of business at these meetings were, of course, the draft financial statements.

REVIEW OF COUNCIL'S DRAFT FINANCIAL STATEMENTS

As Chairman of the ARIC I volunteered to make the following comments:

Council reported an operating deficit **before** capital grants and contributions of \$4,425,000 for the year ended 30 June, 2021 (2020 – surplus \$2,503,000).

Excluding capital grants and contributions, operating revenues (\$31.58 million) have remained very stable (2020 \$31.76 million) whilst during the same period operating expenses increased approx.23% to \$36.0 million.

In addition to operating revenues, Council received capital grants and contributions of \$6.93 million (2020 \$3.94 million).

I do emphasise however that the draft financial statements have been adversely impacted by the initial accounting treatment for landfill remediation. Council had not previously recognised a landfill remediation expense and its inclusion this year has resulted in an operating expense of \$2.67 million being brought to account. The ARIC has expressed concern with this accounting treatment and have requested that it be referred to the Auditors for clarification.

Other significant items impacting on the operating results were:

- Increased depreciation expenses (up \$1.1 million) principally resulting from the revaluation of roads in 2019/20
- Decreased income from Water Licences (down \$603,000)
- Decreased interest income (down \$207,000)

The operating results have of course impacted on the performance measure ratios as detailed in Note 26. These ratios benchmark Councils and are generally considered an important indicator of a Council's financial health. I note that all Council's performance ratios in previous years have generally well exceeded the industry benchmarks however in 2021/22 Council failed to reach the industry benchmarks in three of the six performance ratios namely:

- Operating Performance Ratio
- Own source operating revenue ratio
- Debt Service cover ratio

Whilst the accounting treatment for landfill remediation has been a significant factor in the decline in some ratios it must nevertheless be acknowledged that these ratios are on a downward trajectory.

For the first time in my memory Council's operating income is now insufficient to meet operating expenditure. This is reflected in the Operating Performance ratio which has decreased from 12.86 in 2018 to negative 13.88 in 2021/22 or negative 5.43 after eliminating the impact of landfill remediation.

I also emphasise that the performance ratios have been favourably impacted by the significant contributions from the Water and Sewerage Funds.

Of particular interest are the operating results before capital grants and contributions of the individual funds (Refer Note 25):

	2021	2020
	\$	\$
General Fund	(5,608,000)	938,000
Water Fund	636,000	1,190,000
Sewerage Fund	547,000	375,000
	<u>(4,425,000)</u>	<u>2,503,000</u>

The deficit operating result in the General Fund is a matter for concern – even after allowing for the negative impact of the landfill remediation expense. As we have previously reported declining revenues for non-core activities such as interest income and water licences together with rising expenditures have placed considerable pressure on the General Fund operating result. In our opinion Council must initiate positive measures to address the declining financial position of the General Fund to ensure that Council's future objectives can be achieved.

I make the further observations:

GENERAL FUND refer Note 25

Revenues

- Sales of Investment Water (from licences - refer Note 3(c)) decreased from \$767,000 in 2019/20 to \$164,000 in 2021/22.
- User charges and fees decreased by 36% and amounted to \$3.87 million (2020 \$6.06 million). This decrease was principally in response to a significant reduction in works undertaken for Transport for NSW which decreased from \$2.58 million in 2019/20 to \$334,000 in 2021/22.
- Operating grants and contributions increased 34% and amounted to \$8.52 million (2020 \$6.37 million). Significant grants received included:

Recreation and Culture (Showground)	\$1,272,000
Transport	\$1,708,000

Note: As these operating grants & contributions were largely expended in 2020/21 the impact on the operating result has been minimal.

Expenses

- Employee costs increased 7.3% to \$9.29 million (2020 - \$8.7 million).
- Materials and services expenditure increased 56% to \$11.29 million (2020 \$7.23 million).
- Borrowing costs have dramatically increased but solely in response to the landfill remediation expense
- Depreciation expenses (\$5.40 million) have increased 20% principally through increased roads depreciation resulting from the revaluation in 2019/20.

Note: General Fund depreciation expenses represent approx. 20% of total operating expenses and although at the lower end of the scale they are in my opinion reasonable.

Cash and investments now amount to \$20.55 million (2020 \$25.26 million) of which approx. \$7.0 million is externally restricted. With interest rates currently experiencing considerable pressure and still trending downwards, future interest revenues can be expected to further decline. Importantly, Council's heavy reliance on interest income may jeopardise the planned expenditure of invested funds.

The sale of real estate has resulted in a net gain of \$23,000. I note that Council expended \$353,000 in 2021/22 on land purchases/development and that sales amounted to \$155,000. At year end Council's real estate assets amounted to \$1.09 million of which \$209,000 is anticipated to be sold within the next twelve months.

During 2020/21 Council did not raise any new borrowings and repaid borrowings amounting to \$443,000. At year end Council's outstanding borrowings had reduced to \$3.32 million.

Note: All Council's borrowings are held in the General Fund

Given the abovementioned observations, Council has in my opinion limited scope for further borrowings in the General Fund, unless of course such loans are revenue positive. In any event I would encourage Council to consider borrowing internally rather than seeking funding from external sources.

WATER & SEWERAGE FUNDS refer Note 25

These Funds appear to have reported satisfactory financial results and therefore remain in a sound financial position.

OTHER MATTERS

The committee members and non-voting attendees actively participated in our discussions on the following Agenda items.

Matters arising from previous minutes

Action: Received and Noted

Chairman's Report on action in relation to the accounting treatment for rural fire service (RFS) assets

Action: Received and Noted

This matter is ongoing and the expert independent Accounting firm we engaged have issued a draft report supporting the position taken by the LSC ARIC. Approx. 30 NSW Councils have now joined with us and have agreed to contribute up to \$1,000 each to our campaign. At this stage I anticipate that the cost of our actions will be less than \$1,000 for LSC.

Should we achieve the desired outcome from our actions the General Fund reported operating result should significantly improve. Such improvement would be reflected in lower depreciation expenses.

Draft Guidelines for risk management and internal audit framework for local councils in NSW

Action: Received and Noted

The ARIC was satisfied with the amended Draft Guidelines and did not wish to make a further submission

Leeton Shire Council internal audit program for 2021/22

A) Projects and Contract Management

Action: Scheduled to commence October, 2021

B) Water Licences

Action: Scope approved and anticipated to commence in February, 2022

C) Real Estate

Action: Scope approved and anticipated to commence in February, 2022

I again reiterate that Council's input is most welcome.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Graham Bradley', written in a cursive style.

Graham Bradley
Chairman
13/09/2021

ITEM 8.3 CHRISTMAS/NEW YEAR ARRANGEMENTS

RECORD NUMBER	21/354
RELATED FILE NUMBER	EF15/46
AUTHOR/S	Manager People and Organisation Development
APPROVER/S	General Manager

SUMMARY/PURPOSE

The purpose of this report is to provide Council with the opportunity to consider the closure of Council's operations over the Christmas/New Year period for 2021/22.

RECOMMENDATION

THAT:

1. Council's Depot, Administration Office, Library and Visitor Information Centre (VIC) be closed to the public for the Christmas/New Year period from Saturday 25 December 2020 until Sunday 9 January 2022 (inclusive) and reopen on Monday 10 January 2022.
 2. The Leeton Museum and Gallery remain open from 10am to 3pm on days that are not public holidays, staffed by officers with minimal leave, volunteers and/or casuals.
 3. Except for a skeleton team for Operations, landfill, swimming pools, ranger services and on-call services, staff be permitted to take annual leave or other authorised leave for the 7 days which are not public holidays during the closure period.
 4. Extensive pre-Christmas publicity be given to the changes to Council's operations over the Christmas/New Year Period.
 5. Signage stating that the VIC is temporarily operating from the Leeton Museum and Gallery be prominently displayed at the VIC during the Christmas/New Year period.
-

REPORT

(a) Background

In previous years Council has agreed, due to minimal activities involving the public over the Christmas/New Year period, to close operations during this period for staff

to take annual leave (or other leave) on those days that are not public holidays or rostered days off.

(b) Discussion

If Council were to close from Saturday 25 December 2021 until Sunday 9 January 2022 (inclusive) that would provide staff with a two week break over the Christmas/New Year period. This is longer than in previous years, and carries the following motivation:

The six public holidays that fall during this proposed closure period are:

- Christmas Day, Saturday 25 December 2021 and Monday 27 December 2021 (in lieu)
- Boxing Day, Sunday 26 December 2021 and Tuesday 28 December 2021 (in lieu)
- New Year's Day, Saturday 1 January 2022 and Monday 3 January 2022 (in lieu).

There are just seven working days during this proposed break period. All staff who are off during these working days will have the days deducted from their available leave credit. Council, and many other employers, have experienced staff taking less leave during COVID-19 as a result of restricted travel. The impact upon the employer is a build-up of leave credit and the need for leave to be taken. The impact of this leave build-up is:

1. Staff do not have the time away from work to fully relax and recharge, which can have an adverse impact on their well-being and productivity
2. The leave accumulation directly translates into a growth in the liability for which the employer has to provide.

By mandating a full two-week break on all but essential staff at this time, staff will get to enjoy a proper time of rest at a time when their colleagues are also away from work. The recommendation is for a closure for two consecutive weeks, which would only impact service delivery for seven working days, at the quietest time of the year.

It is advised that service provision will not be unduly impacted if the Council Offices, Library, VIC and the Depot were to be closed for the Christmas/New Year period.

Emergency numbers will be listed on the telephone system for Council services.

Other Council services such as the landfill, swimming pools, and ranger services will remain in operation (except on Christmas Day).

On call provisions will be made for any emergencies and the cemetery, and a skeleton staff from Operations will work during the close down period.

(c) Options

1. That Council's Depot, Administration Office, Library and VIC (but not the Museum and Gallery, which would operate from 10am to 3pm on days that are not public holidays, be staffed by officers with minimal leave, volunteers and/or casuals, and offer visitor information services) be closed for the period from Saturday 25 December 2021 until Friday 7 January 2021 (reopening 10 January

2022) and staff be permitted to take leave for the days which are not public holidays during the closure period. **This is the preferred option.**

2. That Council's Depot, Administration Office, Library and VIC (but not the Leeton Museum and Gallery) be closed from Friday 24 December 2021. This option would provide those staff whose families live outside Leeton Shire with time to travel prior to Christmas Day.
3. That Council's Depot, Administration Office, Library, VIC, and Museum and Gallery remain open for the Christmas/New Year Period, closing only on public holidays, and extensive publicity be given to Council remaining open for business in the lead up to Christmas.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

Advantage of reducing the leave liability

(b) Policy

Nil

(c) Legislative/Statutory

Nil

(d) Risk

There is the possibility that some ratepayers seeking services over the Christmas/New Year period will be disgruntled. This has not traditionally been an issue as any emergencies are well catered for via the on-call provisions.

CONSULTATION

(a) External

Extensive advertising of the closures and alternative service options will be undertaken in the local newspaper and on social media in the lead up to the Christmas/New Year period.

(b) Internal

Senior Management Team

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

Under the Key Priority Area Outcome Six: STRONG LEADERSHIP within Council's adopted Delivery Program/Operational Plan – 20 - A community that is always on the front foot - 20 d - Strive to deliver the aspirations of the community through

effective workforce and technology management - Effectively manage Council's workforce to support Council's objectives to be met".

ATTACHMENTS

There are no attachments for this report.

CORPORATE MATTERS

ITEM 8.4 DISSOLVING THE LEETON MEN'S SHED SECTION 355 COMMITTEE

RECORD NUMBER 21/195

RELATED FILE NUMBER

AUTHOR/S Executive Manager IPR, Governance and Engagement

APPROVER/S General Manager

SUMMARY/PURPOSE

The purpose of this report is to request that Council dissolve the Leeton Men's Shed Section 355 Committee on the basis that the Men's Shed is now a successful and sustainable organisation that would be better served by becoming an incorporated body.

RECOMMENDATION

THAT Council:

1. Dissolves the Leeton Men's Shed Section 355 Committee, giving the Men's Shed three months written notice of its intention to do so.
 2. Allows the Leeton Men's Shed to purchase the Men's Shed buildings and the part of Lot 330 DP 751742 on which the buildings stand for the price of \$1.00, with Council covering all subdivision and legal costs.
 3. Allows the Leeton Men's Shed to retain ownership of the funds and assets it currently holds in its capacity as a Section 355 Committee.
 4. Pays for AMSA Group Insurance Program coverage and IRS2 insurance coverage on behalf of the Leeton Men's Shed, at a rate of \$50.50 per member, up to a maximum of \$2,500 for the first year of its operation as an incorporated body.
-

REPORT

(a) Background

Section 355 Committees are committees constituted under the powers granted by the *Local Government Act 1993*.

These committees provide a mechanism by which interested persons can have an active role in the management of Council facilities and the provision of services to the community. This provides a two-fold benefit by giving protection to the

Committee operating under the banner of Council, and by providing Council with assistance in carrying out its functions.

Council can, by resolution, dissolve a Section 355 Committee at any time.

In 2008, believing that there was a need to set up a safe and friendly environment where men could socialise while working on meaningful tasks, Council resolved to support the formation of the Leeton Men's Shed by making it a Section 355 Committee.

The Leeton Men's Shed Section 355 Committee was subsequently formed and has been operating successfully since that time.

The Leeton Men's Shed is a member of the Australian Men's Shed Association (AMSA), the peak body supporting more than 1,050 men's sheds across Australia.

The AMSA provides a range of services to its members. These include:

- Implementing a national compliance standard for Men's Sheds
- Providing practical support for existing Men's Sheds and assistance in the development of new Men's Sheds
- Providing insurance services specifically tailored for the Men's Shed environment at reasonable rates (\$25.50 per member), including:
 - Public and Product Liability Insurance
 - Contents and Building Insurance
 - Voluntary Workers Personal Accident
 - Industrial Special Risks Insurance
 - Association Liability Insurance
 - Group Personal Accident Insurance
- Providing usable Men's-Shed-specific Health and Safety and Risk Management systems plus training support
- Acting as a collective body to source commercial sponsorship and secure Government commitment for the ongoing support of Men's Sheds
- Promoting men's health programs within Men's Sheds
- Encouraging social inclusion by assisting communities to develop Men's Sheds and foster their self-sustaining capacity.

The AMSA has advised that fewer than 10% of Men's Sheds are auspiced by Councils. The majority of Men's Sheds are incorporated in their own right. The AMSA has also expressed the view that the incorporation model is the preferred model for Men's Sheds as it creates the independence and sense of ownership required to promote long-term sustainability. Council staff share this view.

The Men's Shed is aware of these views. In 2016, Council's senior staff corresponded and met with representatives of the Leeton Men's Shed with a view to encouraging them to become an incorporated body. At the time, the Men's Shed preferred to continue to be auspiced by Council.

(b) Discussion

The Leeton Men's Shed is located on part of Lot 330 DP 751742, which is owned by Council. The shed itself, which was purpose built for the Leeton Men's Shed, is also

owned by Council. Council is responsible for routine maintenance and conducts bi-annual checks of the fire equipment and air conditioning services. The Men's Shed pays for any major enhancements.

The Leeton Men's Shed has been operating under the auspices of Council for more than 10 years. It is now a mature organisation with the capacity to stand independently of Council, particularly in view of the ongoing support provided by the AMSA.

Independence would provide the Men's Shed with a number of benefits, not the least of which would be ownership of their own premises if Council chooses to adopt the recommendation to sell them the buildings and the land on which they stand (see **Attachment 1**). The Men's Shed would also have greater access to donations, sponsorship and grant funding because it wouldn't be a Council-aided body.

A further benefit would be that the Men's Shed would no longer be accountable to two organisations – the AMSA and Council. As it stands, there remains considerable potential for confusion and uncertainty over which policies and systems apply. For instance, Leeton Shire Council has a Code of Conduct. The AMSA also has a Men's Shed Code of Conduct.

Unaware that there is an AMSA Code of Conduct, a Council officer recently checked that 'the' Code of Conduct was being made available to new members and was advised by a Men's Shed Committee member that it was. It's now apparent that the Council staff member and the Men's Shed Committee member may have been discussing two different Codes of Conduct.

There have also been instances where Leeton Men's Shed members have expressed indignation at being required to conduct activities in accordance with Council's policies. The requirement to undertake regular ongoing accreditation in the use of Men's Shed equipment is one example. This implies that some members, at least, are ready to rescind their Section 355 Committee status.

From the point of view of the Leeton Men's Shed, there are other considerations associated with incorporation. As an incorporated body the Men's Shed would need to comply with the *Associations Incorporation Act 2009* including its accounting, auditing and annual reporting requirements, and this will require additional administration.

The Men's Shed would also need to pay for all aspects of its operation, including those currently funded by Council. It would need to pay for its own insurances, for instance, and – should Council adopt the recommendation to transfer ownership of the Men's Shed buildings – pay for building maintenance and rates. The land itself would be non-rateable but the Shed would need to pay for domestic waste collection services (if the Men's Shed chooses to use this service), and water and sewer access at approximately \$1,360 per year. Under current policy, if the Men's Shed achieved charity status, this amount would be discounted by up to 80%. They would also need to pay for their water use at a cost of \$1.18/kL for the first 300kL per year and \$1.70/kL for kilolitres over and above 300kL.

The typical cost of the insurance provided by the AMSA, at only \$25.50 per member, is very reasonable and the insurance would be more appropriate to the activities being undertaken by the Men's Shed than the insurance coverage provided by Council, which potentially only covers those activities that would be considered "normal Council activities". It could be argued that very little of the work conducted by the Men's Shed could be considered normal Council activities. However, as advised by Ian Tooke, Zone 4 Coordinator and President/Secretary of the AMSA NSW Committee, the Leeton Men's Shed may require additional insurance coverage. According to Mr Tooke, the Leeton Men's Shed and contents has a greater asset value than most Men's Shed's, so the basic AMSA Group Insurance Program coverage would be insufficient. The Leeton Men's Shed would need to take out Industrial Special Risks Insurance (ISR2), at a cost of approximately \$25.00 per member, to cover the higher value of the shed and its contents.

Meeting these expenses should not be beyond the capacity of the Men's Shed. It currently manages its own accounts and, according to the Leeton Men's Shed Treasurer's Report for August 2021, has \$37,565.20 in funds.

Council has indicated that it could help the Leeton Men's Shed transition into incorporation by paying for the first year of the Shed's AMSA Group Insurance Program coverage, including the IRS2 insurance.

(c) Options

Option 1: That Council dissolves the Leeton Men's Shed Section 355 Committee (giving the Men's Shed three months written notice of its intention to do so), approves the Leeton Men's Shed to purchase the Men's Shed buildings and the part of Lot 330 DP 751742 the land on which it stands for the price of \$1.00 (with Council covering all costs associated with the transfer of ownership), allows the Leeton Men's Shed to retain ownership of the funds and assets it currently holds in its capacity as a Section 355 Committee, and pays for the Leeton Men's Shed AMSA Group Insurance Program coverage and IRS2 coverage, at a rate of \$50.50 per member (capped at \$2,500) for the first year of its operation as an incorporated body. **This is the preferred option.**

Option 2: That Council maintains the status of the Leeton Men's Shed as a Section 355 Committee but requires the Men's Shed to take out the AMSA insurance, at their cost, to ensure its members are adequately covered.

Option 3: That Council dissolves the Leeton Men's Shed Section 355 Committee but retains the land and shed being utilised by the Men's Shed and enters into a lease arrangement with the Men's Shed. Council would still have to subdivide the land in order to lease the land and buildings on a long-term basis.

Option 4. That Council retains the status quo.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

The Leeton Men's Shed currently manages its own finances. Any identified minor maintenance issues are met through Council's annual maintenance program. Any major enhancements are funded by the Leeton Men's Shed Committee.

That said, Leeton Shire Council has supported the Men's Shed financially since its inception, providing \$3,078 in grant funding over the years on top of the provision of rent, rate and maintenance-free premises. If the Men's Shed ceases to be a Section 355 Committee its access to the Community Grants Program will not be impacted and the Men's Shed will have the same access to financial support as any other community organisation.

As a Section 355 Committee, the Leeton Men's Shed benefits from being covered by Council's insurance policies. If the Men's Shed ceases to be a Section 355 Committee, it will be required to fund its own insurances at a combined cost of \$50.50 per member. The Men's Shed has approximately 50 active members, which would mean that the cost would be in the vicinity of \$2,525 per year. If Council adopts the recommendation \$2,500 of that cost would be covered by Council in the first year. This amount would be drawn from Council's budgeted insurance provisions.

If the recommendation is adopted and the ownership of the Men's Shed building and the land on which it stands is transferred to the Men's Shed, the Men's Shed will be required to pay for any additional building and contents insurance, maintenance, and water and property rates.

While accurate figures are not available because most of the costs associated with the administration of 355 Committees aren't separated out on a per Committee basis, it is estimated that Council would save a minimum of \$12,400 per year if the Leeton Men's Shed were to cease being a Section 355 Committee. This estimate is based on \$3,000 per year in maintenance costs, \$2,000 in insurance costs, \$1,400 (reduced if the Men's Shed achieves charity status) in waste/water/sewer services, and 10 hours a month in labour (not including on-costs).

(b) Policy

Under Section 355 of the *Local Government Act 1993* a council may exercise its functions by a Committee of Council.

The Men's Shed is operated as a Section 355 Committee of Council. This is an unusual situation for Men's Sheds in Australia. It could be argued that while the Men's Shed offers a valuable service to the community, it does not perform any functions of Council.

As a Section 355 Committee, the Leeton Men's Shed is subject to Leeton Shire Council's Code of Conduct and other policies.

As a member of the AMSA, the Leeton Men's Shed must comply with the Association's national compliance standard for Men's Sheds and Men's-Shed-specific Health and Safety and Risk Management systems.

(c) Legislative/Statutory

Local Government Act 1993

(d) Risk

The legislative non-compliance of a Section 355 Committee could have legal, reputational, political and financial impacts.

Work Health and Safety – the Men's Shed abides by the AMSA guidelines. Safety issues are addressed in the general Men's Shed meetings and there is a designated Safety Officer. A safety inspection was completed by Council's WHS Coordinator 4 September 2020. A defibrillator has been purchased and is available in the shed.

Insurance – Advice regarding the degree to which Council's insurance covers the Leeton Men's Shed members. The former Community Services Manager said Council's insurer has confirmed that Men's Shed members are only covered by Council's insurance if the activity they are engaged in can be regarded as "exclusively working for Council". Notwithstanding the varied advice, the insurance coverage through the AMSA Group Insurance Scheme is more appropriate to the Leeton Men's Shed because it is specifically targeted to Men's Shed activities.

Working with young people – Council has adopted a Child Safe Policy, which has implications for all Council volunteers. Staff have provided the Committee with a comprehensive briefing. No programs are to be held with children below the age of 18 unless all members present on the day have a current Working with Children Check (WWCC). Most Men's Shed members have not yet applied for WWCCs. Members were reminded of the requirement at the Men's Shed Meeting of June 2021.

Good use of Council Resources – Council staff can spend considerable time supporting Men's Shed administration and processes that are best led by the Committee. Examples include WHS inspections, workplace investigations and financial reporting.

CONSULTATION

(a) External

The Australian Men's Shed Association – Melissa White
The AMSA NSW Committee President and Zone 4 Coordinator – Ian Tooke
Council's insurer

(b) Internal

Corporate and Community Planning Officer
Debtors/Creditors Officer
Former Manager Community Services
General Manager
Manager Finance
Manager WHS, QA and Risk
Property Coordinator and Native Title Manager
Senior Rates Officer
Water Billing and Revenue Officer

[LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN \(DPOP\)](#)

Under the Key Priority Area Outcome Six: STRONG LEADERSHIP within Council's adopted Delivery Program/Operational Plan – 19 - A community that speaks up and gets involved – 19 c - Provide a framework for inclusive decision-making – Support and report on Council's Section 355 Committees.

ATTACHMENTS

- 1 [↓](#) Men's Shed location - part Lot 330 DP 751742 - exact location of access to be determined



LEETON
SHIRE COUNCIL

Phone: (02) 6953 0911
Email: council@leeton.nsw.gov.au
23-25 Cheimsford Pl, Leeton

Leeton Men's Shed. Part lot
lot 330 DP 751742

This map has been created for the purpose of showing basic locality information over Leeton Shire Council. Property boundary line network data is supplied by State Government. Any error should be reported to the GIS Section, Leeton Shire Council. This map is a representation of the information currently held by Leeton Shire Council. While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions. Any feedback on omissions or errors would be appreciated.

Date: 17/09/2021
Compiled By: Leeton GIS
Projection: GDA 1994 - Zone 55

ITEM 8.5 INVESTMENTS REPORT FOR AUGUST 2021

RECORD NUMBER	21/346
RELATED FILE NUMBER	EF10/137
AUTHOR/S	Accountant
APPROVER/S	Manager Finance Group Manager Corporate

SUMMARY/PURPOSE

The purpose of this report is to provide details to the Councillors on the funds which have been invested during the month of August 2021.

RECOMMENDATION

THAT Council notes the information contained in the Investments Report for August 2021.

REPORT

(a) Background

This report is required to be prepared on a monthly basis and presented to the next available Ordinary Council Meeting in accordance with Clause 212 of the Local Government (General) Regulation 2005.

(b) Discussion

Leeton Shire Council has \$15,628,819 invested with local bank branches and credit unions. This equates to 34.33% of the total investment portfolio as at 31 August 2021. The total current investment portfolio of \$45,523,479 is invested in Approved Deposit Institutions (ADIs) which are regulated by the Australian Prudential Regulatory Authority (APRA).

Attached to this report is a Statement of Bank Reconciliation (**Attachment 1**) and a Summary of Investments (**Attachment 2**) as at 31 August 2021.

The Statement of Bank Reconciliation details what Council has in its bank account at 31 August 2021 (after taking into account unrepresented cheques, unrepresented deposits, and unrepresented debits) compared to what Council has in its general ledger as at 31 August 2021.

The Summary of Investments details all the investments held by Leeton Shire Council as at 31 August 2021 (including the on-call accounts). It also details the institutions

where the investments are held, how long the investments have been held by amount and percentage and differentiates the investments between current (12 months or less) and non-current (over one year).

The table below details the monthly movements of investments for August 2021.

Opening Balance as at 1 August 2021	\$ 43,519,517
Less:	
Maturities (3)	\$ 2,500,000
Subtotal	\$ 41,019,517
Plus:	
Roll-overs (1)	\$ 1,000,000
New Investments (2)	\$ 1,500,000
CBA Business Online Saver (BOS) movements	\$ 2,000,121
AMP Business Saver Account	\$ 1
AMP 31 Day Notice Account	\$ 2,819
Macquarie Cash Management Accelerator Account	\$ 1,021
Closing balance as at 31 August 2021	\$ 45,523,479

The following table details the investment holdings split between the Banks and Credit Unions.

Institution	Investment Holdings
Banks	\$42,523,479
NT Bond	\$ 1,000,000
Credit Unions	\$ 2,000,000
Total	\$45,523,479

The following table details the break-up of investments according to the restrictions which are placed on them.

Total Investments	\$ 45,523,479
Less restrictions	
Water Supply	\$ 17,075,904
Sewerage Services	\$ 9,342,761
Other external restrictions	\$ 3,541,221
Internal restrictions	\$ 11,416,283
Total restrictions	\$ 44,867,585
Net unrestricted investments	\$ 655,894

Externally restricted funds can only be used for the purposes for which they were raised. These include water, sewer, domestic waste operations and unexpended specific purpose grants.

Internally restricted funds are set aside through Council resolution to fund specific items such as plant replacement, infrastructure renewal or liabilities such as employee leave entitlements. Internal restrictions are considered as part of the Budget adoption or the Quarterly Budget Review process

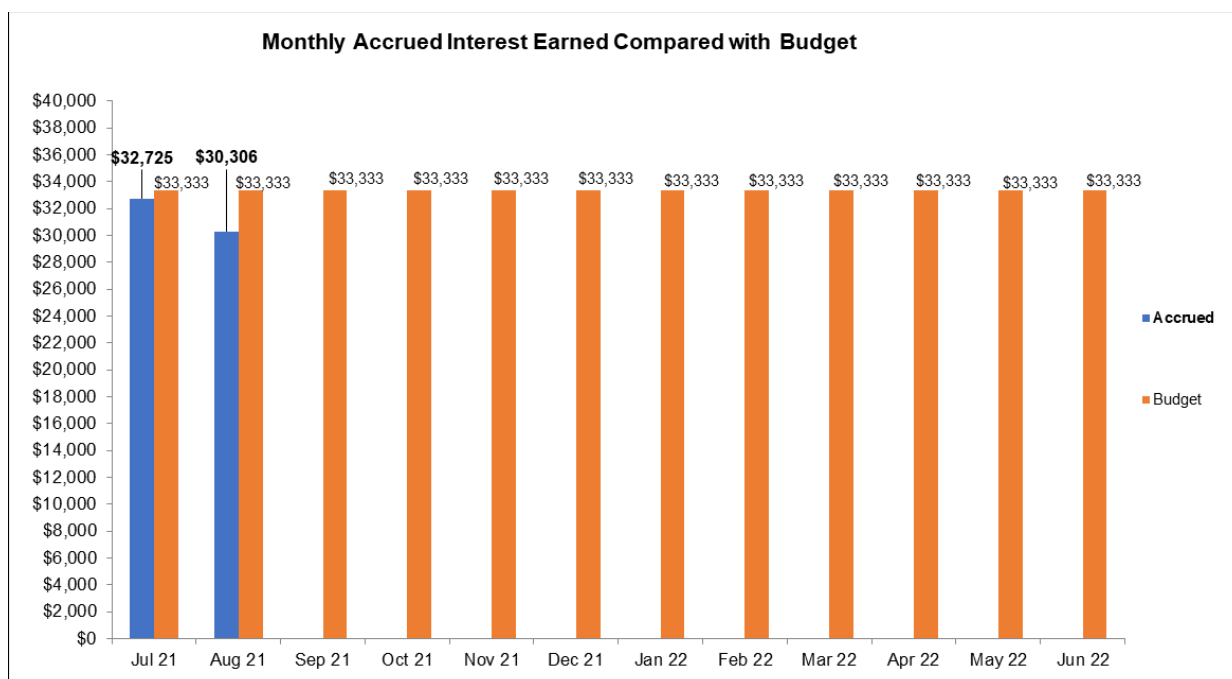
Unrestricted cash is used to provide working capital for Council to fund short-term operations and fluctuations in payables and receivables. The level of unrestricted cash will also vary depending upon the level of outstanding creditors and debtors at month-end.

The Reserve Bank of Australia kept its rates and guidance unchanged at its meeting in September 2021.

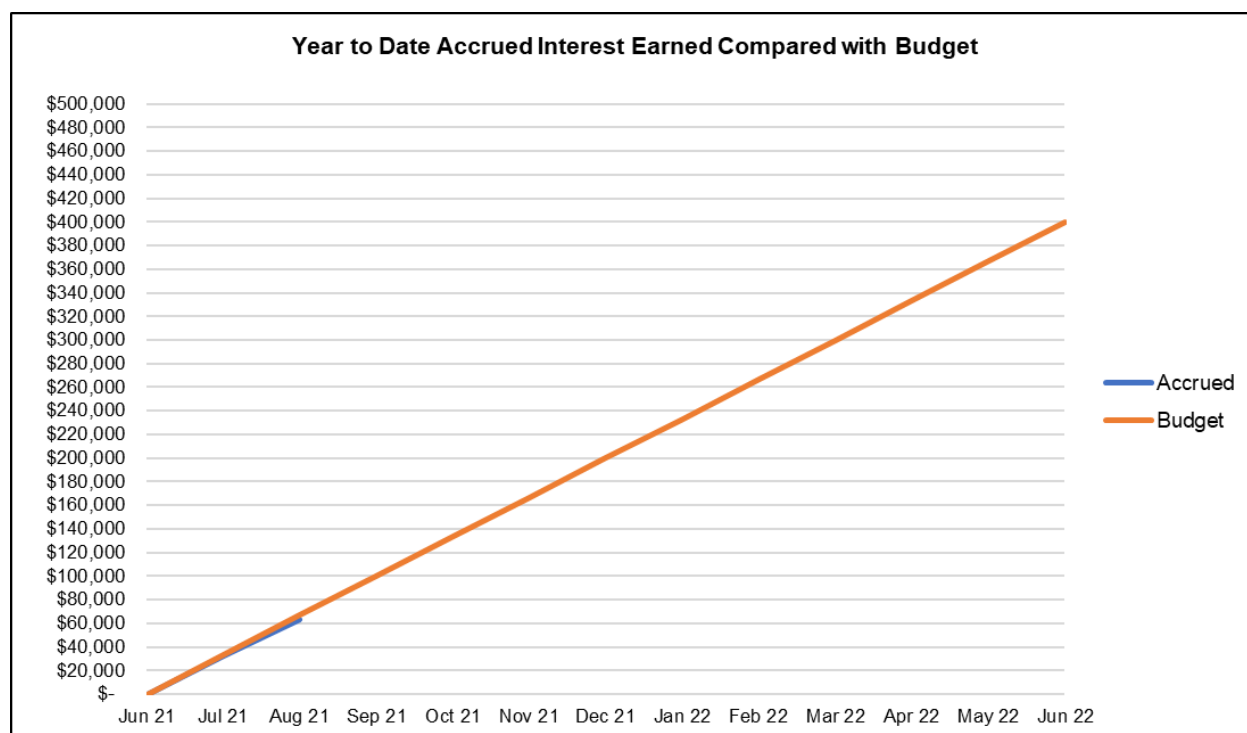
The average yield on Council investments for August fell from 0.87% in July to 0.81% in August. This is due to the fact that maturing Term Investments were reinvested at the lower interest rates now being offered by financial institutions.

The following column graph compares monthly accrued interest with the original budgeted interest for each month.

The actual \$30,306 in interest accrued for August 2021 is lower than the original budgeted amount of \$33,333 by \$3,027.



The following line graph compares year-to-date interest with the original budgeted interest for the period. This shows that Council's actual investment income has been lower than the original budget as at 31 August 2021.



The following tables provide information on investment rates this year compared to last year, as well as a comparison of investment balances from this year to last year.

Performance Measures	This Year	Last Year
Portfolio Average Interest Rate (year to date)	0.84%	1.66%

Investment Balances	This Year	Last Year
Opening Balance as at 1 Aug	\$43,519,517	\$46,779,888
Current Balance as at 31 Aug	\$45,523,479	\$46,584,958

Lehman Brothers

Lehman Brothers Australia Dividend Payment Update:

No further information to report for August 2021.

(c) Options

Nil – this report is for information only.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

The annualised rate of return across the portfolio is 0.81% for August 2021. The budgeted percentage for the 2021/22 Financial Year equates to 1.30%.

The consolidated actual investment income from 1 July 2021 to 31 August 2021 compared to the original budgeted annual investment interest from 1 July 2021 to 31 August 2021 is detailed below.

Actual versus budgeted interest	
Actual Interest Accrued from 1 July 2021 to 31 August 2021	\$63,031
Original Budgeted Interest – 1 July 2021 to 31 August 2021	\$66,667
Variance – Negative	<u>-\$3,636</u>

(b) Policy

All funds are invested in accordance with Leeton Shire Council's Investment Policy. Investments are to be considered in conjunction with the following key criteria:

- No Institution at any time shall hold more than 45% of Council's total investments. The maximum percentage will be determined by the short-term rating of the institution:
A1+ up to 45%, A1 up to 35%, and A2 up to 30%.
- The *Trustee Act 1925* provides for investments with building societies and credit unions. While they are not rated, they are now covered under Financial Prudential legislative controls.
- The maximum amount of funds invested with a building society/credit union will be 5% of Council's total investments at the time the investment was placed. Not more than 40% of Council's total portfolio should be held with building societies/credit unions at the time of placing each investment.
- Council's investments should be placed in an appropriate mixture of short-term (0–1 year) and medium term (1–5 years) categories according to Council's funding requirements and risk profile at the time of placing each investment.

Council's Portfolio Compliance

Asset Allocation

The majority of the portfolio is directed to Fixed-Term Deposits (60.41%), followed by the cash at call accounts with the Commonwealth Bank of Australia, AMP Bank and Macquarie Bank (27.84%). Floating Rate Notes are 9.55% of the portfolio, and 2.20% is held in Bonds.

Term to Maturity

Overall, the portfolio remains lightly diversified from a maturity perspective with deposits maturing out to 5 years.

Counterparty

At 31 August 2021, Council did not have an overweight position to any single Authorised Deposit Taking Institution.

The portfolio is well-diversified across the entire credit spectrum, including the unrated Authorised Deposit Taking Institution.

Credit Quality

The portfolio remains well-diversified from a credit ratings perspective, with the portfolio spread across the entire credit spectrum.

All aggregate ratings categories are within the Investment Policy limits.

The following table details the credit rating of each of the categories in which Council has money invested. All investments are compliant with Council's Investment Policy.

Compliant	Credit Rating	Invested (\$)	Invested %	Max. Limit (%)	Available (\$)
Yes	AA Category	\$10,360,800	22.74%	100.00%	\$35,214,390
Yes	A Category	\$3,005,344	6.59%	100.00%	\$42,569,844
Yes	BBB Category	\$30,209,045	66.28%	100.00%	\$15,366,143
Yes	Unrated ADI's	\$2,000,000	4.39%	40.00%	\$16,230,075
		\$45,575,189	100.00%		

Note: Valuations of Council's senior Floating Rate Notes on the Imperium Markets platform are marked-to-market and priced on a daily basis from an independent third-party provider. Council has recorded its FRNs internally at the purchase price or face value. As such, the total portfolio's balance is likely to differ as at the reporting date.

A **credit rating** is an evaluation of the credit risk of a prospective financial institution predicting their ability to pay back the investment and interest at maturity and an implicit forecast of the likelihood of the institution defaulting.

The credit ratings are an opinion based on the credit-worthiness of the company issuing the security and are assigned by Australian Ratings based on publicly available information at a point in time.

If a company is unrated, it does not necessarily mean that its interest rate securities are high risk, but it does mean that investors will have to turn to other means to evaluate its financial strength or the security's complexity. Council utilises its investment advisors to gather company research data to ensure that due diligence is performed for all its investments.

(c) Legislative/Statutory

All funds are invested in accordance with Section 625 of the *Local Government Act 1993* and the Ministerial Investment Order.

Clause 212 of the *Local Government (General) Regulation 2005* requires an Investment Report to be prepared monthly and presented to the next available Ordinary Council Meeting.

(d) Risk

The following table provides information on investment types, including a risk assessment and the amount and percentage invested compared to the total investment portfolio.

Investment Type	Risk Assessment		Amount \$'000	% of Portfolio
	Capital	Interest		
Term Deposits	Low	Low	27,500	60.41
Cash/At Call Deposits	Low	Low	12,673	27.84
Bond	Low	Low	1,000	2.20
Floating Rate Notes	Low	Low	4,350	9.55
Total			45,523	100.00

CONSULTATION

(a) External

Council's investment advisors are Amicus Advisory and Imperium Markets. Both investment advisors were contacted by staff for advice during the month of August 2021.

(b) Internal

No additional internal consultation was undertaken.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

Under the Key Priority Area Outcome Six: STRONG LEADERSHIP within Council's adopted Delivery Program/Operational Plan – 20 - A community that is always on the front foot – 20b is to Strive to deliver the aspirations of the community through sound financial and asset management – Maintain Council's financial sustainability through maximising investment returns.

ATTACHMENTS

- 1 [Statement of Bank Reconciliation - 31 August 2021](#)
- 2 [Summary of Investments - 31 Aug 2021](#)

MONTH END BANK RECONCILIATION REPORT		
Prepared by the Finance and Customer Service Coordinator		
INTRODUCTION		
The purpose of this report is to inform Council of its position in respect of bank balances.		
BACKGROUND		
This report is prepared monthly and presents movements in the Council's bank account.		
BANK RECONCILIATION STATEMENT		
as at 31 August 2021		
BALANCE AS PER GENERAL LEDGER		
Opening Balance:	1/08/2021	\$ 1,122,601.04
August Movements:		\$ 420,504.34
Closing Balance:	31/08/2021	<u>\$ 1,543,105.38</u>
Less Unprocessed Bank Statement Transactions:		-\$ 6,264.60
Total:		<u><u>\$ 1,536,840.78</u></u>
BALANCE AS PER BANK STATEMENTS		
		<u>\$ 1,865,730.86</u>
Less Unpresented Cheques		-\$ 4,537.99
Less Unpresented Debits		-\$ 360,415.23
Plus Unpresented Deposits		\$ 36,063.14
Total		<u><u>\$ 1,536,840.78</u></u>
<hr/> Responsible Accounting Officer 09 September 2021		

Leeton Shire Council

Summary of Term Investments as at: 31/08/2021						BBSW 90: 0.01%	Average Yield: 0.81%				
Inv No	Financial Institution/Broker	Investment	Note	Ref No	Investment Date	Investment Term (months)	Remaining Term (months)	Principal	Yield %	Maturity	Type
10-00	Commonwealth Bank L	CBA Business Online Saver - Cash at Call (Cash flow account)		10206481	12/10/09	142	0	3,628,819.45	0.10%	07/09/21	DAC
20-00	AMP Bank	AMP Business Saver Account - Cash at Call		437864762	10/07/20	13	0	907.56	0.60%	07/09/21	DAC
21-00	AMP Bank	AMP 31 Day Notice Account		971165956	17/07/20	13	0	6,038,407.32	0.65%	07/09/21	DAC
22-00	Macquarie Bank	Macquarie Cash Management Accelerator Account		940367790	07/11/20	9	0	3,005,344.47	0.40%	07/09/21	DAC
19-11	National Aust Bank	National Aust Bank		97-327-3005	27/09/18	36	0	1,000,000.00	3.03%	27/09/21	LTD
19-49	National Aust Bank	National Aust Bank		AU3FN00487	19/06/19	60	33	700,000.00	0.94%	19/06/24	FRN
20-04	National Aust Bank	Member Equity Bank		AU3FN00485	18/07/19	36	10	650,000.00	1.01%	18/07/22	FRN
20-11	ANZ Bank	ANZ Bank		AU3FN00497	29/08/19	60	35	1,000,000.00	0.78%	29/08/24	FRN
20-12	Beyond Bank Leeton	Beyond Bank Leeton		123086194	06/09/19	24	0	1,000,000.00	1.95%	06/09/21	LTD
20-15	Auswide Bank	Auswide Bank		5652782	03/10/19	24	1	1,000,000.00	1.72%	05/10/21	LTD
20-17	Beyond Bank Leeton	Beyond Bank Leeton		123074883	07/10/19	24	1	1,000,000.00	1.80%	07/10/21	LTD
20-31	National Aust Bank	RACQ Bank		AU3FN00531	24/02/20	36	17	1,000,000.00	0.94%	24/02/23	FRN
20-35	Laminar Capital	Auswide Bank		AU3FN00535	17/03/20	35	18	1,000,000.00	1.07%	17/03/23	FRN
20-41	AMP Bank	AMP Bank		TD60160792	29/04/20	17	1	500,000.00	1.85%	29/10/21	LTD
20-46	AMP Bank	AMP Bank		TD49419356	04/06/20	17	3	1,000,000.00	1.60%	01/12/21	LTD
21-09	Elders Narrandera	Rural Bank		302310859	22/09/20	11	0	1,000,000.00	0.90%	21/09/21	LTD
21-10	Northern Territory Treas.	Territory Bond		AA-109-38	14/09/20	38	27	1,000,000.00	1.25%	15/12/23	Bond
21-11	Elders Narrandera	Rural Bank		302312715	22/10/20	11	1	1,000,000.00	0.85%	21/10/21	LTD
21-12	Beyond Bank Leeton	Beyond Bank Leeton		123075182	28/10/20	23	13	1,000,000.00	0.95%	28/10/22	LTD
21-13	Curve Securities Pty Ltc	Wangaratta & Wodonga CU		22130	10/12/20	11	3	1,000,000.00	0.80%	09/12/21	LTD
21-14	AMP Bank	AMP Bank		TD14238487	14/12/20	17	9	890,000.00	0.95%	14/06/22	LTD
21-15	Curve Securities Pty Ltc	Wangaratta & Wodonga CU		9672	18/12/20	11	3	1,000,000.00	0.80%	17/12/21	LTD
21-16	AMP Bank	AMP Bank		TD03847931	27/01/21	17	10	610,000.00	0.95%	27/07/22	LTD
21-17	AMP Bank	AMP Bank		TD52801630	08/02/21	17	11	500,000.00	0.95%	08/08/22	LTD
21-20	Beyond Bank Leeton	Beyond Bank Leeton		123092627	11/03/21	6	0	1,000,000.00	0.60%	11/09/21	LTD
21-21	Beyond Bank Leeton	Beyond Bank Leeton		123086423	16/03/21	6	0	1,000,000.00	0.60%	16/09/21	LTD
21-22	Beyond Bank Leeton	Beyond Bank Leeton		123087796	21/03/21	12	6	1,000,000.00	0.60%	21/03/22	LTD
21-23	Beyond Bank Leeton	Beyond Bank Leeton		123087332	28/03/21	6	0	1,000,000.00	0.50%	28/09/21	LTD
21-24	Beyond Bank Leeton	Beyond Bank Leeton		174687370	28/03/21	12	6	500,000.00	0.60%	28/03/22	LTD
21-25	AMP Bank	AMP Bank		TD86556078	06/04/21	18	13	500,000.00	0.50%	06/10/22	LTD

Leeton Shire Council

Summary of Term Investments as at: 31/08/2021						BBSW 90: 0.01%	Average Yield: 0.81%				
Inv No	Financial Institution/Broker	Investment	Note	Ref No	Investment Date	Investment Term (months)	Remaining Term (months)	Principal	Yield %	Maturity	Type
21-26	Australian Military Bank	Australian Military Bank			13/04/21	36	31	1,000,000.00	0.76%	15/04/24	LTD
21-28	Beyond Bank Leeton	Beyond Bank Leeton		123086240	08/06/21	12	9	500,000.00	0.60%	08/06/22	LTD
21-29	Beyond Bank Leeton	Beyond Bank Leeton		123074677	20/06/21	12	9	1,000,000.00	0.60%	20/06/22	LTD
21-30	Members Equity Bank	Member Equity Bank		293470	23/06/21	12	9	1,000,000.00	0.50%	23/06/22	LTD
21-31	Beyond Bank Leeton	Beyond Bank Leeton		123080760	23/06/21	12	9	1,000,000.00	0.60%	23/06/22	LTD
21-32	Members Equity Bank	Member Equity Bank		294089	28/06/21	12	9	1,000,000.00	0.50%	28/06/22	LTD
22-01	National Aust Bank	National Aust Bank		71-610-6193	06/07/21	6	4	500,000.00	0.28%	06/01/22	LTD
22-02	Commonwealth Bank L	Commonwealth Bank		CDA383447i	09/07/21	11	10	1,000,000.00	0.41%	08/07/22	LTD
22-03	Commonwealth Bank L	Commonwealth Bank		CDA383447i	09/07/21	6	5	500,000.00	0.35%	04/02/22	LTD
22-04	AMP Bank	AMP Bank		TD13745815	16/08/21	12	11	1,000,000.00	0.95%	16/08/22	LTD
22-05	Bank of Queensland	Bank of Queensland		416589	23/08/21	6	5	500,000.00	0.39%	23/02/22	LTD
22-06	National Aust Bank	National Aust Bank		10762105	25/08/21	24	23	1,000,000.00	0.65%	25/08/23	LTD
Total Investments:								\$ 45,523,478.80			

Leeton Shire Council

Summary of Term Investments as at: 31/08/2021

BBSW 90:	0.01%	Average Yield:	0.81%
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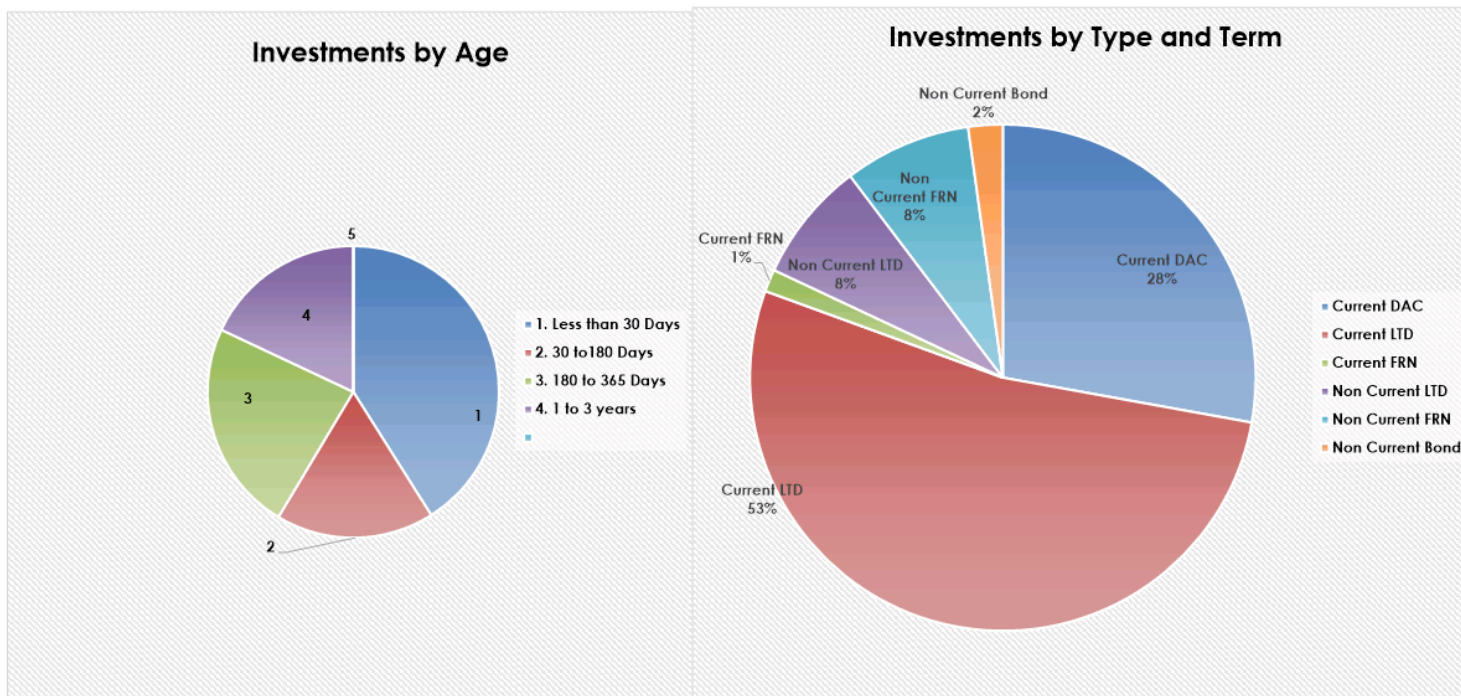
Investment by Type		
Investment	Amount	%
Bank of Queensland	500,000	1.1%
Rural Bank	2,000,000	4.4%
Wangaratta & Wodong	2,000,000	4.4%
Beyond Bank Leeton	10,000,000	22.0%
Member Equity Bank	2,650,000	5.8%
AMP Bank	5,000,000	11.0%
Auswide Bank	2,000,000	4.4%
National Aust Bank	3,200,000	7.0%
Australian Military Bank	1,000,000	2.2%
ANZ Bank	1,000,000	2.2%
RACQ Bank	1,000,000	2.2%
Territory Bond	1,000,000	2.2%
CBA Business Online Sa	3,628,819	8.0%
AMP Business Saver Acc	908	0.0%
AMP 31 Day Notice Acc	6,038,407	13.3%
Macquarie Cash Mand	3,005,344	6.6%
Commonwealth Bank	1,500,000	3.3%
TOTAL	45,523,479	100.0%

Investments by Age		
Age	Amount	%
1. Less than 30 Days	18,673,479	41%
2. 30 to 180 Days	8,000,000	18%
3. 180 to 365 Days	10,650,000	23%
4. 1 to 3 years	8,200,000	18%
	0	0%
TOTAL	45,523,479	100%

Investments by Age and Type		
Sum of Principal	Type	Total
Current	DAC	12,673,479
	LTD	24,000,000
	FRN	650,000
Current Total		37,323,479
Non Current	LTD	3,500,000
	FRN	3,700,000
	Bond	1,000,000
Non Current Total		8,200,000
Grand Total		45,523,479
Index:		
DAC	Deposit at Call	
FRN	Floating Rate Note	
LTD	Long Term Deposit	
STD	Short Term Deposit	
Bond	Long Term Bond	

Leeton Shire Council

Summary of Term Investments as at: **31/08/2021** BBSW 90: **0.01%** Average Yield: **0.81%**



Explanatory notes:

All investments noted above were made in accordance with the Act, the regulations and Council's Investment Policy

Responsible Accounting Officer
 7 September, 2021

OPERATIONAL MATTERS

ITEM 8.6 MINUTES OF THE LEETON LOCAL AREA TRAFFIC COMMITTEE MEETING - 26 AUGUST 2021

RECORD NUMBER	21/339
RELATED FILE NUMBER	EF21/430/02
AUTHOR/S	Road Safety Officer
APPROVER/S	Group Manager Operations

SUMMARY/PURPOSE

The purpose of this report is to inform Council of the outcomes of the Electronic Local Area Traffic Committee (LATC) meeting held on Thursday 26 August 2021 and to seek Council's endorsement of the recommendations made by the LATC.

RECOMMENDATION

THAT Council notes the Minutes and endorses the recommendations of the Local Area Traffic Committee meeting held on 26 August 2021.

REPORT

(a) Background

The LATC is a technical review committee which advises on matters referred to it by Council. These matters are related to prescribed traffic control devices and facilities for which Council has delegated authority. The Council must refer all traffic-related matters to the LATC prior to exercising its delegated functions. All recommendations of the LATC must be referred back to Council for adoption prior to enactment.

(b) Discussion

A copy of the Agenda and Minutes of the meeting held on 26 August 2021 are included as attachments to this report (**Attachments 1 and 2**).

The meeting addressed the following matters:

1. Establishment of a disabled carpark and installation of an access ramp at 104 Pine Avenue (outside the Movie Café).

(c) Options

1. Council endorses the LATC recommendations. **This is the recommended option.**
-

2. Council does not endorse the LATC recommendations, noting there is a process that should be followed when such occasions occur.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

Establishing the Disabled parking space will cost less than \$500 because it only requires the installation of the relevant signage in Ash Street and Wade Avenue. No road marking will be required. The cost will be expensed to the 2020/21 Financial Year Traffic Committee Budget.

(b) Policy

Disability Inclusion Action Plan (DIAP)

(c) Legislative/Statutory

Delegation of Authority passed from Roads and Maritime Services to Local Traffic Committees.

(d) Risk

All risks have been addressed within the Traffic Committee Report prior to any endorsement from the Traffic Committee.

CONSULTATION

(a) External

Roads and Maritime Services
Local Police
Delegate for the Local Member of the Murray Electorate (NSW Government)

(b) Internal

Environment and Engineering staff

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

Under the Key Priority Area THEME 1 - "A HEALTHY AND CARING COMMUNITY" within Council's adopted Delivery Program/Operational Plan – 04 - A community that is safe to live in and move about – 4b is to "Advocate and support road safety initiatives – Promote road safety through design and appropriate regulation".

ATTACHMENTS

- 1 [Traffic Committee Meeting Agenda - Thursday 26 August 2021](#)
- 2 [Traffic Committee Meeting Minutes - Thursday 26 August 2021](#)



LEETON
SHIRE COUNCIL

**LEETON SHIRE COUNCIL TRAFFIC
COMMITTEE**

THURSDAY 26 AUGUST 2021

9.00AM

ELECTRONIC

LEETON SHIRE COUNCIL
Traffic Committee - Thursday, 26 August 2021

LEETON SHIRE COUNCIL
AGENDA
TRAFFIC COMMITTEE
Thursday 26 August 2021
9.00AM

1. APOLOGIES
2. OFFICERS REPORTS
 - 3.1. DISABLED CARPARK PINE AVENUE 104 PINE AVENUE.....2

LEETON SHIRE COUNCIL
Traffic Committee - Thursday 26 August 2021

OFFICERS REPORTS

ITEM 1	DISABLED CARPARK PINE AVENUE 104 PINE AVENUE
RECORD NUMBER	21/319
RELATED FILE NUMBER	EF21/430/02
AUTHOR/S	Road Safety Officer
APPROVER/S	Manager Roads and Drainage Group Manager Operations

INTRODUCTION

The purpose of this report is to seek the Committees approval for the establishment of a Disabled parking space and construction of access ramp out the front of 104 Pine Avenue.

RECOMMENDATION

THAT the Committee endorse Leeton Shire Council to remove the current loading zone located at 104 Pine Avenue and install a disabled carpark and ramp at 104 Pine Avenue.

BACKGROUND

As part of the development application for the Roxy Theatre located at 114-118 Pine Avenue a disabled carpark is required off site that is easily accessible to the general public and is deemed equitable and dignified.

COMMENT

A loading zone currently occupies the parking bay on Pine Avenue that the proposed disabled spot will be located in.

The loading zone was initially requested by the owners of the Crate Café and Movie Café which are now both closed. Council has purchased these sites as part of the Roxy Theatre redevelopment.

A larger permanent loading zone is located approximately 55m around the corner on the Eastern side of the Roxy on Wade Avenue. This loading zone can cater for vehicles as large as a semi trailer.

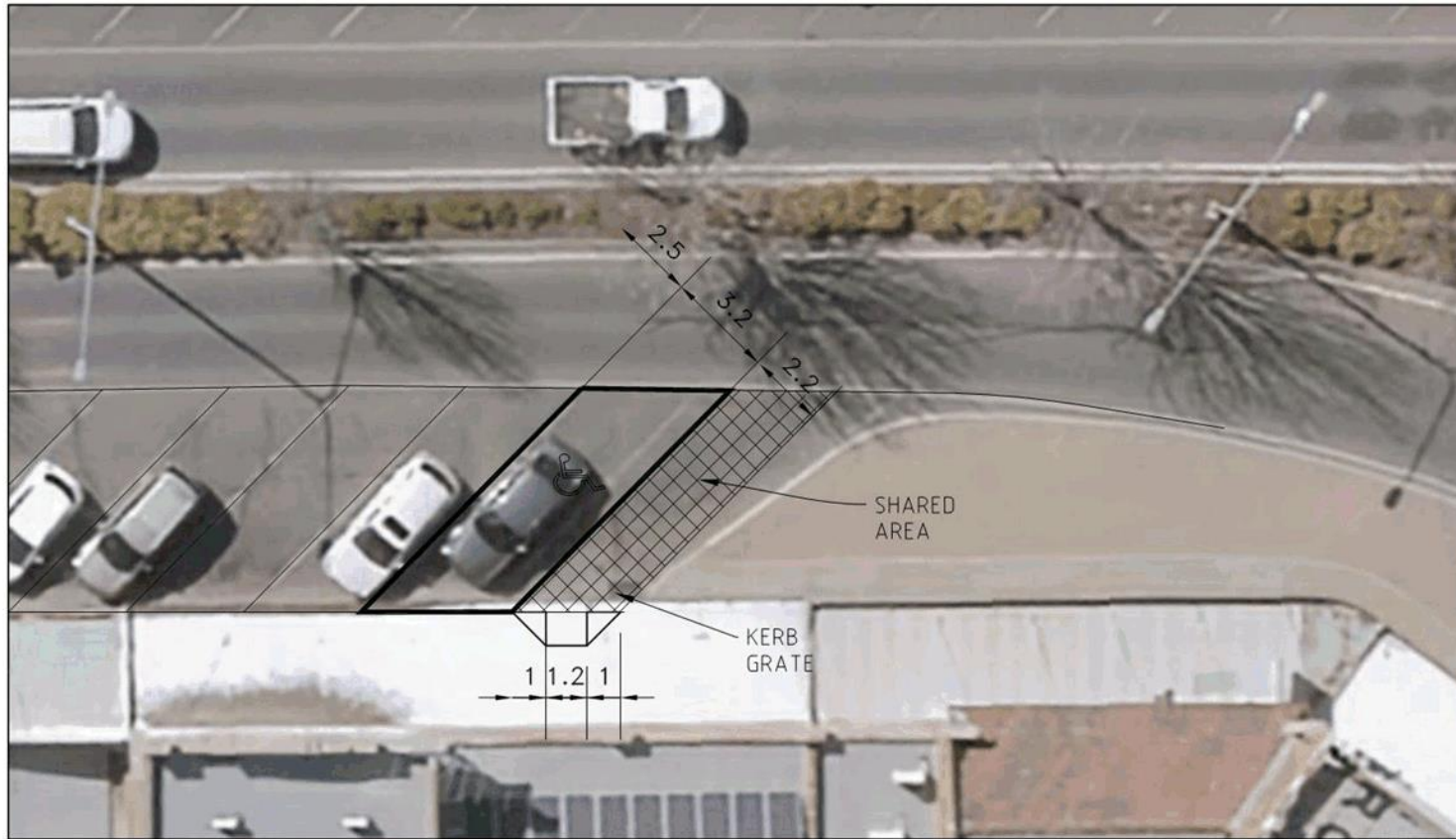
The proposed location for the new disabled carpark is the closest carpark on Pine Avenue to the Roxy Theatre. The installation of the disabled carpark will see the removal of the loading zone and one carpark space to allow room for the Disability space and shared space.

LEETON SHIRE COUNCIL
Traffic Committee - Thursday 26 August 2021

The Kerb ramp for the disabled carpark will comply with AS 1428. (see design attached).

ATTACHMENTS

- 1 [↓](#) Roxy Disabled Park Design Pine Avenue



F			
E			
D			
C			
B	AMENDMENT 1		08/21
A	ORIGINAL ISSUE		08/21
MK	DETAILS OF AMENDMENTS	APPR	DATE



SURVEY	XX
DESIGN	AB
DATUM	XX
PROJ	XX

ROXY THEATRE PINE AV LEETON DISABLED PARKING		
CHECKED	APPROVED	DATE

SHEET 1 OF 1					
PLAN REFERENCE No.					
A4	2122-012				
ID: 000	YEAR 21/22				
A	B	C	D	E	F



LEETON SHIRE COUNCIL

MINUTES OF THE TRAFFIC COMMITTEE

LEETON SHIRE COUNCIL

THURSDAY 26 AUGUST 2021

COMMENCING AT 9.00AM

ELECTRONIC

FORMAL MEMBERS

Leeton Shire Council:	Cr Tony Cicca Mayor Paul Maytom
NSW Police:	Sgt Adam Cooper
TfNSW:	Greg Minehan
Local MP Nominee:	Shane O'Connell

INFORMAL MEMBERS

Leeton Shire RSO:	Stephanie Puntoriero
Leeton Shire GMO:	Tom Steele
Leeton Shire MRD:	Chris Lashbrook

LEETON SHIRE COUNCIL
Traffic Committee - Thursday, 26 August 2021

APOLOGIES

Nil

OFFICERS REPORTS

Item 3.1 DISABLED CARPARK PINE AVENUE 104 PINE AVENUE

RECOMMENDATION

THAT the Committee endorse Leeton Shire Council to remove the current loading zone located at 104 Pine Avenue and install a disabled carpark and ramp at 104 Pine Avenue.

Changes to recommendation: No

<u>Representative</u>	<u>For</u>	<u>Against</u>
TfNSW	Yes	
Police	Yes	
Member for Murray	Yes	
Leeton Shire Council	Yes	

NEXT MEETING 16 NOVEMBER 2021 AT 2.30PM

ACTIVATION MATTERS

ITEM 8.7 SERVICE NSW PARTNERSHIP AGREEMENT

RECORD NUMBER 21/321

RELATED FILE NUMBER

AUTHOR/S Economic and Strategic Development
Manager

APPROVER/S Group Manager Shire Activation

SUMMARY/PURPOSE

The purpose of this report is to provide background information and seek support to enter into a further agreement with Service NSW and to consider future business improvement initiatives.

RECOMMENDATION

THAT Council delegates authority to the General Manager to enter into an agreement with Service NSW and endorses any necessary documents be authorised for execution under the Common Seal of Council, if required.

REPORT

(a) Background

Council currently has an agreement in place with Service NSW to promote and provide access to NSW Government information and services to better assist business owners and to support the local economy.

The support provided by Council to individuals and businesses to access these services has been invaluable, particularly during the challenging times faced in recent years due to COVID-19.

(b) Discussion

Service NSW for Business provides free, personalised support to small business owners, to help them understand industry regulations, to guide them through transactions, and to access support.

The services provided to business owners include:

- Business Concierges offering over-the-phone, email and face-to-face support and case management.
-

- An online Business Profile to make it faster and easier for business owners to transact with NSW Government.
- Guidance and support for small business owners impacted by natural disasters or emerging issues to access a range of Government stimulus, support and information.
- Online business information hubs including how-to guides to help business owners understand key tasks and the support available when starting and running a business in NSW. A new Partnership Agreement has been developed to provide consistency across all councils, reflect the broader focus of Service NSW for Business and provide the opportunity for Leeton Shire Council to engage with all services across Service NSW now and into the future.

The new Partnership Agreement includes further detail and clarity about the roles and responsibilities of all agencies in relation to the collection, storage and security of personal information.

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

For Leeton Shire Council, the process is to endorse the proposed recommendations and to inform Service NSW when this endorsement has occurred

(c) Options

1. That council delegates authority to the General Manager to enter into an agreement with Service NSW and endorses any necessary documents be authorised for execution under the Common Seal of Council, if required. **This is the recommended option.**
2. Not enter into an agreement and advise Service NSW

IMPLICATIONS TO BE ADDRESSED

(a) Financial

This program is at no cost to Leeton Shire Council to participate. Support material, training and advice is provided by Service NSW for Business free of charge. Implementation of the program should lead to reduced processing times and costs relating to applications to Council.

(b) Policy

Nil

(c) Legislative/Statutory

Council would still undertake all assessments as per appropriate legislation.

(d) Risk

Not entering into an agreement could lead to mixed messaging from Service NSW and Council about the services each other supplies. This would frustrate local businesses.

CONSULTATION

(a) External

Service NSW Council Relationship Manger

(b) Internal

General Manager
Group Manager Shire Activation
Economic and Strategic Development Manager

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

Under the Key Priority Area Outcome Four: A THRIVING ECONOMY AND GOOD JOBS within Council's adopted Delivery Program/Operational Plan – 12 - A community that is strong in business and employment - 12 a - Seek, promote and facilitate business opportunities - Support and facilitate the retention and expansion of existing local business, industry or government services in the Leeton Shire.

ATTACHMENTS

1 [↓](#) Partnership Agreement - Leeton Shire Council and Service NSW



PARTNERSHIP AGREEMENT

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

Last Updated: 27 July 2021

1. Purpose

1.1. The purpose of this Agreement is to:

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

This Agreement is not legally binding.

2. Background

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

29/3/21

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

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

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

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

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

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

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

3. Guiding Principles

3.1. The Parties will:

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

4. Roles and Responsibilities

4.1. Service NSW will:

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

4.2. The Council will:

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

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

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

5. Services

A. Service NSW will:

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

B. the Council will:

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

6. Liability

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

7. Data and Data Security

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

8. Confidential Information

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

9. Privacy

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

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

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

- 9.4 Personal and health Information collected, used, disclosed or retained between the parties will be managed and retained by the parties in accordance with the *State Records Act 1998* (NSW) and all other applicable laws, including Privacy Laws.

- 9.5 Once either of the Parties has reasonable grounds to believe there has been unauthorised access to, unauthorised disclosure of, or a loss of Personal or Health Information, dealt with in connection with this Agreement (**'Data Incident'**):

- A. The party must immediately (but in any event, no later than 72 hours of becoming aware of the Data Incident) notify the other party of that contravention together with all relevant information relating to the contravention;
- B. Consult with the other party as to which party should have primary responsibility for investigating and dealing with the breach or possible breach;
- C. Consider, having regard to the scope of the Data Incident and the nature of the personal or health information involved, together with any other relevant factors, whether the Data Incident is serious.
- D. The party with primary responsibility for the breach must notify the Privacy Commissioner as soon as practicable that a serious Data Incident has occurred; and
- E. The parties must co-operate and collaborate in relation to assessment and investigation of the Data Incident, and action required to prevent future Data Incidents.

- 9.6 If either of the Parties receives a complaint or request for an internal review of conduct in relation to a breach or alleged breach of a Privacy Law, including under section 53 of the PPIP Act, (a **'Complaint'**), the following will apply:

- A. It is the responsibility of the party that receives the Complaint to perform a preliminary investigation to determine the party responsible for the conduct;
- B. If responsibility lies wholly with the party that received the Complaint, then that party is responsible for responding to the complaint or conducting the internal review of conduct;
- C. If, after performing the investigation, the relevant party reasonably considers that the Complaint should be transferred to the other party, it will (after obtaining the consent of the customer) promptly transfer the Complaint and any further information obtained by the party from its preliminary investigation, to the other party, no later than 20 days after receipt of the original Complaint;
- D. If the Complaint relates jointly to the conduct of both parties, then the party that received the Complaint will (after obtaining the consent of the Customer) notify the other party no later than 20 days after its receipt of the original Complaint and provide any further information obtained by that party from its preliminary investigation. The parties will then work together to coordinate a joint response from the parties within 60 days of receipt of the Complaint. This response may include an internal review of conduct.

10. Intellectual Property

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

11. Performance Management and Continuous Improvement

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

12. Reporting

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

13. Change Management

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

14. Governance

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

15. Business Continuity and Disaster Recovery

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

16. Dispute Resolution

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

17. Termination

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

18. Miscellaneous

18.1 Entire Agreement

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

18.2 Survival

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

18.3 Notices

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

18.4 Variation

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

18.5 Waiver

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

10.6. Applicable law

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

18.7 Counterparts

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

19. Execution

Council has reviewed and accepts this Agreement

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

Schedules

Schedule 1 - Definitions

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

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

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

Commencement Date means the date of start of this Agreement.

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

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

Contact Centre has the meaning set out in Schedule 2;

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

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

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

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

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

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

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

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

Middle Office has the meaning set out in Schedule 2;

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

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

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

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

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

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

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

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

Program means the Easy to do Business program;

Quarterly Forecast has the meaning set out in Schedule 2;

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

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

Service Centre has the meaning set out in Schedule 2;

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

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

Schedule 2

1. Service NSW Standard Operating Conditions

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

1.1. Service Centre

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

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

1.2. Contact Centre

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

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

1.3. Middle Office

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

1.4. Service NSW Website and Mobile App

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

1.5. Service NSW for Business

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

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

1.6. Training

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

1.7. Language

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

1.8. Branding

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

1.9. Contractors and Agents

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

1.10. Out of Scope Services

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

2. Operational Framework

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

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

2.1. IT Operations & Support

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

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

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

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

2.2. System and Security Maintenance

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

3. Customer Payments

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

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

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

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

4. Business Continuity and Disaster Recovery

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

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

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

Definitions

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

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

5. Continuous Improvement

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

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

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

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

5.1. Continuous Improvement Process

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

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

whether it can be implemented as:

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

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

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

Schedule 3 – Privacy and Data Security

(a) General

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

(b) Access to Agency Systems

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

(c) Collection of information

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

(d) Internal records maintained by Service NSW

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

(e) Use of information

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

(f) Disclosure

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

(g) Retention

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

(h) Data Security

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

(i) Privacy Management plans

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

(j) Access to and amendment of Personal Information

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

(k) Privacy Officer

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

Privacy Officers can be contacted as follows:

Service NSW:

Privacy Officer

Service NSW

2-24 Rawson Place, Sydney NSW 2000

Phone: 13 77 88

Email: privacy@service.nsw.gov.au

[Name of Council Privacy Officer]:

Schedule 4- Change Management

1. Change Management Process

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

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

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

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

2. Change Request Template

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

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

ITEM 8.8 DRAFT DEVELOPER CONTRIBUTIONS DEFERRED PAYMENT POLICY

RECORD NUMBER 21/335

RELATED FILE NUMBER

AUTHOR/S Group Manager Shire Activation

APPROVER/S General Manager

SUMMARY/PURPOSE

The purpose of this report is to seek Council's endorsement of the DRAFT Developer Contributions Deferred Payment Policy for public exhibition.

RECOMMENDATION

THAT Council:

1. Endorses the DRAFT Developer Contributions Deferred Payment Policy for public exhibition for a period of 28 days from Friday 24 September 2021 for community comment.
 2. Adopts the Developer Contributions Deferred Payment Policy if no submissions regarding the document are received by the completion of the exhibition period.
-

REPORT

(a) Background

A key strategic goal in the Delivery Program and Operational Plan is item 5b.01: "*To undertake and promote housing development across Leeton Shire, including Council-owned land.*"

Developers of developments that lead to an increase in the local population, visitation or traffic are usually required to pay development contributions under Section 7.12 of the *Environmental Planning and Assessment Act 1979*. These contributions are known as Section 7.12 contributions (formerly known as Section 94 Fixed Levy Plan contributions). The purpose of these contributions is to provide Council with funds to invest in upgrading infrastructure, services, recreation and community facilities to support the growth of the developed areas.

Under the Act, development contributions are assessable when the proposed cost of carrying out the development is greater than \$100,000. The rates applicable in Council's current Section 94 Fixed Levy Plan are:

- 0.5% where the proposed cost of the development is between \$100,001 and \$200,000.
- 1% where the proposed cost of the development exceeds \$200,000.

(b) Discussion

The amount of the development contributions to be paid is calculated during the Development Application (DA) Assessment. Payment of the contribution is generally a requirement of issuing an Occupation Certificate (OC).

Section 7.12 contributions can, depending on the costs of the development, total more than \$200,000 for a developer and are required to be paid prior to any sales within the new development. The upfront payment of this amount can be an impediment to further development.

To stimulate development and more evenly match the payment to the developers' cashflow sales and receipts it is proposed to offer developers the opportunity to apply to defer the payment of the contribution in accordance with the DRAFT Developer Contributions Deferred Payment Policy.

The purpose of the DRAFT Developer Contributions Deferred Payment Policy is to facilitate residential development by:

- Supporting the provision of sufficient supply of development ready land, to meet housing demand
- Assisting the progression of large-scale subdivision development that may not occur without financial assistance
- Ensuring that new subdivision development is appropriately designed to respond to reasonably expected future infrastructure needs and avoid future adverse impacts upon other development
- Encouraging developers to create new subdivisions to meet the increasing demand for housing in the Shire by more effectively matching development infrastructure contributions to their cashflow receipts as lots are sold rather than being required to pay the contribution up front.

It is important to note that neighbouring Councils are undertaking programs to stimulate development. It is important for Leeton to communicate that our Shire is open for business and development in order to stay competitive.

(c) Options

1. Endorse the attached DRAFT Developer Contributions Deferred Payment Policy as presented. **This is the preferred option.**
2. Endorse the DRAFT Developer Contributions Deferred Payment Policy with amendments.
3. Not endorse the DRAFT Developer Contributions Deferred Payment Policy.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

- Cashflow – for instances where replacement funds will be borrowed to provide cashflow (at developers' expense), the policy will be cashflow neutral. For instances where existing internal cash reserves/restrictions are being utilised there will be a timing difference due to the delay in receipt of the cash payment.
- Income – all deferred development contributions will be charged interest and costs. This will either be income neutral where replacement cashflow funds are borrowed, or income positive where existing funds attract a potentially higher interest rate.

(b) Policy

This is a new policy that is being proposed – Developer Contributions Deferred Payment Policy
Leeton Shire Council Section 94 Fixed Levy Plan

(c) Legislative/Statutory

Environmental Planning and Assessment Act 1979

(d) Risk

- Non-payment – this risk is managed by council holding a caveat over the unsold blocks included in the development. The developer will need to complete payment to finalise the sale of each block included in the new development.
- Cashflow – cashflow risk will be assessed and managed by the Senior Management Team. Instances where the deferral of the payment results in an unmanageable shortfall of cash, council will borrow the funds to replace the shortfall. The costs of the borrowing the funds will be built into the developer's total repayment required.
- Reputation – adoption of the policy will provide developers with an alternative option to fund future developments. This should enhance Council's reputation as a community in which to develop and one that is "open for business".

CONSULTATION

(a) External

Preliminary informal consultation with regular developers indicated that the policy would be beneficial to stimulating development.

- Hotondo Homes Leeton
- Alan Pham.

A similar policy was adopted by Temora Shire Council in June 2021. The policy has already resulted in an application by a developer to defer contributions in accordance with the Temora policy.

(b) Internal

Senior Management Team
Manager Planning, Building and Health

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

Under the Key Priority Area Outcome One: A HEALTHY AND CARING COMMUNITY within Council's adopted Delivery Program/Operational Plan – 5 - A community that enjoys good housing – 5 b - Expand the range of residential opportunities across the Shire – Undertake and promote housing development opportunities across Leeton Shire, including on Council-owned land.

ATTACHMENTS

1 [DRAFT LSC Developer Contributions Deferred Payment Policy](#)



LEETON
SHIRE COUNCIL

DRAFT
DEVELOPER
CONTRIBUTIONS DEFERRED
PAYMENT POLICY

AUGUST 2021

DOCUMENT CONTROL

POLICY NUMBER:					
RESPONSIBLE OFFICER:	Manager Building, Planning and Health				
REVIEWED BY:	Group Manager Shire Activation				
LINK TO CSP/DELIVERY PROGRAM/OPERATIONAL PLAN:	CSP 17d.01 Receive and assess development and subdivision applications				
DATE ADOPTED:					
ADOPTED BY:					
RESOLUTION NO: (IF RELEVANT):					
FOR PUBLICATION:	<input type="checkbox"/> INTRANET <input type="checkbox"/> COUNCIL WEBSITE <input type="checkbox"/> BOTH				
REVIEW DUE DATE:					
REVISION NUMBER:					
PREVIOUS VERSIONS:	DATE	DESCRIPTION OF AMENDMENTS	AUTHOR/EDITOR	REVIEW/SIGN OFF	MINUTE NO (IF RELEVANT)

REVIEW OF THIS POLICY

This Policy will be reviewed every 4 years or as required in the event of legislative changes. The Policy may also be changed as a result of other amendments that are to the advantage of Council and in the spirit of this Policy. Any amendment to the Policy must be by way of a Council Resolution or the approval of the General Manager.

CONTENTS

1. Purpose	4
2. Scope	4
3. Outcomes	4
4. Roles and Responsibilities	5
5. Definitions	5
6. Legislation and Supporting Documents	6
7. Procedure	6
7.1 Application Procedure	6
7.2 Operational Procedure	6
7.3 Legal Protections	6

Appendix 1 : Application for Developer Contributions Deferred Payment

1. Purpose

The purpose of this policy is to:

- Support the provision of a sufficient supply of development ready land for residential purposes.
- Assist the progression of large-scale subdivision development that may not occur without financial assistance.
- Encourage developers to create new subdivisions to meet the increasing demand for housing in the Shire by more effectively matching development infrastructure contributions to their cashflow receipts as lots are sold rather than being required to pay the contribution up front.

2. Scope

This policy applies to the Section 7.12 Development Contributions, formerly known as Section 94A contributions that are payable to Council.

The opportunity to defer development contribution payments is restricted to the development of new residential subdivisions and/or urban blocks that will be offered for sale by the developer as either undeveloped lots of land or, alternatively, built upon and then immediately sold by the subdivision developer. The policy applies across the entire Shire.

Council offers this scheme to all developers of urban residential land, to be assessed on a case-by-case basis. The qualifying conditions to apply for deferral of development infrastructure payments include:

- The land being developed within the Leeton Local Government Area (LGA).
- The development will result in at least three (3) additional lots for sale.
- The proposed subdivision is permitted with consent in the land zone that applied to the subject land.
- The application for deferred payment will not be finalised until the proposal has a relevant development application approved by Council.
- The applicant agrees in writing to the legal controls that will apply to the deferred payment agreement.

The policy does not apply to the following:

- Development other than the creation of residential subdivisions and/or blocks of residential land.
- Development infrastructure that is not within the regulatory control of Council, including electricity and telecommunications infrastructure.
- All other development costs that are the direct responsibility of the developer.

3. Outcomes

This policy is intended to assist in the availability of residential land lots within Leeton LGA. The objective of this policy is for Council to assist developers and facilitate the creation and development of residential land for sale within Leeton Shire. The availability of residential land and subsequently housing is a key strategic goal for Leeton Shire as identified in Council's housing strategy.

4. Roles and Responsibilities

The responsibilities for implementing this policy include:

1. **Manager Building, Planning and Health**

The Manager will ensure that the development contribution payable has been assessed and correctly calculated and complies with *Environmental Planning and Assessment Act 1979*.

2. **Group Manager Activation**

Following application to defer the contribution by the developer, the Group Manager Activation will assess each application on a case-by-case basis and make a recommendation to the General Manager to either approve or reject the application.

The Group Manager Shire Activation will be responsible for the overall management of the scheme and quarterly reporting to Council when payments are deferred.

3. **General Manager**

The General Manager will approve or reject the application to defer development contribution in accordance with this policy.

4. **Property Coordinator and Native Title Manager**

The Property Coordinator and Native Title Manager will process and manage Council lodging and releasing caveat(s) over the lots where development contributions have been deferred.

The Property Coordinator and Native Title Manager will:

- Administer the lodgement and withdrawal of Council's interest(s) on the Personal Property Securities Register (PPSR).
- Finalise execution of the funding deed between Council and the developer.

5. **Finance Manager**

The Finance Manager will manage accounting for the deferred payment and ensure charging of interest to developer. In instances where the deferred payment amount is borrowed, the Finance Manager will manage the process with Council's financial institutions.

6. **Council**

If an unsuccessful applicant wishes to appeal the decision of Council's officer, they must do so in writing. The matter will be referred to Council for their consideration and determination.

Where an application involves Council Staff or Councillors with a partial, controlling or perceived interest in the land development, the assessment and approval of such applications will be referred to the Council for determination, or the General Manager may recommend an external assessment process.

5. Definitions

Council	Leeton Shire Council
CSP	Community Strategic Plan
DA	Development application
Developer	Individual or entity lodging the DA
LGA	Local Government Area
Section 7.12 (S7.12)	Development Contributions identified in the <i>Environmental Planning and Assessment Act 1979</i> . Formerly known as Section 94A (S94A) contributions.

6. Legislation and Supporting Documents

Environmental Planning and Assessment Act 1979
Leeton Shire Council Section 94 Fixed Levy Plan

7. Procedure

7.1 Application Procedure

Applications for consideration by Council for Developer Contributions Deferred Payment are to be completed in writing by the land developer applicant. **Refer Appendix 1- Application for Developer Contributions Deferred Payment.**

7.2 Operational Procedure

Pending approval of the application for Developer Contributions Deferred Payment the terms and conditions by which the deferment scheme will operate include:

- **Deposit.** The developer of the subdivision is responsible for an initial payment of the greater amount of \$50,000 or 10% of the total development contribution payable.
- The **deferred payment balance** will be a function of:
 - The total development contribution payable
 - Less the deposit paid
 - Plus, any accrued administration costs of 3% per year.
 - Less any repayments received by Council to date.
- **Caveat allocation.** The amount of the deferred payment and any applicable costs will be allocated via caveat equally over the total number of lots in the subdivision.
- The **timeframe** for repayment of the deferred infrastructure payment is a maximum of ten (10) years from the date of signing the agreement, or the completed sale of all lots proposed to be delivered by the application for deferment, whichever is sooner.
- The applicant is responsible for the **administration costs** unless it is agreed to be waived by Council.

7.3 Legal Protections

The legal framework for the Developer Contributions Deferred Payment scheme includes:

- **Funding Deed**
The funding deed between Council and the Developer will outline the terms of the agreement. This will outline the mechanism for repayment. The agreement will also detail arrangements to protect the interest of Council in instances where there is a transfer of ownership of the subject land, situations where the developer falls into administration, or the subject land value becomes unviable to develop.
- **Registration of Caveat**
Council will register a caveat on the title to the land to be developed. The caveat will be shown when a title search is conducted by the purchaser's solicitor. The caveat will be released at the time of sale only when the repayment is made to Council's solicitor.
- **Registration of Security Interest**
Council will register its security interest on the Personal Property Securities Register (PPSR). Registration of the security interest will provide Council with an enforceable right in the event that the developer is placed into administration and the assets owned by the developer are disposed.



Application for Developer Contributions Deferred Payment

1. Details of Applicant/Developer

Name		
Postal Address		
Suburb or Town	State	Postcode

2. Property Description

Street/Rural Addressing Number	Street Name	
Suburb or Town	State	Postcode
Lot No	Section No	DP No

3. Related Development Consent

Development Application No	Date of Determination (if approved)
----------------------------	-------------------------------------

4. Subdivision Details

Number of Existing Allotments	Number of Proposed Allotments
-------------------------------	-------------------------------

5. Development Contribution

Development Contributions Payable	Requested Development Contributions Deferred
-----------------------------------	----------------------------------------------

6. Owners Signatures for Consent

Owner(s) Name (List all owners)
.....
.....
.....
Owner(s) Signature (All owners to sign application form)
.....
.....

7. Notes

Note 1

Only the owner of the property or the applicant for the Development Consent can apply for Developer Contributions Deferred Payment.

Note 2

You are requested to complete this form in full with all owners/developers to sign before submitting to council for consideration.

Note 3

The application must comply with the minimum creation of at least three (3) additional lots for sale.

Note 4

The application is for land being developed for residential purposes within the Leeton Local Government Area (LGA).

Note 5

Approval is subject to Council confirming that the proposed subdivision is permitted with consent in the land zone that applies to the subject land. Application for deferred payment will not be finalised by Council until the proposal has a relevant development application approved by Council.

Note 6

The applicant must agree in writing to the legal controls that will apply to the deferred payment agreement.

Note 7

Upon approval the owner/developer of the subdivision is responsible for an initial payment of the greater amount of \$50,000 or 10% of the total development contribution payable.

- The deferred payment balance will be a function of:
 - The total development contribution payable
 - Less the deposit paid
 - Plus, any accrued interest, legal and borrowing costs
 - Less any repayments received by Council to date.

Note 8

Each application will be assessed on a case-by-case basis with all applications approved by the General Manager or Council in the case of staff or Councillors having a controlling or perceived interest in a development.

Statement of Authorisation:

In signing this form, I hereby accept the terms associated with the Developer Contributions Deferred Payment Policy.

Definition:

For the purposes of this application the following terms are defined:

- **Applicant/Owner:** means the person(s) entitled to act upon the Developer Contributions Deferred Payment and Development consent or Development Application

8 . Leeton Shire Council Approvals

I certify that the calculation of the development contribution has been correctly calculated in accordance with the Act. That following discussions with the developer that deferral of the contribution payment as allowed for by the policy would in my opinion, assist this development project to proceed.

Manger Building, Planning & Health

Date

I recommend the deferral of the development contribution in accordance with the policy. I confirm that deferral of the contribution payment as allowed for by the policy would in my opinion, assist this development project to proceed.

Group Manager Shire Activation

Date

I approve deferral of the development contribution in accordance with the policy.

General Manager

Date

ITEM 8.9 ADOPTION OF GOGELDRIE WEIR RECREATION RESERVE MASTER PLAN

RECORD NUMBER 21/345

RELATED FILE NUMBER

AUTHOR/S Manager Visitor Services and Local Activation

APPROVER/S Group Manager Shire Activation

SUMMARY/PURPOSE

The purpose of this report is to present the Gogeldrie Weir Recreation Master Plan to Council for adoption following community consultation that has been undertaken.

RECOMMENDATION

THAT Council:

1. Notes the feedback from the community on the DRAFT Gogeldrie Weir Masterplan.
 2. Endorses the Water Park being changed to a Playground in the Master Plan concept drawing.
 3. Adopts the Gogeldrie Weir Recreation Reserve Master Plan, noting that the proposed swimming beach is subject to further safety assessments.
-

REPORT

(a) Background

The preparation of a precinct Master Plan to redevelop the Gogeldrie Weir Public Reserve Area was identified as a key priority in the Leeton Shire Council Delivery Program 2017–2022.

Leeton Shire Council engaged the services of industry professionals Integrated Site Design in mid-March 2021 to prepare a Master Plan for the Gogeldrie Weir Public Reserve Area.

Council resolved at its July Ordinary Meeting for the DRAFT Gogeldrie Weir Recreation Reserve Master Plan to go on public exhibition for a period of 28 days, starting from Friday 30 July and concluding on Friday 27 August.

(b) Discussion

The vision for a redeveloped Public Reserve Area at Gogeldrie Weir is to enhance the Community Recreation Area at Gogeldrie Weir to deliver an attractive family friendly, accessible, social and recreation hub for the residents of Leeton Shire and day visitors that is integrated with the Murrumbidgee Valley National Park and complementary to the next-door campground.

The Master Plan that has been prepared was informed by evidence and supported by concept designs with potential ideas for inclusion, cost estimates (capital and operations), a funding/staging plan and facilities management plan (identifying alternative methods for operating and funding the management and maintenance of the reserve). The Master Plan will assist Council greatly in applying for future grant applications relating to the redevelopment works.

All potential ideas listed in the concept design plans for redeveloping the Gogeldrie Weir Public Reserve Area were presented to the wider community for comment before any firm plans are locked in for the redevelopment.

There were sixty-four (64) respondents to Council's survey regarding the DRAFT Gogeldrie Weir Recreation Reserve Master Plan via Council's Have Your Say community engagement website.

The responses to the four (4) multiple choice questions asked were as follows:

- 94% of survey respondents were in support of enlarging the public recreation space at Gogeldrie Weir.
- Respondents were asked to select from a list of four monetary options an amount they thought Council should contribute towards the project costs. The responses were as follows:
 - \$1M - \$1.5M – 33.4%, the highest response rate
 - \$500K - \$1M – 25.4%
 - \$2M plus – 20.6%
 - \$1.5M - \$2M – 20.6%
- The Top 6 priorities to incorporate into the public recreation area as ranked by survey respondents were: BBQ and Picnic Shelters (54), Public access toilets (52), new access road and carparking (38), Water Park (30), Widened Boat Ramp and Trailer Parking (23) and new walking tracks (22).
- The Lowest 6 ranked priorities to incorporate into the public recreation area as ranked by survey respondents were: Weir Viewing Decks (21), Suspension Bridge to the National Park (21), Swimming Beach (17), BMX Trails (13), Pavilion and Events Space (13) and Fish Cleaning Table (6).

Although ranked quite highly by survey respondents, the Water Park would present Council with high development and ongoing maintenance costs as it needs to meet the same health regulations as a public swimming pool. Also, the usage would only be seasonal in nature.

Whilst overlooked in the draft concept plans, consideration for the inclusion of a Playground would provide Council with a better alternative due to its year-round usage ability and more cost-effective installation and maintenance costs.

In summarising written feedback received from the 64 respondents via Council's *Have Your Say Leeton* community engagement website, consistent comments received regarding the DRAFT Recreation Reserve Master Plan were:

- Lack of access to the public recreation area has been a significant problem in recent years.
- Ensure access accommodates people with a disability (wheelchair, blind etc).
- Allow dogs on leash only in the reserve area.
- Ensure there is still sufficient space for caravan/camping sites.
- Redevelop the existing Gogeldrie Weir Holiday Park to user pay facility that takes in both the Recreation Reserve and commercial operation.
- Connect the Weir up with the National Park - the proposed suspension bridge across the Sturt Canal would be a great enhancement and way to activate largely untapped National Park area for cycling, bushwalking, etc.
- Setup boom gate as after a certain time of day as recreation area could be susceptible to vandalism.

Two (2) respondents advised that proposed Swimming Beach should be relocated to Sturt Canal or downstream of the Gogeldrie Weir structure for safety reasons. For the purposes of the concept master plan the location of the beach has not been adjusted from the DRAFT Recreation Reserve Master Plan but it will require further safety consideration. Pending securing grant funding for construction, the location and detailed design of a Swimming Beach would be assessed when proceeding with this part of the project.

A submission was also received from the Leeton and District Local Aboriginal Land Council requesting that Council ensure that all cultural and heritage requirements are met. This will be done in close consultation with members of the Leeton and District Local Aboriginal Land Council prior to the commencement of this project.

The full results from Council's *Have Your Say Leeton* community engagement website are included with this report as **Attachment 1**. Three emails were also received by Council during the consultation period and are included with this report as **Attachment 2**.

(c) Options

1. That Council adopts the Gogeldrie Weir Master Plan with the waterpark replaced by an all-season playground. **This is the preferred option.**
2. That Council adopts the Gogeldrie Weir Master Plan with different changes.
3. That Council adopts the Gogeldrie Weir Master Plan with no changes to the original draft.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

Cost estimates provided by Integrated Site Design indicate that to implement all suggestions included in the concept drawings for the redevelopment of the Gogeldrie Weir Public Reserve Area Would cost almost \$3 million.

An indicative \$2 million has been allocated in the 2021/22 Leeton Shire Council Capital Works Budget to implement elements of the Gogeldrie Weir Master Plan for the Public Reserve Area, being made up of \$1 million in grant funding (opportunities to be applied for), \$500,000 in Contributions Funding from external partners such as WaterNSW and NSW National Parks and \$500,000 in Council Loan Funding.

Depending on the success and timing of applications for grant funding, Council may need to consider a staged implementation of priority items identified by the community feedback. For example, the provision of picnic tables and shelters (estimate \$65,000).

The replacement of a water park with a playground will be a reduced capital cost and will provide significant operational savings.

(b) Policy

Leeton on the Go – Community Strategic Plan
Leeton Shire Council 2021/22 Budget Including Capital Works Program
Delivery Program 2017–2022 and Operational Plan 2021/22
Disability Inclusion Action Plan (DIAP)

(c) Legislative/Statutory

Environmental Planning and Assessment Act 1979
Section 151 of the National Parks and Wildlife Act 1974

(d) Risk

Managing expectations by:

- **Financial/affordability** – ensuring community is aware that project implementation is subject to successful grant funding applications.
- **Land ownership** – Half of the land and infrastructure being proposed for redevelopment in the Public Reserve Area is owned by NSW National Parks and Water NSW. There has been close consultation throughout the development of the DRAFT Master Plan with these two key stakeholders including representation on the Gogeldrie Weir Committee from Water NSW.
- **Increased operational costs** – a redevelopment of this scale will bring with it increased operating expenditure for items such as regular maintenance of the area. Council needs to be prudent with this spend and manage it effectively on behalf of ratepayers.
- **Only part funding received from recent grant application submitted** - in early August, Council submitted a grant funding application via the NSW Government Regional Tourism Activation Fund for \$2,058,900. There were two funding streams we couple apply for via this grant, Stream 1 being for activities that deliver high impact visitor experiences and Stream 2 for activities that deliver visitor accessibility and inclusion enhancements. Council applied for \$1.6 million via Stream 1 and \$456,000 via Stream 2 and there is the possibility that if we only receive part funding that we will need to prioritise the works proposed in the Master Plan.

CONSULTATION

(a) External

NSW National Parks & Wildlife Service
Water NSW
Leeton and District Local Aboriginal Land Council
Gogeldrie Weir Committee Members
Community – 67 responses via:

- 64 x Online survey - *Have your say*.
- 3 x emails from members of the general public
- Face to face – Visitor Information Centre 12 August
- Face to face - Jarrah Mall 14 August.




(b) Internal

Manager Planning, Building & Health
Manager Open Space and Recreation
Economic & Strategic Development Manager
Group Manager Corporate
Group Manager Operations
Property Coordinator & Native Title Manager
Communications Coordinator
General Manager

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

Under the Key Priority Area Outcome Three: A HEALTHY NATURAL ENVIRONMENT within Council's adopted Delivery Program/Operational Plan – A community that enjoys our natural environment - 10 a - Provide recreational facilities along the Murrumbidgee River within Leeton Shire - Monitor the provision of camping and recreational facilities at Gogeldrie Weir (delivered under lease) and develop a precinct masterplan.

ATTACHMENTS

- 1**  Have Your Say Survey Results - Draft Gogeldrie Weir Master Plan
- 2**  Three Emails Received During Public Consultation Period
- 3**  Gogeldrie Weir Recreation Reserve Master Plan FINAL - *Attached separately*

Survey

SURVEY RESPONSE REPORT

29 July 2021 - 28 August 2021

PROJECT NAME:

DRAFT Master Plan - Gogeldrie Weir Recreation Reserve



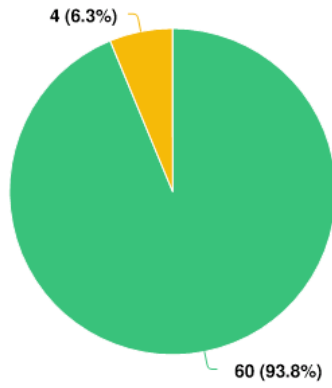
Survey : Survey Report for 29 July 2021 to 28 August 2021



SURVEY QUESTIONS

Survey : Survey Report for 29 July 2021 to 28 August 2021

Q1 This is the first of two maps. Council is proposing enlarging the public recreation space at the Weir (green area inside th...



Question options

- Yes
- No

Optional question (64 response(s), 0 skipped)
Question type: Radio Button Question

Survey : Survey Report for 29 July 2021 to 28 August 2021

Q2 If answered no in question 1, please provide reasons why.

Screen Name Redacted
7/31/2021 03:48 PM

Why should we pay

Screen Name Redacted
8/01/2021 07:48 PM

I think your gone to far with recreational area because that's going to be huge and you will be cutting into caravan sites, if you dont look at both party's, no one will use it, you have to remember this caravan park is rate through caravanning apps if the rating drops no caravan visitors.

Screen Name Redacted
8/23/2021 08:07 PM

I believe the dollars spend on this area could be re developed into a user pay via the Gogeldrie Weir park complex, yes area needs to have smaller boat parking area, but the revenue that could be brought to this area via user pay caravan park complex would be of greater benefit. Areas that are free to use never get looked after, damaged, vandalised rate payer would always be paying for repairs. This area should remain fenced, all water park, bike track, play equipment, toilet should be included inside fence line.

Screen Name Redacted
8/28/2021 09:49 PM

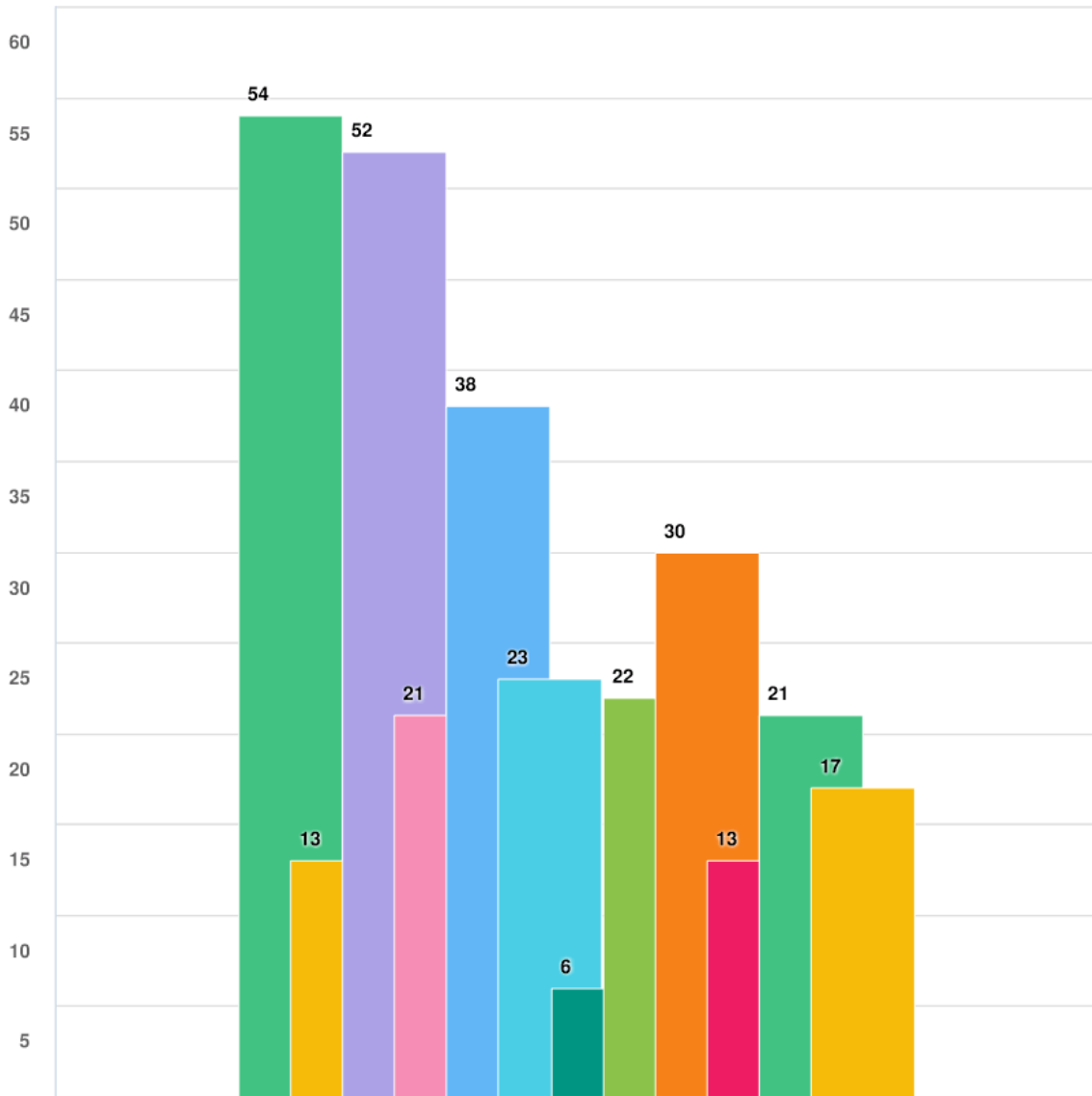
I will explain my objection in the final comments question.

Optional question (4 response(s), 60 skipped)

Question type: Essay Question

Survey : Survey Report for 29 July 2021 to 28 August 2021

Q3 This is the second of two maps. Featured is the full concept plan for the recreation reserve including public toilets, improved boating and fishing, recreational activities and safe places for children to play. From the list below, what are the top...



Question options

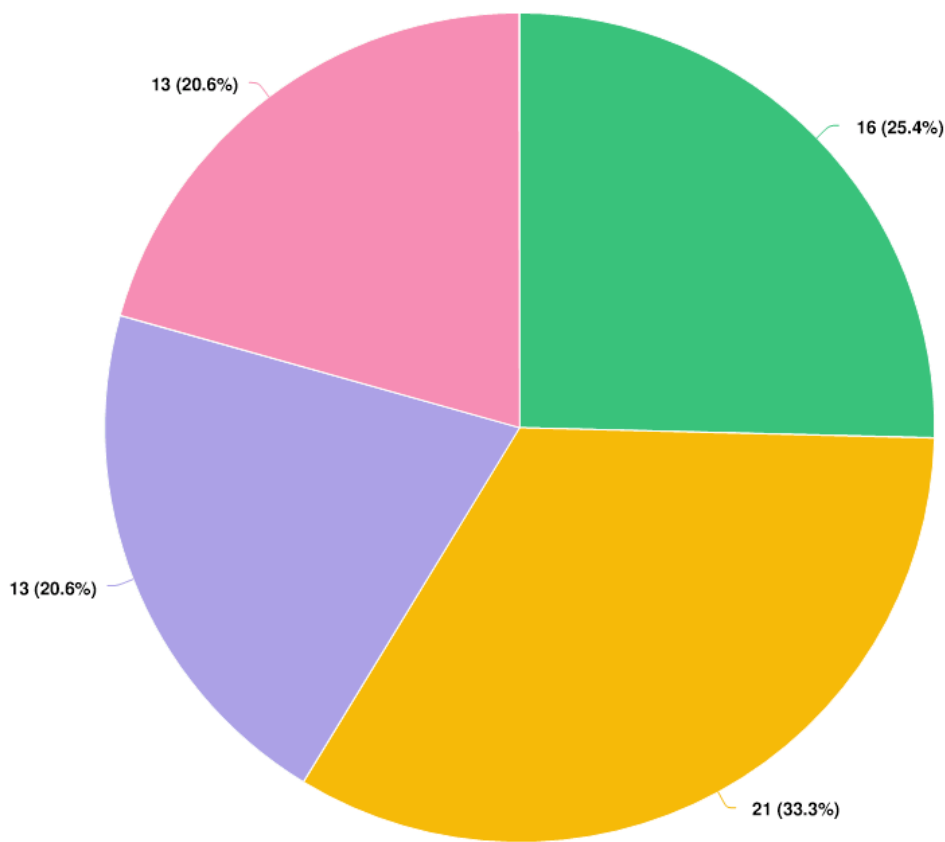
- BBQ Shelters and Picnic Shelters ● Pavilion and Events Gathering Space ● Accessible Public Toilets
- Weir Promenade and Interpretation with Weir Viewing Decks ● Access Road and Car Parking
- Widened Boat Ramp, Boat Launching Pontoon and Boat Trailer Parking ● Fish Cleaning Tables
- Walking Tracks and Cultural Heritage Interpretation ● Water Park ● Informal BMX trails
- Suspension Bridge Connecting to the National Park ● Gogeldrie Beach and Canoe Launch

Optional question (63 response(s), 1 skipped)
 Question type: Checkbox Question

Survey : Survey Report for 29 July 2021 to 28 August 2021

Survey : Survey Report for 29 July 2021 to 28 August 2021

Q4 If the full project was to go ahead, it is estimated to cost almost \$3M. Council will seek grants and partnership funding but will also need to contribute Council funds. What amount of Council funds do you think is appropriate?



Question options

- \$500K - \$1M
- \$1M-\$1.5M
- \$1.5M-\$2M
- \$2M plus

Optional question (63 response(s), 1 skipped)
Question type: Radio Button Question

Survey : Survey Report for 29 July 2021 to 28 August 2021

Q5 | If you have any final comments that you would like to make regarding the redevelopment of the Gogeldrie Weir Recreation Reserve, please provide below.

Screen Name Redacted

7/30/2021 12:51 AM

Please realise its full potential by joining the Weir up with the National Park. The suspension bridge across the Canal will be super popular, especially if there are walking tracks and cycle tracks on the other side.

Screen Name Redacted

7/30/2021 03:07 PM

That dogs be allowed in as most reserves in Leeton have no dogs allowed signs,dog owners pay rates to.

Screen Name Redacted

7/30/2021 03:21 PM

I think its a great idea, especially for families, would like to see some sort of security fencing to keep the vandals out of a night time, only so we don't have to pay again to repair the damage otherwise what a great idea. We will use it with our children and grandkids

Screen Name Redacted

7/30/2021 03:31 PM

Fantastic upgrade proposal.

Screen Name Redacted

7/30/2021 04:07 PM

Ensure there is sufficient space for caravan/camping sites

Screen Name Redacted

7/30/2021 07:27 PM

This space needs to be redeveloped as a safe and functional place for families and others to access the river frontage. It's been an iconic local spot since the weir was built, but lack of access has been a problem in recent years. Regarding the use of the space by the public, dogs would need to be on leads at all times otherwise it will become a dog park.

Screen Name Redacted

7/30/2021 08:45 PM

A pool would be great

Screen Name Redacted

7/30/2021 10:59 PM

I'd like this access to be free of charge for anglers, walkers and picnickers alike. No camping unless it's in the accommodation area.

Survey : Survey Report for 29 July 2021 to 28 August 2021

Screen Name Redacted 7/31/2021 08:07 AM	Provide the facilities that entice people to come and stay awhile - sightseeing is shortterm, like an hour or two
Screen Name Redacted 7/31/2021 03:48 PM	Rate payer don't need to pay get an independent in
Screen Name Redacted 8/01/2021 07:48 PM	I think it's great, but I think the council needs to talk to the boaters about the boat ramp because I have been using it for years and it's works well and I see it as wasting money, now I use it for caravanning for long weekends and love being down on the water edge now I know if that get taken away I will head for tumut for the long weekends, I just think your gone mad with the size of it for people to stand around look at each, people normally are there with the boats and caravans your missing the caravan side of it.
Screen Name Redacted 8/01/2021 10:57 PM	to keep the public area open to the public and even extend it later. This area done correctly will have benefits to the local community as well as to the wider tourist
Screen Name Redacted 8/02/2021 07:51 AM	Great to see the council starting to see the value in promoting the river as one of the Shires great assets, may this be the start of more facilities along the river for family recreation
Screen Name Redacted 8/02/2021 09:13 AM	To help fund the project I wouldnt object to entry fee. An amount per vehicle. With the beach provision on the high side, this could be too dangerous, can it be on the down side of the weir at least 60-70 meters from weir outlet. And a set of steps or a ramp down the river where there is sand now. Save making a beach. If a swimmer ventured too far towards the weir the danger of being sucked under is very real and fatal. On the down side of weir, in summer it is possible to walk across the river and there a good sand bars. Just a suggestion. With the the suggestion for a water park, would you use river water or filtered water. if so this would incur further expense to provide clean chlorinated filtered water. I ran out of ticks, but a BMX bike track would be excellent.
Screen Name Redacted 8/02/2021 12:40 PM	Several years ago Council met with National Parks to explore funding opportunities for the construction of a swing bridge over the Coononcoobil Lagoon adjacent to the Gogeldrie Weir Park to allow easier access into the Murrumbidgee Valley National Park for bush walkers, bird watchers and mountain bikers staying at the Gogeldrie Weir Park or day trippers in Leeton and elsewhere, in

Survey : Survey Report for 29 July 2021 to 28 August 2021

order to take advantage of the kilometres of existing tracks within this section of the NP that link several wetlands and creek systems. The goal was to open up this section of the NP and take advantage of the environment assets and create an unique experience for hikers, bird watchers and mountain bike riders, which represent a huge recreational market. It is encouraging to see that this bridge has been included in an overall wish list concept plan, but at the same time frustrating that it has not made the wish list funding program when facilities such as a proposed pavilion and water park, which are not unique, are listed. A bridge over the Coononcoobil Lagoon would represent an incredible opportunity to create a wonderful experience for outdoor recreational markets, not matched anywhere else. Funding should be sought from National Parks as well as possible alternative construction solutions such as an approach to the Army Engineering Corps as an exercise in bridge building. This is too good of an opportunity to miss out on especially given the potential to create something that would significantly increase visitation to the Gogeldrie Weir park and build on Leeton's commitment to wetlands and environmental attractions.

Screen Name Redacted

8/02/2021 02:09 PM

It would be great if you had a manager who was people friendly. I've had dealings with the current both privately & professionally and found him to be rude and most unhelpful

Screen Name Redacted

8/02/2021 03:03 PM

I see the caravan park area is reduced, what happens with that and will there be a business opportunity available for that?

Screen Name Redacted

8/02/2021 03:35 PM

sup[port this proposal as we need more areas to enjoy the river with formal picnic sites. very good proposal

Screen Name Redacted

8/02/2021 06:50 PM

Maybe looking at updating the camping area as well

Screen Name Redacted

8/03/2021 08:38 PM

Lets do it. Any improvement would be welcomed in this community!

Screen Name Redacted

8/06/2021 07:26 PM

This redevelopment will certainly improve the facilities and encourage visitors to our town.

Screen Name Redacted

Walking tracks would be my 6th choice with information stations

Survey : Survey Report for 29 July 2021 to 28 August 2021

8/10/2021 10:35 PM

along the track and maybe sculptures relevant to the area ie birds, fish etc. For structure ideas - look at what ski beach has achieved over the years as it has permanent structures ie toilet blocks, boat ramps. Also checkout Darlington Point - it has just installed a pontoon/boat ramp near the bridge that could be used for fishing off etc. This structure moves with the water levels. Both these two areas flood and have permanent structures.

Screen Name Redacted

8/11/2021 09:50 PM

This has been an excellent venue which was appreciated. My extended family were regular visitors. In recent years, it seems to have been mismanaged, with aggressive and repellent managers, which has put us off taking our family. We fully endorse and welcome an upgrade to the facilities - it will be an extra feather in Leetons' cap, and save locals traveling to Griffith or Narrandera to use similar facilities. The Leeton Shire has enormous potential for improvements of this nature. We have a very accessible river, which could be developed for provide similar experiences to Gogeldrie - ie Yanco Weir, Middle Beach, Grahams Grave areas.

Screen Name Redacted

8/11/2021 11:25 PM

The redevelopment of Gogeldrie Weir will become an even bigger tourist attraction for Leeton Shire. It will be an even more family friendly location where families can gather, together with relatives and friends, and enjoy boating and fishing as well as relaxing in a beautiful outdoor country setting! It is certainly an exciting project and I would have liked to tick more than five(5) points to be considered in the initial stages. However, I realise this is a long term project which is dependent on Funding Grants etc. Congratulations to Council for considering, and believing in, the redevelopment of this wonderful asset for the benefit of not only Leeton and district residents, but the many visitors it will attract, especially for the Annual Leeton Bidgee Classic Fishing Competition. I look forward to seeing the commencement of the first stage of this exciting project in due course.

Screen Name Redacted

8/12/2021 05:51 PM

Great to see, only issue will be all residents from Griffith using our facilities with having to pay a cent. Happy for tourists, but not paying for other shire residents to get a freebie

Screen Name Redacted

8/15/2021 11:58 AM

The upgrade works for Gogeldrie Weir will be outstanding and in line with many other councils with similar access to rivers across Australia. We are happy to see that the Caravan Park will be separate to the reserve. Of course having the Caravan Park there is really important too but it needs to be kept separate so that

Survey : Survey Report for 29 July 2021 to 28 August 2021

	visitors to the river have complete access to it and the amenities you are planning. I believe it will be a HUGE asset to the Leeton Shire. We believe its a 'win win' for campers, locals and visitors to Gogeldrie Weir.
Screen Name Redacted 8/16/2021 04:50 PM	After growing up in the town and spending a lot of summer with family gatherings as a child it is a wonderful facility which at present is not being used.
Screen Name Redacted 8/16/2021 04:54 PM	It's a great idea. Over time it would be a great area for people to camp etc. We go to Darlington Point Caravan Park once a year camping- 30 of us- fantastic!
Screen Name Redacted 8/16/2021 04:57 PM	Swimming Beach should be relocated to Sturt Canal. Provision should be made for drive thru trailer parking. Fish Cleaning Table on River. Open space on western area for ball sports.
Screen Name Redacted 8/16/2021 05:00 PM	Any new features will be a significant improvement to the limited visitor infrastructure that is currently there at present. Well done to Council for ensuring a vision for the future of the site!
Screen Name Redacted 8/16/2021 05:02 PM	Great project and will bring tourism to our area.
Screen Name Redacted 8/16/2021 05:04 PM	Caravan service points, water, electricity etc would be beneficial.
Screen Name Redacted 8/16/2021 05:05 PM	I think it's a good idea to provide an upgrade of some sort!
Screen Name Redacted 8/16/2021 05:06 PM	I think this is a fabulous project, great work!
Screen Name Redacted 8/16/2021 05:08 PM	Very exciting project!
Screen Name Redacted 8/16/2021 05:13 PM	A longer walking, cycling track would attract a lot of people in the future.

Survey : Survey Report for 29 July 2021 to 28 August 2021

Screen Name Redacted
8/16/2021 05:18 PM

As a parent I would like to see the river fenced off - it gives peace of mind - or at least some areas fenced off.

Screen Name Redacted
8/16/2021 05:19 PM

Please ensure access to the river etc accommodates people with a disability (wheelchair, blind etc).

Screen Name Redacted
8/16/2021 05:21 PM

I could have picked all the proposed new features in the list!!

Screen Name Redacted
8/23/2021 08:07 PM

Redevelop the existing Gogeldrie Weir park, to user pay facilities. We are in the middle of a caravan boom period, parents want to have kids (0 to 12) play in areas which are enclosed, safe areas for young. Older kids (12+) & families ideal to ride bikes, basketball, tennis, splash park without having to put up with public areas where kids are dropped off for the day, no parent supervision, pick fights, swearing not a family atmosphere. If this area is to be redeveloped for the longer, need to involve local parents, families that have travelled, know how good family caravan parks are set up, otherwise you will drive good paying customers away by having public access area, this will become a run down public area with no ownership. Free camper is the other reason this area is not a good idea. To have free campers park, not pay right next to a caravan park/ weir park is not good either. With the right facilities the right people will pay the extra \$\$ to enjoy the weekend with all facilities close by, safe for kids, can enjoy bush walking, fishing, river, tennis, basketball, water park, bike track. Inclusion of powered ensuite site for campers/ caravan enjoy. Close to all local town activities also, sporting events. Free public area is not an ideal outcome for LSC or our shire. For example, Big 4 Deni, Moama Waters similar location to Gogeldrie Weir park, on the river close to town, both these parks bring big \$\$ to the local shire, townships every weekend. Happy to contribute to further discussions to enhance this wonderful area, have spent many years utilising this weir park, and many other across NSW, Vic, SA & NT caravan parks with my family. Free free to call anytime, await your call.
Thanks [REDACTED]

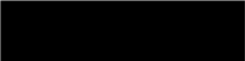
Screen Name Redacted
8/27/2021 10:54 AM

This will be excellent for communities, surrounding rural towns such as Whitton and Stanbridge and visitors to Leeton Shire. It will be a great asset for everyone's enjoyment and strongly encourage this development. Well done on the plans, looks great!

Survey : Survey Report for 29 July 2021 to 28 August 2021

Screen Name Redacted

8/28/2021 09:49 PM

I don't know how Council can consider spending \$3 million on Gogeldrie Weir, when Fivebough has no town water connection. Every other village has town water, why not Fivebough. We don't live in the village and we have to carry all our drinking and cooking water from town as we have contaminated rainwater tanks with ecoli. We're both disabled and if we had town water it would make such a difference. Spend the \$3 million on a water supply for Fivebough ratepayers as this is just discrimination. We deserve a water supply. 

Optional question (42 response(s), 22 skipped)

Question type: Essay Question

From: Karen Davy
Sent: Friday, 27 August 2021 3:36 PM
To: Leeton Shire Council <Leeton_Shire_Council@leeton.nsw.gov.au>
Subject: Gogeldrie Weir Master Plan

Good afternoon,

Due to many reasons, I have not seen the plan and only just now become aware it was available to be reviewed. I have met with Jim Bolger on site to discuss many of the ideas for the plan earlier in the year. I would like to register the L&DLALC's interest in ensuring that all Cultural and Heritage requirements are met. I would also like it noted that we strongly encourage a plan that ensures the site isn't disturbed in any significant way but enhances the natural beauty, historical significance and in particular the Aboriginal Cultural and Heritage values of the area.

We would also like to see the local Aboriginal history built into the plan. I would be happy to discuss further at your convenience.

Kind regards,

Karen Davy | Chief Executive Officer

Leeton & District Local Aboriginal Land Council

F: <http://www.facebook.com/pages/Leeton-and-District-Local-Aboriginal-Land-Council/144759648990832>



"Always Was, Always Will be Aboriginal Land"

Hi Guys

As a Griffith resident I am not too far from Gogeldrie weir, Me and my family have been there may times over the years and think is a wonderful area to go camping and fishing.

I come across the Facebook post with the concept plans for the upgrades to the Gogeldrie Weir. I did note that you are looking to do these works in stages, but I would like to comment that I think what you are proposing to do is great idea. It would be great if Griffith City Council would look at something like this for our lake!

Anyway, as I am in the industry for pools & splash pads I thought I would ask one of our suppliers to put together a concept for a water play area. These guys have Stainless steel water features and are happy to provide concept plans free of charge.

The company is PlayRope Group PTY LTD

If you wish to contact them at all the best contact is Mitch Davies

mitch@playrope.com.au

0439018888

There is no pressure my end I just know that it can be costly to get concept plans done and thought I would inform you of this option.

Regards,



Mark McLean

Total Creations & Services

General Manager

m 0427 939 834

e mark@totalcreations.com.au

Hi John,

Thanks for your email.

Council has placed the Masterplan on public exhibition to get feedback on the aspects of the plan.

I appreciate the connection between the weir, the irrigation scheme and the variety of food and fibre produced in the region.

I have forwarded your email to Council for inclusion with all other feedback on the Masterplan.

Regards,

Neville Green

Integrated Site Design

3/181-183 River St

Ballina NSW 2478



AWARDED BEST SERVICE PROVIDER 2018 NSW CARAVAN & CAMPING INDUSTRY ASSOCIATION

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From: John Collins
Sent: Thursday, 12 August 2021 4:59 PM
To: Neville Green
Subject: Your Gogeldrie Weir study

Neville

Just read your Gogeldrie Weir draft Master Plan.

Good work.

BUT why on pages 24/25 did you leave off Food and Agritourism among the themes that could be addressed by the Weir and its precinct?

Part of the infrastructure for irrigation in one of the world's oldest, largest, and best organised irrigation scheme, generating a vast variety of food and fibre products, must be considered of relevance to those interested in food and agritourism. Surely!

John Collins

Agricultural Tours Riverina

Memberships:

ATEC

Wagga Wagga Tourism Program Griffith City Tourism Program

Australia / India / Korea / Indonesia / Malaysia / Thailand Business
Councils Facebook: agriculturaltoursriverina

ATR is a COVID PREPARED Business

ITEM 8.10 MINUTES OF THE SUNRICE FESTIVAL COMMITTEE - MARCH TO JULY 2021

RECORD NUMBER 21/343

RELATED FILE NUMBER

AUTHOR/S Events Officer

APPROVER/S Manager Visitor Services and Local
Activation
Group Manager Shire Activation

SUMMARY/PURPOSE

The Leeton SunRice Festival Committee is a Section 355 Committee of Council.

The purpose of this report is to provide Council with the Minutes of the Leeton SunRice Festival Committee meetings held on on 17 March, 20 May, 17 June and 15 July 2021 (**Attachments 1-4**).

The minutes of the meetings are prepared by volunteers who sit on the Committee and are presented as supplied to Council.

RECOMMENDATION

THAT Council receives for information the Minutes of the Leeton SunRice Festival Committee meetings held on 17 March, 20 May, 17 June and 15 July 2021.

REPORT

(a) Background

The purpose of the Leeton SunRice Festival Committee is to coordinate and stage a successful biennial event and encourage individuals and businesses to participate in the Leeton SunRice Festival.

The Leeton SunRice Festival Committee holds regular monthly meetings in the year leading up to the event, which is held on a biennial basis.

(b) Discussion

The Leeton SunRice Festival Committee met in March, May, June and July 2021, following the workplan to start coordinating the 2022 event. Discussion and action on items have included:

- Consensus to maintain Festival event itinerary as planned for 2020 – contacting previously booked performers, providers, and venues to confirm their availability
-

- Canvassing of potential participants and investigating alternate prizes for the Ambassador program
- Preparation for promotion including the update of signage and quotes for design and print of program
- Booking of Council facilities for committee organised public events
- Opening of tenders for catering of the Longest Lunch event
- Consolidation of prior sponsorship commitments and canvassing of new sponsorship for the 2022 event

The meeting minutes are included with this report as **Attachments 1-4**.

(c) Options

Nil – meeting minutes are for information only.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

The Leeton SunRice Festival Committee is a Section 355 Committee. It currently manages its own finances.

Leeton Shire Council provides its contribution to this biennial event in the form of \$15,000 cash sponsorship per Festival and staff wages towards the successful facilitation of the event.

(b) Policy

Leeton Shire Council Code of Conduct

(c) Legislative/Statutory

Under Section 355 (b) of the *Local Government Act 1993* a Council may exercise its functions by a Committee of Council.

(d) Risk

The legislative non-compliance of a Section 355 Committee could have legal, reputational, political and financial impacts. Note that Council has commenced a review of all Section 355 Committees to check for legislative compliance.

CONSULTATION

(a) External

Committee members

(b) Internal

Events Officer
Manager Visitor Services and Local Activation

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

Under the Key Priority Area Outcome Six: STRONG LEADERSHIP within Council's adopted Delivery Program/Operational Plan – 19 - A community that speaks up and gets involved - 19 c - Provide a framework for inclusive decision-making - Support and report on Council's Section 355 Committees.

Under the Key Priority Area Outcome Six: STRONG LEADERSHIP within Council's adopted Delivery Program/Operational Plan – 19 - A community that speaks up and gets involved - 19 c - Provide a framework for inclusive decision-making - Support and report on Council's Section 355 Committees.

ATTACHMENTS

- 1** [↓](#) SunRice Festival Committee Minutes 17 March 2021
- 2** [↓](#) SunRice Festival Committee Minutes 20 May 2021
- 3** [↓](#) SunRice Festival Committee Minutes 17 June 2021
- 4** [↓](#) SunRice Festival Committee Minutes 15 July 2021



Leeton SunRice Festival Committee Meeting

Wednesday 17 March 2021

Meeting Opened	7.00pm			
Present	Chris, Vicki, Julie, Sally, Denise			
Apologies	Kristy, Fiona, Wendy, Lauren, George, Carl, Cheryl, Nadine, Liz			
Minutes of Previous Meeting	Moved	Chris	Seconded	Hannah
Meeting Closed	8.00pm			
Next Meeting	20 May 2021			
2022 Festival	15th – 18 th April 2022			

Treasurers Report	
General Funds	<ul style="list-style-type: none"> - \$35k to be put in term deposit - some cost still to come out i.e. refunds - Ambassador prize money, no end date to be given
Ambassador	\$416.39
Balloons	\$10 438.89

Correspondence	
General	<ul style="list-style-type: none"> - Bank Statement - Roxy proposal supported
Bills	Aust Post

Work Plan	
General Buisness	<ul style="list-style-type: none"> - Changed Date signs – committee will update the signs – Sal to get prices - Website update – Sal to follow up - Meeting day to be put to Poll to see what works best for whole committee, location to be changed to QPL Boardroom. Will still be the third week of the month. - Letter to council to be written in regards to representation on the committee – Julie to action - Constitution update required before next AGM
Sponsorship	- [redacted] still to pay for advertising from last festival



Leeton SunRice Festival Committee Meeting

Thursday 20th May 2021

Meeting Opened	7.00pm			
Present	Chris, Vicki, Julie, Sally, Liz, George, Cheryl, Nadine, Brent, Fran			
Apologies	Kristy, Fiona, Wendy, Lauren, Denise, Cath			
Minutes of Previous Meeting	Moved	Chris	Seconded	Vicki
Meeting Closed	8.00pm			
Next Meeting	17 June 2021			
2022 Festival	15 th – 18 th April 2022			

Treasurers Report	
General Funds	\$6,245.67 - \$35k to be put in term deposit - Bills - Web123, PO Box - Ambassador prize money, no end date to be given
Ambassador	\$416.39
Balloons	\$8,975.11

Correspondence	
General	- Bank Statement
Bills	- Aust Post

Work Plan	
General Business	<ul style="list-style-type: none"> - Fran is the new events officer at council and will be sitting on the committee - Changed Date signs – committee will update the signs – Sal to get prices - Website update – complete - Meeting day changed to third Thursday of the month at 7pm - Constitution update required before next AGM - Banners to be located – Fran to look at Council
Sponsorship	<ul style="list-style-type: none"> - still to pay for advertising from last festival - Sponsorship Levels to remain as is due to Covid complications - Sponsorship List needs updating including who rolled over there funds – Sal - Sponsorship letter to be updated - Vicki
Ambassadors	<ul style="list-style-type: none"> - 2020 Ambassadors to be included in 2022 Festival – All to think of ideas (Parade, Opening event etc) - Ambassador judging rules have been updated by Cheryl after last festival.
Ambassador Launch	<ul style="list-style-type: none"> - Date: Wednesday 1 Dec 2021 - Options for event, potentially Lilly Pilly – Cheryl to ask
Parade	<ul style="list-style-type: none"> - Street Performers in credit – Memphis Movers, Lady Bugs and Stilz walkers - New ideas for face painting/bubbles to walk parade?? – Fran - Potential different option for rides Jumping Bean Castle Hire – Fran to get more information - Show Rides – Sal to confirm Green Haul - Letter to rescue Squad and Showgrounds Committee to confirm – Chris - Book park, Ltn Multi Purpose room, Street Stall - Fran
Opening	<ul style="list-style-type: none"> - Committee happy to stick to last festival plan – 50 Shades of Green at the Soldiers Club with sponsorship – Sal to follow up

Longest Lunch	<ul style="list-style-type: none">- Sunday 17.04.21- Letter for caterers to be updated – Sal- Book Park - Fran
Balloons	<ul style="list-style-type: none">- 18 Balloons attended- Prolop paid for gas for day 1 & 2 approx \$800- Training Camp has been approved for June school holidays – no costs involved to the committee, we are just assisting in finding accommodation



Leeton SunRice Festival Committee Meeting

Thursday 17th June 2021

Meeting Opened	7.00pm			
Present	Chris, Vicki, Julie, Sally, Nadine, Fran			
Apologies	Kristy, Fiona, Wendy, Lauren, Denise, Cath, Liz, George, Cheryl, Brent			
Minutes of Previous Meeting	Moved	Chris	Seconded	Vicki
Meeting Closed	8.00pm			
Next Meeting	15 July 2021			
2022 Festival	15 th – 18 th April 2022			

Treasurers Report	
General Funds	\$6,080.67 - \$35k in term deposit (Sept) - Bills - Web123, PO Box - Ambassador prize money, no end date to be given
Ambassador	\$416.39
Balloons	\$9,477.20
General Information	SunRice has been invoiced - Sal

Correspondence	
General	- Bank Statement
Bills	- Aust Post

Work Plan	
General Business	<ul style="list-style-type: none"> - Changed Date signs – committee will update the signs – Sal and Fran to get prices - Constitution update required before next AGM - Banners to be located – Fran to look at Council - Bidgee Classic mailbox key handed to Fran, this is to be given to Chris - Julie spoke to Talia @ the Irrigator – there will be a story in the next fortnight about the festival and then follow up with an Ambassador piece
Sponsorship	<ul style="list-style-type: none"> - still to pay for advertising from last festival - Sponsorship Levels to remain as is due to Covid complications - Sponsorship letter to be updated – Fran
Ambassadors	<ul style="list-style-type: none"> - 2020 Ambassadors to be included in 2022 Festival – All to think of ideas (Parade, Opening event etc) - Ambassador judging rules have been updated by Cheryl after last festival.
Ambassador Launch	<ul style="list-style-type: none"> - Date: Wednesday 1 Dec 2021 - agree in principal, Cheryl will follow up
Opening	<ul style="list-style-type: none"> - Committee happy to stick to last festival plan – 50 Shades of Green at the Soldiers Club with sponsorship – Julie to follow up
Parade	<ul style="list-style-type: none"> - Street Performers in credit Memphis Movers – need to determine if we have paid and if a credit was given or refund. Chris to confirm if we still want to move ahead with the option of balloon making on the Sunday at the Glow. Jo Jo's – in credit \$3748 inc - Show Rides – Sal to confirm Green Haul - Letter to rescue Squad and Showgrounds Committee to confirm – Chris

	- Book park, Ltn Multi Purpose room, Street Stall, Senior Citz room – Fran
Parks & Stalls	- Cleaning contractors for the toilets – need people on the Saturday – Fran to follow up
Longest Lunch	- Sunday 17.04.21 - Tender letter OK, Sal to send out to various businesses. Closing date for tender 30.10.21 - Book Park - Fran
Program	- Quotes to be obtained for 2500 programs to be printed - Fran
Balloons	- Training camp postponed till September - Draft budget being done - Tender for commercials being sent out - Sponsorship – Would like to include Bronze Sponsors for “Fuel for the Day”@ \$500 – Committee agreed



Leeton SunRice Festival Committee Meeting

Thursday 15th July 2021

Meeting Opened	7.00pm			
Present	Chris, Vicki, Julie, Sally, Nadine, Fran, George, Sally, Cheryl			
Apologies	Kristy, Fiona, Wendy, Lauren, Denise, Cath, Liz, Brent			
Minutes of Previous Meeting	Moved	Chris	Seconded	Vicki
Meeting Closed	8.00pm			
Next Meeting	19 August 2021			
2022 Festival	15 th – 18 th April 2022			

Treasurers Report	
General Funds	\$5,486.67 - \$35k in term deposit (Aug) - Bills - Web123, PO Box - Ambassador prize money, no end date to be given
Ambassador	\$416.39
Balloons	\$9,387.20
General Information	SunRice has been invoiced - Sal

Correspondence	
General	- Bank Statement, Maguires
Bills	- Aust Post, SunRice

Work Plan	
General Business	- Changed Date signs – committee will update the signs – \$25 per sign and will get 2024 at the same time – Fran - Constitution update required before next AGM - Banners to be located – Fran to look at Council
Sponsorship	- still to pay for advertising from last festival (maybe waived if we use for Ambassador Launch) - Sponsorship letter to be updated – Fran - SunRice have sent a letter wanting justification for funding request – Sal to respond with loses from cancelled festival. Look to extend current contract to 2024??
Ambassadors	- 2020 Ambassadors to be included in 2022 Festival – All to think of ideas (Parade, Opening event etc) - Update Ambassador flyer and send to groups who seek funding – Sal - Potential Ambassadors – Sophie Litchfield (QPL), Caitlyn Mills, Jemma Leeson - Potentially look at a different prizes rather than through travel agent due to Covid
Ambassador Launch 1/12/21 @ 6pm	- agree in principal, Cheryl will follow up. Visitors Centre as a back up plan
Opening	- Committee happy to stick to last festival plan – 50 Shades of Green at the Soldiers Club with sponsorship – Julie to follow up
Parade	- Letter to rescue Squad and Showgrounds Committee to confirm – Chris

	- Book park, Ltn Multi Purpose room, Street Stall, Senior Citz room – Fran
Parks & Stalls	- Street Performers in credit Memphis Movers – credit by phone call, no email. Contact info needs to be sent to Fran so she can contact to confirm. Chris to confirm if we still want to move ahead with the option of balloon making on the Sunday at the Glow. Stiltz – in credit \$3748 inc – Chris to fill out deposit - Show Rides – Sal to confirm Green Haul - Cleaning contractors for the toilets – need people on the Saturday – Fran to follow up - Busker rules – Template to fill out for permit – Fran
Longest Lunch 17/04/21 @ 12pm	- Tender letters sent
Program	- Quotes received, some additional information required - Need to confirm if Irrigator can do design – Fran - Lachie will proof read/collate for us
Advertising	- Carl will assist from afar and give details as to who we need to contact
OH&S	- Main Street Closure the same as last festival - Fencing to be booked
Balloons	- Draft budget being done - Tender for commercials being sent out - Sponsorship – Would like to include Bronze Sponsors for “Fuel for the Day”@ \$500 – Committee agreed

COUNCILLOR ACTIVITY REPORTS ITEM 1

COUNCILLOR ACTIVITY REPORT

RECORD NUMBER	21/347
RELATED FILE NUMBER	EF21/508
AUTHOR	Executive Assistant to the General Manager and Mayor

RECOMMENDATION

THAT Council notes the Councillor Activity Reports for the period 25 August 2021 to 22 September 2021.

Cr Paul Maytom

31 August 2021	JumpStart General Committee Meeting
2 September 2021	Covid-19 update – working with multicultural communities
3 September 2021	Leeton Connect Strategic Planning Workshop
7 September 2021	Foundation for Rural & Regional Renewal - Investing in Rural Community Futures Roadmap Review and Murrumbidgee Irrigation & Matrix Commodities Meeting
14 September 2021	Lake Mejum Coolah Meeting and WaterNSW Customer Advisory Group Engagement Murrumbidgee Meeting
16 September 2021	Leeton Hospital Advisory Committee Meeting
17 September 2021	Citizenship Ceremony
21 September 2021	Leeton Connect Board Meeting
22 September 2021	Quarterly Police Meeting with Narrandera Shire Council

Cr George Weston

7 September 2021	Foundation for Rural & Regional Renewal - Investing in Rural Community Futures Roadmap Review as Chairman of Australia Day Committee
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Cr Tracey Morris

8 September 2021	Roxy Project Control Group Meeting
9 September 2021	Audit Risk and Improvement Committee Meeting

Cr Tony Reneker

3 September 2021	Leeton Connect Strategic Planning Workshop
7 September 2021	Foundation for Rural & Regional Renewal - Investing in Rural Community Futures Roadmap Review
9 September 2021	Audit Risk Improvement Committee Meeting
15 September 2021	Bush Fire Management Committee Meeting
22 September 2021	Leeton Sporting Walk of Fame Meeting
