



LEETON
SHIRE COUNCIL

ORDINARY COUNCIL MEETING
AGENDA

27 APRIL 2022
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

27 April 2022

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 23 March 2022, as circulated, be taken as read and CONFIRMED.

THAT the Minutes of the Extraordinary Council Meeting held on Tuesday 19 April 2022, as circulated, be taken as read and CONFIRMED.

5. DISCLOSURES OF INTERESTS
6. PUBLIC REPRESENTATIONS
7. MAYORAL MINUTES
8. REPORTS TO COUNCIL

GENERAL MANAGER'S MATTERS

- 8.1 PAYMENT OF COUNCILLOR SUPERANNUATION5
- 8.2 PRIMARY DISCLOSURE OF INTEREST RETURNS BY COUNCILLORS AS AT 20 DECEMBER 20219
- 8.3 MINUTES OF COUNTRY MAYORS MEETING - 11 MARCH 2022.....12
- 8.4 MINUTES OF RAMJO MEETING - 25 FEBRUARY 202221
- 8.5 INVITATION TO PARTICIPATE IN BUSH BURSARY/COUNTRY WOMEN'S ASSOCIATION (NSW) SCHOLARSHIP PROGRAM 2022.....38

8.6	YOUTH DEVELOPMENT GRANT APPLICATION	56
8.7	MINUTES OF THE LEETON MENS SHED COMMITTEE - 8 DECEMBER 2021 TO 9 MARCH 2022	64
CORPORATE MATTERS		
8.8	ENDORSEMENT OF THE DRAFT DELIVERY PROGRAM 2022- 2025 AND DRAFT RESOURCING STRATEGY	76
8.9	ENDORSEMENT OF THE DRAFT OPERATIONAL PLAN FOR 2022/23 (INCLUDING THE DRAFT BUDGET FOR 2022/23) AND DRAFT REVENUE POLICY (INCLUDING FEES AND CHARGES) FOR 2022/23	81
8.10	ADDITIONAL SPECIAL VARIATION.....	87
8.11	QUARTERLY CAPITAL WORKS UPDATE REPORT - MAJOR PROJECTS	94
8.12	INVESTMENTS REPORT FOR MARCH 2022.....	105
8.13	URBAN PARKS GENERIC - DRAFT PLAN OF MANAGEMENT	116
OPERATIONAL MATTERS		
8.14	PROPOSED IPART PEG FOR DOMESTIC WASTE CHARGES - RESPONSE FROM LEETON SHIRE COUNCIL.....	173
8.15	ADDITION OF RESERVE 751745 FOR FUTURE PUBLIC REQUIREMENTS TO RESERVE 90972 MCCAUGHEY PARK - OFF LEASH PET AREA.....	194
ACTIVATION MATTERS		
8.16	DEFERRED DEVELOPER CONTRIBUTIONS POLICY - COMMUNITY FEEDBACK.....	198
9.	NOTICES OF MOTIONS	
10.	COUNCILLOR ACTIVITY REPORTS	
11.	CONFIDENTIAL MATTERS	
11.1	VANCE ESTATE STAGE 3 - LAND SALES	
	<p>It is recommended that the Council resolve into Closed Council with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (c) of the Local Government Act, 1993, on the grounds that the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. (Commercial information regarding the sale of Vance Estate allotments)</p>	
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 – 6953 0903

Councillors' obligations under the Oath or Affirmation of Office are as follows:

OATH OF OFFICE

I swear that I will undertake the duties of the office of Councillor in the best interests of the people of Leeton and the Leeton Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment.

AFFIRMATION OF OFFICE

I solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Leeton Shire and the Leeton Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment.

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

GENERAL MANAGER'S MATTERS

ITEM 8.1 PAYMENT OF COUNCILLOR SUPERANNUATION

RECORD NUMBER	22/114
RELATED FILE NUMBER	EF21/521
AUTHOR/S	Executive Manager IPR, Governance and Engagement
APPROVER/S	General Manager

SUMMARY/PURPOSE

Following an amendment to the *Local Government Act 1993* (the Act) last year, councils may make payments as a contribution to a superannuation account nominated by their councillors, starting from the financial year commencing on 1 July 2022.

The making of superannuation contribution payments for councillors is optional and is at each council's discretion.

To exercise the option of making superannuation contribution payments for their councillors, councils must first resolve at an open meeting to make superannuation contribution payments for the councillors.

The purpose of this report is to present this option to Council.

RECOMMENDATION

THAT Council takes up the option of making superannuation contribution payments to Councillors, with contributions to eligible superannuation accounts nominated by Councillors to commence from 1 July 2022.

REPORT

(a) Background

Under the *Commonwealth Superannuation Guarantee (Administration) Act 1993*, councils across Australia were not required to make superannuation contributions in relation to the fees they pay to mayors and councillors. This is because mayors and councillors are elected to a civic office in a council and are not employees of the council.

There were concerns within the local government sector that the ineligibility of councillors to receive superannuation payments was inequitable and was a deterrent to more women and younger people standing as candidates at council elections.

These concerns resulted in the *Local Government Amendment Act 2021 No.11*, which gave effect to Section 254B Payment for superannuation contributions for Councillors.

Under Section 254B:

- (1) A council may make a payment (a 'superannuation contribution payment') as a contribution to a superannuation account nominated by a councillor, starting from the financial year commencing 1 July 2022.
- (2) The amount of a superannuation contribution payment is the amount the council would have been required to contribute under the Commonwealth superannuation legislation as superannuation if the councillor were an employee of the council.
- (3) A superannuation contribution payment is payable with, and at the same intervals as, the annual fee is payable to the councillor.
- (4) A council is not permitted to make a superannuation contribution payment --
 - (a) unless the council has previously passed a resolution at an open meeting to make superannuation contribution payments to its councillors, or
 - (b) if the councillor does not nominate a superannuation account for the payment before the end of the month to which the payment relates, or
 - (c) to the extent the councillor has agreed in writing to forgo or reduce the payment.
- (5) The Remuneration Tribunal may not take superannuation contribution payments into account in determining annual fees or other remuneration payable to a mayor or other councillor.
- (6) A person is not, for the purposes of any Act, taken to be an employee of a council and is not disqualified from holding civic office merely because the person is paid a superannuation contribution payment.
- (7) A superannuation contribution payment does not constitute salary for the purposes of any Act.
- (8) Sections 248A and 254A apply in relation to a superannuation contribution payment in the same way as they apply in relation to an annual fee.
- (9) In this section --

'Commonwealth superannuation legislation' means the *Superannuation Guarantee (Administration) Act 1992* of the Commonwealth.

'Superannuation account' means an account for superannuation or retirement benefits from a scheme or fund to which the Commonwealth superannuation legislation applies.

(b) Discussion

To exercise the option of making superannuation contribution payments for their councillors, councils **must** first resolve at an open meeting to make superannuation contribution payments for the councillors.

If Council resolves to make superannuation contribution payments for its councillors, the amount of the payment is the amount the Council would have been required to contribute under the *Commonwealth Superannuation Guarantee (Administration) Act 1992* as superannuation if the Councillors were employees of the council.

As of 1 July 2022, the superannuation guarantee rate will be 10.5%. The rate will increase by half a percent each year until 1 July 2025 when it reaches 12%.

The superannuation contribution payment is to be paid at the same intervals as the annual fee is paid to councillors.

To receive a superannuation contribution payment, each Councillor must first nominate a superannuation account for the payment before the end of the month to which the payment relates. The superannuation account nominated by Councillors must be an account for superannuation or retirement benefits from a scheme or fund to which the *Commonwealth Superannuation Guarantee (Administration) Act 1992* applies.

If a Councillor fails to nominate an eligible superannuation account for the payment before the end of the month to which the payment relates, no superannuation contribution payment will be made for that Councillor.

Individual Councillors may opt out of receiving superannuation contribution payments or opt to receive reduced payments. Councillors must do so in writing.

(c) Options

Option 1

Council takes up the option of making superannuation contribution payments to Councillors, with contributions to superannuation accounts nominated by Councillors to commence from 1 July 2022. **This is the preferred option.**

Option 2

Council declines to take up the option of making superannuation contribution payments to Councillors.

Option 3

Council takes up the option of making superannuation contribution payments to Councillors but delays the start date for making payments and/or reduces the amount of the contribution payment.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

It is estimated that the cost in the first financial year of 2022/23 will be \$15,400. This will be funded from Council's unrestricted cash and will have a negative but not material impact on the Operating Performance Ratio. This cost has already been allowed for in developing Council's Draft Operational Plan and Budget 2022/23 and any future budget forecasts.

(b) Policy

Nil

(c) Legislative/Statutory

Section 254B of the *Local Government Act 1993*
Local Government Amendment Act 2021 No.11
Commonwealth Superannuation Guarantee (Administration) Act 1992

(d) Risk

Nil

CONSULTATION

(a) External

Office of Local Government

(b) Internal

Manger Finance

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 – 18 - A community that has politicians who act and listen - 18 b - Strengthen Leeton Shire Council's governance capabilities - Attract a strong and diverse pool of candidates for deferred Local Government elections in 2021".

ATTACHMENTS

There are no attachments for this report.

ITEM 8.2 PRIMARY DISCLOSURE OF INTEREST RETURNS BY COUNCILLORS AS AT 20 DECEMBER 2021

RECORD NUMBER	22/103
RELATED FILE NUMBER	EF21/123
AUTHOR/S	Corporate and Community Planning Officer
APPROVER/S	Executive Manager IPR, Governance and Engagement

SUMMARY/PURPOSE

The purpose of this report is to advise Council that the Primary Disclosure of Interest Returns by Councillors, as at 20 December 2021, were submitted in the appropriate form by the deadline of 20 March 2022 (within three months of their election) and have been made publicly available.

RECOMMENDATION

THAT Council receives and notes the report on the Primary Disclosure of Interest Returns by Councillors as at 20 December 2021.

REPORT

(a) Background

Leeton Shire Council's Code of Conduct requires Councillors and designated persons to complete, and lodge with the General Manager, a return in the form prescribed by Schedule 1 and Schedule 2 of the Code of Conduct within:

- 3 months of becoming a councillor or designated person, or
- upon a change of interests arising, and then
- annually thereafter.

Primary Disclosures of Interest Returns lodged by Councillors (as defined in Part 5 of the Code of Conduct) must be completed within three months of becoming a councillor and tabled at the first meeting of the council after they are required to be lodged. The results of the 2021 Local Government Election for Leeton Shire Council were formally declared on 20 December 2021.

A register of returns must be kept and the information contained in returns made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2018* and any guidelines issued by the NSW Information Commissioner.

(b) Discussion

The Primary Disclosure of Interest Returns for all Councillors as at 20 December 2021 were lodged in the appropriate format by the due date of 20 March 2022.

In accordance with the Code of Conduct the [Disclosure of Interest Returns](#) have been made publicly available on Council's website. They can be found in the Public Access to Information section of the website.

In the interests of protecting those who have completed returns from identity theft, signatures have been redacted from all published returns.

A folder of hardcopies of the published Disclosure of Interest Returns will be available for viewing at the Council meeting.

(c) Options

Nil – this report is for noting only.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

Nil

(b) Policy

Code of Conduct – Section Five: Pecuniary Interests

(c) Legislative/Statutory

Local Government Act 1993 – Sect 440 Code of Conduct

Local Government Act 1993 – Sect 739 Protection of Privacy

Government Information (Public Access) Act 2009

Government Information (Public Access) Regulation 2018 and guidelines issues by the Information Commissioner

Privacy and Personal Information Protection Act 1998

(d) Risk

Corporate Risk – Councillors, senior staff and designated persons have obligations under the Code of Conduct to submit pecuniary interest returns. Non-submission of a pecuniary interest disclosure form is potentially a breach of the Code of Conduct.

CONSULTATION

(a) External

Office of Local Government
Information and Privacy Commission

(b) Internal

Senior Management Team

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 Administration."

ATTACHMENTS

There are no attachments for this report

ITEM 8.3 MINUTES OF COUNTRY MAYORS MEETING - 11 MARCH 2022

RECORD NUMBER	22/148
RELATED FILE NUMBER	EF21/129
AUTHOR/S	Executive Assistant to the General Manager and Mayor
APPROVER/S	General Manager

SUMMARY/PURPOSE

The purpose of this report is to provide Council with the Minutes of the Country Mayors Association meeting held on Friday 11 March 2022 (**Attachment 1**).

RECOMMENDATION

THAT Council receives for information the Minutes of the Country Mayors Association meeting held on Friday 11 March 2022.

REPORT

(a) Background

The Country Mayors Association (CMA) allows Local Government (LG) from rural and regional NSW to come together to discuss issues of specific interest to areas outside the major metropolitan centres as well as looking at the bigger picture of the whole LG sector within the State. The CMA represents about three quarters of the state in land mass.

(b) Discussion

The Country Mayors Association held an Ordinary Meeting on Friday 11 March 2022.

Presentations included:

- Cr Linda Scott, President ALGA – who provided an overview of the past 50 years of the ALGA organisation and the current structure of the organisation.
- Cr Darriea Turley, President LGNSW – who provided a report on the work of LGNSW since the last meeting and on opportunities for collaboration including the MOU with Country Mayors, 2022-23 Rate Peg Submission, Local Government Assets, Domestic Waste Management Charges, Regional Health Initiative Funding and Regional Housing Fund.
- Mr Scott Phillips, CEO LGNSW – addressed the issue of the decision of IPART to cap rate increases at 0.7% for the 2022/23 year. Informed there has been a combined effort by LGNSW, JO's and professional organisations to have this reviewed. Action has provided the opportunity for Councils to apply to IPART to allow each council to apply for an increase in rates up to the amount of rate cap that went to their community in the long term financial plan.

- Ms Ally Dench, Executive Director OLG – who provided an overview on her new role and the recent challenges caused by the floods in NSW. OLG is looking at what skills and resources are needed and councils are able to connect with OLG if they think they can help.
- The Hon Sam Farraway, MLC, Minister for Regional Transport and Roads - Provided an update on the declared natural disaster in northern NSW where he visited for a week to assess needs. Response teams were deployed to the area. Provided an update on the importance of the Safer Roads Program, the Regional Roads Programs and Regional and Rural Transport Network. Advised Railway maintenance moving from Parramatta to Dubbo, the Country Bridges Program is replacing timber bridges in many council areas and the road reclassification program will take back 15,000Km of roads from councils.

Discussions also took place regarding several other matters, with motions passed on:

- **Treatment of RFS Assets** - calls for NSW Country Mayors Association to write to the NSW OLG to request a copy of any opinion (legal or accounting or other) in relation to the accounting treatment of RFS assets by NSW Councils.
- **Bio Diversity Offset Scheme** – calls for NSW Country Mayors Association to express grave concerns to the State Government on the impact on rural NSW and development opportunities for growth caused by the Bio Diversity Offset Scheme and the Minister for Environment and Heritage James Griffin be invited to attend a future meeting (Narromine Shire Council / Forbes Shire Council).
- **Health Forum** – calls for NSW Country Mayors Association to make representation to the Minister for Rural Health The Hon Bronnie Taylor requesting that a health forum be conducted after the release of the Upper House Enquiry, to help to develop policies and outcomes and that an invitation be extended to the Shadow Minister for Health to attend and participate too.

(c) Options

Nil – this report is for information purposes only.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

Costs of membership of CMA and attendance at CMA meetings are budgeted annually.

(b) Policy

Nil

(c) Legislative/Statutory

Nil

(d) Risk

Attending CMA ensures that Leeton Shire Council can present key community issues in and to a forum and network whose collective voice is held in high regard and that has ready access to NSW Government Ministers and industry leaders.

CONSULTATION

(a) External

Members of the Country Mayors Association

(b) Internal

The CMA meeting on Friday 28 May 2021 was attended by the Mayor and Deputy Mayor.

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 – 18 - A community that has politicians who act and listen - 18 a - Forge and maintain strong regional relationships – Participate in Country Mayors Association.

ATTACHMENTS

1 [↓](#) CMA Meeting Minutes - 11 March 2022



Country Mayors Association of NEW SOUTH WALES

Chairperson: Cr Ken Keith OAM
PO Box 337 Parkes NSW 2870
02 6861 2333
ABN 92 803 490 533

MINUTES

GENERAL MEETING

FRIDAY, 11 MARCH 2022 YORK AND BASS SUITES, CLUB YORK, SYDNEY

The meeting opened at 8.31 a.m.

1. ATTENDANCE:

Armidale Regional Council, Mayor, Cr Sam Coupland, Mayor
Armidale Regional Council, Mr James Roncon, General Manager
Bathurst Regional Council, Cr Robert Taylor, Mayor
Bega Valley Shire Council, Cr Russell Fitzpatrick, Mayor
Bellingen Shire Council, Cr Steve Allan, Mayor
Bellingen Shire Council, Ms Liz Jeremy, General Manager
Blayney Shire Council, Cr Scott Ferguson, Mayor
Blayney Shire Council, Ms Rebecca Ryan, General Manager
Cabonne Shire Council, Cr Kevin Beatty, Mayor
Cabonne Shire Council, Mr Brad Burns, General Manager
Coolamon Shire Council, Cr David McCann, Mayor
Coolamon Shire Council, Mr Tony Donoghue, General Manager
Cowra Shire Council, Cr Bill West, Mayor
Cowra Shire Council, Mr Paul Devery, General Manager
Dubbo Regional Council, Cr Mathew Dickerson, Mayor
Eurobodalla Shire Council, Cr Mat Hatcher, Mayor
Forbes Shire Council, Cr Phyllis Miller, Mayor
Forbes Shire Council, Mr Steve Loane, General Manager
Griffith City Council, Cr John Doug Curran, Mayor
Griffith City Council, Mr Brett Stonestreet, General Manager
Gunnedah Shire Council, Cr Jamie Chaffey, Mayor
Hilltops Council, Cr Margaret Roles, Mayor
Inverell Shire Council, Cr Paul Harmon, Mayor
Kiama Municipal Council, Cr Neil Reilly, Mayor
Kiama Municipal Council, Ms Jane Stroud, General Manager
Kyogle Council, Cr Kylie Thomas, Mayor
Lachlan Shire Council, Cr John Medcalf, Mayor
Lachlan Shire Council, Mr John Shillito, Acting General Manager
Leeton Shire Council, Cr Tony Reneker, Mayor

Page 2

Leeton Shire Council, Ms Jackie Kruger, General Manager
Liverpool Plains Shire Council, Cr Doug Hawkins, Mayor
Lockhart Shire Council, Cr Greg Verdon, Mayor
Lockhart Shire Council, Mr Peter Veneris, General Manager
Mid-Western/Mudgee Regional Council, Cr Des Kennedy, Mayor
Moree Plains Shire Council, Cr Mark Johnson, Mayor
Murray River Council, Cr Christopher Bilkey, Mayor
Murray River Council, Mr Terry Dodds, General Manager
Narrabri Shire Council, Cr Ron Campbell, Mayor
Narrabri Shire Council, Mr Stewart Todd, General Manager
Narromine Shire Council, Cr Craig Davies, Mayor
Oberon Council, Cr Mark Kellam, Mayor
Parkes Shire Council, Cr Ken Keith, Mayor
Snowy Monaro Regional Council, Cr Narelle Davis, Mayor
Tamworth Regional Council, Cr Russell Webb, Mayor
Tamworth Regional Council, Mr Paul Bennett, General Manager
Temora Shire Council, Cr Rick Firman, Mayor
Tenterfield Shire Council, Cr Bronwyn Petrie, Mayor
Wagga Wagga City Council, Cr Dallas Tout, Mayor
Walcha Council, Cr Eric Noakes, Mayor
Warrumbungle Shire Council, Cr Ambrose Doolan, Mayor
Warrumbungle Shire Council, Mr Roger Bailey, General Manager
Wingecarribee Shire Council, Mr Viv May, Interim Administrator
LGNSW, Cr Darriea Turley, President
LGNSW, Mr Scott Phillips, CEO
OLG, Ms Ally Dench, Executive Director

Apologies:

As submitted

Special Guests:

Cr Darriea Turley, President, LGNSW
Mr Scott Phillips, CEO, LGNSW
Ms Ally Dench, Executive Director, OLG
CR Linda Scott, President, ALGA
The Hon Sam Faraway MP, Minister for Regional Transport and Roads
Mr Simon Hunter, Director Strategy and Innovation, NSW Department of Planning
and Environment

2. Adoption of Minutes of Previous Meeting:

RESOLVED that the minutes of the General Meeting held on 5 November 2021 be accepted as a true and accurate record (Forbes Shire Council / Gunnedah Shire Council).

3. Matters Arising from the Minutes

Nil

4. Introduction of New Mayors

New Mayors recently elected following the December 2021 Local Government elections were given the opportunity to introduce themselves

6. Cr Darriea Turley, President, LGNSW

Cr Turley said LGNSW has been working on the rate pegging determination and the Minister is to review on how it is assessed. Cr Turley provided a report on the work of LGNSW since the last meeting and on opportunities for collaboration including the MOU with Country Mayors, 2022-23 Rate Peg Submission, the Pre Budget Submission, Local Government Assets, Child Safe Standards, and collaboration on Domestic Waste Management Charges, Planning Skills Shortages, Water Funding Program, Crown Reserve Improvements, Regional Health Initiative Funding, Right to Repair, Incentives for Electrical Vehicle Fleets, Plastic Reduction, Remote Roads Upgrades, Remote Attendance at Meetings and Regional Housing Fund

7. Mr Scott Phillips, CEO, LGNSW

Councils are shocked by the decision of IPART to cap rate increases at 0.7% for the 2022/23 year. There has been a combined effort by LGNSW, JO's and professional organisations to have this reviewed. The Minister and the Office of Local Government have listened and acted. There is now an opportunity for Councils to apply to IPART to allow each council to apply for an increase in rates up to the amount of rate cap that you went to your community with in your long term financial plan.

8. Ms Ally Dench, Executive Director OLG

She is excited to be in the role at OLG which is the first port of call for emergencies and other matters affecting local government areas. There have been recent challenges caused by the floods in NSW and \$45million in payments have been made by Resilience NSW in the past week. OLG is looking at what skills and resources are needed and councils are able to connect with OLG if they think they can help. The main call at the moment is customer service staff.

The IPART decision is devastating and a shock to OLG. The Minister has heard the concerns and is looking at the methodology. Applications in accordance with IPNR closes on the 29 April and will need a resolution of Council. In respect of the Emergency Services Levy the OLG is working with Treasury, the RFS and the Department of Planning and news is expected shortly.

The meeting was adjourned at 9.15am for the adjourned Annual General Meeting
RESOLVED (Temora Shire Council / Inverell Shire Council)

The meeting resumed at 9.27am

9. Correspondence

Outward

- (a) Registry and Accreditation forwarding changes to the CMA Constitution
- (b) Cr Mark Liebich, Mayor, Weddin Shire Council, advising Weddins application for membership was successful
- (c) Cr Ian Woodcock, Mayor, Walgett Shire Council, advising that Walgetts application for membership was successful
- (d) Mr Viv May, Interim Administrator, Wingecarribee Shire Council, advising that Wingecarribees application for membership was successful

Page 4

- (e) Cr Peter Abbott, Mayor, Cobar Shire Council, advising that Cobars application for membership was successful
- (f) Mr Grant Barnes, Chief Regulatory Officer, Natural Resources Access Regulator, Department of Planning, Industry and Environment, thanking him for his presentation to the 5 November 2021 meeting
- (g) Mr Joseph Rahme, Senior Manager, Stakeholder Engagement, NSW Telco, thanking him for his presentation to the 5 November 2021 meeting
- (h) Cr Linda Scott, President, LGNSW, thanking her and her team for providing meeting facilities for the 5 November 2021 meeting
- (i) The Hon Matt Kean MP, Treasurer and Minister for Energy and Environment, regarding the disposal of metropolitan waste at country locations close to metropolitan areas
- (j) The Hon Rob Stokes MP, Minister for Planning and Public Spaces and Minister for Transport and Roads, regarding the disposal of metropolitan waste at country locations close to metropolitan areas
- (k) The Hon Rob Stokes MP, Minister for Planning and Public Spaces and Minister for Transport and Roads, opposing the Proposed Employment Zones Framework applying to regional areas
- (l) Ms Jo Haylen MP, Shadow Minister for Roads, seeking support for better consultation with local government in local traffic matters particularly with NSW Speed Zoning Guidelines
- (m) Hon Paul Toole MP, Deputy Premier, Minister for Regional NSW and Minister for Regional Transport and Roads, seeking support for better consultation with local government in local traffic matters particularly with NSW Speed Zoning Guidelines
- (n) The Hon Matt Kean MP, Treasurer and Minister for Energy and Environment, requesting an urgent review into cost shifting from the State to Local Government
- (o) The Hon Barnaby Joyce MP, Deputy Prime Minister, Minister for Infrastructure, Transport and Regional Development, requesting a fairer grant system for small rural councils rather than having to contribute 50% co contributions for projects
- (p) The Hon Paul Toole MP, Deputy Premier, Minister for Regional NSW and Minister for Regional Transport and Roads, requesting a fairer grant system for small rural councils rather than having to contribute 50% co contributions for projects
- (q) The Hon Dominic Perrottet MP, Premier, asking for a bi partisan approach to bring mayoral and councilor allowances in rural NSW to reflect a midpoint between Queensland and Victorian mayoral and councilor allowances
- (r) Mr Chris Minns MP, Leader of the Opposition, asking for a bi partisan approach to bring mayoral and councilor allowances in rural NSW to reflect a midpoint between Queensland and Victorian mayoral and councilor allowances
- (s) Mr Robert Borsak MLC, asking for a bi partisan approach to bring mayoral and councilor allowances in rural NSW to reflect a midpoint between Queensland and Victorian mayoral and councilor allowances
- (t) Mr David Shoebridge MLC, asking for a bi partisan approach to bring mayoral and councilor allowances in rural NSW to reflect a midpoint between Queensland and Victorian mayoral and councilor allowances

- (u) Mr Mark Latham MLC, asking for a bi partisan approach to bring mayoral and councilor allowances in rural NSW to reflect a midpoint between Queensland and Victorian mayoral and councilor allowances
- (v) The Hon Shelley Hancock MP, Minister for Local Government, requesting that the State Government introduces the Rural Council Model as proposed under the Fit for the Future process
- (w) General Manager, Leeton Shire Council, regarding RFS Assets resolution
- (x) To the newly elected Mayors congratulating them on their election as Mayor
- (y) To the re elected Mayors congratulating them on their re election as Mayor

Incoming

- (a) The Hon Paul Toole MP, Deputy Premier, Minister for Regional NSW, regarding co contribution requirements for small rural councils participation in grant programs
- (b) The Hon Michael McCormack MP, forwarding letter from the Prime Minister regarding CMA initiatives
- (c) The Hon Matt Kean MP, treasurer, Minister for Energy and the Environment, regarding the NSW Energy from Waste Infrastructure Plan
- (d) The Hon Shelley Hancock MP, Minister for Local Government. regarding the term of office of Mayors elected by Councilors
- (e) Mr Brett Whitworf, Group Deputy Secretary, Planning, Delivery and Local Government, NSW Planning and Environment, regarding remuneration of mayors and councilors
- (f) The Hon Barnaby Joyce MP, Deputy Prime Minister, Minister for Infrastructure, Transport and Regional Development, regarding co contributions by councils for grants

NOTED

10. FINANCIAL REPORT

RESOLVED That the financial reports for the last quarter were tabled and accepted (Kyogle Council / Liverpool Plains Shire Council)

11. Councillor Linda Scott, President, ALGA

Cr Scott gave an overview of the past 50 years of the ALGA organisation, the current structure of the association, how it has been recalibrated to underpin successful advocacy, the challenges such as reliance on grants, recurrent funding and productivity commission, the priorities of the federal election campaign and the development of materials that councils can use, and what ALGA will do, and requesting case studies from councils that ALGA can use

12. Project Funding

This item was dealt with at the November 2021 meeting.

13. Bio Diversity Offset Scheme

RESOLVED That the Country Mayors Association express sincere concerns to the State Government on the impact on rural NSW and development opportunities for growth caused by the Bio Diversity Offset Scheme and the Minister for Environment and Heritage James Griffin be invited to attend a future meeting (Narromine Shire Council / Forbes Shire Council)

14. Treatment of RFS Assets

RESOLVED That the Country Mayors Association writes to the NSW OLG to request a copy of any opinion (legal or accounting or other) in relation to the accounting treatment of RFS assets by NSW Councils, respectfully requesting such opinion/s be furnished by 31 March 2022 (Leeton Shire Council / Bellingen Shire Council)

15. The Hon Sam Faraway, MLC, Minister for Regional Transport and Roads

The Minister has been touring northern NSW for the past week where a national disaster has been declared. As Minister for Regional Roads it was important to be there and assess needs. Response teams are in the area now. The regional and rural transport network is imperative and there has been a substantial investment by the NSW government. The Safer Roads Program and the Regional Roads Programs are very important. Work on the Raymond Terrace section of the M1 are due to start this year and the Coffs Harbour bypass will follow. The Great Western highway will open up the central west with \$4.5billion committed to the project. Mount Victoria will be bypassed. Railway maintenance is to move from Parramatta to Dubbo. The Country Bridges Program is replacing timber bridges in many council areas. The road reclassification program will take back 15,000Km of roads from councils. The second round of submissions was extended to the end of February due to COVID. The panel is to now review submissions and report to the Minister midyear

16. Mr Simon Hunter, Director Strategy and Innovation, NSW Department of Planning and Environment

Smart places has six pillars Skills and Jobs, Safety and Security, Environmental Quality, Equity Accessibility and Inclusion, Health and Well Being, and collaboration and Connection. It develops outcomes for citizens and businesses by applying consistency and a place based approach. Foundations are policy standards and governance. Building good foundations demonstrates a commitment and is a process to help. The State Governments \$45million investment was launched in December 2020. Examples of projects are Envisioning in 3D, Smart Irrigation Management, Openair, Smart Regional Space and Asset A1. The next stage is to accelerate uses of technology and data and they would like to assist regional NSW

17. Regional Road Transfer and Road Classification

Item was withdrawn as it was covered by the Minister

18. Health Forum

RESOLVED that the CMA make representation to the Minister for Rural Health The Hon Bronnie Taylor requesting that a health forum be conducted after the release of the Upper House Enquiry, to help to develop policies and outcomes and that an invitation be extended to the Shadow Minister for Health to attend and participate (Gunnedah Shire Council / Forbes Shire Council)

19. Declaration of Interests

Wingecarribee Shire Council requested that future agendas have Declaration of Interests item following the minutes which was agreed to

There being no further business the meeting closed at 12 noon.
Cr Ken Keith OAM
Chairman Country Mayor's Association of NSW

ITEM 8.4 MINUTES OF RAMJO MEETING - 25 FEBRUARY 2022

RECORD NUMBER	22/79
RELATED FILE NUMBER	EF21/128
AUTHOR/S	Executive Assistant to the General Manager and Mayor
APPROVER/S	General Manager

SUMMARY/PURPOSE

The purpose of this report is to provide Council with the Minutes of the RAMJO meeting held on Friday 25 February 2022 (**Attachment 1**).

RECOMMENDATION

THAT Council receives for information the Minutes of the RAMJO meeting held on Friday 25 February 2022.

REPORT

(a) Background

The Riverina and Murray Joint Organisation (RAMJO) comprises 13 Member Councils. The governing board comprises the Mayors and the General Managers of those member councils and is supported by an Executive Officer. RAMJO comes together to consider common concerns of our communities and to find solutions to address these matters. RAMJO's current strategic regional priorities include:

- Water Security
- Energy Security and Affordability
- Transport Connectivity
- Digital Connectivity
- Better Health Services
- Industry, Workforce & Jobs
- Waste Management

(b) Discussion

RAMJO held a Board Meeting on Friday 25 February 2022.

Presentations included:

- Mr Giles Butler, Director Riverina Murray of Regional NSW – Presentation on the structure and aims of the Department of Regional NSW and Regional Development.

- Ms Ally Dench – Office of Local Government (OLG) update on OLG and its structure.

Discussions also took place regarding several matters including:

- Governance, Finance and Advocacy – Joint Organisation (JO) Financial Sustainability and OLG JO Review
- Strategic Priorities – Water sub-committee, Digital Connectivity sub-committee and Energy Security sub-committee updates as well as updates on Infrastructure Mapping, Regional Freight Transport Plan and Best Practice Aggregated Procurement.
- Advocacy updates – Local Councils' Domestic Waste Charges Review, IPART rates peg for 2022-23, One Basin CRC, Electronic vehicle charging stations and Southern Lights.
- Project Updates – Contaminated Lands Management, Riverina Waste Group & Murray Waste Group, Energy Audits and Strategy and Shared Services.

(c) Options

Nil – this report is for information purposes only.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

Costs of membership of RAMJO and attendance at RAMJO meetings are budgeted annually.

(b) Policy

Nil

(c) Legislative/Statutory

Nil

(d) Risk

Attending RAMJO ensures that Leeton Shire Council is able to present key community issues in and to a forum and network whose collective voice is held in high regard and that has ready access to NSW Government Ministers and industry leaders.

CONSULTATION

(a) External

Members of RAMJO Councils

(b) Internal

The RAMJO meeting on Friday 25 February 2022 was attended by the Mayor and General Manager.

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 – 18 - A community that has politicians who act and listen - 18 a - Forge and maintain strong regional relationships – Participate in RAMJO.

ATTACHMENTS

1 [↓](#) RAMJO Board Meeting Minutes - 25 February 2022

BOARD MEETING



25 February 2022

MEETING:	RAMJO Board Meeting		
DATE:	Friday 25 th February 2022		
TIME:	9:30am – 12:30pm		
LOCATION:	Jerilderie		
CHAIR:	TBA		
ZOOM:	https://us06web.zoom.us/j/83376083792?pwd=SzdabHNkRFpDZVEzTitYN3lwZUpJZz09 Meeting ID: 833 7608 3792 Passcode: 579303		
ATTENDEES:	Council / Organisation	Voting Member	Non-Voting Member
	Albury City Council	Cr. Kylie King	Mr. Frank Zaknich
	Berrigan Shire Council	Cr. Matthew Hannan	Ms. Karina Ewer
	Carrathool Shire Council	Cr. Darryl Jardine	Mr. Rick Warren
	Edward River Council	Cr. Peta Betts	Mr. Philip Stone
	Federation Council	Cr. Pat Bourke	Mr. Adrian Butler
	Griffith City Council	Cr. Doug Curran	Mr. Brett Stonestreet
	Hay Shire Council	Cr. Carol Oataway	Mr. David Webb
	Leeton Shire Council	Cr. Tony Reneker	Ms. Jackie Kruger
	Murray River Council	Cr. Chris Bilkey	Mr. Terry Dodds
	Murrumbidgee Council	Cr. Ruth McRae	Mr. John Scarce
	Narrandera Shire Council	Cr. Neville Kschenka	Mr. George Cowan
	Regional NSW		Mr. Giles Butler
Office of Local Government		Mr. Cameron Templeton	
RAMJO STAFF	Ms Nicola Gleeson Coopes –Executive Officer E: Nicola.GleesonCooopes@alburycity.nsw.gov.au M: 0408 498 534		
OTHER ATTENDEES	Name	Organisation	Role
	Ms Ally Dench	Office of Local Government	Executive Director



BOARD MEETING

25 February 2022

MEETING AGENDA		
Item	Topic	Time
	OPENING	9:30
1	Election of Chair for Initial Stage of meeting	9.31
2	Welcome <ul style="list-style-type: none"> Acknowledgement of traditional custodians 	9:35
3	Apologies and Leave of Absence	9:36
4	Declaration of Items of Pecuniary or Other Interest – Board Members / Designated Persons	9:37
5	Election of RAMJO Chair	9.38
6	Annual reimbursement to Chairperson	9.40
7	Election of RAMJO Deputy Chair	9.45
8	Matters arising from previous Board meetings	9:50
9	Minutes from previous Board meeting: <ul style="list-style-type: none"> 19 November 2021 	9:55
10	Introduction to Joint Organisations and RAMJO	9:56
	BREAK	10:30
11	OFFICE OF LOCAL GOVERNMENT UPDATE Mr. Cameron Templeton: Office of Local Government Update	10:45
12	Update - Regional NSW Mr Giles Butler : Director Riverina Murray of Regional NSW	10.50
13	Guest Presenter –Ally Dench - Office of Local Government	11:00
14	GOVERNANCE AND FINANCE <ul style="list-style-type: none"> 14.1 Nicola Gleeson Coopes: Q2 2021-2022 Budget Report 14.2 Nicola Gleeson Coopes: JO Review report and discussion 14.3 Nicola Gleeson Coopes: Revised 2021-2022 forecast – Attachment D, Attachment E 14.4 Nicola Gleeson Coopes: Member Fee guidance for local government budgets 14.5 Nicola Gleeson Coopes : Audit, Risk and Improvement Committee 	11:15
15	UPDATE ON STRATEGIC PRIORITIES <ul style="list-style-type: none"> 15.1 Sub Groups review and summary 15.2 Cr. Chris Bilkey: Water Sub-Committee Update 15.3 Phil Stone: Digital Connectivity Sub-Committee Update 15.4 George Cowan: Energy Security Sub-Committee 15.5 David Webb: Regional Freight Transport Plan 15.6 John Scarce: Health Committee Update 15.7 Revised Regional Strategic Priorities 	11:35





BOARD MEETING

25 February 2022

Item	Topic	Time
16	ADVOCACY 16.1 Local Councils' Domestic Waste Charges Review 16.2 IPART rates peg for 2022-2023 16.3 Planning regime changes 16.4 One Basin CRC 16.5 Electric Vehicle charging stations 16.6 Southern Lights	11:55
17	PROJECT UPDATES – information Only <i>Written reports, taken as read.</i> 17.1 Matthew Dudley: Contaminated Land Management 17.2 Kirstie Muntz and Andrea Baldwin: Regional Waste Kerbside Contract & Waste Groups 17.3 Nicola Gleeson Coopes : Energy Audit and Strategy 17.4 Karina Ewer : Shared Services	12:05
18	OPERATIONAL MATTERS 18.1 General Managers and Engineers group minutes 18.2 Board dates and locations for 2022	12:15
19	GENERAL BUSINESS <ul style="list-style-type: none"> Call for general business 	12:20
	Meeting Close	12:30



BOARD MEETING



25 February 2022

RAMJO BOARD MEETING MINUTES

AGENDA ITEM 1 – ELECTION OF CHAIR FOR INITIAL STAGE OF MEETING

The position of RAMJO Chairperson is currently vacant. The RAMJO Returning Officer is the Executive Officer Nicola Gleeson Coopes.

The Returning Officer invited nominations for the position of Chair to chair this meeting of RAMJO. Cr Ruth McRae was nominated by Cr Matthew Hannan and Cr Doug Curran, and was elected unopposed.

Recommendation:

- That nominations for the position of Chairperson for this meeting be accepted.
- That in the event of there being more than one nominee, the RAMJO Board determine by resolution, the method by which the election be conducted being: preferential ballot, ordinary ballot or open voting.
- That the Returning Officer conduct the election for the position of Chairperson for this meeting.

**Moved Berrigan, seconded Griffith
Carried**

AGENDA ITEM 2 – WELCOME

Meeting Chair Cr Ruth McRae welcomed attendees and acknowledged the Traditional Custodians of the region.

Specific welcome was extended to new RAMJO board members :

- Cr Peta Betts, Mayor Edward River
- Cr Doug Curran, Mayor Griffith
- Cr Kylie King, Mayor Albury City
- Cr Carol Oataway, Mayor Hay Shire
- Cr Tony Reneker, Mayor Leeton Shire

Cr Ruth McRae spoke about the passing of former RAMJO board member Norm Brennan, and asked that Cr Peta Betts and Mr Phil Stone convey our deep sorrow to Edward River for his loss.

AGENDA ITEM 3 – APOLOGIES AND LEAVE OF ABSENCE

Apologies:

Cr Pat Bourke, and Mr Adrian Butler (for part of the meeting). Cr Kylie King will be late to the meeting.

Recommendation:

- That apologies be accepted and that leave of absence be granted.

**Moved Berrigan, seconded Narrandera
Carried**

AGENDA ITEM 4 – DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTEREST – BOARD MEMBERS / DESIGNATED PERSONS



BOARD MEETING



25 February 2022

AGENDA ITEM 5 – ELECTION OF A NEW CHAIR

The Executive Officer acted as the Returning Officer, and announced that one nomination had been received, Cr Matthew Hannan, Mayor of Berrigan Shire, nominated by Cr Doug Curran and Cr Tony Reneker. With only one nomination, Cr Matthew Hannan was elected unopposed as the Chair of RAMJO.

Recommendation:

- That nominations for the position of Chairperson be accepted.
- That in the event of there being more than one nominee, the RAMJO Board determine by resolution, the method by which the election be conducted being: preferential ballot, ordinary ballot or open voting.
- That the Returning Officer conduct the election for the position of Chairperson.
- That the Chairperson hold office for a two-year period through to February 2024

Moved Griffith, seconded Leeton

Carried

The newly elected Chair took the chair for the remainder of the meeting.

AGENDA ITEM 6 – ANNUAL REIMBURSEMENT TO CHAIRPERSON

Whilst there is no specific provision in the Joint Organisation legislation to make an annual payment to the Chairperson, up to now RAMJO has believed that an annual remuneration is appropriate, based on the additional workload placed on the Chairperson over and above their role as a Mayor, and in line with the legislative provisions that already apply to Mayors and County Council Chairpersons. The General Managers reviewed these payments at the January 2022 meeting and recommended to the Board that the payment remain \$10,000 per annum, paid monthly for the term of the two year Chairperson term. There remain no payment to the Deputy Chair.

Recommendation:

- That the Board adopt that the annual remuneration for the Chairperson position is \$10,000 per annum, paid monthly for term of the two year Chairperson term. There remain no payment to the Deputy Chair.

Moved Murray River, seconded Murrumbidgee

Carried

AGENDA ITEM 7 – ELECTION OF A DEPUTY CHAIR

The Executive Officer acted as the Returning Officer, and announced that one nominee had been received, for Cr Pat Bourke, Mayor of Federation Council, nominated by Cr Ruth McRae, and Cr Pat Bourke. With only one nomination, Cr Pat Bourke was elected unopposed as the Deputy Chair of RAMJO.

Recommendation:

- That nominations for the position of Deputy Chairperson be accepted.
- That in the event of there being more than one nominee, the RAMJO Board determine by resolution, the method by which the election be conducted being: preferential ballot, ordinary ballot or open voting.
- That the Returning Officer conduct the election for the position of Deputy Chairperson.
- That the Deputy Chairperson hold office for a two-year period through to February 2024



BOARD MEETING

25 February 2022

Carried

AGENDA ITEM 8 – MATTERS ARISING FROM PREVIOUS RAMJO BOARD MEETINGS

ITEM	STATUS
Executive Officer to consider releasing joint media release with other JOs regarding Best Practice in Aggregated Procurement	IN PROGRESS
Invite Water NSW Director Vince Kelly to RAMJO Water Security Sub Committee meeting to seek clarity on planned infrastructure changes	IN PROGRESS
RAMJO to host a cross border workshop with the Murray Group of Councils to consider matters in common and seek opportunities for collaboration	IN PROGRESS
RAMJO to write in support of a feasibility study for Lake Coolah / Lake Mejum, to be sent to : <ul style="list-style-type: none"> o Deputy Prime Minister, Barnaby Joyce o Deputy Premier NSW, Paul Toole o Minister for the Environment, Sussan Ley, o Chair National Water Grid Authority, Christopher Lynch o NSW Water Minister, Melinda Pavey o Federal Water Minister, Keith Pitt o Commonwealth Water Holder, Jody Swirepik o Chair of the Murray Darling Basin Authority, Air Chief Marshal Sir Angus Houston With a copy to any other agencies that emerge as relevant stakeholders.	IN PROGRESS

Recommendation:

- That the RAMJO Board **note** the status of matters arising from previous Board meetings.

Moved Murrumbidgee, seconded Leeton

Carried

AGENDA ITEM 9 – MINUTES OF 19 NOVEMBER 2021

- Draft Minutes of 19 November 2021 – **Attachment A**

Recommendation:

- That the minutes of the RAMJO Board Meeting held 19 November 2021 be **received** and the recommendations therein be **adopted**.

Moved Murrumbidgee, seconded Narrandera

Carried

AGENDA ITEM 10 – RAMJO AND JOINT ORGANISATIONS INTRODUCTION

Nicola Gleeson Coopes gave an overview of joint organisations and RAMJO's structure and work. The presentation will be circulated with the minutes.

Recommendation:

- That the Board **note** the presentation by Nicola Gleeson Coopes.

Moved Murrumbidgee, seconded Edward River



BOARD MEETING



25 February 2022

Carried

AGENDA ITEM 11 – OFFICE OF LOCAL GOVERNMENT UPDATE

Mr Cameron Templeton gave a verbal update from the Office of Local Government. The Department of Planning, Industry and Environment (old DPIE) is now Department of Planning and Environment (DPE). OLG has moved to a section with Cemeteries and Crematoria, Crown Lands, and Aboriginal Housing.

As the result of the JO review an interagency committee has been set up, including EPE, Resilience NSW, Housing, Transport. The intention is to raise the status of JOs within state government departments.

Recommendation:

- That the Board note the briefing from the Office of Local Government

Moved Leeton, seconded Narrandera

Carried

AGENDA ITEM 12 – PRESENTATION – REGIONAL NSW

Giles Butler, Director Riverina Murray of Regional NSW provided a presentation on the structure and aims of the Department of Regional NSW, and Regional Development.

There was a discussion about using the JO as a way to feed issues that arise through developing individual CSPs into state government, and engaging as a collective.

Recommendation:

- That the Board note the presentation by Giles Butler.

Moved Griffith, seconded Carrathool

Carried

At 11am Mayor Kylie King joined the meeting.

AGENDA ITEM 13 – GUEST PRESENTER – ALLY DENCH - OFFICE OF LOCAL GOVERNMENT

Ms Ally Dench was delayed in joining the meeting, this agenda item took place after Agenda item 15.2.

Ally Dench is the Executive Director Local Government at the Office of Local Government, she gave a presentation on OLG and its structure. She is responsible for implementing most of the outcomes of the JO review. She will conduct a listening tour for the JOs.

She welcomes contact from councils directly. Her email address is ally.dench@olg.nsw.gov.au, her mobile is 0408 652 923.

Mr Brett Stonestreet asked about the Community Services Plans and their links to state government, and Ms Ally Dench agreed there was a need to improve the links between state planning for regions and 'place based setting'.

Mr George Cowan raised concerns about the long term financial sustainability of councils, given the rate peg of 0.7%, and the underlying calculation methodology IPART is using. Ms Ally Dench let the board know the Local Government Minister is also concerned with these issues.

Mr Terry Dodds expressed concerns about the calculation of the growth factor in the rate peg, as for Murray River those numbers are materially incorrect. Ms Ally Dench will take on notice.



BOARD MEETING



25 February 2022

Mr Frank Zaknich raised the upcoming ARIC framework for JOs was overly onerous. Ms Ally Dench will take on notice.

Mr Phil Stone raised that funding the entirety of the joint organisations while facing a low rate peg created financial strain.

Mr Brett Stonestreet asked if there was potential to look at the financial assistance grant formula, as it favoured metropolitan councils who had other avenues of revenue available to them. Ms Ally Dench will take on notice.

Mr John Scarce asked if it was time for a full review of the Local Government Act. Ms Ally Dench advised this was a possibility.

Recommendation:

- That the Board note the presentation by Ally Dench.

Moved Carrathool, seconded Murrumbidgee

Carried

AGENDA ITEM 14 – GOVERNANCE AND FINANCE

14.1: Quarterly Budget vs Spend Review Q2 2021-2022

Please find at **Attachment B** a spreadsheet documenting Q2 spend to date against budgeted items for FY2021-2022. As in previous quarter, the format has been changed slightly, to introduce a year to date cycled budget column, and a variance column against this cycled budget. The final two columns are the same, the full year budget, and a variance column for this full year budget against year to date actuals. No further changes will be made until the new budget with the new board. The budget has been cycled in line with actuals where this is known, otherwise quarterly evenly.

Relating to income:

- RAMJO budgeted to receive \$ 226,711 year to date, and \$ 325,199 has been received. This is due to the timing of receiving last year's Procurement Australia Rebate (\$61,325), and the unbudgeted Energy audit and strategy grant. a material variance.
- RAMJO has not recognised the \$150k from OLG NSW received in late June 2021 for capacity building funds yet, it is currently on the balance sheet as unearned income in advance.

Relating to expenses:

- RAMJO budgeted to spend \$296,938 year to date, and spent \$178,743 at the end of Q2.
- This variance is due to:
 - Salary and wages are \$99,752 less than budget, due to the resignation of the Executive Officer, and the office manager acting in this role at a lower rate, part time. Additionally, there has been no invoice from Albury City for the Stakeholder and Project Manager year to date. There will be an overall underspend in salaries due to this.
 - Timing differences due to even cycling, Q1 and Q2 have been quiet due to COVID meaning meetings are online.

Recommendation:

- That the RAMJO Board note the 2021-2022 Q2 budget versus spend report.

Moved Murrumbidgee, seconded Edward River

Carried



BOARD MEETING



25 February 2022

14.2: JO Review report and discussion

The JO review was released at the start of December 2021, and a summary from RAMJO's perspective is found at **Appendix C**.

The JO network continues to advocate on this issue, especially around funding implications. The JO review report was adopted by the previous Minister, the new Minister is revisiting, and submissions are encouraged.

The board felt a strong message needed to be sent to state government about ensuring the strength of the JOs. The language used in the recommendations around 'encouraging' state government agencies is not firm enough. The possibility of another layer of administration over the JO is disappointing.

The board would like the Premier to visit the regions, as well as the new Minister for Local Government.

Recommendation:

- That the RAMJO Board receive and note the Joint Organisation Review summary.

Moved Leeton, seconded Murrumbidgee

Carried

14.3: Revised 2021-2022 forecast

On the basis of the previous two agenda items, a discussion of RAMJO's proposed revised end of year forecast is attached at **Attachment D**, with the detailed reforecast at **Attachment E**. The original budget had a deficit position of (\$252,872). This reforecast is currently a deficit of (\$76,890), before any further staffing changes.

The General Managers supported a new admin hire as requested in the report attached, continuing to support Southern Lights (separate agenda item 13.5), Increased consultancy for the Regional Strategic Priorities.

There is no current provision to meet ARIC requirements (Agenda item 14.5).

Recommendation:

- That the Board approve the revised 2021-2022 RAMJO General Fund forecast, and the revision of the Office Manager position to a two year fixed term position shared with the Waste project.

Moved Narrandera, seconded Murrumbidgee

Carried

14.4: Member Fee guidance for local government budgets

As part of RAMJO's annual budget process, guidance on member subscription fees for the upcoming financial year should be provided to the Board in the February meeting of each year, to support member council budgeting. The full operational budget is brought to the Board for endorsement at its April meeting. It is proposed that fees be in line with 2021-2022 financial year, with any increase within the rate cap of 0.7%.

Recommendation:

- That the Board notes the proposed fees for member councils for 2022-2023, for council budget purposes.

Moved Griffith, seconded Murray River

Carried



BOARD MEETING



25 February 2022

14.5: Audit, Risk and Improvement Committee

All RAMJO councils are currently compliant or working towards the changing Audit, Risk and Improvement Committee (ARIC) requirements.

JOs must appoint an ARIC from 4 June 2022, but this does not have to comply with the guidelines until 2027. JOs have until 2025 to establish a risk management framework and internal function. RAMJO has been following up the last submission made to OLG, and investigating options to be compliant through a shared committee with a member council.

Recommendation:

- That the Board notes the upcoming requirements for RAMJO to have an Audit Risk and Improvement Committee.

Moved Murrumbidgee, seconded Leeton

Carried

AGENDA ITEM 15 –STRATEGIC PRIORITIES UPDATE

15.1: Sub Groups review and summary

As the strategic regional priorities will be reviewed after all councils have reviewed their Community Strategic Plans, RAMJO proposes that all sub group memberships remain the same– with the option of any new mayor to join or change groups as their interests and expertise lie.

Attachment F summarises Sub Groups, and seeks support for secretarial support for the groups move back to the host councils. Mr John Scarce will step down as the Chair of the Digital Connectivity sub committee, and Mr Phil Stone will take over this Chair.

Recommendation:

- That the Board endorse the memberships and Chairs of strategic priority sub groups as they are, with the option of the new mayors joining groups they are interested in.
- That the Board endorse the secretarial support for the sub groups moves back to the host council wherever practicable, and catering costs remain with RAMJO.

Moved Murrumbidgee, seconded Albury

Carried

15.2 Cr. Chris Bilkey: Water

The water sub group is reviewing and updating the RAMJO Water Position paper in line with NSW Water Strategy, ACCC report. Cr Chris Bilkey, Chair of the Water Sub Committee, the EO, and George Cowan met with the incoming Minister of Water and Lands Kevin Anderson MP to brief him on RAMJO's Water Position Paper. Steph Cooke MP also attended the meeting.

There will be a renewed focus on quantifying the outcomes and achievements of the Water paper.

15.3 Phil Stone: Digital Connectivity

The grants with FSG are being followed up. A second round of grants are being applied for. Regional Connectivity Blackspot mapping rounds will open again soon. Mr John Scarce advised he had asked Telstra about the implications of their recent announced agreement with TPG for regional areas.

15.4: George Cowan: Energy Security

There is a regional visit by Lisa Miller from DPIE and Simon Wright, the energy subject matter expert 21-23 February. The aims of these meetings is :



BOARD MEETING



25 February 2022

- To understand where each council is at with its energy thinking and actions.
- To understand respective needs in terms of direct support to accelerate transition to renewables.
- To explain potential approaches and turn DPIE's support into action plans over the next few months.

Progress on the regional strategy continues.

15.5: David Webb: Regional Freight Transport Plan

Engineers have met to revisit the revised regional Freight Priorities. Brad Ferris will be in touch to follow up any outstanding council reviews. These priorities will be mapped and collated and brought back to the next General Managers' meeting.

15.6 John Scarce: Health

The Health Sub Committee has not met since last Board meeting. Mapping is progressing on regional issues. Local MP Justin Clancy is now the Parliamentary Secretary for Health and has been open about his support for RAMJO.

15.7 Revised Regional Strategic Priorities

To progress the RAMJO new Regional Strategic Priorities, as most councils are not expecting significant changes with their CSPs, RAMJO should start a series of workshops with member councils and the RAMJO Board.

Recommendation:

- That the RAMJO Board **note** the strategic priorities updates.

Moved Murray River, seconded Leeton

Carried

AGENDA ITEM 16 – ADVOCACY

16.1 Local Councils' Domestic Waste Charges Review

IPART is seeking feedback on a proposed 'benchmark' waste peg (similar to the rates peg), an annual report naming councils with increases greater than the peg, and standard pricing principles. Submissions are due by 29 April 2022.

Recommendation:

- That the Board **delegate** the Domestic Waste Charges Review RAMJO submission to the General Managers.

Moved Murrumbidgee, seconded Griffith

Carried

16.2 IPART rates peg for 2022-2023

There is concern at the base level 0.7% rate peg for the 2022-2023 financial year. RAMJO is making a submission, Board to delegate to the General Managers for finalisation by the due date of 7 March 2022.

Recommendation:

- That the Board **note** the IPART rate peg for RAMJO councils with concern, and **delegate** the RAMJO submission to the General Managers.

Moved Narrandera, seconded Leeton

Carried



BOARD MEETING



25 February 2022

16.3 Planning regime changes

There have been a handful of planning changes with very short timeframes, which RAMJO is concerned by, and is seeking further information on. These include *Significant Agricultural Land, Discussion Paper: A New Approach to Rezoning*, and *Infrastructure Contributions System's Reform Program*. The Planning Officers Working Group will review and recommend a response from RAMJO.

Recommendation:

- That the Board **delegate** the RAMJO submission/s on recent Planning changes to the General Managers.

Moved Murrumbidgee, seconded Carrathool

Carried

16.4 One Basin CRC

The ONE Basin CRC bid that RAMJO is a partner in has been successfully shortlisted for Stage 2 of the application process. There have been five other bids shortlisted (List is here: <https://business.gov.au/grants-and-programs/cooperative-research-centres-crc-grants>). The Stage 2 bid will be submitted before Feb 3 2022 and CRC Advisory Panel interview end of March.

Recommendation:

- That the Board **note** the One Basin CRC bid update.

Moved Murrumbidgee, seconded Edward River

Carried

16.5 Electronic Vehicle charging stations

There is momentum and multiple funding streams related to Electronic Vehicles at the moment. The General Managers agreed there was value in working together at a RAMJO level. The Engineers working group will review and decide on RAMJO's action.

Recommendation:

- That the Board **note** the Electronic Vehicle update.

Moved Griffith, seconded Murrumbidgee

Carried

16.6 Southern Lights

The next stage for the Southern Lights project is discussed at **Attachment G**, these recommendations were discussed and approved by the General Managers.

Recommendation:

- RAMJO wind-back its involvement with Southern Lights to focus on the finalisation of the roll-out for the Member Councils and on addressing the performance issues which includes: Essential Energy Performance Reports, Public Lighting Code Reviews and Australian Energy Regulator Pricing Review.
- RAMJO continues to budget for contributions to expert consultant advice through Southern Lights, approximately \$5,000 per annum.
- Mr Brad Ferris, Deputy CEO Albury City remain the RAMJO delegate.

Moved Albury, seconded Leeton

Carried



BOARD MEETING

25 February 2022

AGENDA ITEM 17 – PROJECT UPDATES

Written updates on each project currently being managed by RAMJO provided as attachments.

- 17.1: Contaminated Lands Management – **Attachment H**
- 17.2: Riverina Waste Group & Murray Waste Group – **Attachment I**
- 17.3: Energy Audits and Strategy – verbal update
- 17.4: Karina Ewer : Shared Services– verbal update

Recommendation:

- That the RAMJO Board **receive** and **note** the project updates.

**Moved Edward River, seconded Murrumbidgee
Carried**

AGENDA ITEM 18 – OPERATIONAL MATTERS

18.1 – General Managers Group Meeting Minutes

The General Managers met on Friday 28th January 2022, minutes can be found at **Attachment J**.

18.2 – Murray Regional Tourism

Appendix K has the report from Ms Karina Ewer on the latest meeting of MRT, to be taken as read.

18.3 Board dates and locations for 2022

The full calendar is at **Attachment L**, proposal is summarised below:

MEETING DATES 2022

GENERAL MANAGERS	RAMJO BOARD	BOARD MEETING LOCATION
Friday 28 January 2022	Friday 25 February 2022	Jerilderie
Friday 22 April 2022	Friday 13 May 2022	Griffith
Friday 22 July 2022	Friday 12 August 2022	Edward River
Friday 14 October 2022	Friday 11 November 2022	Leeton

Extraordinary board meeting –to sign 2021/2022 financial statements, Thursday 13 October.

The board decided on the board meeting locations for the year.



BOARD MEETING



25 February 2022

Recommendation:

- That the RAMJO board **adopt** the meeting schedule for 2022.
- That the RAMJO Board **note** the operational updates.

Moved Griffith, seconded Narrandera
Carried

AGENDA ITEM 19 – GENERAL BUSINESS

- JO review

Mr Phil Stone recommended that RAMJO respond strongly to the JO review, especially around funding. There was discussion about other ways to fund the JO, including grant administration.

- Australian Fuel Security

As evidenced by the recent issues with AdBlue shortages, Cr Neville Kschenka raised concerns about Australian Fuel Security.

- Crown Land

Interaction with Crown Land holder.

- MRT verbal update

The Murray Regional Tourism board meeting was held 24 February and Ms Karina Ewer gave a verbal update. Funding \$25-50k (in total) requested from the RAMJO group for funding application.

Destination Management plans are up for review, engagement sessions are upcoming. Ms Karina Ewer will circulate dates.

Possible gambling caps are coming to Vic, impact on NSW following.

The meeting closed at 12.45pm.

MEETING CLOSE



ITEM 8.5 INVITATION TO PARTICIPATE IN BUSH BURSARY/COUNTRY WOMEN'S ASSOCIATION (NSW) SCHOLARSHIP PROGRAM 2022

RECORD NUMBER	22/122
RELATED FILE NUMBER	EF21/59
AUTHOR/S	Corporate and Community Planning Officer
APPROVER/S	Executive Manager IPR, Governance and Engagement

SUMMARY/PURPOSE

The purpose of this report is to enable Council to consider participating in the 2022 Bush Bursary/Country Women's Association of NSW Scholarship Program as a host Council.

RECOMMENDATION

THAT Council participates in the 2022 Bush Bursary/Country Women's Association of NSW Scholarship Program as a host Council for two students at a total cost of \$3,000 (excluding GST).

REPORT

(a) Background

The Bush Bursary/Country Women's Association of NSW Scholarship Program provides selected medical, midwifery and nursing students in NSW and the ACT with \$1500 each to assist with costs associated with their studies. Recipients also spend two weeks on a rural placement in country NSW during their university holidays.

The Bush Bursaries are funded by individual NSW rural councils and scholarships are funded by the Country Women's Association of NSW. They are administered by the Rural Doctors Network (RDN).

Placements are coordinated by the local councils and are usually undertaken in December or January.

Leeton Shire Council has supported the Bush Bursary Program for student doctors for more than 11 years. Council has provided funding, accommodation and support in organising the program of a two-week stay in Leeton for the students, providing experience in various medical services.

Leeton Shire Council commits \$3,000 (excluding GST) in funding each financial year for the placement of one or two Bush Bursary/Country Women's Association of NSW Scholarship recipients in Leeton Shire. This is accommodated within the Community Services budget.

Leeton Shire Council has continued to support the program with the aim of providing students with a valuable experience of medicine and lifestyle in a rural setting in their pre-clinical years.

Feedback from past bursary recipients has affirmed that students find their placements useful in understanding specific issues relevant to rural and regional communities.

(b) Discussion

Council has once again received an invitation from the NSW Rural Doctors Network to participate in the Bush Bursary/Country Women's Association of NSW Scholarship Program for 2022/23.

In agreeing to take part in the program in 2022/23 Leeton Shire Council will be committing to:

- Investing \$3,000 (excluding GST) for two sponsored students
- Nominating a contact person from within council or an associated organisation
- Liaising with the RDN and sponsored Bush Bursary student regarding placement arrangements
- Liaising with the RDN, Bush Bursary recipients and local media (where appropriate) to promote the placements in our community
- Providing accommodation for the students
- Assisting with some of the social aspects of the two-week placements.

The RDN organises the placements for sponsored Bush Bursary students. This involves liaising with local medical practitioners. The RDN also provides ongoing support and information for recipients and Councils throughout the year. Council organises the accommodation and some of the social aspects of the two-week placement.

(c) Options

1. Leeton Shire Council participates as a host Council in 2022/23 for two students at a cost of \$3,000 (excluding GST). **This is the preferred option**
2. Leeton Shire Council does not participate as a host Council in 2022/23.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

The total cost of Council's investment is \$3,000 (excluding GST).

If agreed, Leeton Shire Council will require \$3,000 (excluding GST) to be allocated in the 2022/23 budget.

Leeton Shire Council also commits to providing subsidised accommodation and coordination support from a staff member. In the past this has been equivalent to approximately \$1,000 per student in value.

(b) Policy

Nil

(c) Legislative/Statutory

Nil

(d) Risk

Not participating as a host Council will reduce Leeton's exposure as a good centre for practicing rural medicine.

CONSULTATION

(a) External

NSW Rural Doctors Network

(b) Internal

Executive Manager IPR, Governance and Engagement

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 – 01 - "A community that focuses on being healthy - 1b is to "Ensure the availability of appropriate health and social services - Support programs that enhance opportunities to increase doctor numbers in Leeton Shire".

ATTACHMENTS

1 [↓](#) NSW RDN Council Invite - Bush Bursary Program 2022

2 [↓](#) NSW RDN Rural Council Bush Bursary Guidelines



9 February 2022

To whom it may concern,

**Re: The 2022 Bush Bursary/Country Women's Association (NSW)
Scholarship Program**

I am writing to invite you to participate in the Bush Bursary/ CWA (NSW) scholarship Program in 2022.

What are the Bush Bursary and CWA (NSW) Scholarships?

The Bush Bursary and CWA Scholarships provide selected medical students in NSW and the ACT with funding to assist with costs associated with their studies. In return, students spend two weeks on a rural placement in country NSW during their university holidays. Lachlan Shire Council initiated this scholarship in 1996 and the CWA of NSW first funded a student in 1997. Over the past two decades, the program has grown to be a well-respected initiative among those studying to pursue a rural health career.

How do the scholarships work?

The scholarships are offered annually to selected medical students in NSW and the ACT and are financially supported by the rural councils of NSW, the Country Women's Association and NSW Rural Doctors Network (RDN). This year scholarships will continue to be open to nursing students, recognising the important role played by nurses in rural communities. This scholarship will be the only opportunity of its type available to nursing students in NSW. The Council investment is **\$3,000 plus GST**, for one or two students.

Why should your Council be involved?

Over the past two decades, more than 350 students have participated in the Bush Bursary program. Our ability to place students is limited by the number of councils involved and the number of placements sponsored. In 2018, RDN received 125 applications for the program, our **highest number ever** – yet we only had 14 places on offer. With more placements available, there is more opportunity for RDN to expose the next generations of doctors and nurses to rural medical practice and lifestyle.

Please read the attached short information pack for more information about how your council can help promote rural NSW living to a future health professional by investing in a Bush Bursary Scholarship.

I am more than happy to discuss this opportunity with you further if you need more information.

Yours sincerely,



Chris Russell
NSW Rural Doctors Network
Future Workforce Manager
students@nswrdn.com.au
02 8337 8100

Why is the Bush Bursary Scholarship important?

RDN is driven by a fundamental belief that access to quality healthcare is the right of every Australian, no matter where they live. To create a skilled and sustainable health and medical workforce in rural and regional towns, we work with the next generation of practitioners to encourage them to choose a career in country NSW. Our research shows that positive immersion experiences in rural health settings are known contributors to students choosing rural medical and health careers.

RDN and local councils work together to provide a positive Bush Bursary experience and showcase the incredible rural lifestyles available to students.

NSW Rural Doctors Network's role:

- Advertising and promotion of the Bush Bursary Scholarships to eligible students studying at universities in NSW/ACT
- Recruitment and selection of Bush Bursary recipients
- Administration of funds from sponsoring councils to Bush Bursary recipients
- Matching recipients to sponsoring councils
- Organisation of placement for the sponsored Bush Bursary student, including liaising with local medical practitioners and community groups, accommodation and social aspects of the two-week placement.
- Ongoing support and information for recipients and councils throughout the year
- Distribution of research and evaluation about the Bush Bursary to stakeholders and interested parties

Your Councils Role:

- Investment of **\$3,000 (+GST)** for two sponsored students
- Nomination of contact person from within council or associated organisation
- Liaise with RDN and sponsored Bush Bursary student regarding placement arrangements
- Liaise with RDN, Bush Bursary recipients and local media (where appropriate) to promote the placements in your community
- Assist RDN in sourcing accommodation in the community for the students whilst they are on placement

In 2012 RDN completed a longitudinal study of scholarship recipients from 1996–2006 to track their career choice and practice locations. The study found:

- one-quarter of previous scholarship recipients were working in a rural or regional area when surveyed
- 41% of scholarship holders spent their first and second postgraduate years (PGY) in a non-metropolitan hospital
- 35% of PGY3 scholarship holders were in a non-metropolitan hospital.

These figures equate to 140 combined years spent in the rural and regional medical workforce and are significant as they indicate a high proportion of scholarship holders began their careers in a non-metropolitan area, spending two or three years as junior rural doctors.

Bush Bursary Case Study: Crookwell, NSW

Annabelle Carter, a first-year medical student at the University of Wollongong, spent two weeks in Crookwell, NSW in January 2021.



"After this experience, I'm more passionate than ever about working in rural NSW. And I'm advocating for my peers to work there too. Medical students should give it a go."

ANNABELLE CARTER
BUSH BURSARY AND CWA SCHOLARSHIP RECIPIENT
CROOKWELL JANUARY 2021

In her words:

"I had a wonderful time in Crookwell and am so glad I had the opportunity to experience rural lifestyle. I wish all medical students would give it a go - for a glimpse into the life but also to understand the struggles that rural towns go through daily.

I am so pleased to have met wonderful hosts, health care workers and locals in Crookwell. It's not everyday you are welcomed into a beautiful community like this one!"

"I met with a woman from council on my arrival and from then on she took me under her wing and made my social experience awesome! She gave me a tour of the town, showed me restaurants, cafes, a brewery, took me to some incredible farms and introduced me to her friends, family and colleagues. I met with CWA for morning tea which was also a lovely day. They also gifted me a wonderful scrapbook detailing the history of health care delivery in Crookwell with photos and newspaper clippings"

"I think my perspective about rural health care has changed dramatically in that I have an awareness of what rural towns experience with access. There were only 2-3 doctors in the town which meant locums were constantly coming in and out of the town, therefore putting a burden on the town of a lack of continuity of care. I discovered that I have an even stronger desire to practise rural medicine to help communities like Crookwell and I wish to advocate to my peers to do the same"

Annabelle Carter, Bush Bursary Scholarship recipient, January 2021



In the community's words:

"Upper Lachlan Shire enjoyed having Annabelle during her RDN visit. Annabelle emerged herself into the local health groups including Gunning District Health, various teams within Crookwell Hospital and the Thrive Medical Practice in Crookwell, all of which enjoyed her enthusiasm and kind nature. She also was able to enjoy experiences like the Alpaca Farm, a morning with the Country Women's Association and even a visit to our local sock factory – Lindner socks.

The feedback from everyone involved has been very positive and we hope more likeminded students come and visit to explore the social and clinical activities the Upper Lachlan Shire has to offer"

Katie Dewar, Executive Assistant to Mayor and General Manager, Upper Lachlan Shire Council

How to participate:

Please complete the enclosed sponsorship form and **return by June 30th**, via return email. Contact details are included on the form.

Thank you for considering this opportunity to showcase country NSW to a future rural health professional. Your support is greatly appreciated.



Bush Bursaries and Country Women's Association Scholarships Program Rural Council Program Guidelines

2020

NSW Rural Doctors Network
PO Box 1111 Mascot NSW 1460

Supporting rural health in New South Wales

Contents

1. Background.....	1
2. Role of Council.....	2
3. Role of healthcare facilities	3
3.1 Objectives	3
3.2 Responsibilities	3
4. Role of RDN.....	4
4.1 Students.....	4
4.2 Council	4
5. Placement details.....	5
5.1 Placement allocation	5
5.2 Nomination of contacts	5
5.3 Length of placement.....	5
5.4 Travel	5
5.5 Accommodation	5
5.6 Insurance	6
6. During the placement	7
6.1 Clinical experiences	7
6.2 Social and community engagement	7
6.3 Dress code	7
6.4 Student expectations	7

1. Background

NSW Rural Doctors Network (RDN) Bush Bursaries and Country Women's Association of NSW (CWA of NSW) Scholarships provide selected medical, midwifery and nursing students in NSW/ACT with \$1,500 each to assist with costs associated with their studies. Recipients also spend two weeks on a rural placement in country NSW during their university holidays. The placement combines the enjoyable aspects of country life and rural medicine.

The Bush Bursaries are funded by individual NSW rural councils and scholarships are funded by the CWA of NSW. They are administered by RDN.

Placements are coordinated by the rural councils. Placement locations may differ each year due to the involvement of different councils.

The two-week placements are usually undertaken in December or January but can be at different times of the year.

Applicants must demonstrate:

- an interest in rural practice and lifestyle;
- an understanding of the realities of rural medical practice; and
- the motivation to undertake a placement in a rural area as part of the scheme.

Students not honouring their commitment to undertake a rural placement are required to pay back all money granted to them.

Note: Travel and accommodation costs incurred by undertaking placements must be covered by the scholarship payment.

2. Role of Council

Rural councils and council-assigned community contacts are encouraged to work collaboratively with RDN to facilitate placement programs. This may include:

- working with RDN and students to work out an appropriate time to undertake the placement, including confirming exact dates
- linking with health care providers and services within their shire/community to engage in the Bush Bursary Program
- collaborating with RDN and respective health services to develop a 14-day schedule for the placement
- linking with social and community groups to engage in the Bush Bursary Program and arrange time for students to meet respective groups and individuals to increase their social and community engagement
- organising accommodation for students while in the town. If payment is required, students are to pay for up to \$150 of their accommodation using their scholarship money. If non-council and non-health service accommodation is required, RDN is to pay the difference.
- ensuring the services, groups, accommodation and social/community engagement the student is engaged with are safe
- providing on the ground support and be the point of call within the community in unforeseen circumstances, for example, a student locking themselves out of their accommodation.

3. Role of healthcare facilities

Healthcare facilities and health care providers are encouraged to engage with the Bush Bursary students by:

- sharing his/her knowledge, skills, attitudes and experiences, and assist in the learning career development of the student.

Objectives and responsibilities to ensure this happens may include the following:

3.1 Objectives

- Providing clinical experience during placement that is appropriate to the student's levels of knowledge and competency.
- Creating opportunities for the student to interact with other health providers in the community.
- Providing information, guidance and constructive comments.
- Monitoring progress and providing feedback.

3.2 Responsibilities

- Clear communication regarding mentor availability and placement expectations.
- Maintaining confidentiality.
- Being accessible.
- Listening actively to your student.
- Promoting responsible decision making.
- Motivating and supporting your student to achieve their goals.
- Ensuring a professional relationship.
- Acting as a positive role model.

To ensure students receive an enriching and holistic experience, we encourage students to engage with a variety of clinicians, healthcare professionals and healthcare services within the town and wider community.

4. Role of RDN

RDN facilitates the Bush Bursary Program. This is achieved by overseeing student, council, legal and mentoring obligations to ensure the Program runs effectively.

RDN's role includes the following in relation to students and council/community contacts:

4.1 Students

- Interviewing and selecting students who show an interest in rural health and embody the qualities required to undertake a placement in a rural and remote location.
- Allocate students to specific rural locations and partner students who will undertake the placement simultaneously.
- Mentor and provide advice to students in the lead up to and during their clinical placement.
- Ensure all students are compliant and safe to walk into all healthcare services and facilities in an observational role.

4.2 Council

- Liaise with and support councils in allocating a council/community contact to arrange placement logistics on the ground in respective locations.
- Provide support in connecting council/community contact with a range of health services if required.
- Connect council/community contact with student/s.
- Ensure all parties involved are communicated with and aware of arrangements. including placement plan, accommodation, travel requirements and social/community activities.
- Assist with any concerns regarding placement logistics the students or council/community contact may have.

5. Placement details

5.1 Placement allocation

Students will be allocated to their placement location by RDN.

Students will engage with a diverse and wide range of rural clinical and social settings. Student preference regarding social and clinical interest will be considered, however cannot be assured, as rural health services and providers are often limited and unique to the specific needs and services provided to respective communities.

5.2 Nomination of contacts

Rural councils are contacted by RDN to engage with, and financially support the Bush Bursary Program. Councils willing to engage will assign their own council/community contact who will liaise with RDN to organise the Program.

The council/community contact will link students with health services and providers and create a placement program in collaboration with RDN. RDN oversees and supports the work of the council/community contact, providing support and advice in organising an immersive, diverse, engaging and safe placement program.

5.3 Length of placement

The Bush Bursary Program is a two-week placement.

5.4 Travel

Travel must be organised by the student.

It is recommended students drive to their placements to enable them to have transportation and be accessible to a wide range of social, community and clinical experiences that may be offered. Public transport services in many rural and remote settings are limited, therefore individual transport is beneficial.

Students will pay for their travel to and from their locations using their scholarship money.

5.5 Accommodation

Accommodation will be arranged by the council or community contact. Accommodation types may vary depending on location. If accommodation is not appropriate or in adequate conditions, students must contact RDN as soon as possible for other arrangements to be made.

Accommodation costs are to be covered by the scholarship money.

Types of accommodation:

- Host families and alternative accommodation.
- Hospital staff accommodation.
- Other council accommodation.
- Additional placement attendees.

- If you have family or friends visiting, you must inform RDN and other students who may be attending the placement with you.

5.6 Insurance

No student will be permitted to undertake their placement unless they have arranged medical indemnity insurance for the period of their placement. Students must provide a copy of the cover note of their medical indemnity policy specifically noting the dates of their placement. This must be attached to their submission on the self-service portal or the request will not be processed.

Students should also take a copy with them on placement as local health facilities may request it prior to facility entry.

6. During the placement

6.1 Clinical experiences

Students will engage with a diverse range of clinical services within the community. The Bush Bursary Program aims to enable students to engage with a variety of clinical settings within the multidisciplinary team. Experiences may be clinical and non-clinical. Students must note that they may be working in areas other than their own area of study or interest in order to see and experience the full realm of services working within a rural health setting.

6.2 Social and community engagement

The council/community contact, along with the students, will organise and engage with a range of social and community events within the community while the student is on placement. Social and community engagement may be formally arranged through an organisation or group whereby students may deliver a presentation or talk of their experience as a student health professional and their interest and future aspirations, for example, at a local council meeting.

Similarly, other social and community engagements may be more informal and involve the students being connected with various community members to attend events or opportunities while in the community. Informal engagement may include an invitation for a farm drive, a day at a sheep/cattle sale and/or other activities specific to the community. Students are expected to be proactive in seeking out and taking advantage of opportunities presented to them while on placement.

RDN aims to showcase, through formal and informal social and community engagement, what rural life is really like if a health care professional chooses to undertake a rural health career. Aside from clinical practice, the lifestyle aspects of rural life present positive indicators as to why healthcare professionals wish to work rurally.

6.3 Dress code

Smart casual professional attire. Students must wear appropriate footwear with closed in toes.

6.4 Student expectations

All students are expected to represent RDN in a proud, mature and engaging manner.

Students are encouraged to:

- engage with and ask questions of clinical mentors and health professionals regarding their clinical placement, their knowledge and experience, the rural community and scope of practise working as a rural health clinician/practitioner
- engage opportunities provided to interact with other health providers in the community
- uphold professionalism while on placement including punctuality, appropriate communication, professional dress and confidentiality
- embrace clinical and non-clinical opportunities with grace and enthusiasm
- be proactive in seeking out clinical, social and community involvement
- be receptive of information, guidance and constructive comments
- keep a diary while on placement
- respect all individuals and community groups in which they engage with.

Enquiries about this report can be directed to Phillipa Kensit, Program Lead, Future Workforce.

NSW Rural Doctors Network
PO Box 1111
Mascot NSW 1460

t 02 8337 8110
e pkensit@nswrdn.com.au
w nswrdn.com.au

ITEM 8.6 YOUTH DEVELOPMENT GRANT APPLICATION

RECORD NUMBER	22/140
RELATED FILE NUMBER	EF21/360
AUTHOR/S	Corporate and Community Planning Officer
APPROVER/S	Executive Manager IPR, Governance and Engagement

SUMMARY/PURPOSE

The purpose of this report is to advise Council of an application received for funding assistance (**Attachment 1**) through Council's Community Strengthening Grants under the Youth Development Category.

RECOMMENDATION

THAT Council awards Vula Wate a \$250 Youth Development Grant to assist with the costs associated with representing the Riverina in the under 15's Rugby League team at the 2022 NSW Combined High Schools (NSWCHS) Rugby League 15's competition in Queanbeyan on Tuesday 3 May 2022.

REPORT

(a) Background

The Community Strengthening Grants program includes a 'Youth Development' Grant Category which is offered at a set amount of \$250 per applicant and is available to support high achievement in a cultural, academic or sporting activity that requires attendance at a State, National or International level event.

A request has been received from Vula Wate for financial assistance to attend the NSWCHS Rugby League 15's competition in Queanbeyan. The request for funding assistance was lodged with Council on Monday 28 March 2022.

(b) Discussion

Vula has been selected to represent the Riverina in the NSWCHS Rugby League 15's competition after competing in Secondary Rugby League 15's competition at the regional level.

(c) Options

Council has the following options available:

1. Approve the application for a grant of \$250. ***This is the preferred option.***

2. Reject the application.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

The Quick Response and Youth Development Category of the Community Strengthening Grants program has an annual budget of \$10,000. Each year \$1,175 is allocated for annual donations to each school in the Shire for end-of-year presentations. To date, \$1750 of the allocation has been utilised for Youth Development Grants and \$4,099 has been utilised for Quick Response Grants. This leaves \$2,976 in the budget for Quick Response and Youth Development Grants. If the application being tabled at this Council meeting is approved by Council, there will be \$2,726 remaining in the budget.

(b) Policy

The application meets the eligibility criteria stated in Leeton Shire Council's Grants Program Guidelines and Application Instructions for 2021/22.

(c) Legislative/Statutory

Nil

(d) Risk

Nil

CONSULTATION

(a) External

Staff have consulted with the parent of the applicant.

(b) Internal

Accountant

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 - Support the community by offering a Community Grants Program.

ATTACHMENTS

- 1 [↓](#) Youth Development Grant 2021/22 - Application - Vula Wate

YOUTH DEVELOPMENT GRANT



PLEASE ENSURE THAT YOU HAVE READ A COPY OF THE GUIDELINES BEFORE COMPLETING THIS APPLICATION

Youth Development Grants are offered at a set amount of \$250 and are available to support high achievement in a cultural, academic or sporting activity that requires attendance at a State, National or International level event.

Has the event occurred already? Yes No

Have you received a Leeton Shire Council Youth Development Grant this financial year? Yes No

If you ticked no for both of these questions, please proceed. If you ticked yes for either questions your application is NOT eligible.

INDIVIDUAL APPLICANT DETAILS

Name of Applicant	Vula Wate
Postal Address:	
Email:	
Phone:	

EVENT/ACTIVITY

Title: (Name of the event/activity for which the grant is sought)

NSWCHSSA Swimming championship / U15's Riverina league

Event/Activity Summary: (Describe the event or activity for which you seek support)

Swimming in the relay for the riverina team.
+
Playing in the 15's Riverina team for Rugby league

Describe the achievements that have made you eligible for this event/activity:

Swimming - 31st March 2022 - Sydney
15's Rugby league - 3rd May 2022 in Queanbeyan

What date/s will the activity/event occur:

SUPPORTING EVIDENCE

You must provide at least one piece of evidence such as an invitation, letter or program.

Please list evidence below.

1. See attached.
2. _____

Please provide one reference to be contacted regarding your application, eg sporting club, teacher, coach (it cannot be a parent/guardian):

Contact Name:

Contact Number:

OTHER SUPPORT

Please provide a detailed breakdown of your anticipated expenditure and income, indicating the item of expenditure and what the grant will be used for – please include all support from other organisations such as school or sporting club.

Anticipated expenses

	Swimming	league
Travel:	\$ 180.00	\$ 180.00
Accommodation:	\$ 160.00	\$ 160.00
Living expenses:	\$ 150.00	\$ 150.00
Other (please list):	\$ 65.00	\$ 160.00
Total expenditure:	\$ 555.00	\$ 650.00

Anticipated income

Funding from third parties:	\$ 0
Personal financial contribution:	\$ 1205.00
Other (please list):	\$ 0
Total income:	\$

CERTIFICATION

I, the applicant, certify that all details supplied in this application form and in any attached documents are true and correct to the best of my knowledge. I have read the accompanying Guidelines and Application Instructions provided with this application form. I am aware that, if successful, I may be invited to attend a Council Meeting or Workshop to speak about the activity/event I attended.

Name:	<u>ALICIA SLOAN</u>
Date:	<u>22/2/2022</u>
Signature:	_____



Riverina School Sports Association

PO Box 478 Wagga Wagga, NSW 2650
Level 2, 76 Morgan Street, Wagga Wagga, NSW, 2650
Terry Willis - P: (02) 6937 3872 | terry.willis@det.nsw.edu.au
Karinda Hull - P: (02) 6937 3873 | karinda.hull@det.nsw.edu.au



Secondary Rugby League – 15's

Congratulations on your selection to represent Riverina. The following information should be helpful in your planning and organisation for your representative experience:

Sport: 2022 NSWCHS Rugby League 15's

Venue: Seiffert Oval
36 Thurrallilly Street
Queanbeyan NSW 2620

Date: Tuesday 3 May 2022

Team Officials: Coach - Mr Thomas Besgrove

Coolamon Central School
75 Methul Street
Coolamon NSW 2701
Phone: (02) 6927 3209
E: thomas.besgrove1@det.nsw.edu.au

Manager - Mr Jarrod Maxwell

Albury High School
625 Kiewa Street
Albury NSW 2640
Phone: 02 6021 3488
E: jarrod.maxwell@det.nsw.edu.au

Compulsory Training:

Compulsory training will occur on **Thursday 28 April 2022**, 4:00pm at Koorringal High School. Further information and details will be discussed by the team management after your selection.

Travel Arrangements:

All students will be responsible for their own travel to and from the championship.

Arrival Time & Team Photo:

Players are to arrive at **Seiffert Oval at 9:00am** on Tuesday 3 May 2022. Team photos will be taken at the oval at 10:00am.

Uniform:

Your team uniform has all been included in your levy. Options are available in **DASH** for any additional apparel items you may wish to purchase.

Championship Costs:

The levy of **\$180.00** including GST is to be paid by **ALL** team members. The levy covers the cost of: championship levy, team photo, playing jumper and shorts, football socks, Representative jacket, patch, administration levy and team manager's expenses

Note: If you do not require the Representative jacket that is included in the **"Mandatory Playing Uniform"** section in your **online DASH registration**, please **DO NOT** select, this will be removed and deducted from the cost in payment section.

Dash Application and Payment:

Your application and payment through **DASH** should be completed online by **Wednesday 30 March 2022** as a close date applies.

If difficulties arise regarding **DASH** applications or payment of the levy by the due date, please contact **Karinda Hull** on **6937 3873**.

If you intend withdrawing from the team, please contact the Team Manager immediately.

Failure to confirm selection by the due date may mean exclusion from the official team.



Riverina School Sports Association

PO Box 478 Wagga Wagga, NSW 2650
Level 2, 76 Morgan Street, Wagga Wagga, NSW, 2650
Terry Willis - P: (02) 6937 3872 | terry.willis@det.nsw.edu.au
Karinda Hull - P: (02) 6937 3873 | karinda.hull@det.nsw.edu.au



Other Information:

CHS and PSSA activities are regarded as an extension of school activities. It is expected that your behaviour will be exemplary.

It is a PSSA and CHS rule that all team members remain at the ground until the championship has concluded.

A canteen will operate daily at the complex.

I hope you enjoy your representative experience and that you retain many happy memories of your Riverina Sporting achievements.
Should you have any further enquiries, please contact your Team Manager or me.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Terry Willis'.

Terry Willis

Sports Coordination Officer
PO BOX 478, Wagga Wagga NSW 2650
Email: terry.willis@det.nsw.edu.au
P: 02 6937 3872 or M: 0422 046 699
10 March 2022



Riverina School Sports Association

PO Box 478 Wagga Wagga NSW 2650
Level 2, 76 Morgan Street, Wagga Wagga, NSW, 2650
Terry Willis - P: (02) 6937 3872 | terry.willis@det.nsw.edu.au
Karinda Hull - P: (02) 6937 3873 | karinda.hull@det.nsw.edu.au



Secondary Swimming 2022

Congratulations on your selection to represent Riverina. The following information should be helpful in your planning and organisation for your representative experience:

Sport: 2022 NSWCHS Swimming State Championships

Venue: Sydney Olympic Park Aquatic Centre
Edwin Flack Avenue
HOMEBUSH

Vula Wate

Date: Wednesday 30 March – Friday 1 April 2022

Team Officials:
Kellie Goman
Leeton High School
PO BOX 843
Leeton NSW 2705
Phone: (02) 69532122
E: kellie.dawes2@det.nsw.edu.au

Emily Gooley
Koorungal High School
Ziegler Avenue
Koorungal NSW 2650
Phone: 02 6922 5155

Mekayla Everingham
Murrumbidgee RHS
Poole Street
Griffith NSW 2680
Ph: 02 6969 9300

Uniform: Your Riverina swim cap has been included in your levy. It is compulsory for you to wear your Riverina swimming cap if you choose to swim in a cap.
Racing swimwear must be worn (Riverina swimwear not compulsory). Options are available in **DASH** for any additional apparel items you may wish to purchase.

Championship Costs: The championship cost is **\$65.00** (including GST). This is to be paid by **ALL** team members. This covers the cost of: Championship levy, pool entry and Riverina silicon swimming cap, representative patch, program, team manager's expenses and administration.

Travel and accommodation are the responsibility of individual team members.

Due Date & Payment: Your application and payment through DASH should be completed online by **Friday 18 March 2022** as a close date applies.

If difficulties arise with this process, please contact Karinda Hull on 6937 3873.

If you intend withdrawing from the team, please contact the Team Manager immediately.

Failure to confirm selection by the due date may mean exclusion from the official team.

Restrictions: COVID-safe practices and venue details – refer to NSWCHS Summary information for families & students attached.
Spectator (parent/carer) entry ticket registration is required, no ticket, no entry. Request for only one (1) spectators per competitor.



Riverina School Sports Association

PO Box 478 Wagga Wagga NSW 2650
Level 2, 76 Morgan Street, Wagga Wagga, NSW, 2650
Terry Willis - P: (02) 6937 3872 | terry.willis@det.nsw.edu.au
Karinda Hull - P: (02) 6937 3873 | karinda.hull@det.nsw.edu.au



Other Information:

- Public Transport to and from Olympic Park: Trains operate to and from Olympic Park daily. This timetable may be found on the Cityrail Website www.cityrail.nsw.gov.au.
- It is most important that all attending these championships allow ample time to ensure that competitors do not miss their events. Please note PRELIM times not FINALS.
- A program of events is attached. Please note that the times for events may change, depending on the number of entries.
- Included in the levy is venue entry for competitors and spectators.
- All competitors will receive a program from their team manager – extra programs may be purchased on entry.
- Students need to attend the championship for their events only. However it is advisable to arrive at the pool early in case there has been a program change.
- Any team members receiving a medal will be required to wear Riverina apparel, eg T-shirt, jacket, etc for the presentation ceremony.
- The championships will be conducted on a seeded heat basis, with heats seeded on times swum at the Riverina Regional Championship determining your heat. When marshalled, your heat and lane will be allocated to you.
- A competitor withdrawing from an event must do so in writing THROUGH THE TEAM MANAGER. Consider your commitments before entering a particular event. Do not enter if you do not intend to compete. Withdrawal from a final must be done 15 minutes after the posting of the heat results on the day of the heat or else a competitor may be withdrawn from all finals. Students must not use longer events as warm up swims.
- You are to report to your Team Manager in the area designated to Riverina as soon as you arrive at the pool to check in and collect your patch, program and swimming cap. Team members are to report to the Team Managers before and after their event.
- CHS and PSSA activities are regarded as an extension of school activities. It is expected that your behaviour will be exemplary.

I hope you enjoy your representative experience and that you retain many happy memories of your Riverina Sporting achievements. Should you have any further enquiries, please contact your Team Manager or me.

Yours Sincerely

Terry Willis
Sports Coordination Officer
PO BOX 478, Wagga Wagga NSW 2650
Email: terry.willis@det.nsw.edu.au
P: 02 6937 3872 or M: 0422 046 699
1 March 2022

**ITEM 8.7 MINUTES OF THE LEETON MENS SHED COMMITTEE - 8 DECEMBER 2021
TO 9 MARCH 2022**

RECORD NUMBER	22/84
RELATED FILE NUMBER	EF21/432/02
AUTHOR/S	Corporate and Community Planning Officer
APPROVER/S	Executive Manager IPR, Governance and Engagement

SUMMARY/PURPOSE

The Leeton Men's Shed is a Section 355 Committee of Council.

The purpose of this report is to provide Council with the Minutes of the Leeton Men's Shed meetings held on Wednesday 8 December 2021, Wednesday 9 February 2022 and Wednesday 9 March 2022 (**Attachments 1, 2 and 3**).

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:

1. The minutes of the Leeton Men's Shed Committee meeting held on Wednesday 8 December 2021.
 2. The minutes of the Leeton Men's Shed Committee meeting held on Wednesday 9 February 2022.
 3. The minutes of the Leeton Men's Shed Committee meeting held on Wednesday 9 March 2022.
-

REPORT

(a) Background

The purpose of the Leeton Men's Shed Committee is to oversee the day-to-day operations of the Leeton Men's Shed as per the delegation issued by Leeton Shire Council:

- To develop the strategic direction of the Leeton Men's Shed.
- To provide appropriate reports and recommendations to Council.
- To care for and maintain the Men's Shed facility through responsible day-to-day management.
- To ensure the safety of the patrons of the shed.

The Leeton Men's Shed Committee holds regular monthly meetings to which all members are invited.

(b) Discussion

The Men's Shed Committee met on **8 December 2021** and the following was discussed:

- Disposal of surplus machinery
- Stocktake of machinery in the shed
- Council's proposal to dissolve Leeton Men's Shed Section 355 Committee deferred until new Council takes office
- Members are requested to provide the office with their double vaccination certificate number.

The Men's Shed Committee met on **9 February 2022** and the following was discussed:

- The committee would like a speaker for a monthly meeting regarding road rules
- Accreditation needed for members to operate the new planer from MI; this will be arranged in the near future
- Members are to consult with the committee prior to old or surplus tools being thrown out.

The Men's Shed Committee met on **9 March 2022** and the following was discussed:

- The committee will support the Leeton SunRice Festival in managing security for the street parade
- Members will also support the SunRice festival by entering the Bakers Cart in the street parade
- Council representatives for the committee are Mayor Tony Reneker and Cr Tony Ciccia.

(c) Options

Nil – this report is for noting only.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

The Leeton Men's Shed Committee is a Section 355 Committee. It currently manages its own finances. Any identified minor maintenance issues are met through Council's annual maintenance program. Any major enhancements are to be funded by the Leeton Men's Shed Committee.

(b) Policy

Nil

(c) Legislative/Statutory

Under Section 355 (b) 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.

(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.

Work Health and Safety – the Men's Shed abides by the Australian Men's Shed Association (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 on 4 September 2020. A defibrillator has been purchased and is available in the shed. 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".

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.

CONSULTATION

(a) External

Nil

(b) Internal

Nil

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** [↓](#) Minutes Leeton Men's Shed Committee - 8 December 2021
- 2** [↓](#) Minutes Leeton Men's Shed Committee - 9 February 2022
- 3** [↓](#) Minutes Leeton Men's Shed Committee - 9 March 2022

LEETON SHIRE MEN'S SHED

MEETING AGENDA WEDNESDAY 8th December 2021

Meeting Date: Wednesday 8th December 2021
Time opened 9.30 am
Meeting Venue: Leeton Shire Men's Shed
Present: Dave C, G Reynolds, T Knagge, Clyde K, Bob G, John J, Buddy S, John T, Ron H, Mick S, Lindsay M, Nev W, Len F, Frank K, Col Attree, John M

Apologies: Kerrie Hare Eric W, Ian E, Terry O, Jim M,
Apologies accepted: Moved/Seconded Dave C/Mick S

WELCOME: Chairman welcomed all present.

WELCOME NEW MEMBERS: Nil

WELCOME GUEST SPEAKER: Nil

PREVIOUS MINUTES

Minutes of the last meeting be accepted as a true and accurate record of proceedings.

Moved/ Seconded Mick S/Dave C

BUSINESS ARISING FROM PREVIOUS MINUTES

1. Standing motion of a storeroom cabinet to display old tools discussed & motion remains standing. Cabinet to be made in 2022. George R to coordinate. Motion continues. Tools to be recorded/catalogued by photographs by Lindsay M. Photographs to go to Frank's family for review. Members please do not move tools until notified.
2. LMS members will need accreditation to operate new planer from MI. Planer installed. George R to coordinate this month. George will approach members for accreditation in near future.
3. Cleaning by members of the shed Kitchen/meeting area & workshop floor. Members please assist. Action More members please assist.
4. The Leeton Visitor's Centre. Jock H has completed list. Refill after St Peter's fete this week. Action-done
5. Benches and new machinery have been spaced out to make space to work and move around. Action- discussed awaiting funding result to complete electrical wiring.
6. Accreditation for shed members ongoing. Some members to be accredited in near future.
7. No written advice to date from the Council regarding the sale of land.
8. Request for LMS members to fill out volunteer application forms for return to LSC. Action Members to fill out for records on NY.
9. Pending LSC decision re 355 at next LSC meeting 24th Nov. Motion has been postponed until 2022. Action-Discussion with new Councillors when they are inducted in 2022.

10. Soldiers Club funding- new air sander purchased. Other items need to be purchased 5" belt sander, Makita orbital sander, scrapper blades, good quality small sander. Action-Discussed. George to price and report. Action- new scappers purchased. Planer has been made available to paint shed. Look at new 5"belt sander in NY.
11. Members reminded to identify new tools/replacement tools needed for the shed. Action- Ron asked members workshop and paint shop to consult sizes wanted.
12. George discussed opening the shed on Fridays. Members declined. Members may wish to work in afternoon if two members present. Action- In NY discuss with members opening afternoon.
13. Members discussed jobs waiting to be done causing clutter on workshop floor. Action- Members to break up some jobs for material. Areas around benched needing attention, George.
14. LMS Christmas party 15th December. Lindsay to send invitations to Leeton nursing homes and community members to attend. Attendance sheet on sign on desk. Lindsay to notify members & organisations invited.
15. Shed to close 16th December, reopening 10th January 2022.
16. Lindsay to amend opening hours on LMS Facebook page 8.00-12.00 Action- done.
17. Motion- John J to get quote to concrete area between garage & container. Moved. Action-Motion amended John/Ron. New motion- Road base be laid in the area between garage & container to make solid base. Moved John J/ Dave C.
18. Correction from previous minutes. Should read Yanco Lions not Leeton Lions. Yanco Lions Club invitation to make and decorate a Christmas tree for exhibit in the festival 11th December 2021. Entry fee \$5.00 RSVP by 4th December. Action- Nil.

TREASURER'S REPORT: As of 31st November 2021

OPENING TOTAL BALANCE at 1/11/21	\$ 40,769.24
Receipts	\$ 3,153.41
Expenditure	\$ 464.57

CLOSING TOTAL BALANCE at 31/11/21 \$ 43,458.08

Accounts to be paid for December Telstra, Leeton Steel Home Improvements.

Moved/Seconded: That the Treasurer's report be accepted and the accounts as presented be passed for payment and those paid be ratified. George R/John J

CORRESPONDENCE To be dealt with as read

Moved/Seconded Jock H/ Dave C

Inward:

24/11/2021 Kerrie Hare advised by email decision to dissolve section 355 deferred until the new council takes office.

Mitre 10 invoice \$34.99

Tony Reneker, Peta Sinclair & Geoff McKenzie accepted invitation to Christmas luncheon.

Email from Susan Ley's office grant Covid recovery round of the cross-border commissioners infrastructure fund grant. Closes 28th January 2022.

Email from YAHS asking if we would like to have stall at fete 12th March 2022.

Steel Supplies shut from Fr 24/12/21 until 10th Jan 2022.

Outward:

Emails- invitation to the Christmas luncheon 15th December.

GENERAL BUSINESS

1. Disposal of surplus machinery. Action planer has been sold. To be picked up. Surplus big radial arm saw to be sold. Member mentioned to be sold as scrap.
2. The council's proposal to dissolve Leeton men's Shed Section 355 committee deferred until new council takes office.
3. Tools donated by Frank Kennedy not to be dispersed. Lindsay to photograph tools.
4. Members are requested to provide the office with their double vaccination certificate number. Sheet will be placed for members to fill in details next to sign on sheet. Record to be kept.
5. Speaker for a monthly meeting regarding road rules. Tony Reneker to arrange speaker. Action- Lindsay to follow up with Tony.
6. No advice to date from Kerrie Hare on the sale of the land.
7. Grant Covid recovery round of the cross-border commissioner infrastructure fund. Grant closes 28th January 2022.
8. Motion by John J-To get a quote to concrete area between container & garage. Moved. Amended.
9. Perspex ordered for Jim ready to be picked up at Home Improvements. Action- Job paid for.
10. Stocktake of machinery in the shed by Lindsay & Ron made for insurance. Ron
11. Members, please consult with committee prior to old/surplus tools being thrown out. Discussed.
12. Leeton Op Shop front window Christmas sales 2020 \$541.
13. Front window of OP Shop available now for this Christmas sales. 4-5 members to help set up window display this Thur, carry items up from other window display in Pine Ave. Discuss new pricing of items for this year.

NEXT MEETING Wednesday 9th February 2022

MEETING CLOSED am

LEETON SHIRE MEN'S SHED

Meeting Date: Wednesday 9th February 2022

Meeting Opened: 9.35am

Meeting Venue: Leeton Shire Men's Shed

Present: Col A, Bob G, Lindsay M, Mick S, Nev W, John J, John T, Dave C , Tom K, Jim M,
Ron H, Eric W

Apologies: Tony, R, Terry O,

Moved /Seconded That apologies be accepted: Col A/ John J

WELCOME: Chairman George R welcomed members

WELCOME NEW MEMBERS: Nil

WELCOME GUEST SPEAKER: Nil

PREVIOUS MINUTES Minutes of the meeting held on were read and confirmed as a true and accurate record of proceedings. Moved/Seconded John J/ Dave C

BUSINESS ARISING FROM PREVIOUS MINUTES

1. Disposal of surplus machinery. Planer sold. Surplus big radial arm saw to be sold.
2. The Council's proposal to dissolve Leeton Shire men's Shed Section 355 takes office committee deferred until new council takes office.
3. Tools donated by Frank Kennedy not to be dispersed. Lindsay to photograph tool.
4. Members are required to provide the office with their double vaccination cert number. Sheet to be placed for members to fill in details next to sign on sheet.
5. Speaker for a monthly meeting regarding road rules. Tony R to arrange speaker.
6. No advice to date from Kerrie Hare on the sale of the land.
7. Grant Covid recovery round of the cross-border commissioner infrastructure fund. Grant closes 28th February 2022.
8. MotiOn by John J to get a quote to concrete area between container & garage. Moved.
9. Perspex ordered for Jim ready to be picked up at Home Improvements. Action done.
10. Stocktake of machinery in the shed by Lindsay & Ron made for insurance. Action completed.
11. Members please consult with committee prior to old/surplus tools being thrown out. Actin consuly with committee.
12. Leeton Op shop front window. Items have been placed in the Op shop for sale.
13. Request from Gino Amato fro window display in 133 A Pine Ave needs to be removed. Need members to assist.
14. LMS members will need accreditation to operate new planer from MI. Planer installed. George R to coordinate. George will approach members for accreditation in near future.

15. Pending LSC decision re 355 at next LSC general meeting 24th Nov. Motion has been postponed until 2022. Action Lindsay has contacted Tony Reneker to arrange meeting with new councillors in February 2022. Action Meeting 8th February arranged.
16. Request from LMS members to fill out volunteer application forms for return to LSC. Action members to fill out for records in NY.
17. Motion John J to get quote to concrete area between garage & container. Moved. Action Motion amended John J/Ron H. New motion - Road base to be laid in the area between garage & container to make solid base. Moved John J/ Dave C.

TREASURER'S REPORT:

OPENING TOTAL BALANCE	\$
Receipts	\$
Expenditure	\$
CLOSING TOTAL BALANCE	\$

Moved/Seconded: That the Treasurer's report be accepted and the accounts as presented be passed for payment and those paid be verified. Ron H/Jim M

CORRESPONDENCE To be dealt with as read

Inward:

Receipt from Rural press for AGM add \$163.18 Paid

Account Mitre 10 for key cut.

Kerrie Hare on leave until 24/1/2022. Inviting discussion on concessions for section 355.

Leeton Home improvements invoices. Paid

Hungry Fox \$90 paid.

Confirmation YAHS Gala Day 12th March. Invite to hold stall. Advised by member cancelled.

Australian Govt Dept of Health Shed development round 23 open. Closes Friday 25th February.

Remittance LSC \$80 visitors centre.

Outward

Letter to Dean Jamieson thanking donation of vacuum cleaner. Action done

Moved/Seconded Dave C/Ron H

GENERAL BUSINESS

1. Motion- That Batlow Men's Shed be contacted re the surplus big radial arm saw as donation. Moved Col A/ Lindsay M. Passed.
2. Motion-The LMS wait for notification from Tony Reneker meeting with LSC Executive regarding the LMS Section 355 committee. Moved Col A/ Ron H.
3. Motion- That LMS support Leeton Sunrice Festival managing security for the parade Saturday 16th April 2022. Ron H/Lindsay M. Action Lindsay M to contact Fran Macdonald.
4. Lindsay M to contact Fran Macdonald re entering the Bakers Cart in the parade & the associated costs & insurance costs.
5. A member questioned club badges for 2021-22. Motion- That LMS badges be perpetual & not changed each year. Moved Dave C/John J. Passed.
6. John J thanked members for bei ng more active cleaning up after themselves around machines.

NEXT MEETING Wednesday 9th March 2020

MEETING CLOSED 10.25 am

**LEETON SHIRE MEN'S SHED
MONTHLY MEETING WEDNESDAY 9th March 2022**

Meeting Opened: 9.35 am.

Present: George R, Dave R, Clyde K, Tom K, Jock H, John J, Jim M, Lindsay M, Buddy S, Mick S, Bob G, Col A, John T, Tony Ciccica LSC

Apologies: Ron H, Tony Renneker LSC, Kerrie Ann Hare LSC, Eric W,
John J/ Mick S Moved /Seconded that apologies be accepted. Carried.
Note Jock H was omitted as an apology for February meeting.

Minutes: That the Minutes of the last meeting be accepted as a true record of proceedings.
Moved /Seconded

Welcome New Members and Self Introductions:

Welcome Council Representatives: Tony Ciccica

Welcome Guest Speaker: Nil

Business arising from previous minutes:

1. Disposal of surplus machinery. Planer sold. Surplus big radial arm saw to be sold "as is" donated to a Mens Shed. Batlow Mens Shed suggested. Action-Lindsay has emailed Tumut Mens Shed to gauge interest. No reply to date. Lindsay to contact. Planer to be picked up in near future.
2. The Council's proposal to dissolve Leeton Shire men's Shed Section 355 takes office committee deferred until new council takes office. Action-Tony R to meet with council to speak to GM. Tony replied 4/3/22 by email document to be provided this week.
3. Tools donated by Frank Kennedy not to be dispersed. Lindsay to photograph tools. Action-Photo record completed, discussion on tools dispersion needed.
4. Members are required to provide the office with their double vaccination cert number. Sheet to be placed for members to fill in details next to sign on sheet.
5. Speaker for a monthly meeting regarding road rules. Tony R to arrange speaker.
6. No advice to date from Kerrie Hare on the sale of the land.
7. Motion by John J to get a quote to concrete area between container & garage. Moved. Motion -Action Motion amended John J/Ron H. New motion -Road base to be laid in the area between garage & container to make solid base. Moved John J/ Dave C. Action on going.
8. Members, please consult with committee prior to old/surplus tools being thrown out. Action- consult with committee.
9. Leeton Op shop front window. Items have been placed in the Op shop for sale. Action-Lindsay collected unsold items returned to Smoko Room. Large kitchen cabinet in storage at Op Shop.
10. Request from Gino Amato from window display in 133 A Pine Ave needs to be removed. Need members to assist. Action- Items for sale removed by members, thank you to those that helped.
11. LMS members will need accreditation to operate new planer from MI. Planer installed. George R to coordinate. George will approach members for accreditation in near future. Suggestions from members, use extractor, care over using saw, new ban saw blade fitted, adjust blade down to job.

12. Request for LMS members to fill out volunteer application forms for return to LSC. Action members to fill out for records in NY.
13. Motion- That LMS support Leeton Sunrice Festival managing security for the parade Saturday 16th April 2022. Ron H/Lindsay M. Action Lindsay M to contact Fran Macdonald. Done- Leeton Sunrice festival meeting at Soldiers Club Tuesday 8th march @ 6.00pm. Lindsay & George to attend.
14. Lindsay M to contact Fran Macdonald re- entering the Bakers Cart in the parade & the associated costs & insurance costs. Action- Fran Macdonald contacted, LSC sees risk of horse in parade too high. Lindsay to investigate a car trailer. Action-Members let Lindsay know availability by next week.

**Interim Treasurer's Report: Approximate balances only
Accounts paid to the end of February 2022.**

Opening Balance 31/1/22	\$	44,786.91
Receipts	\$	
Expenditure	\$	
Closing Balance 28/2/22	\$	44,594.99

Accounts Due Leeton Steel, Mitre 10, Telstra.

Accounts Paid: Hare & Forbes, Telstra, Steel Supplies, LSR, T Knagge..

That the Treasurer's report be accepted and the accounts as presented be passed for payment and those accounts be paid and verified.

Moved/Seconded: Jock H/Jim M Carried.

Correspondence: To be dealt with as read.

Moved/Seconded

Inward: 9/2/22 Invoice Hare & Forbes
11/2/22 Invoice Steel Supplies wagga
14/2/22 Tumbarumba Mens Shed declined equipment.
15/2/22 Invoice hare & Forbes
16/2/22 Invoice Home improvements
1/3/22 Email Kerrie Hare re-easing of Covid restrictions. Check in no longer required.
1/3/22 Ken Dachi support coordinator Leeton Community grant coordinator
2/3/22 Email Mitre 10 invoice
4/3/22 Email Tony Reneker LSC apology for meeting. Advising document from GM to him by Monday 7/3/22. He will supply to LMS this week.

Outward: Nil

General Business:

1. Motion- That Batlow Men's Shed be contacted re the surplus big radial arm saw as donation. Moved Col A/ Lindsay M. Passed. Lindsay M to contact.

2. Motion-The LMS wait for notification from Tony Reneker meeting with LSC Executive regarding the LMS Section 355 committee. Moved Col A/ Ron H. Passed. Waiting to be advised by Tony R. Action- Tony Reneker advised he has only been provided with draft LSC response to LMS. Will provide final document when available.
3. Motion- That LMS support Leeton Sunrice Festival managing security for the parade Saturday 16th April 2022. Ron H/Lindsay M. Carried. Action Lindsay M to contact Fran Macdonald.
4. Lindsay M to contact Fran Macdonald, entering the Bakers Cart in the parade & the associated costs & insurance costs. Action-not horse drawn, seek car trailer & driver. Action Lindsay waiting for request from Gary Lanham for car trailer.
5. A member questioned club badges for 2021-22. Motion- That LMS badges be perpetual & not changed each year. Moved Dave C/John J. Passed.
6. John J thanked members for being more active cleaning up after themselves around machines.
7. Tony Reneker & Tony Ciccia LSC council representatives for LMS.
8. Shedders, we have made a commitment to work at the Leeton Sunrice festival on the 6th April, please indicate your availability at the meeting for security during the parade & to drive car/trailer. Action-members names to Lindsay by next week as to availability.

Next General Meeting Wednesday 13th April 2022

Meeting Closed: 10.00am

CORPORATE MATTERS

ITEM 8.8 ENDORSEMENT OF THE DRAFT DELIVERY PROGRAM 2022-2025 AND DRAFT RESOURCING STRATEGY

RECORD NUMBER	22/160
RELATED FILE NUMBER	EF21/104/03
AUTHOR/S	Manager Finance Executive Manager IPR, Governance and Engagement
APPROVER/S	Group Manager Corporate General Manager

SUMMARY/PURPOSE

The purpose of this report is to present the DRAFT Delivery Program 2022–2025 (**Attachment 1**) and Resourcing Strategy to Council for adoption or endorsement for public exhibition.

The Resourcing Strategy is comprised of:

- the DRAFT Long-Term Financial Plan 2022–2032 (**Attachment 2**)
- the DRAFT Strategic Asset Management Plan 2022–2032 (**Attachment 3**)
- the DRAFT Workforce Management Strategy 2022–2025 (**Attachment 4**).

The DRAFT Delivery Program 2022–2025 and the DRAFT Long-Term Financial Plan 2022–2032 must be publicly exhibited for at least 28 days. Submissions received by Council in that period must be accepted and considered before the final Long-Term Financial Plan is adopted by Council.

There is no requirement to publicly exhibit the DRAFT Asset and Workforce Management Strategies prior to them being adopted.

RECOMMENDATION

1. THAT Council endorses the following documents for public exhibition for the 30-day period from Friday 29 April 2022 until Sunday 29 May 2022:
 - the DRAFT Delivery Program 2022–2025
 - the DRAFT Long-Term Financial Plan 2022–2032.
 2. THAT Council adopts:
 - the DRAFT Strategic Asset Management Plan 2022–2032
 - the DRAFT Workforce Management Strategy 2022–2025.
-

REPORT

(a) Background

Under the Integrated Planning and Reporting Framework, Council is required to prepare a number of documents to facilitate integration of long-term planning and implementation of Council activities.

The documents include a Community Strategic Plan, an annual Operational Plan and Budget, a Delivery Program, and the documents that make up the Resourcing Strategy: a 10+ year Long Term Financial Plan, a Workforce Management Plan and a 10+ year Asset Management Strategy. Individual Asset Management Plans for various classes of assets are also required. Leeton Shire Council's Asset Management Strategy and the individual Asset Management Plans are combined in a single 'Strategic Asset Management Plan'.

This report deals with the Delivery Program and the Resourcing strategy documents.

(b) Discussion

DRAFT DELIVERY PROGRAM 2022–2025 (Attachment 1)

The Delivery Program is a statement of Council's commitment to the community and sets out what Council intends to achieve over its term in office. Its overall purpose is to program the activities Leeton Shire Council will undertake to deliver the aspirational goals of the community, as set out in the *Liveable Leeton 2035* Community Strategic Plan.

Each activity documented in the Delivery Program has been allocated measures and targets which will allow Council to track progress throughout the year. Progress reports will be presented to Council and the community on a six-monthly basis.

A Council's Delivery Program is generally developed for a four-year period. As a consequence of the postponement of Local Government elections and extension of the previous Council's term, the term of the current Council has been shortened. The period covered by the DRAFT Delivery Program has also been shortened to coincide with the length of the Council term.

RESOURCING STRATEGY

The purpose of the Resourcing Strategy within the Integrated Planning and Reporting Framework is to support Council's decision making in its Delivery Program by:

- analysing resources required to undertake the activities in the Delivery Program
- exploring the longer term implications of these decisions.

DRAFT Long Term Financial Plan 2022–2032 (Attachment 2)

The starting point for the Long Term Financial Plan (LTFP) is Council's 2022/23 budget (in the Operational Plan). It then explores a number of scenarios (paths that Council could take into the future), highlighting that Council needs to take action to improve its financial sustainability. The financial forecasts in years 2 and 3 of the Delivery Program reflect the 'Lesser SRV + Some Service Cuts' scenario in section 3 of the LTFP, although it is important to note that Council intends to revise its Delivery

Program once it has undertaken further analysis to refine the forecasts and explored options to improve its financial sustainability.

DRAFT Strategic Asset Management Plan 2022–2032 (Attachment 3)

The Strategic Asset Management Plan informs the LTFP. It identifies the works required on Council's assets over the next 10 years to achieve its objectives and manage risks.

DRAFT Workforce Management Strategy 2022–2025 (Attachment 4)

The Workforce Management Plan sets out how Council will ensure it has the right people to deliver the services it intends to deliver, as set out in the Delivery Program. The timeframe for the Workforce Management Strategy must match that of the Delivery Program. Normally a four year strategy, this Workforce Management Strategy will cover the period 2022–2025.

(c) Options

Option 1: To adopt/endorse the draft documents, with or without alteration, as per the recommendation. **This is the preferred option.**

Option 2: To decline to adopt/endorse the draft documents. It should be noted that these documents must be adopted by 30 June 2022. Failure to endorse the relevant documents for public consultation will reduce the time allowed for considering feedback and updating the draft documents prior to adoption.

(a) Financial

The Delivery Program includes financial forecasts for Council's operations as a whole for the term of the current Council (the next 3 years). The Long Term Financial Plan aligns with this, but looks at the longer term financial implications of Council's decisions.

(b) Policy

DRAFT *Liveable Leeton 2035* Community Strategic Plan

(c) Legislative/Statutory

Section 403 of the *Local Government Act 1993* (the Act) requires Council to have a long-term strategy (called its resourcing strategy) for the provision of the resources required to perform its functions (including implementing the strategies set out in the community strategic plan).

Section 404 of the Act requires Council to have a Delivery Program detailing the principal activities to be undertaken by the council to perform its functions (including implementing the strategies set out in the community strategic plan) within the resources available under the resourcing strategy.

Section 196A of the *Local Government (General) Regulation 2021* states that a council must comply with the integrated planning and reporting guidelines in the

document entitled *Integrated Planning and Reporting Guidelines for Local Government in NSW*, published on the website of the Department, as in force from time to time.

(d) Risk

If Council failed to develop, endorse and exhibit a DRAFT Delivery Program and LTFP compliant with the Guidelines, Council would be in breach of the *Local Government Act 1993* and Regulations.

Likewise, if Council failed to adopt a compliant Workforce Management Strategy and Strategic Asset Management Strategy prior to 30 June 2022, Council would be in breach of the *Local Government Act 1993* and Regulations.

The LTFP highlights a sustainability risk to Council and investigates a variety of solutions to the issue.

CONSULTATION

(a) External

Ben Lawson, Common Thread Consulting

The purpose of bringing the DRAFT Delivery Program 2022–2025 and Long-term Financial Plan 2022–2032 to Council for endorsement is to commence the external consultation phase.

Council will engage with the community through a survey on its online engagement platform 'Have Your Say', a direct email to the 'Have Your Say' database of registered users, newspaper advertisements and social media channels. Hard copies of the documents will be available at Council's administration office, the Whitton Post Office, the Yanco Shop and the Leeton Library.

Submissions from the public will be accepted in the 30 day period from Friday 29 April 2022 until Sunday 29 May 2022. Council will also host a public forum for all formal submitters on 11 June 2022.

A report for the final adoption of the DRAFT Delivery Program DRAFT Long-term Financial Plan 2022–2032 will be presented to the Ordinary Meeting of Council scheduled for Wednesday 23 June 2022.

(b) Internal

All identified Operational Plan Responsible Officers
Senior Management Team

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 Administration."

ATTACHMENTS

Attachment 1 – DRAFT Delivery Program 2022-2025

- 2** DRAFT Long Term Financial Plan 2022-2032 - *Attached separately*
- 3** DRAFT Strategic Asset Management Plan 2022-2032 - *Attached separately*
- 4** DRAFT Workforce Management Strategy 2022-2025 - *Attached separately*

**ITEM 8.9 ENDORSEMENT OF THE DRAFT OPERATIONAL PLAN FOR 2022/23
(INCLUDING THE DRAFT BUDGET FOR 2022/23) AND DRAFT REVENUE
POLICY (INCLUDING FEES AND CHARGES) FOR 2022/23**

RECORD NUMBER	22/151
RELATED FILE NUMBER	EF21/104/03
AUTHOR/S	Manager Finance Executive Manager IPR, Governance and Engagement
APPROVER/S	Group Manager Corporate General Manager

SUMMARY/PURPOSE

The purpose of this report is for Council to review and endorse the following documents to enable them to be placed on public exhibition and call for community submissions on the draft documents:

1. The DRAFT Operational Plan 2022/23 (**Attachment 1**)
 2. The DRAFT Budget for the 2022/23 financial year (**Attachment 2**, includes capital works budget)
 3. The DRAFT Revenue Policy (including DRAFT Schedule of Fees and Charges for the 2022/23 financial year) (**Attachment 3**).
-

RECOMMENDATION

THAT Council endorses for public exhibition for the 30-day period from Friday 29 April 2022 until Sunday 29 May 2022 the following documents:

1. The DRAFT Operational Plan 2022/23
 2. The DRAFT Budget for the 2022/23 financial year
 3. The DRAFT Revenue Policy for the 2022/23 financial year (including DRAFT Schedule of Fees and Charges for the 2022/23 financial year).
-

REPORT

(a) Background

As required by the *Local Government Act 1993* (the Act), Council operates under the Integrated Planning and Reporting (IP&R) guidelines which aim to streamline Council operations and optimise the use of resources.

Sections 402 to 406 of the Act require all Councils within NSW to prepare the following documents:

Review Schedule	IP&R Documents	Adoption/Endorsement/Noting
Annually	Annual Operational Plan (including Budget and Revenue Policy)	By 30 June each year
Annually	Annual Report	By 30 November each year
Following each election	Delivery Program	By 30 June of the year following an election
Following each election	Resourcing Strategy <ul style="list-style-type: none"> • Long-Term Financial Plan (minimum 10 years) • Asset Management Strategy (minimum 10 years) • Workforce Management Strategy (minimum 4 years) 	By 30 June of the year following an election
Following each election	Community Strategic Plan (minimum 10 years)	By 30 June of the year following an election
Start of a new Council term	State of the Shire Report	Second Meeting of newly elected Council

(b) Discussion

DRAFT OPERATIONAL PLAN FOR 2022/23 (Attachment 1)

The Operational Plan details the actions Council will undertake during the 2022/23 financial to achieve its Delivery Program commitments. Each action is allocated a measure and a target. These measures and targets allow Council's management team to track progress and performance throughout the year.

Progress reports on Operational Plan activities are provided to the Senior Management Team (SMT) on a quarterly basis. Reporting to the community occurs via the Annual Report, published each November.

The DRAFT Operational Plan 2022/23 has been developed for the purpose of consultation with the community. The public exhibition period will enable submissions to be made and considered before the final document is adopted by Council at the 23 June 2022 Ordinary Council Meeting.

DRAFT BUDGET FOR 2022/23 (Attachment 2)

The Budget for 2022/23 provides the funding for Council to achieve the actions identified in the Operational Plan. The following identifies key information, assumptions and guidelines used in the preparation of the 2022/23 Budget.

- Rates income is based on a rate peg amount of 1.8% assuming IPART approval of the "Additional Rates Variation" request.
- Non legislated User Charges and Fees have increased on average by 5%
- Interest on Investments is based on an average of investment returns of 1%
- Wages have been prepared based on a minimum increase of 2% and superannuation has increased by 0.5% from 1 July 2022 as per legislation.

Overall normal operating expenses have been budgeted to increase by around 3% with the exception of fuel, which is higher.

Commentary on the operational budget

The DRAFT Operational Budget has been prepared based largely on the current Organisational Structure and prior year operational results and current operational model.

The DRAFT Operational Budget 2022/23 is prepared on a consolidated basis with the General Fund the Water Fund and the Sewer fund combined. An analysis of the budgeted consolidated operating result for 2022/2023 shows the following breakdown between the Funds.

General Fund	(\$3,477,865)
Water Fund	\$ 322,446
<u>Sewerage Fund</u>	<u>\$ 98,348</u>
Deficit	(\$3,057,070)

Council has earmarked \$5.2M to be borrowed during the 2022/23 Financial Year which includes loans originally budgeted for 2021/22 of \$3.3M. This will take Council's total borrowings to \$7.69M.

This budget includes Council using its own staff to undertake a portion of capital works (an amount that may be as much as \$1.2m in 2022/23).

Commentary on capital expenditure

The DRAFT budget details Council's Capital Works Program for the 2022/23 Financial Year. The proposed Capital Works for 2022/23 amounts to **\$12.6M** including \$415K in Revotes (unstarted projects from last year). What cannot, yet, be included in this budget is the value of Carried Forward (started but not finished) Projects which have a 2021/22 approved budget of \$21M. These Projects will be considered in the September Quarterly Budget Review for inclusion in the 2022/23 Budget.

DRAFT REVENUE POLICY (INCLUDING DRAFT FEES AND CHARGES FOR 2022/23 – Attachment 3)

The DRAFT Statement of Revenue Policy contains a detailed estimate of Council's income and expenditure, along with information about any proposed borrowings, pricing methodology for fees and charges, and the rates proposed to be levied.

Commentary on the DRAFT Revenue Policy and DRAFT Fees and Charges

The Rate Peg of 1.8% has been applied to Council's General Rates. While this means that Council's General Rates income increase is capped at 1.8%, it does not necessarily mean that any individual Rates obligation will increase by that amount.

The maximum interest chargeable on overdue Rates and accounts of 6% was advised by the Office of Local Government.

An increase of around 5% has been applied to most fees and charges to cover expected increases in costs in providing the goods or service.

A review of all fees and charges is conducted annually as part of the preparation of the Budget. This year there have been significant changes to Fees and Charges for:

- Domestic waste – New fees introduced
- Gogeldrie Weir – New fees introduced
- Roxy Theatre – Fees to be revised, and consulted on later, pending a potential changed model of management
- Water Access fees – Access charges for small meters are unchanged.

A report for the final adoption of the DRAFT Operational Plan 2022/23 (including the DRAFT Budget for 2022/23) and the DRAFT Revenue Policy for 2022/23 (including the DRAFT Fees and Charges for 2022/23) will be presented to the Ordinary Meeting of Council, which is scheduled for Wednesday 23 June 2022.

(c) Options

The DRAFT Operational Plan 2022/23 (including the Draft Budget for the 2022/23 financial year) and the DRAFT Revenue Policy for the 2022/23 financial year (including the DRAFT Fees and Charges for the 2022/23 financial year) are being recommended for endorsement by the Council in order to undertake public consultation.

(a) Financial

Overall normal operational expenses have been budgeted to increase by around 3% with the exception of fuel, which is higher.

The financial implications of the proposed Budget and Revenue Policy are outlined in the body of this report.

Proposed borrowings will not be drawn down until required and will be subject to a review prior to any loan being entered into. Any repayments on the loan principal may not be made until 2023/24 and an accrual for the interest expense will occur from the date of the draw-down to the end of the financial year.

(b) Policy

If adopted in its current form, the DRAFT Fees and Charges included as part of the DRAFT Revenue Policy will apply for the 2022/23 financial year.

DRAFT *Liveable Leeton 2035* Community Strategic Plan
DRAFT Long Term Financial Plan 2022–2025
Resourcing Strategy:

- DRAFT Long-Term Financial Plan 2022–2032
- DRAFT Workforce Management Strategy 2022–2025
- DRAFT Asset Management Strategy 2022–2032

(c) Legislative/Statutory

Section 405 of the Act requires Council to adopt an Operational Plan before the beginning of each financial year. It also requires Council to detail the activities to be engaged in by the Council during the year as part of the Delivery Program covering that year.

Section 196A of the Local Government (General) Regulation 2021 states that a council must comply with the integrated planning and reporting guidelines in the document entitled *Integrated Planning and Reporting Guidelines for Local Government in NSW*, published on the website of the Department, as in force from time to time.

The *Integrated Planning and Reporting Guidelines for Local Government in NSW*, September 2021 (the Guidelines), require that the DRAFT Operational Plan must:

- include a detailed budget for the actions to be undertaken in the forthcoming financial year
- include Council's Statement of Revenue Policy for that year
- be publicly exhibited for at least 28 days. Submissions received by the Council in that period must be considered before the final Operational Plan is adopted by the Council.

The Statement of Revenue Policy content is also dictated by the Guidelines.

(d) Risk

If Council failed to develop, endorse and exhibit a DRAFT Operational Plan compliant with the Guidelines, Council would be in breach of the *Local Government Act 1993* and Regulations.

Community expectations of Council to deliver facilities and services must also be managed. The level of expectation when not well managed can create reputational risk. This risk has been mitigated through thorough internal consultation with staff and by Council's planned proactive engagement with the community prior to the final adoption of these documents.

Council has several resourcing risks to consider in relation to the DRAFT Budget for 2022/23. The capacity to repay borrowings which will be required as part of the draft Capital Works Program has been confirmed as achievable.

CONSULTATION

(a) External

The purpose of bringing these draft documents to Council for endorsement is in order to commence the external consultation phase.

Council will engage with the community through a survey on its online engagement platform 'Have Your Say', a direct email to the 'Have Your Say' database of registered users, newspaper advertisements and social media channels. Hard copies of the documents will be available at Council's administration office, the Whitton Post Office, the Yanco Shop and the Leeton Library.

Submissions from the public will be accepted in the 30 day period from Friday 29 April 2022 until Sunday 29 May 2022.

Note: Council will have a public forum for all formal submitters on 11 June 2022.

(b) Internal

All identified Operational Plan Responsible Officers
Senior Management Team

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 Administration."

ATTACHMENTS

- 1** DRAFT Operational Plan 2022/23 - *Attached separately*
- 2** Draft Budget 2022/23 including Capital Works Program - *Attached separately*
- 3** Draft Revenue Policy including Proposed Fees and Charges 2022/23 - *Attached separately*

ITEM 8.10 ADDITIONAL SPECIAL VARIATION

RECORD NUMBER	22/155
RELATED FILE NUMBER	EF21/104/06
AUTHOR/S	Manager Finance
APPROVER/S	Group Manager Corporate

SUMMARY/PURPOSE

The purpose of this report is for Council to resolve to apply for a permanent additional special variation (ASV) under Section 508(2) of the Local Government Act 1993. The matter has been tabled with Council previously, but due to an administrative matter and an update in the Independent Pricing and Regulatory Tribunal (IPART) Guidelines, Council's previous resolution needs to be reconsidered.

(Note: "permanent" means that the rate increase will be included in the rate base, as per Council's regular rate peg process).

RECOMMENDATION

THAT Council:

1. Rescinds its previous decision of 23 March 2022 to apply for a 2% Additional Rate Variation and instead
2. Resolves to apply for a permanent additional special variation (ASV) under section 508(2) of the *Local Government Act 1993*, subject to Council approval of the 2022/23 Budget for consultation on 27 April 2022, and notes that:
 - o Council will budget to receive additional income of \$85,772 if the special variation is approved
 - o The ASV is required as Council anticipates that the 2022/23 Budget "Net operating result for the year before grants and contributions provided for capital purposes" will be a loss, in line with the 2021/22 Annual Financial Statements
 - o Council has considered the impact on ratepayers and the community in 2022/23 if the special variation is approved and considers that it is reasonable.

REPORT

(a) Background

In late 2021, the Independent Pricing and Regulatory Tribunal (IPART) announced that the rate peg for the 2022/23 financial year was set at an increase of between 0.7% and 5.0%. As Council, like the majority across NSW, is not eligible for the new population growth component, only the traditional cost component, Council is only eligible for 0.7% rate increase for 2022/23.

This increase represents the lowest permissible rate peg increase for NSW councils since 2011. Although set on IPART's Local Government Cost Index as at 30 June 2021 the rate is well below the CPI trend which, for the 12 months to December 2021, came in at 3.1%.

In reply to the negative response from councils, the Office of Local Government (OLG) and IPART have advised that they recognise that, due to the delayed council elections and the determination of the 2022/23 rate peg at a lower rate than councils had forecast, councils may not have had sufficient time to prepare special variation applications within the normal timeframe. This may result in some councils not having sufficient funds to pay for required infrastructure and services.

As such the NSW Government and IPART have agreed to a one-off additional round of an Additional Rate Variation for the 2022/23 financial year only.

Application forms, information papers, and submission details have been published on IPART's website.

At the March Ordinary Council Meeting, Council approved for an application to be lodged for an ASV of 1.3% based on Management's advice that Council's adopted Long Term Financial Plan (LTFP) was for the period of 2016/17-2025/25 and assumed that the rate peg would be set at **2.0%**. That LTFP was approved by Council in August 2016.

However, in preparing the current LTFP, it has come to light that Council's most recent adopted LTFP is actually for the period 2017-2027. It was approved by Council in June 2017 and assumed that the rate peg for 2022/23 would be set at 1.8% only.

Accordingly, Management is seeking for Council to approve to lodge the application for the ASV for **1.1%** (based on the assumption of 1.8% less the announced rate peg of 0.7% specified for Council for 2022/23 under section 506 of the Act).

In addition, since the March Meeting, the Office of Local Government has released amended guidelines that apply in place of, and supersede, the previous guidelines. The amended guidelines are included as Attachment 1.

(b) Discussion

This one-off ASV round is available for the 2022/23 financial year only and is for councils that can show that the special variation will enable them to meet the obligations they set for 2022/23 in their 2021/22 Integrated Planning and Reporting (IP&R) documentation.

OLG has provided Guidelines and councils will need to provide IPART with the following information:

- Council's 2021/22 IP&R documentation identifying that council budgeted for an income increase above the percentage specified for the council for 2022/23 under section 506 of the Act.

- Council's resolution to apply for the special variation under section 508(2) of the Act, stating clearly:
 - That the resolution is for a temporary or permanent special variation under section 508(2) of the Act; and
 - The amount of the additional income that council will receive if the special variation is approved; and
 - Why the special variation is required; and
 - That the council has considered the impact on ratepayers and the community in 2022-23 and, if permanent, in future years if the special variation is approved and considers that it is reasonable.

OLG has advised that:

- The ASV application process is a simpler more targeted application process than a normal SRV process.
- IPART will not require councils to demonstrate community consultation outside of the processes outlined above. To demonstrate community consultation, IPART will consider the consultation undertaken through the IP&R process and consider if the resolution to apply for a ASV meets the requirements outlined above.

Under this ASV round of applications:

- IPART will accept applications until 29 April 2022
- IPART will publish applications to enable community consultation for a period of at least three weeks
- IPART will notify councils of its decision no later than 21 June 2022.

(c) Options

1. Council resolves to apply for the special variation under section 508(2) of the Act.
This is the preferred option.
2. Council resolves not to apply for the special variation under section 508(2) of the Act.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

Council's 2022/23 budget anticipates that the budget "Net operating result for the year before grants and contributions provided for capital purposes" will be a loss, in line with the 2021/22 Annual Financial Statements. Therefore, subject to Council approval of the 2022/23 Budget by Council for consultation on 27 April 2022, Council will have a demonstrable financial need such that, in the absence of a special variation, Council would not have sufficient funds to meet its obligations as and when they fall due in 2022/23.

Council's most recent adopted LTFP is for the period of 2017 – 2027 and assumes that for 2021/22 onwards, for all of the 3 scenarios, that the rate peg would be set at 1.8%. One scenario included provision for a SRV on a permanent basis of an additional 5% per year for 2018/19 - 2020/21. As Council did not progress the SRV, the assumption of 1.8% has been used. This is 1.1% above the percentage specified for

Council for 2022/23 under section 506 of the Act. Therefore, the additional income that Council will receive if the ASV is approved has been calculated using the current rates structure at \$85,772.

(b) Policy

Revenue Policy Including Rates and Charges for 2022/23

(c) Legislative/Statutory

Local Government Act 1993

(d) Risk

Council requires the full 1.8% for regular operational purposes and if the ASV is not approved Council will forego the opportunity to ameliorate its anticipated 2022/23 "Net operating result for the year before grants and contributions provided for capital purposes". It would not be responsible for Council to use unrestricted reserves, as these are required for identified purposes.

The affordability risk is regarded as low as Council has forecast a minimum 1.8% scenario in its current LTFP.

CONSULTATION

(a) External

Nil

(b) Internal

General Manager
Group Manager Corporate

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 b - Strive to deliver the aspirations of the community through sound financial and asset management.

ATTACHMENTS

- [1](#) OLG Council Circular - 22-07 Guidelines for Additional Special Variation (ASV) Process for 2022-23

Circular Details	22-07/6 April 2022/A815377
Previous Circular	22-03 Guidelines for Additional Special Variation (ASV) Process for 2022-23
Who should read this	Councillors / General Managers / Rating and Finance Staff
Contact	Policy Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Information

Subject

Guidelines for Additional Special Variation (ASV) Process for 2022-23

***** The ASV Guidelines set out in this circular apply in place of, and supersede, the ASV Guidelines issued in Circular 22-03 *****

What's new or changing

- The Independent Pricing and Regulatory Tribunal (IPART) will accept and process an additional round of 2022-23 Special Variation (ASV) applications from councils.
- For applications made under the ASV process, the ASV Guidelines set out in this circular apply in place of the [Guidelines for the preparation of an application for a special variation to general income](#) issued by the Office of Local Government in 2020.
- The ASV Guidelines set out in this circular apply in place of, and supersede, the ASV Guidelines issued in Circular 22-03.
- For more information on when these ASV Guidelines apply, please see 'What this will mean for your council' below.
- This one-off ASV round is available for the 2022-23 financial year only.
- This one-off ASV round is for councils that can show that the special variation will enable them to meet the obligations they set for 2022-23 in their 2021-22 Integrated Planning and Reporting (IP&R) documentation.
- Councils seeking a permanent special variation will also need to demonstrate the need for the special variation to be included in their rate base on an ongoing basis.
- Separately, IPART has also agreed to undertake a broader review of its rate peg methodology, including the Local Government Cost Index, with outcomes from the review expected to shape rate peg determinations in future years.

What this will mean for your council

- The ASV Guidelines set out in this Circular apply where council is applying for:
 - a temporary or permanent single year special variation for 2022-23 under section 508(2) of the *Local Government Act 1993* (the Act), AND
 - the percentage sought in the application is the lower of:
 - 2.5% (including population factor) or

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

- the council's assumed 2022-23 rate peg as set out in its 2021-22 IP&R documentation (including population factor)
- For ASV applications made under the Guidelines set out in this Circular, councils will need to provide IPART with the following information:
 - Council's 2021-22 IP&R documentation identifying that council budgeted for an income increase above the percentage specified for the council for 2022-23 under section 506 of the Act; and
 - Where councils are applying for a permanent special variation, in addition to the above information, the council's 2021-22 IP&R documentation identifying that the council forecast an average Operating Performance Ratio (OPR) of 2% or lower over the next 5 years or, alternatively, evidence of need, for example, but not limited to, that the council needs to maintain a higher OPR so it can meet its capital funding requirements; and
 - Council has resolved to apply for the special variation under section 508(2) of the Act and that the resolution clearly states:
 - whether the resolution is for a temporary or permanent special variation under section 508(2) of the Act; and
 - the additional income that council will receive if the special variation is approved; and
 - why the special variation is required; and
 - that the council has considered the impact on ratepayers and the community in 2022-23 and, if permanent, in future years if the special variation is approved and considers that it is reasonable.
- The ASV application process is a simpler more targeted application process.
- IPART will not require councils to demonstrate community consultation or criteria outside of the processes outlined above. To demonstrate community consultation, IPART will consider the consultation undertaken through the IP&R process and consider the resolution to apply for a ASV meets the requirements outlined above.
- Revised application forms and further information will be released by IPART shortly.
- Under this ASV round of applications:
 - IPART will accept applications until 29 April 2022;
 - IPART will publish applications to enable community consultation for a period of at least three weeks; and
 - IPART will notify councils of its decision no later than 21 June 2022.

Key points

- In late 2021, IPART announced the rate peg for the 2022-23 financial year was set at an increase of between 0.7% and 5.0%.
- Special variations provide an opportunity for councils to vary general income by an amount greater than the annual rate peg. However IPART's normal period for special variation applications in relation to the 2022-23 rate peg has now passed.
- The Office of Local Government and IPART recognise that, due to the delayed council elections and the determination of the 2022-23 rate peg at a lower rate than councils had forecast, councils may not have had sufficient time to prepare special variation application within the normal timeframe.

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

This may result in some councils not having sufficient funds to pay for required infrastructure and services.

- As such the NSW Government and IPART have agreed to a one-off ASV round for the 2022-23 financial year only.
- This process is not intended to address applications from councils that require a special variation (above 2.5%) to achieve long term financial sustainability for reasons other than those set out in the criteria above, which should be addressed through the standard special variation process.
- [IPART's website](#) will be updated with revised application forms and information papers shortly.

Where to go for further information

- For further information please contact IPART on 02 9290 8400 or by email to ipart@ipart.nsw.gov.au.

Melanie Hawyes
Group Deputy Secretary, Crown Lands and Local Government

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

ITEM 8.11 QUARTERLY CAPITAL WORKS UPDATE REPORT - MAJOR PROJECTS

RECORD NUMBER	22/143
RELATED FILE NUMBER	EF21/78
AUTHOR/S	Process and Project Performance Coordinator
APPROVER/S	Group Manager Corporate

SUMMARY/PURPOSE

The purpose of this report is to provide Council with an update on the progress of the major capital works projects that Leeton Shire Council is currently undertaking.

RECOMMENDATION

THAT Council notes for information the Quarterly Capital Works Update Report for the period January to March 2022.

REPORT

(a) Background

Leeton Shire Council has an extensive program of capital works compared to any other period in its history.

Project Control Groups (PCGs) have been set up since early 2021 to govern the projects given their relative complexity and risk to the organisation, and to ensure grant requirements are met.

The projects are helping to build or renew critical infrastructure in our towns, upgrade facilities to provide a better standard of living, boost local jobs creation, revitalise the economy and increase the liveability of Leeton Shire. Some PCGs continue working up projects to get them "shovel ready."

(b) Discussion

Roxy Theatre Redevelopment

The delivery phase of the Roxy Redevelopment Project is well underway with Lloyds Group having established the site in the last quarter.

Demolition works commenced in late January and civil works continue in line with the contractor's project schedule.

Request for Tenders (RFT) were released for both seating and specialised equipment with responses pending at the end of Quarter 3.

It is noted that on April 19 2022 Council resolved to reject these tenders, on the basis of price, with for the RFT to be rescoped and fresh tenders to be called.

Leeton Regional Aquatic Centre Remedial Works

Defect remediation is underway for separable portion 1. A PCG has been established with the scope being defect review and remediation, slide procurement and specific remediation works for the Eastern Side pipework.

A formal close date for the pool was 19 April 2022 and works on remediation of the Eastern Side will commence if the builder fails to address the issue by the due date in the defect notice.

Wamoon Sewerage Project

Detailed design documentation and contracts were finalised and will be reviewed by Public Works Australia (PWA). A formal RFT was issued, and responses received from 7 contractors.

RFT responses are being evaluated and the awarding of the contract is expected in May 2022.

Chelmsford Town Square

The final design for the landscape and civil infrastructure as well as for traffic calming and improved traffic flow at the top of the Town Square (the Chelmsford Place intersection with Grevillia Street and Wade Avenue) has been completed.

Formal contracts have been drafted and reviewed prior to issue of RFT. RFT process will commence in early in Quarter 4.

Vance Industrial Estate Expansion

Final design works are being completed by SKM and will be presented to the PCG and Council for approval in Quarter 4.

RFT will be issued following approval.

Gogeldrie Weir Public Recreation Area

Securing grant funding to deliver the masterplan is a prerequisite for the commencement of masterplan delivery. If grant funding is not forthcoming, elements of the project will be delivered in priority order as funds become available.

Capital requests have been submitted for the 2022/23 budget for priority works including a new toilet block in the public reserve area.

Leeton Early Learning Centre Expansion

Scope of works has been completed and RFTs have been issued for a new classroom, new storage shed, erection of the boundary fence, plumbing and electrical works.

Works contracts will be awarded in May with a completion of works scheduled for late 2022 in readiness for operations in 2023.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

All financial details are reported as part of monthly Council workshop reporting.

(b) Policy

Leeton Shire Council Procurement Manual

(c) Legislative/Statutory

Local Government Act 1993

Environmental Planning and Assessment Act 1979

(d) Risk

Risks for each project are outlined in the attached Quarterly Capital Works Update Report "Risk Management" section. Detailed risk assessments form part of the project management process for each project and are reviewed at least monthly.

CONSULTATION

(a) External

CBD Enhancement Committee
Restart NSW
Public Works Advisory

(b) Internal

All associated Council staff, including those in finance, procurement and communications.

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

Under the Key Priority Area THEME 2 - "AN ACTIVE AND ENRICHED COMMUNITY" within Council's adopted Delivery Program/Operational Plan – 07 - A community that enjoys arts and culture – 7a is to "Provide a local theatre for performing and cinematic arts and events – Refurbish the Roxy Theatre both internally and externally.

Under the Key Priority Area THEME 2 - "AN ACTIVE AND ENRICHED COMMUNITY" within Council's adopted Delivery Program/Operational Plan – 14. A community that enjoys a vibrant town centre – 14a is to Maintain and improve the overall appearance and functionality of the main streets – Continue to implement key recommendations of the Leeton CBD Enhancement Plan.












Under the Key Priority Area THEME 5 – A QUALITY BUILT ENVIRONMENT within Council's adopted Delivery Program/Operation Plan – 15. A community that has reliable water and sewerage services in towns – 15b is to Complete installation of a sewage treatment and effluent discharge service at Wamoon.














Under the Key Priority Area THEME 5 – A QUALITY BUILT ENVIRONMENT within Council's adopted Delivery Program/Operational Plan – 16c is to Provide an efficient road network for the movement of people and freight – Improve the Shire's road network in accordance with Council's Road Asset Management Plan.
















Under the Key Priority Area THEME 6 – AN ACTIVE AND ENRICHED COMMUNITY within Council's adopted Delivery Program/Operation Plan – 6. A community that participates in sports and active leisure – 6a is to Offer access to a range of quality sporting facilities – Enhance and upgrade facilities at Leeton Swimming Pool.














ATTACHMENTS














1 [↓](#) Project Status Report - Council Quarter 3














							Project Status Report		
	Project Name	Chelmsford Town Square (Formally CBD Phase 3) including Sycamore Carpark Toilet			Current Phase	Definition	X	Report Date	April 2022
						Approval			
						Delivery		Estimated Completion	November 2022
						Completion			
Key Project Team Members	PCG (Chair)	Tom Steele (Group Manager Operations)	Project Manager / Author	Adrian Edgcome-Lucas (Special Projects Manager)	Asset Owner	Josh Clyne (Manager Open Space & Recreation) Chris Lashbrook (Manager Roads & Drainage)			
Key Project Aspects	Comments								
Project Scope	<ul style="list-style-type: none"> Create an open, continuous, vibrant, and inclusive parkland setting that restores Sir Walter Burley Griffin's vision of a central town square with bold features. Widen park islands into adjoining traffic lanes and replace a little used traffic crossing. Install a raised pedestrian walkway to provide a safe crossing point and a strong visual connection. Incorporate mature Canary Island palms into concept design and undertake further linear tree plantings up to the historic water towers that will draw pedestrians along the lines of the entire open space. Install inground linear lighting to highlight central axis and provide a safe environment. Refurbish existing historic bandstand and introduce a central sloping lawn area will face the bandstand. 								
Milestones Achieved	<ul style="list-style-type: none"> Issue for tender drawings completed. DRAFT Tender Documentation completed by FSLA (Yonder). 								
Project Schedule	<ul style="list-style-type: none"> Detailed design for landscaping, civil works and traffic solution for Grevillia St intersection completed and ready for final endorsement. Plan to be delivered and key milestone tasks to be maintained in Pulse for monitoring of completion. 						Current Status	Previous Status	
Stakeholder Management	<ul style="list-style-type: none"> Final meetings with Infrastructure Working Group, CBD Enhancement Committee to endorse final designs completed. Engagement completed with Hydro, LMAG, Fire and Ambulance as well as shop fronted properties. It is noted that 1 stakeholder (non emergency service) continues to raise concerns about island closure. Group Manager Operations formally met with Traffic Works in relation to Grevillia St Solution. 								
Risk Management	<ul style="list-style-type: none"> Governance risk management plan is up to date. Risks associated with Art Deco Festival during the construction phase identified for review. Contractor availability to complete works documented in Risk Assessment. 								
Budget	Project Budget	LSC Contribution	Actual Costs	Committed Costs	Variations	Forecast Cost			
	\$2,262,617	Nil	\$318,001	\$29,646		\$2,262,617			
Budget of \$2,262,617 all grant funded (NSW Open Spaces Legacy Fund and NSW Stronger Country Communities) Costs incurred of \$286,350 are for design and preliminaries. Queen Jubilee celebration funding submission fore \$20K submitted for purchase of trees.									
Upcoming Milestones	<ul style="list-style-type: none"> LSC Procurement to review tender and contract documentation. Tender to be released for response. 								
Total Project Status	Status		Comments						
			Final design completed. Consultation of community engagement groups completed, and project risk assessment updated. Tender documentation release to be completed.						
Legend			On Track 	At Risk 	Major Concern 				

							Project Status Report	
	Project Name Wamoon Sewer Project		Current Phase		Definition		Report Date	April 2022
					Approval	X		
					Delivery		Estimated Completion	TBA
					Completion			
Key Project Team Members	PCG (Chair)	Tom Steele (Group Manager Operations)	Project Manager / Author	Adrian Edgcome-Lucas (Special Projects Manager)	Asset Owner	John Pearson (Manager Water & Wastewater)		
Key Project Aspects	Comments							
Project Scope	Project Scope was redefined to include Wamoon reticulation system to pump station and rising main to Blackwood Street pump station. Destination of sewer is now Leeton Sewerage Treatment Plant (STP). Revised scope has been endorsed by Department of Planning and Environment (DPIE) and Restart NSW (funder). Public Works (PWA) will project manage the development.							
Milestones Achieved	<ul style="list-style-type: none"> Tender submission's received from contractors Tender Evaluation Process to commenced. Pre Tender site meeting held with Contractors. Project Chair and Project Manager meeting Superintendent (Matt Lai) visited site 							
Project Schedule	<ul style="list-style-type: none"> Project schedule will be firmed up once contractor is awarded tender. Target for completion was May 2022. 						Current Status	Previous Status
								
Stakeholder Management	<ul style="list-style-type: none"> External PCG meetings completed to ensure DPIE and PWA are kept informed of project status. 							
Risk Management	<ul style="list-style-type: none"> Governance risk management plan is up to date. Highest risk is the funding time pressures to complete the project by end of Financial Year. Covid Risks – difficult to predict. 							
Budget	Project Budget	LSC Contribution	Actual Costs	Committed Costs	Variations	Forecast Cost		
	\$4.1M	\$2.933M	\$488,982	\$209,322		\$4.1M		
Budget of \$4.1M provided by \$1.1675M remaining Restart NSW funding and \$2.9325M LSC contribution.								
Upcoming Milestones	<ul style="list-style-type: none"> Tender Evaluation to be completed. Current responses illustrate that the construction costs may exceed budget and value management is being investigated. Contract to be awarded. Communication to Councillors and Wamoon Residents to be completed updating on project status. 							
Total Project Status	Status	Comments						
		Detailed design on project scope finalised for tender and tender issued on 25 th February. Plan is to bring tender back to Council in April.						
Legend	On Track		At Risk		Major Concern			












							Project Status Report			
	Project Name		LELC Extension			Current Phase	Definition	Report Date	April 2022	
							Approval			
							Delivery	X	Estimated Completion	December 2022
							Completion			
Key Project Team Members	PCG (Chair)	Andrew Reilly (Group Manager Shire Activation)	Project Manager / Author	Brent Lawrence (Manager Visitor Services & Local Activation)	Asset Owner	Kylie Knight (LELC Manager / Nominated Supervisor)				
Key Project Aspects	Comments									
Project Scope	Preliminary scope is to procure an additional classroom for 20 children, relocate the storage shed and secure additional land for the purpose of the play area. This will increase the capacity of the Centre and allow access to the facility for community families which are currently on a waiting list. Scope has been fully finalised.									
Milestones Achieved	<ul style="list-style-type: none"> DRAFT Plan of Management for Waipukarau Park put on public exhibition. Scope of works cost estimates obtained for project. RFQ / RFT completed on scope of works. 									
Project Schedule	<ul style="list-style-type: none"> A schedule of works will be developed as part of project team meetings with key milestones to be set in accordance with scope and budget once delivery phase is entered. Project delivery is being scheduled to be operational by January 2023. 						Current Status	Previous Status		
										
Stakeholder Management	<ul style="list-style-type: none"> Community enquiries about capacity increases are being responded to by the LELC Manager. 28 Day public consultation to be undertaken on DRAFT Plan of Management once approved by Council. 									
Risk Management	<ul style="list-style-type: none"> Governance risk management plan completed and up to date. Funding shortfall is the highest risk with a \$300K gap at present. Risks associated with Waipukarau Park public consultation noted in Risk Assessment. Contractor availability to construct the demountable building is now categorised as a low risk. 									
Budget	Project Budget	LSC Contribution	Actual Costs	Committed Costs	Variations	Forecast Cost				
	\$500,000	\$500K	Nil	Nil	Self-funded option assessed	\$500K				
Upcoming Milestones	<ul style="list-style-type: none"> We await response from Federal Government National Priority Fund for \$300k which was submitted in August for another 12 months. Award contract for works to be completed. 									
Total Project Status	Status	Comments								
		Targeted project completion is planned so that centre can be operational for the commencement of 2023. Appropriate grant funding will continue to be sought, however if not available within the delivery timeframe, construction and delivery with LSC funding only is recommended. No rates funding required – the service will cover the costs.								
Legend	On Track		At Risk		Major Concern					

							Project Status Report		
	Project Name	Gogeldrie Weir Public Recreation Area			Current Phase	Definition	Report Date	April 2022	
						Approval			
						Delivery		Estimated Completion	Recommend closure of PCG.
						Completion			
Key Project Team Members	PCG (Chair)	Andrew Reilly (Group Manager Shire Activation)	Project Manager / Author	Brent Lawrence (Manager Visitor Services & Local Activation)	Asset Owner	Josh Clyne (Manager Open Space & Recreation)			
Key Project Aspects	Comments								
Project Scope	The preliminary scope as per the masterplan is to deliver and maintain a sustainable, passive recreational area to meet community expectations as well as stimulate increased visitation to the area. The masterplan includes a larger greenspace, additional BBQ and picnic areas, public toilets, carparking, boat ramp & parking, a beach, a pavilion, and a bike trail track. The masterplan also has a suspension bridge but that is not part of this project. The final scope has yet to be determined and will be largely influenced by grant funding availability.								
Milestones Achieved	<ul style="list-style-type: none"> Capital Works within LSC loan funding budget identified and documented for review by the PCG. Capital Budget Request Forms submitted. 								
Project Schedule	<ul style="list-style-type: none"> A schedule of works is being developed as part of project team meetings with key milestones to be set. Scope of works to be aligned with project budget. 					Current Status	Previous Status		
									
Stakeholder Management	<ul style="list-style-type: none"> Community consultation completed with face-to-face sessions and surveys completed and reported. Key government stakeholders (NSW Parks, Water NSW and NSW Heritage) continually updated on the project status. Public feedback on facility operations in 2022 has been very positive. 								
Risk Management	<ul style="list-style-type: none"> Risk management plan completed and up to date. Current lack of funding to complete the entire masterplan is the highest risk in the project. 								
Budget	Project Budget	LSC Contribution	Actual Costs	Committed Costs	Variations	Forecast Cost			
	\$2.0M	\$500K Loan	Nil	Nil	Nil	\$2.0M			
Clarification to be sought on unsuccessful EOI for Regional Tourism Activation Fund. Water NSW approached and funding support obtained.									
Upcoming Milestones	<ul style="list-style-type: none"> Approval from elected Members for Budgeted works to be completed. 								
Total Project Status	Status	Comments							
		<ul style="list-style-type: none"> Staged implementation of works will be included for budget consideration commencing from 2022/23 financial year. Recommend PCG be closed pending receipt of grant funding to fulfil the complete scope of works envisioned in the strategic plan for the public reserve area. 							
Legend		On Track		At Risk		Major Concern			

							Project Status Report			
	Project Name	Vance Industrial Estate Expansion			Current Phase	Definition	X	Report Date	April 2022	
						Approval				
						Delivery		Estimated Completion	September 2022 – Stg 1	
						Completion				
Key Project Team Members	PCG (Chair)	Andrew Reilly (Group Manager Shire Activation)	Project Manager / Author	Michelle Evans (Economic and Strategic Development Manager)	Asset Owner	Tom Steele (Group Manager Operations)				
Key Project Aspects	Comments									
Project Scope	Council has acquired 20ha of land through a land swap and partial purchase. The goal is to develop an expanded industrial estate with roads, services and energy supply (electricity and possibly gas). The available Council owned area could see up to 22 lots delivered, depending on what space the inquiring industries need. The land swap / subdivision must deliver a useable site for the previous landowner by October 2022 by formal agreement. The aim is to leverage Council's contribution to secure government investment for the full development and to then market the lots. If no government funding is forthcoming, the project may have to be staged and Council's commitment to the project share may need to be used to execute stage 1 as per the agreement.									
Milestones Achieved	<ul style="list-style-type: none"> Real Estate marketing tender has been completed and was released on 9th March 2022. QPL appointed to market land sales. Project Chair and Project Manager met with Robinson's to discuss delay in delivery of lot with services as part of contract. Robinson's agreed in principle an extension of sunset by 6-12 months. Reconvene in August 2022. 									
Project Schedule	<ul style="list-style-type: none"> A schedule of works will be developed as part of the detailed design with key milestones to be set. Project Requirement Overview completed – Streams include planning, Land Regulation, Internal Engineering (LSC), External Contractors and Sales (EOI). 					Current Status	Previous Status			
										
Stakeholder Management	<ul style="list-style-type: none"> Original part landowner to be kept up to date with progress. Communication plan is under development and will outline consultation and communication methods. Meetings held with Real Estate companies to discuss potential demand. 									
Risk Management	<ul style="list-style-type: none"> Risk management plan completed and up to date. Budget shortfall remains a high risk as grant funds are yet to be secured. Scheduling pressure risks identified as project needs to be delivered by end Sept 2022 (as per contract) and may have to be staged if insufficient grant money is forthcoming. 									
Budget	Project Budget	LSC Contribution	Actual Costs	Committed Costs	Variations	Forecast Cost				
	\$3.6M (approx.)	\$600K	Nil	Nil	Nil					
An application has been approved from Local Roads Community Infrastructure funding (\$1.243M). LSC Water and Sewer contributions are still being investigated and considered.										
Upcoming Milestones	<ul style="list-style-type: none"> Detailed design and cost plan to be completed by SKM and presented to PCG and council for final approval. Extension of delivery timeframe for Robinson block noted above. 									
Total Project Status	Status	Comments								
		<ul style="list-style-type: none"> Project is about to commence detailed project design phase. Marketing and presales about to commence. 								
Legend		On Track		At Risk		Major Concern				

							Project Status Report			
	Project Name			Roxy Redevelopment (including Associated Works)		Current Phase	Definition	Report Date	April 2022	
							Approval			
							Delivery	X	Estimated Completion	Stg 1 Aug 2022
							Completion			Stg 2 Nov 2022
Key Project Team Members		PCG (Chair)	Jackie Kruger (General Manager)	Project Manager / Author	Gideon Vos (Procurement & Building Services Coordinator)	Asset Owner				
Key Project Aspects		Comments								
Project Scope		Deliver a refurbished Roxy that is fire, WHS and disabled access compliant, including an upgraded stage, upgraded services, new dressing rooms, new toilets, new heating / cooling, new roof, more versatile auditorium with flat floor and retractable seating, bar area, theatre, new forecourt, and repaired awning. The project consists of 2 stages, with stage 1 underway and due for completion by 31 August 2022.								
Milestones Achieved		<ul style="list-style-type: none"> Tender Documents released for "Roxy Seating" and Specialised Equipment. Media release issued outlining the progress on the demolition/construction. PCG meet with DCWC to initially during delivery phase. MDBEDF advised of time extension submissions to be accepted. 								
Project Schedule		<ul style="list-style-type: none"> Both funders (Create NSW and MDBEDF) officially require elements of the project to be delivered by May 2022 (with acquittal by 30 June 2022). This is extremely tight. LSC Project Manager is working with Lloyds to meet the timelines. GM is talking to funders who seem understanding of Covid related delays. 					Current Status	Previous Status		
Stakeholder Management		<ul style="list-style-type: none"> LSC met with NSW Create Funding representatives to discuss delivery pressures. Once Lloyd Group activity ramps up, a media release will go out. The intention is to provide monthly updates. 								
Risk Management		<ul style="list-style-type: none"> Risk management plan completed and up to date. Highest risk identified is tenders for associated works coming in over budget. Heritage risks have also identified and considered during the project. Moderate risk is the contracted provisional sum pricing for hydraulic, mechanical and electrical but Lloyd Group has promised to try to met these. 								
Budget		Project Budget (Council Approved)	LSC Contribution (Potential up to \$4.884M)	Actual Costs to Date	Committed Costs to Date (Lloyds Part Payment #1)	Variations to Date	Forecast Cost			
		\$9,996,950	\$2.089M	\$942,318	\$130,000		\$9,996,950			
Upcoming Milestones		<ul style="list-style-type: none"> BBRF application for funding is pending a decision. Susan Ley has been contacted in regard to potential further funding for the project. Responses received for "Roxy Seating" and Specialised Equipment. Submission of a time extension for MDBEDF to be completed. 								
Total Project Status		Status	Comments							
			Time and budget constraints need to be closely managed to bring the project in on time and within budget.							
		Legend	On Track		At Risk		Major Concern			

Project Status Report

	Project Name Leeton Aquatic Centre – Remedial Works and Replacement Slide	Current Phase	Definition (new slide)	X	Report Date April 2022			
			Approval					
			Delivery		Estimated Completion TBD			
			Completion (pools)	X				
Key Project Team Members	PCG (Chair) Tom Steele (Group Manager Operations)	Project Manager / Author Adrian Edgcome-Lucas (Special Projects Manager)	Asset Owner Josh Clyne (Manager Open Space & Recreation)					
Key Project Aspects	Comments							
Project Scope	The scope of the remedial works includes: <ul style="list-style-type: none"> • Eastern Side Pipe Replacement (including Concourse) • Procurement and installation of replacement Slide • Management of existing defects list and adjustment of defect and liability period, if required • Confirming future plans for scheduled maintenance services. 							
Milestones Achieved	<ul style="list-style-type: none"> • Current defect list reviewed and prioritised in accordance with importance. Estimated costs for defects completed. • Slide Procurement process commenced. • Plans for Eastern Side remediation works developed. 							
Project Schedule	<ul style="list-style-type: none"> • A schedule of works to be developed for works on the Eastern Side and Water Slide Installation. • Investigate options for scheduled maintenance of filtration, dosing, and chemical systems. • Status of water toys replacement to be confirmed – promised by Subcontractor 			Current Status	Previous Status			
Stakeholder Management	<ul style="list-style-type: none"> • Feedback from general public during season has been positive. • Swimming Clubs / Schools have been continually updated and no impacts on carnivals have occurred. 							
Risk Management	<ul style="list-style-type: none"> • Risk registers to be established for remedial works, slide procurement and filtration services. • Builder yet to respond to latest defects, with some informal push back. • Highest risks are delivering the slide and remediation works with least financial impact on Council. If builder does not cooperate, total pool project will be about \$288,742 over what Council has approved. 							
Budget	Project Budget	LSC Contribution	Actual Costs	Committed Costs	Variations	Forecast Cost		
	\$1.2M	\$896K	\$100,016			\$1.2M		
	<ul style="list-style-type: none"> • Builder agreed to fund initial western pipework remediation with retention monies held. Insufficient balance available to cover full eastern side too. • Claims to be investigated for remediation of identified defects. 							
Upcoming Milestones	<ul style="list-style-type: none"> • Defects to be presented to GM for review and action. • Procurement of materials for Eastern Side remediation to commence. • Contractors for remediation works to be engaged and tentatively booked. 							
Total Project Status	Status	Comments						
		<ul style="list-style-type: none"> • Initial remediation works on Western Concourse 100% completed. 						
	Legend	On Track 	At Risk 	Major Concern 				

ITEM 8.12 INVESTMENTS REPORT FOR MARCH 2022

RECORD NUMBER	22/144
RELATED FILE NUMBER	EF21/312
AUTHOR/S	Accountant
APPROVER/S	Manager Finance Group Manager Corporate

SUMMARY/PURPOSE

This report provides details of the performance of Council's investment portfolio for the period ending 31 March 2022.

RECOMMENDATION

THAT Council notes the information contained in the Investments Report for March 2022.

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 2021.

(b) Discussion

As at 31 March 2022 Leeton Shire Council has \$45,351,607 invested in Approved Deposit Institutions (ADIs) of which \$11,130,384 (24.54%) is invested with local bank branches.

Attached to this report is a Statement of Bank Reconciliation (**Attachment 1**) and a Summary of Investments (**Attachment 2**) as at 31 March 2022.

The Statement of Bank Reconciliation reconciles the Bank Statement balances to the General Ledger at 31 March 2022 by taking into account unrepresented cheques, unrepresented deposits, and unrepresented debits.

The Summary of Investments details all the investments held by Leeton Shire Council as at 31 March 2022.

The table below details the monthly movements of investments for March 2022.

Opening Balance	\$ 44,347,311
Less:	
Maturities (2)	\$ 2,000,000
Transfer to CBA Current Account	
Subtotal	\$ 42,347,311
Plus:	
Roll-overs	\$
New Investments (3)	\$ 3,000,000
CBA Business Online Saver (BOS) movements	\$ 164
AMP Business Saver Account	\$
AMP 31 Day Notice Account	\$ 2,828
Macquarie Cash Management Accelerator Account	\$ 1,304
Closing balance as at 31 March 2022	\$ \$45,351,607

The following table details the break-up of investments according to the restrictions which are placed on them. As reported in the December QBRs (subject to daily movements).

Total Investments	\$ 45,351,607
Less restrictions	
Water Supply (Excl. Unfinished Works)	\$ 17,386,643
Sewerage Services (Excl. Unfinished Works)	\$ 9,688,367
Domestic Waste Management	\$ 4,631,088
*Other external restrictions	\$ 2,093,809
External Restrictions (Excl. Unfinished Works) - Sub Total	\$ 33,799,907
Internal restrictions	\$ 8,883,396
Total restrictions	\$ 42,683,303
Operating Capital	\$ 2,668,304

*Includes - Unspent Grants Restrictions, Stormwater Levy Restriction, Deposits, Retentions and Bonds

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 for specific purposes such as plant replacement, infrastructure renewal or funded provisions. Internal restrictions are considered as part of the Budget adoption or the Quarterly Budget Review process.

Operating Capital is used to provide working capital for Council to fund short-term operations and fluctuations in payables and receivables.

Water Investments Summary

Total Water Licenses currently held are 5,626 ML. The transferable licenses had a valuation by Breed & Hutchinson as at 30 June 2021 of \$ 8,315,900 (2019/20 valuation \$8.4M). For the 2021/22 year there is 100% allocation for both high security and general security water. Council has undertaken temporary trade of water to date of 1,850 ML for \$160,861 (net of sale brokerage fees). This equates to a ROI of 1.93%.

Water Entitlements	Allocation 1/11/2021	Allocation (ML)	Sold (ML)	Estimate Available for Sale
High Security	100%	971	971	0
General Security	100%	558	558	0
Town Water	100%	4,097	321	933
Total		5,626	1,850	933 *

**Under a Wet Year scenario Council estimates that it requires 2,343 ML of Town Water for the period to June 2022. Council resolution 16/009 requires a buffer of 500 ML above estimated usage. Accordingly, Council can sell a further 933 ML of Town Water (i.e. 5,626 – 1,850 – 2,343 -500 = 933 ML)*

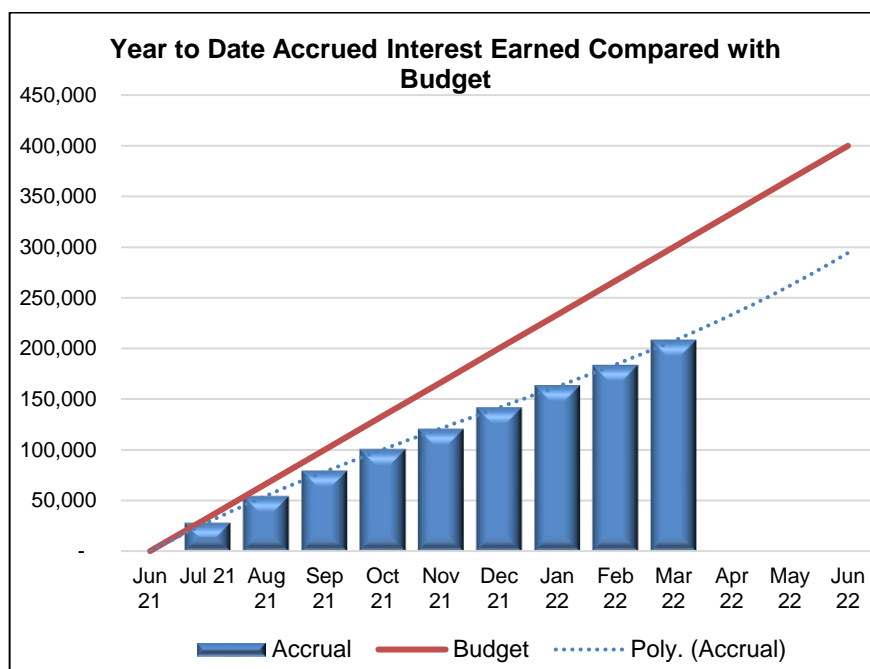
IMPLICATIONS TO BE ADDRESSED

(a) Financial

The annualised rate of return across the portfolio is 0.85% for March 2022. The budgeted percentage for the 2021/22 Financial Year equates to 1.30%.

The actual \$24,660 in interest accrued for March 2022 is lower than the original budgeted amount of \$33,333 by \$8,673.

The following 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 March 2022. Management will continue to monitor interest and may seek a budget adjustment if returns remain this low.



The consolidated actual investment income from 1 July 2021 to 31 March 2022 compared to the original budgeted annual investment interest from 1 July 2021 to 31 March 2022 is detailed below.

Actual versus budgeted interest	
Actual Interest Earned from 1 July 2021 to 31 March 2022	\$207,864
Original Budgeted Interest – 1 July 2021 to 31 March 2022	\$300,000
Variance – Negative	<u>-\$92,136</u>

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	Year to Date	Last Year (Mar)
Portfolio Average Interest Rate (year to date)	0.74%	1.44%
Investment Balances	Year to Date	Last Year
Opening Balance as at 1 Mar	\$44,347,311	\$39,904,130
Current Balance as at 31 Mar	\$45,351,607	\$39,907,108

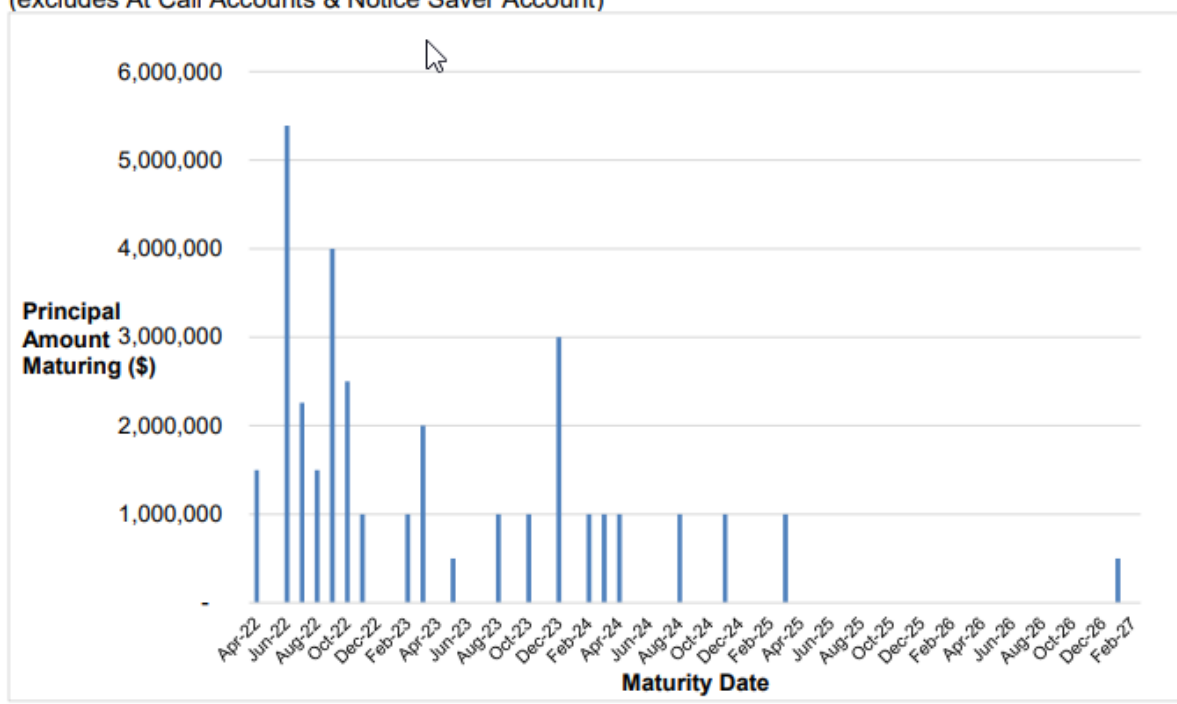
(b) Council Portfolio Compliance

Investment Maturing Profile

The portfolio remains lightly diversified from a maturity perspective with deposits maturing out to 5 years. The graph below shows when Council's current investments mature and the related values.

Portfolio Cash Flows

(excludes At Call Accounts & Notice Saver Account)



Financial Asset Allocation

The majority of the portfolio is directed to Fixed-Term Deposits (59.54%), followed by the cash at call accounts with the Commonwealth Bank of Australia, AMP Bank and Macquarie Bank (26.90%). Floating Rate Notes are 9.15% of the portfolio, and 4.41% is held in Bonds.

Counterparty

At 31 March 2022, Council did not have an overweight position to any single Authorised Deposit Taking Institution. The portfolio is well-diversified across the entire credit spectrum.

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	Long Term Rating Range	Invested (\$)	Invested %	Maximum Policy Holding(%)	Available (\$)
Yes	AA Category	\$14,621,863	32.25%	100.00%	\$30,707,268
Yes	A Category	\$ 3,012,614	6.65%	100.00%	\$42,316,517
Yes	BBB Category	\$27,694,654	61.10%	100.00%	\$17,364,478
Yes	Unrated ADI's	\$0	0.00%	40.00%	\$18,131,653
		*\$45,329,131	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.*

(c) Legislative/Statutory

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

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 March 2022.

(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 [↓](#) Bank Reconciliation
- 2 [↓](#) Summary of Investments

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 March 2022

BALANCE AS PER GENERAL LEDGER

Opening Balance:	1/03/2022		\$	2,971,955.08
March Movements:			-\$	1,755,309.58
Closing Balance:	31/03/2022		\$	1,216,645.50
Less Unprocessed Bank Statement Transactions:			-\$	27,361.82
Total:			\$	1,189,283.68

BALANCE AS PER BANK STATEMENTS

			\$	1,180,451.81
Less Unpresented Cheques			-\$	2,280.01
Less Unpresented Debits				
Plus Unpresented Deposits			\$	11,111.88
Total			\$	1,189,283.68



 Responsible Accounting Officer
 8 April 2022

Leeton Shire Council

Summary of Term Investments as at: 31/03/2022										BBSW 90: 0.23%	Average Yield: 0.85%
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 Ltd	CBA Business Online Saver - Cash at Call (Cash flow account)		10206481	12/10/09	149	0	3,130,383.69	0.10%	11/04/22	DAC
20-00	AMP Bank	AMP Business Saver Account - Cash at Call		437864762	10/07/20	21	0	885.14	0.60%	11/04/22	DAC
21-00	AMP Bank	AMP 31 Day Notice Account		971165956	17/07/20	20	0	6,057,723.56	0.65%	11/04/22	DAC
22-00	Macquarie Bank	Macquarie Cash Management Accelerator Account		940367790	07/11/20	17	0	3,012,614.42	0.60%	11/04/22	DAC
20-04	National Aust Bank	Member Equity Bank		AU3FN0048	18/07/19	36	3	650,000.00	1.05%	18/07/22	FRN
20-11	ANZ Bank	ANZ Bank		AU3FN0049	29/08/19	60	28	1,000,000.00	0.85%	29/08/24	FRN
20-31	National Aust Bank	RACQ Bank		AU3FN0053	24/02/20	36	10	1,000,000.00	1.01%	24/02/23	FRN
20-35	Laminar Capital	Auswide Bank		AU3FN0053	17/03/20	35	11	1,000,000.00	1.21%	17/03/23	FRN
22-21	Commonwealth Bank Ltd	Commonwealth Bank		8156149	14/01/22	60	57	500,000.00	0.77%	14/01/27	FRN
22-23	National Aust Bank	Bendigo and Adelaide Bank		AA-109-38	17/03/22	36	35	1,000,000.00	3.07%	17/03/25	Bond
21-10	Northern Territory Treas	Territory Bond		123075182	14/09/20	38	20	1,000,000.00	1.25%	15/12/23	Bond
21-12	Beyond Bank Leeton	Beyond Bank Leeton		TD14238487	28/10/20	23	6	1,000,000.00	0.95%	28/10/22	LTD
21-14	AMP Bank	AMP Bank		TD03847931	14/12/20	17	2	890,000.00	0.95%	14/06/22	LTD
21-16	AMP Bank	AMP Bank		TD52801630	27/01/21	17	3	610,000.00	0.95%	27/07/22	LTD
21-17	AMP Bank	AMP Bank		174687370	08/02/21	17	4	500,000.00	0.95%	08/08/22	LTD
21-24	Beyond Bank Leeton	Beyond Bank Leeton		TD86556078	28/03/21	12	0	500,000.00	0.60%	01/04/22	LTD
21-25	AMP Bank	AMP Bank		123086240	06/04/21	18	6	500,000.00	0.50%	06/10/22	LTD
21-26	Australian Military Bank	Australian Military Bank		123086240	13/04/21	36	24	1,000,000.00	0.76%	15/04/24	LTD
21-28	Beyond Bank Leeton	Beyond Bank Leeton		123074677	08/06/21	12	2	500,000.00	0.60%	08/06/22	LTD
21-29	Beyond Bank Leeton	Beyond Bank Leeton		293470	20/06/21	12	2	1,000,000.00	0.60%	20/06/22	LTD
21-30	Members Equity Bank	Member Equity Bank		123080760	23/06/21	12	2	1,000,000.00	0.50%	23/06/22	LTD
21-31	Beyond Bank Leeton	Beyond Bank Leeton		294089	28/06/21	12	2	1,000,000.00	0.60%	28/06/22	LTD
21-32	Members Equity Bank	Member Equity Bank		CDA383447	09/07/21	11	3	1,000,000.00	0.50%	28/06/22	LTD
22-02	Commonwealth Bank Ltd	Commonwealth Bank		TD13745815	16/08/21	12	4	1,000,000.00	0.41%	08/07/22	LTD
22-04	AMP Bank	AMP Bank		33-718-2858	16/08/21	12	4	1,000,000.00	0.95%	16/08/22	LTD
22-06	National Aust Bank	National Aust Bank		123086194	25/08/21	24	16	1,000,000.00	0.65%	25/08/23	LTD
22-07	Beyond Bank Leeton	Beyond Bank Leeton		123092627	06/09/21	12	5	1,000,000.00	0.60%	06/09/22	LTD
22-08	Beyond Bank Leeton	Beyond Bank Leeton			11/09/21	12	5	1,000,000.00	0.60%	11/09/22	LTD

Leeton Shire Council

Summary of Term Investments as at: 31/03/2022		BBSW 90: 0.23%	Average Yield: 0.85%						
22-11	National Aust Bank	97-327-3005	27/09/21	12	5	1,000,000.00	0.35%	27/09/22	LTD
22-12	Beyond Bank Leeton	123087332	28/09/21	12	5	1,000,000.00	0.60%	28/09/22	LTD
22-13	Auswide Bank	5652782.16.	05/10/21	12	6	1,000,000.00	0.50%	05/10/22	LTD
22-14	Beyond Bank Leeton	123074883	07/10/21	5	0	1,000,000.00	0.50%	07/04/22	LTD
22-15	Westpac Bank	9514165	21/10/21	24	18	1,000,000.00	0.87%	23/10/23	LTD
22-16	AMP Bank	TD60160792	29/10/21	18	13	500,000.00	1.20%	01/05/23	LTD
22-17	Westpac Bank	9563400	11/11/21	36	31	1,000,000.00	1.60%	11/11/24	LTD
22-18	AMP Bank	TD02163069.	01/12/21	10	6	1,000,000.00	1.20%	27/10/22	LTD
22-19	Westpac Bank	9620456	09/12/21	24	20	1,000,000.00	1.21%	11/12/23	LTD
22-20	AMP Bank	TD34064791.	21/12/21	24	20	1,000,000.00	1.55%	21/12/23	LTD
22-22	National Aust Bank		23/02/22	24	22	1,000,000.00	1.80%	24/02/24	LTD
22-24	Westpac Bank	9806557	22/03/22	24	23	1,000,000.00	2.21%	22/03/24	LTD
22-25	Westpac Bank	9486425	23/03/22	12	11	1,000,000.00	1.38%	23/03/23	LTD

Total Investments: \$ 45,351,606.81

Leeton Shire Council

Summary of Term Investments as at: 31/03/2022 **BBSW 90: 0.23%** **Average Yield: 0.85%**

Investment by Type		
Investment	Amount	%
Beyond Bank Leeton	8,000,000	17.6%
Member Equity Bank	2,650,000	5.8%
AMP Bank	6,000,000	13.2%
Auswide Bank	2,000,000	4.4%
National Aust Bank	3,000,000	6.6%
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 Sav	3,130,384	6.9%
AMP Business Saver Acc	885	0.0%
AMP 31 Day Notice Acc	6,057,724	13.4%
Macquarie Cash Mana	3,012,614	6.6%
Commonwealth Bank	1,500,000	3.3%
Westpac Bank	5,000,000	11.0%
Bendigo and Adelaide	1,000,000	2.2%
TOTAL	45,351,607	100.0%
Local	11,130,384	24.54%
Non-Local	34,221,223	75.46%

Investments by Age		
Age	Amount	%
1. Less than 30 Days	13,701,607	30%
2. 30 to 180 Days	13,150,000	29%
3. 180 to 365 Days	6,500,000	14%
4. 1 to 3 years	11,500,000	25%
5. 3 to 5 years	500,000	1%
TOTAL	45,351,607	100%

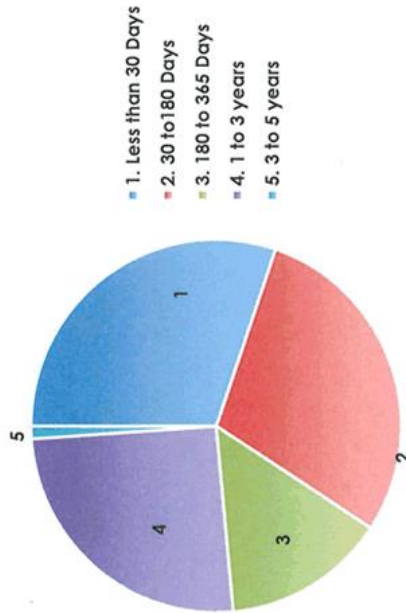
Investments by Age and Type		
Sum of Principal	Type	Total
Current	DAC	12,201,607
	LTD	18,500,000
	FRN	2,650,000
Current Total		33,351,607
Non Current	LTD	8,500,000
	FRN	1,500,000
	Bond	2,000,000
Non Current Total		12,000,000
Grand Total		45,351,607

DAC	Deposit at Call
FRN	Floating Rate Note
LTD	Long Term Deposit
STD	Short Term Deposit
Bond	Long Term Bond

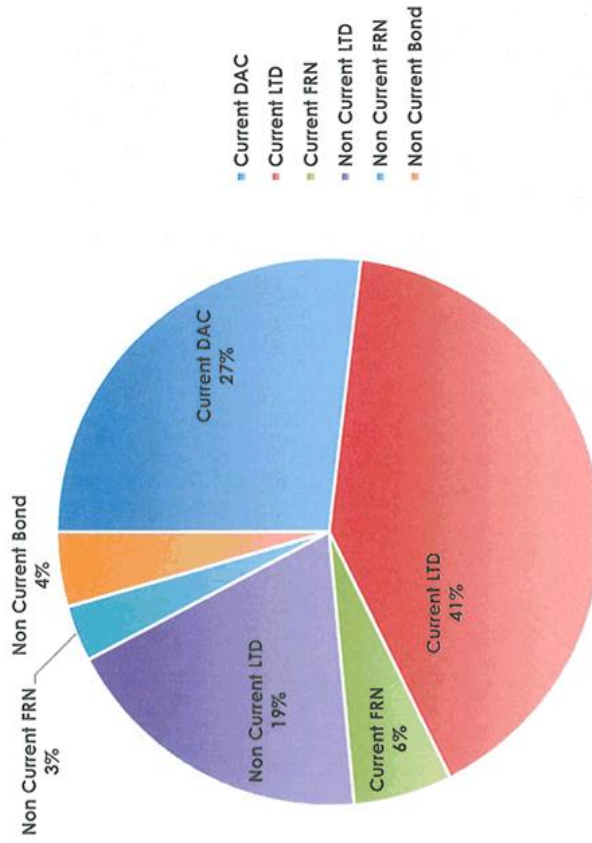
Leeton Shire Council

Summary of Term Investments as at: **31/03/2022** BBSW 90: **0.23%** Average Yield: **0.85%**

Investments by Age



Investments by Type and Term



Explanatory notes:
 All investments noted

 Responsible Accounting Officer
 8 April, 2022

ITEM 8.13 URBAN PARKS GENERIC - DRAFT PLAN OF MANAGEMENT

RECORD NUMBER	22/117
RELATED FILE NUMBER	EF21/160
AUTHOR/S	Property Coordinator and Native Title Manager
APPROVER/S	Group Manager Corporate

SUMMARY/PURPOSE

Section 3.23(6) & (7) of the *Crown Land Management Act 2016* requires Council to adopt a Plan of Management for each reserve for which it is appointed as Crown Land Manager. Each Plan of Management must be prepared in accordance with Crown Land Guidelines.

As part of the Plan of Management approval process Council must attest that it has considered Native Title Manager advice in relation to the Draft Plan of Management and resolve to refer the Draft Plan of Management to the Department of Planning, Industry and Environment – Crown Lands for the approval of the Minister Administering the *Crown Land Management Act 2016* before putting it out for public consultation.

RECOMMENDATION

THAT Council:

1. Attests that it has considered Native Title Manager advice in relation to the Draft Plan of Management for Reserve 85835.
 2. Requests approval from the Minister Administering the *Crown Land Management Act 2016* to approve the annexed Draft Plan of Management for Reserve 85835.
 3. Upon approval from the Minister Administering the *Crown Land Management Act 2016*, Council amends the Draft Plan of Management if required by the Minister and places it on public exhibition as per Section 38 of the *Local Government Act 1993*.
-

REPORT

(a) Background

Under Section 3.23 of the *Crown Land Management Act 2016*, Council must initially assign a category of use that they consider to be most closely related to the purpose(s) that the land is dedicated or reserved.

Council assigned the category of Park to each of the Reserves as suggested by Department of Industry Crown Lands. This category was deemed to be the closest category to the current Reserve purpose and as such has been approved by the Minister administering the *Crown Land Management Act 2016*.

Section 3.23(7) of the *Crown Land Management Act 2016* states that Section 44 of the *Local Government Act 1993* applies to the land. This means that the nature and use of the land must not be changed while the adoption of a Plan of Management for Community land is pending. This in effect means that Council is unable to properly deal with the land until a Plan of Management is adopted.

Division 3.6 of the *Crown Land Management Act 2016* deals with the requirements that Council must meet in relation to Plans of Management and other plans for Council managed Crown land such as the preparation, community engagement, adoption, alteration and publication of Plans of Management and other Plans.

(b) Discussion

The Draft Plan of Management has been prepared by Council's Property Coordinator and Native Title Manager who has attended the required Department of Industry Crown Lands/Office of Local Government Plan of Management training. The Draft Plan of Management has been prepared using Crown Land guidelines in the format authorised by the former Department of Industry – Crown Lands and the Office of Local Government. The Draft Plan of Management has been broadly drafted to enable flexibility of the use of the Reserves by Council and the community.

A copy of the Draft Plan of Management is annexed hereto (*Attachment 1*).

APPROVAL AND COMMUNITY CONSULTATION PROCESS

Council is required to submit this Draft Plan of Management for approval to the Department of Planning Industry and Environment – Crown Lands, as the owner of the land. This approval process occurs prior to any public exhibition and community consultation.

The Department of Planning, Industry and Environment – Crown Lands will review the plan and will advise Council of any properly required provisions or revisions to be included in the Draft Plan. If revision is required, Council must then amend the plan prior to placing it on public exhibition under Section 38 of the *Local Government Act 1993*.

Council is not required to hold a Public Hearing for the Plan of Management.

Provided that the Community consultation period does not further change the Plan of Management Council may proceed to adopt the Plan of Management.

If Community consultation alters the Plan of Management the plan must be again referred to the Native Title Manager for a report which must be considered by Council and the Plan of Management must again be referred to the Department of Planning, Industry and Environment for approval prior to Council adopting the plan.

A flowchart showing the approval and community consultation process is annexed hereto (*Attachment 2*).

NATIVE TITLE

Plans of Management for Crown Reserves must be compliant with the statutory requirements in relation to Native Title prescribed by both the Crown Land Management Act 2016 and the Local Government Act 1993.

Council cannot adopt a Plan of Management until it has obtained written advice from the Native Title Manager that the Plan of Management complies with any applicable provisions of Commonwealth Native Title legislation.

The Department of Planning Industry and Environment – Crown Lands advise that Native Title Manager engagement and Native Title consideration should start from the beginning of drafting of the plan. Council must advise the Minister that a Native Title Report has been undertaken and noted by Council prior to approval of the plan by the Minister. Native Title has been considered in the drafting of the plan and activities that cannot be validated under the Native Title Act 1996 have not been included within the Draft Plan.

The Department of Planning Industry and Environment will not approve a Draft Plan of Management received from a Council unless the Council attests that it has considered Council's Native Title Manager advice.

Council's Native Title Manager has considered the Draft Plan of Management and concludes that:

1. The Plan of Management authorises activities that could be considered as future acts within the meaning of Section 233 of the *Native Title Act 1993*.
2. The Plan of Management guidelines provide that those activities are only to be authorised if they are in accordance with the reserve purpose of the land.

Those activities that are consistent with the reserve purpose of the land may be validated under the future acts regime of the *Native Title Act 1993*.

A copy of the Native Title Summary Report of the Draft Plan of Management is annexed hereto (*Attachment 3*).

(c) Options

1. Refer the Draft Plan of Management to the Minister Administering the *Crown Land Management Act 2016* for approval. **This is the preferred option.**
2. Defer the referral of the Draft Plan of Management pending identified changes.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

The referral of the Draft Plan of Management for approval will have no financial impact on Council.

(b) Policy

Nil

(c) Legislative/Statutory

Local Government Act 1993

Section 36(1), Plans of Management must be prepared for all community land.

The minimum requirements for a Plan of Management are set out under Section 36(3).

Section 36 (3A) specifies that Plans of Management that are specific to one area of land must also describe the condition of the land as at the adoption of the plan, describe the buildings on the land as at adoption, describe the use of the buildings and the land as at adoption and state the purposes for which the land will be allowed to be used as well as the scale and intensity of that use.

Sections 36E–36N specifies the core objectives for the management of each category of community land.

Section 38 – Public Notice of Draft Plans of Management.

Section 44 – Use of community land pending adoption of plan of management.

Local Government (General) Regulation 2005

Clause 101(2) Local Government General Regulation 2005 requires Council to have regard to the guidelines for categorisation of community land set out in Clauses 102 to 111 of that regulation.

Crown Land Management Act 2016

Division 3.6 details the requirements that Council must meet in relation to Plans of Management and other Plans.

Section 3.23 Management of Land as Community Land - requires Council to adopt a Plan of Management for any Crown reserve for which it is appointed Crown Land Manager, and that is classified as community land under the *Local Government Act 1993*.

Section 8.7 When advice of Native Title Manager is required.

Native Title Act 1996 (Federal)

Section 233 – Future Act

(d) Risk

If Council does not adopt a Plan of Management under the Crown Land Management Act guidelines, it cannot deal with the lands for tenure except for the issuing of a short-term licence.

If a Plan of Management is not adopted, Council may lose the right to manage the lands.

CONSULTATION

(a) External

Department of Planning Industry and Environment – Crown Lands
Office of Local Government

(b) Internal

Manager Open Space and Recreation
Open Space and Recreation Coordinator
Group Manager Operations

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 c - Strive to deliver the aspirations of the community through sound governance practice - Prepare and implement Plans of Management (PoM) for Crown Lands properties, and user agreements for sports ovals on Crown Land".

ATTACHMENTS

- 1** [↓](#) Draft Plan Of Management Generic Urban Parks - Final for Council
- 2** [↓](#) Flowchart - Approval and Community Consultation Process
- 3** [↓](#) Native Title Manager Advice - Generic Urban Parks PoM



LEETON
SHIRE COUNCIL

**Urban Parks
Generic
PLAN OF MANAGEMENT**

RESERVE 42291 - WHITTON MEMORIAL PARK
RESERVE 68742 - WARING PARK
RESERVE 71743 - GRAHAM PARK
RESERVE 82241 - ARBUCKLE PARK
RESERVE 83509 - WAMOON PARK
RESERVE 87727 - ENTICKNAP PARK
RESERVE 87728 - CENTRAL PARK
RESERVE 87729 - NOEL PULBROOK PARK

RESPONSIBLE OFFICER					
REVIEWED BY					
DATE ADOPTED:					
ADOPTED BY:					
RESOLUTION NO: (IF RELEVANT):					
REVIEW DUE DATE:					
REVISION NUMBER:					
PREVIOUS VERSIONS:		DESCRIPTION OF AMENDMENTS	AUTHOR/EDITOR	REVIEW/ SIGN OFF	MINUTE NO
Draft	v.1		Donna O'Bryan		

Table of Contents –To be updated when Draft Approved.

1.0	Key Information	1
2.0	Introduction	1
2.1	Corporate Objectives	2
2.2	Land to which this plan applies	3
2.3	Owner of the land	3
2.4	Categorisation of the Reserve	4
3.0	Relevant Legislation Policies and Procedures	6
3.1	Local Government Act 1993	6
3.2	Crown Land Management Act 2016	6
3.3	Other relevant legislation and statutory controls	7
3.4	Reclassification	9
3.5	Review of this Plan	9
3.6	Community Consultation	9
4.0	Culturally significant land	11
4.1	Indigenous Significance	11
5.0	Development and Use	15
5.1	Overview	15
5.2	Strategic Objectives	15
5.3	Condition of the land and structures on adoption of the Plan of Management	16
5.4	Use of the land and structures at the date of adoption of the Plan of Management	17
5.5	Permitted use and future use	17
5.6	Leases, Licences, and other Estates	18
5.7	Native Title Assessment	19
6.0	Plan of Management Administration and Management	19
6.1	Plan of Management Objectives	19
6.2	Action Plan	20
6.3	Administration	21
6.4	Management Guidelines	23
6.4.1	Alcohol	24
7.0	Sportsground	29
7.1	Introduction	29
7.2	Core Objectives	30
7.3	Development and Use	30
7.4	Future Infrastructure and Facilities	33
7.5	Administration	33
7.6	Management Policies and Guidelines	35
7.7	Leases, Licences, and other Estates	41
8.0	Park	44
8.1	Introduction	45
8.2	Core Objectives	46
8.3	Development and Use	46
8.4	Future Infrastructure and Facilities	47
8.5	Administration	48
8.6	Management Policies and Guidelines	49
8.7	Leases, Licences and Other Estates	56
9.0	General Community Use	59
9.1	Introduction	60
9.2	Core Objectives	61
9.3	Development and Use	62
9.4	Future Infrastructure and Facilities	70
9.5	Administration	71
9.6	Management Policies	72
9.7	Leases, Licences, and other Estates	79

1.0 Key Information

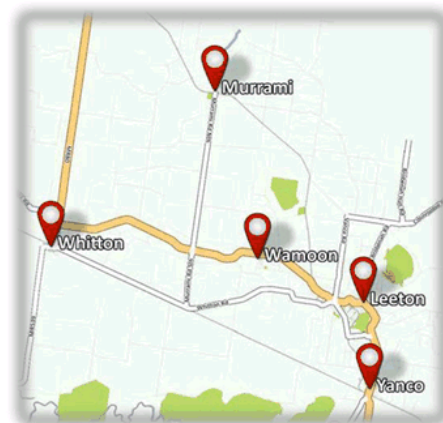
The Urban Parks Plan of Management has been prepared by Council and provides direction as to the use and management of areas of land primarily seen as urban parks.

The Management Plan is required in accordance with Section 3.23 of the Crown Land Management Act 2016 and Section 36 of the Local Government Act 1993.

The Plan of Management deals with Council managed Crown reserves that are primarily seen as urban parks and the structures associated with them.

The Plan of Management outlines the way these reserves will be managed and used and provides the framework for Council to follow in relation to the management, permit and tenure processes for the land. The plan may be used to determine the allocation of resources and funds.

2.0 Introduction



Leeton Shire is one of the most innovative, inclusive, and progressive places in regional Australia.

Located in the Riverina 584km from Sydney, 470km from Melbourne and 371km from Canberra, Leeton is the second largest regional center in the Western Riverina region.

Leeton Shire Council is responsible for the care and control of many parcels of community land and with the introduction of the Crown Land Management Act 2016 on 1 July 2018, Crown reserves, which Council as the Crown Land Manager will generally manage under the provisions of the Local Government Act 1993.

2.1 Corporate Objectives

Leeton Shire has a bright future. As a community we know that achieving this takes a clear vision, strong leadership, and dedicated commitment to see our aspirations delivered in full.



The Leeton Community Strategic Plan '*Leeton On The Go*' is made up of six themes. The six key themes are:

- 1 **A Healthy and Caring Community** - a community that:
focuses on being healthy, embraces lifelong learning,
is friendly and inclusive,
is safe to live in and move about,
enjoys good housing.
- 2 **A Healthy Natural Environment** - a community that:
respects the natural environment,
enjoys our natural environment.
- 3 **An Active and Enriched Community** - a community that:
participates in sports & active leisure,
enjoys arts and culture,
values its heritage.
- 4 **A Thriving Economy with Good Jobs** - a community that:
thrives with irrigated agriculture,
is strong in business and employment,
has great attractions and events,
enjoys a vibrant town center.
- 5 **A Quality Built Environment** - a community that:
has reliable water and sewerage services in towns,
has good road, rail, and air transport,
enjoys attractive towns and parks.
- 6 **Strong Leadership** - a community that:
has politicians who act and listen,
speaks up and gets involved,
is always on the front foot.

2.2 Lands to which this plan applies

The lands to which this plan applies are Crown lands managed by Council under the Crown Land Management Act 2016.

Detailed information for each reserve is contained in (Appendix A) annexed to this plan.

2.3 Local Context

The Council managed Crown lands contained in this Plan of Management provide valuable recreation facilities for the Leeton Shire offering both passive and active recreation for the community.

The urban parks of the Leeton Shire are valued highly by both residents and visitors for their recreational and aesthetic attributes. These urban parks diversify recreational experiences and provide increased lifestyle benefits for the community.

Accessible, diverse, innovative, and safe playgrounds, play and other recreational equipment situated in urban parks contribute to the developmental needs of all children, creating community hubs that encourage interaction and community wellbeing.

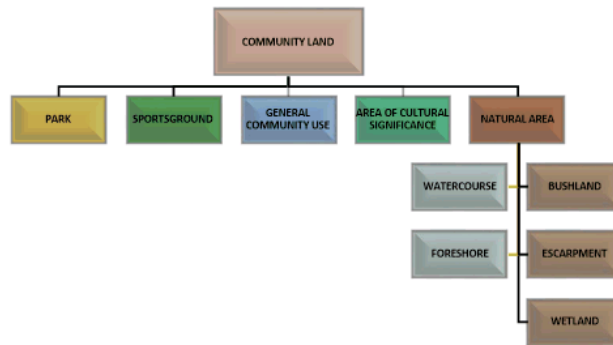
2.4 Owner of the lands

The lands to which this plan applies are owned by the Crown and are managed by Leeton Shire Council as Crown Land Manager under the Crown Land Management Act 2016.

The management and use of the lands are subject to the provisions contained in the Crown Land Management Act 2016 and are not subject to any condition, restriction or covenant imposed by the owner.

2.4 Categorisation of the reserves

Under section 3.23(2) of the Crown Land Management Act 2016 Council Crown land managers must assign to all Crown land under their management one or more initial categories of community land referred to in section 36 of the Local Government Act 1993.



Council managers must assign a category that they consider to be most closely related to the purpose(s) for which the land is dedicated or reserved. Multiple categories are assigned to Crown land where the Crown land is subject to multiple reservations and or dedications.

The degree to which the reserve purpose relates to the assigned category of the land is important for ongoing management of the land as Council must obtain Native Title Manager advice as to the validity of the activities that they wish to undertake on the land prior to dealing with the land.

Both the Aboriginal Land Rights Act and The Native Title Act recognises the intent of the original reserve purpose of the land so that complying activity can be considered lawful or validated, particularly under Section J of the Native Title Act 1993.

Council had requested that the initial category of: **PARK** is applied to these reserves, this category has been determined to be the closest category to the reserve purpose(s) of or each reserve.

The category for these lands has been approved by the Minister administering the Crown Land Management Act 2016 in relation to each of the reserves.

Council does not propose to alter the initial category assigned by the Minister by this Plan of Management as the assigned category most closely aligns with the reserve purpose of the lands and their core usage.

Reserve Number	Reserve Name	Interim category assigned by Crown Lands	Category assigned by this Plan of Management
42291	Whitton Memorial Park	PARK	PARK
68742	Waring Park	PARK	PARK
71743	Graham Park	PARK	PARK
82241	Arbuckle Park	PARK	PARK
83509	Wamoon Park	PARK	PARK
87727	Enticknap Park	PARK	PARK
87728	Central Park	PARK	PARK
87729	Noel Pulbrook Park	PARK	PARK

Activities on these lands need to reflect the intent of the public purpose and will be assessed for compliance with relevant Local Government and Crown Lands legislation including assessment of the activity under the Native Title Act 1996 and registered claims under the Aboriginal Land Rights Act 1983.

Use of the land for any activity is subject to application and approval. Assessment will consider compliance with the objectives and relationship to and impact upon the public purpose for the land. Other uses that do not comply with the plan of management or zoning of the lands under Council's LEP would not be considered.

3.0 Relevant Legislation, Policies and Procedures

3.1 Local Government Act 1993 Local Government (General) Regulation 2005

Under section 36(1) of the Local Government Act 1993, Plans of Management must be prepared for all community land. Community land is land which is kept for use of the general public.

Clause 101(2) of the Local Government General Regulation 2005 requires Council to have regard to the guidelines for categorisation of community land set out in Clauses 102 to 111 of that regulation.

This Plan of Management has been prepared in accordance with the Local Government Act using the land category approved by the Minister administering the Crown Land Management Act 2016.

The minimum requirements for a Plan of Management are set out under section 36(3) of the Local Government Act 1993.

A Plan of Management must identify the category of the land the objective and performance targets of the plan with respect to the land, the means by which Council proposes to assess its performance with respect to the plans objectives and performance targets and may require the approval of the Council for the carrying out of any specified activity on the lands.

Section 36 (3A) specifies that for Plans of Management that are specific to one area of land, must also describe the condition of the land as at the adoption of the plan, describe the buildings on the land as at adoption, describe the use of the buildings and the land as at adoption and state the purposes for which the land will be allowed to be used, and the scale and intensity of that use.

Sections 36E – 36N of the Local Government Act 1993 specifies the core objectives for the management of each category of community land.

3.2 Crown Land Management Act 2016

Division 3.6 of the Crown Lands Management Act 2016 deals with the requirements that Council must meet in relation to Plans of Management and other Plans.

Section 3.23(6) of the Crown Land Management Act 2016 requires Council Crown Land Managers to adopt a Plan of Management for any Crown reserve for which it is appointed Crown Land Manager, and that is classified as community land under the Local Government Act 1993.

3.3 Other relevant legislation and statutory controls

3.3.1 Native Title Act 1993 (Federal)

All activities on the land must address the issue of native title. Whilst a successful claim for native title will lead to official recognition of native title rights, native title rights are considered to pre-date such recognition. Native title can therefore be relevant to activities carried out on the land even if no native title claim has been made or registered.

The native title process must be considered for each activity on the land and a native title assessment must be undertaken. Almost all activities and public works carried out on the land will affect native title and require validation by Council's Native Title Manager of the future act procedures in Division 3 of the Native Title Act.

3.3.2 Aboriginal Land Rights Act 1983

In New South Wales, Aboriginal Land Rights sits alongside native title and allows Aboriginal Land Council's to claim 'claimable' Crown land.

Generally, the Aboriginal Land Rights Act is directed at allowing Land Council's to claim Crown land that is unlawfully used or occupied. If a claim is successful, the freehold estate of the land is transferred to the Land Council.

Council should be mindful that any activity on Crown land is lawful in relation to the reserve purpose of the land, Council should ensure that Crown land under its control is at all times lawfully used and occupied.

When planning an activity of the land such as the issue of a lease or licence or any public works, Council should request a search to determine whether an Aboriginal Land Rights claim has been made in relation to the land. If a claim is registered Council should seek further advice from Crown Lands – Aboriginal Land Claims Investigation Unit and the activity must be postponed until the advice is received.

Strategies which allow Council to validly carry out a project or activity under the Native Title Act may not deal with project risks arising in relation to the Aboriginal Land Rights Act.

3.3.3 Threatened Species Conservation Act 1995

Council has legislative responsibility under this Act to appropriately manage Threatened Species Populations and Vulnerable or Endangered Ecological Communities and their habitats wherever they occur despite the categorisation of the land.

Where identified Council is bound by the Act to take any appropriate action necessary to implement measures and must not make decisions that are inconsistent with the provisions of any Threat Abatement or Recovery Plan.

3.3.4 Environmental Planning and Assessment Act 1979

The lands are zoned RE1 Public Recreation under the Leeton Local Environmental Plan 2014.

The objectives of the zone are:

- to enable land to be used for public open space and recreational purposes,
- to provide a range of recreational settings and activities and compatible land uses,
- to protect and enhance the natural environment for recreational purposes, and
- to encourage the development of public open spaces in a way that addresses the community's diverse recreation needs.

3.3.5 Council Plans, Strategies, Policies and Procedures

This Plan of Management is to be used in conjunction with the appropriate Council plans, policies and procedures that govern the use and management of community land and any facilities located on the land.

Additional Council policies, plans and strategies adopted after the date of this plan that have relevance to the planning, use and management of community land will apply as though they were in force at the date of adoption of the Plan of Management.

3.3.6 Legislation and Statutory Controls

This Plan of Management does not over-rule existing legislation that also applies to the management of community land. Other legislation and policies to be considered in the management process include but are not limited to the:

Public Works Act 1912 (as amended)
Biodiversity Conservation Act 2016
Local Land Services Act 2016
Water Management Act 2000
Clean Waters Act 1970
Companion Animals Act 1998
Rural Fires Act 1997

Rural Fires Regulation 2002
Noxious Weeds Act 1993
Pesticides Act 1999
The Protection of the Environment Operations Act 1997
The Protection of the Environment Operations (Noise Control) Regulation 2008
State Environmental Planning Policies
Leeton Local Environmental Plan 2014
Leeton Development Control Plans as amended (under development)
Guidelines supporting development control plans (under development)
Council plans, strategies, policies, procedures, and guidelines, generally, as amended.

3.4 Reclassification

From time-to-time certain parcels of Community land may be identified as surplus to the existing and future needs of the community.

Section 3.21 of the Crown Land Management Act 2016 outlines the provisions of Management of dedicated or reserved Crown land within meaning of the Local Government Act 1993.

Section 3.21 (2) advises that a Council manager is authorised to manage its dedicated or reserved Crown land as if it were community land or operational land but only as permitted or required by Division 3.4 of the Crown Land Management Act 2016.

3.5 Review of this Plan

The use and management of these urban park lands are regulated by this Plan of Management.

Whilst the guidelines and principles outlined in the plan may be suitable at present, the Plan should be reviewed from time to time, to confirm its relevance.

The review should take place within 5 years of adoption of this plan.

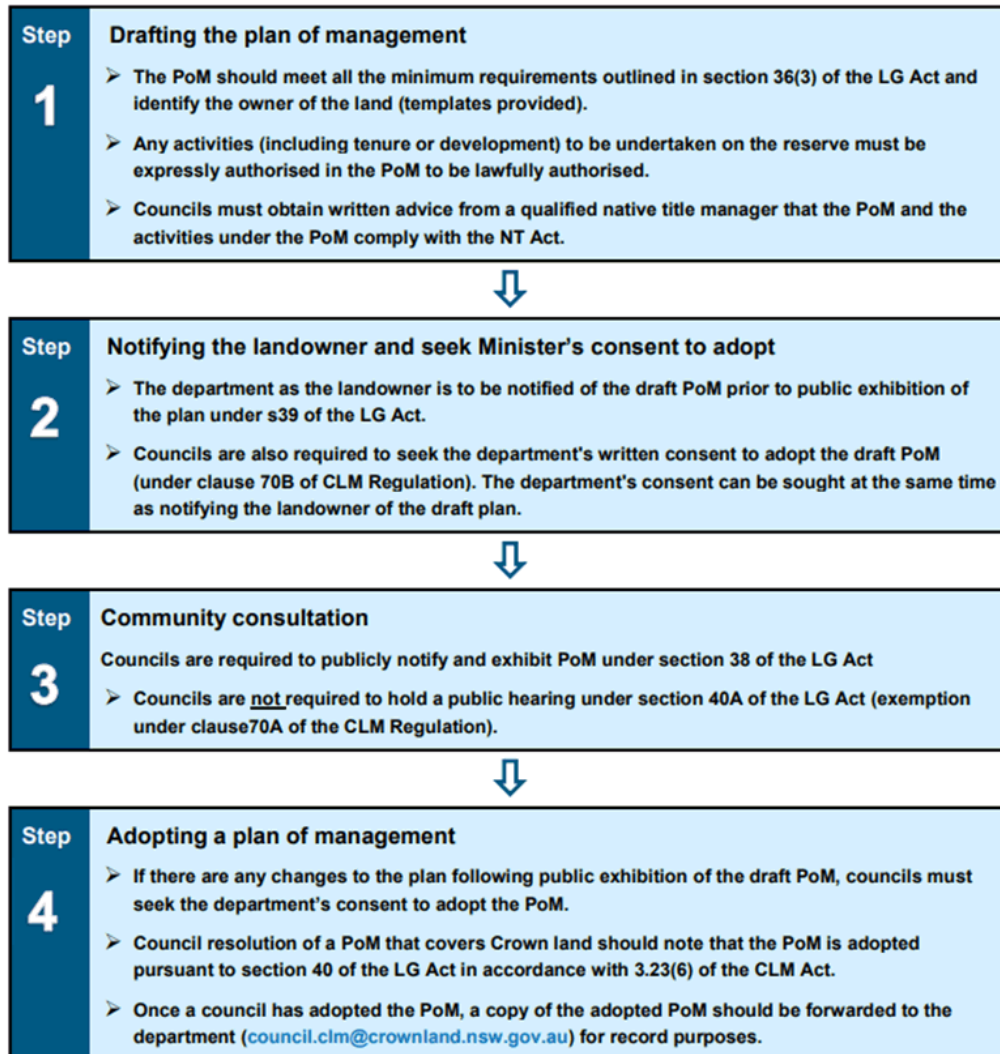
3.6 Community Consultation

Consultation with the community is an important part of the preparation of this Plan of Management. Consultation gives Council a better understanding of the range of local issues affecting the use and enjoyment of the lands to which this Plan of Management applies and gives all sectors of the community the chance to have an input into the direction of policy development being undertaken by Council.

All stakeholders are given the opportunity to express their opinions and provide relevant information in relation to the planned management of the lands, however, as the lands are Crown land, final approval for the Plan of Management rests with the Minister administering the Crown Lands Act 2016 as the owner of the lands.

Council is required to submit the draft Plan of Management to NSW Department of Industry, as representative of the owner of the lands under section 39 of the Local

Government Act. As shown on the *Flowchart for Consultation and Approval of an Initial Plan of Management*, this process occurs prior to public exhibition and community consultation of the Plan of Management.



FLOWCHART FOR CONSULTATION AND APPROVAL OF AN INITIAL PLAN OF MANAGEMENT

Section 3.23(7)(d) of the Crown Land Management Act 2016 states that, if the draft first Plan of Management alters the initial categories assigned, the council must obtain the Minister's consent if the re-categorisation would require an addition to the purposes for which the land is dedicated or reserved.

The Minister cannot give consent under section 3.23(7)(d) if it is considered that the alteration is likely to materially harm the use of the land for its reserve purpose.

If after public consultation there is no change to categorisation and no additional purpose needs to be added to the reserve, no additional ministerial consent is required, and Council can proceed to adopt the Plan of Management as per the process outlined under Approach 1 of the ***Flowchart for Consultation and Approval of an Initial Plan of Management***.

If there is a proposed change to the categorisation of the land following public consultation the Plan of Management must again be referred to the Minister Administering the Crown Lands Act 2016 and the process outlined in Approach 2 of the ***Flowchart for Consultation and Approval of an Initial Plan of Management*** is followed. A change of Categorisation will require a public hearing under Section 40A of the Local Government Act 1993.

4.0 Culturally significant land

4.1 Indigenous Significance

Leeton is located in the country of the Wiradjuri nation and many members of the community are Wiradjuri people.

The Wiradjuri are the largest aboriginal group in New South Wales and once occupied a vast area in central New South Wales known as the land of the three rivers: the Wambool (Macquarie), the Kalare (Lachlan) and the Murrumbidgee.

The Leeton Local Environmental Plan describes places of Aboriginal Heritage significance as:

An area of land, the general location of which is identified in an Aboriginal heritage study adopted by the Council after public exhibition and that may be shown on the Heritage Map, that is:

- (a) *the site of one or more Aboriginal objects or a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It may (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or*
- (b) *a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.*

These urban parks are not identified as having Aboriginal significance and are not declared under section 84 of the National Park and Wildlife Act 1974, however, any areas of Aboriginal significance that may be discovered are covered by this Plan of Management.

5. Core Objectives

The core objectives of the Local Government Act 1993 in relation to land categorised as Park are as follows:

- To encourage, promote and facilitate recreational, cultural, social, and educational pastimes and activities.
- To provide for passive recreational activities or pastimes and for the casual playing of games.
- To improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.

5.1 Core Objectives and Performance Targets

OBJECTIVES AND PERFORMANCE TARGETS OF THE PLAN IN RESPECT TO THE LAND	MEANS BY WHICH THE COUNCIL PROPOSES TO ACHIEVE THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS	MANNER IN WHICH COUNCIL PROPOSES TO ASSESS ITS PERFORMANCE WITH RESPECT TO THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS
To encourage, promote and facilitate recreational, cultural, social, and educational pastimes and activities.	Development of the reserves in accordance with this plan.	All works are completed, and minimal negative feedback is received.
To provide for passive recreational activities and for the casual playing of games.	Development of the reserves in accordance with this plan.	All works are completed, and minimal negative feedback is received.
To improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.	Development of the reserves in accordance with this plan.	All works are completed, and minimal negative feedback is received.

6. Development and use

5.1 Overview

One of the primary responsibilities of Local Government is to provide an acceptable level of service for public assets to its community within budgetary constraints.

Council's ongoing commitment to the development and maintenance of these areas depends on financial resources and forward planning. The implementation of actions identified in this Plan of Management are consistent with Leeton Shire Council's corporate objectives as outlined in:

Leeton Shire Council's Community Strategic Plan towards 2030 "Leeton On The Go".
<http://www.leeton.nsw.gov.au/f.ashx/files/basic-html/For-Hard-Copy-Printing-Leeton-On-The-Go-Our-Community-Strategic-Plan-Towards-2030.pdf>

Leeton Shire Council's 2017-2022 Delivery Program & 2021-2022 Operational Plan
<https://www.leeton.nsw.gov.au/f.ashx/Council-Plans/Delivery-Progem-2017-2022-and-Operational-Plan-2021-2022-FINAL.pdf>

Leeton Shire Council Resourcing Strategy 2018-2027 & Asset Management Plan 2017-2027
<http://www.leeton.nsw.gov.au/f.ashx/Council-Plans/Combined-Resourcing-Strategy-28-June-2017.pdf>

Leeton Shire Council Playground Strategy 2017-2032
<https://www.leeton.nsw.gov.au/f.ashx/Council-Plans/Playground-Strategy-2017-2032-adopted-25-Oct-17.pdf>

Leeton Shire Council's Parks, Playgrounds and Recreational Facilities Asset Management Plan
<http://www.leeton.nsw.gov.au/f.ashx/pdf/Parks-Playgrounds-and-Recreational-Facilities-Asset-Management-Plan.pdf>

5.2 Strategic Objectives

Council's strategic planning objectives for these urban parks are as follows:

STRATEGIC PLANNING OBJECTIVES	
1.	To provide a distribution of open space and facilities that matches demand and supply as far as possible, consistent with the open space principles outlined in Council's Community Plan.
2.	To provide high quality open space and facilities requiring a minimum of maintenance.
3.	To prevent land degradation and to minimise physical disturbance to the land.
4.	To provide public access to community land consistent with the adopted use strategy.
5.	To provide a healthy environment, especially plant communities on the land.
6.	To provide a broad spectrum of safe, high quality recreational opportunities.
7.	Maintain flexibility for future decision making and to allow changes in community preferences.
8.	To allow for temporary uses for private functions, provided that Council is satisfied that the temporary use does not significantly affect the permanent use of the land.

5.3 Purpose and Value of Park Areas

The urban park areas contained in this Plan of Management provide for a generalised use of open space and allow for a very wide range of both recreational and leisure activities.

Urban Park recreation areas comprise those sites set aside for casual activities such as picnicking and other social and casual activities.

These informal open space areas offer the community a range of opportunities in which to undertake passive and unstructured activities, such as sitting for rest and relaxation, walking and, casual games.

Based on legislative and corporate goals, community needs and expectations and the values and assets of the Park areas themselves, the following broad primary objectives have been identified.

- ✓ To ensure management of urban park recreation areas takes into consideration the principles of Crown Land management.
- ✓ To provide for public safety.
- ✓ To efficiently and effectively manage public assets.
- ✓ To provide the wider community with sufficient appropriate access to urban park recreation areas.
- ✓ To encourage community involvement in the management of urban park recreation areas.
- ✓ To maintain the scenic, educational, aesthetic, cultural and heritage values of urban park recreation areas.
- ✓ Leeton Shire Council will continue to be recognised for being one of the most family friendly local government areas in NSW through the sustainable provision and management of high quality, accessible, diverse, innovative, safe, and fun playgrounds that contribute to the developmental needs of all children.
- ✓ That playground areas within Urban parks become community hubs that encourage interaction and community wellbeing.

Urban recreation areas within Leeton Shire comprise those sites set aside for casual activities such as picnicking and other social or casual activities. For parks and reserves, this is the principal function of the space. While many of the reserves possess an informal layout and contain minimal infrastructure such as seating and rubbish bins, some parks include a variety of facilities, for example tables and shelter sheds and toilet facilities which are all important to people's enjoyment of the passive recreation opportunities offered within open space areas.

The level of facilities provided, and the maintenance standards provided by Council staff are kept within allocated budgets.



PARK	BBQ FACILITIES	TOILET FACILITIES	SEATING	PICNIC SHELTERS	DRINKING FOUNTAIN	LIGHTING
Central Park	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Enticknap Park			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
Graham Park	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Noel Pulbrook Park			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
Arbuckle Park	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Waring Park		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
Whitton Memorial Park	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Trees shrubs and landscaping can be used to provide shade and to improve the visual interest of an area. Trees, shrubs, and landscaping can increase the general biodiversity values of a reserve.

5.3.1 Playgrounds and play areas

Leeton and its surrounding villages are known as a family friendly place to live with wonderful recreational facilities. Playgrounds situated in Urban parks perform an important role in attracting and keeping families in the Leeton Shire area. Playgrounds within urban parks are one of the most utilised recreation assets Council maintains.

Community and play areas and playgrounds create spaces where the community, children and their carers are able to experience a variety of creative and social

opportunities and physical challenges within a safe environment. These areas contribute significantly to the physical and social development of children and offer social benefit to the wider community.

Play areas and playgrounds:

- ✓ provide safe and functional recreational facilities
- ✓ contribute to the development of gross motor skills
- ✓ contribute to social development through interactive and imaginative play and through the sharing of play space
- ✓ provide valuable spaces as a community gathering space for children and their carers.



The opportunity to develop interactive playgrounds designed for specific park areas and sensitive to the surroundings, may be considered on a site-by-site basis subject to demonstrated need and available resources.

PARK	SLIPPERY DIP	BASKET SWING	SENIOR SWINGS	JUNIOR TODDLER SWINGS	MODULAR PLAY STRUCTURE	SEE-SAW	SPRING ROCKERS	BALL SPORTS COURT	CLIMBING NET	SOFT FALL ZONES
Central Park	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Enticknap Park		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>
Graham Park	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>
Noel Pulbrook Park	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>
Arbuckle Park	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						<input checked="" type="checkbox"/>
Waring Park	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>
Whitton Memorial Park	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>

5.5 Permitted use and future use

5.5.1 Permitted use strategic objectives

Crown land can be reserved or dedicated for various public purposes. The notified purpose(s) for Public Park and Public Recreation. The assigned category is Park. The purposes and category align with each of the reserves past, the current use and the values identified in this plan.

Council's strategic planning objectives for urban parks is to provide a distribution of space and facilities that matches demand from the community and provides high quality open space and facilities requiring minimum maintenance.

5.5 Further development

Whilst maintenance of existing infrastructure is a priority there is scope to improve and develop facilities on the reserve provided that the proposed facilities are in line with the purposes for the reserve and relevant legislation such as The Local Government Act 1993, The Crown Land Management Act 2016, The Aboriginal Land Rights Act 1983, and the Native Title Act 1993.

Subject to budget availability, Council may construct or approve construction by others of a variety of facilities on the land. The purpose of the facilities shall be to support activities and uses that are consistent with the core objectives of the land category and the reserve purpose and shall not materially harm the land for the purpose that it was reserved or dedicated.

Proposed projects must be in line with Council's strategic plans. All construction and alteration must have Council's Native Title Manager's written advice in relation to Native Title and Aboriginal Land Claims.

Projects proposed by the community and other users of the reserve must be approved by Council and be in line with Council or facility strategic plans. Projects must align with the reserve purpose and core objectives for the reserves. Depending on the scope of the project Council may request a written proposal outlining the project and proposed location, estimated costs, scaled plans, justification for proposed works, future maintenance requirements and other elements relevant to the project.

This plan of management authorises the development and management of gardens for community use. These gardens may be leased or licensed to community groups to manage, provided that membership of these groups is open to the general community.

A comprehensive site development plan and a landscape management plan is recommended for larger projects to ensure a strategic approach to development.

5.6 Leases, Licences, and other Estates

The Local Government Act contains important restrictions on the ability of Council to grant leases, licences, and other estates over community land as these alienate the land and limit the ability of the public to use that land. Generally, a lease will be required where exclusive occupation or use of all or part of an area is proposed. A licence may be required for activities that may affect other park users.

Leases, Licences, and other estates formalise the use of community land by community groups and non-profit organisations, or by commercial organisations and individuals providing facilities and services for public use. Activities should be compatible with the zoning and reservation purpose of the land, provide benefits and services or facilities to the users of the land, be aligned to the reserve purpose and core objectives for the land and should not alienate the land and limit the ability of the public to use the land.

Exclusive occupation of the land other than by lease or licence or other estate or for a permitted purpose listed in the Local Government Regulations 2005 is prohibited.

The terms of the authorisation for a lease licence or other estate should include Native Title assessment and validation under the Native Title Act 1993 and should include Crown Lands advice regarding any claims under the Aboriginal Land Rights Act 1983. The authorisation should ensure the proper management and maintenance of the land and the interests of Council, and the public are protected. A lease is normally issued where exclusive control of all or part of an area by a user is proposed. In all other instances a licence, a short-term licence or hire agreement will be issued.

This Plan of Management **expressly authorises** the issue of Leases, Licences and other Estates over land contained in this plan of management, provided that:

- the purpose is consistent with the core objectives for the category of the land.
- the lease, licence or other estate is for a permitted purpose listed in the Local Government Act 1993 or the Local Government Regulations 2005.
- the issue of the lease, licence or other estate and the provisions of the lease, licence or other estate can be validated by the provisions of the Native Title Act 1993.
- the land is not subject to a claim under the Aboriginal Land Rights Act 1983 or if the land is under claim advice has been sought from Crown Lands, Aboriginal Land Claims Investigation Unit.
- the lease, licence or other estate is granted and notified in accordance with the provisions of the Local Government Act 1993 or the Local Government Regulations 2005.
- the issue of the lease, licence or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved.

Areas held under lease, licence or regular occupancy shall be maintained by the user. The user will be responsible for maintenance and outgoings as defined in the lease or licence or agreement for use.

5.7 Native Title Assessment

The Crown Land Management Act 2016 provides a new regime for the management of Crown Land and Council is now responsible for compliance with Native Title legislation for the Crown Land that it manages.

Council is required to undertake steps to identify if the activity that they do on Crown Land will affect Native Title, what provisions of the Native Title Act will validate the activity and what procedures should be taken in relation to a particular activity prior to its commencement.

Council must receive written advice from its Native Title Manager in relation to certain activities and acts carried out on Crown land.

6.0 Plan of Management Administration and Management

6.1 Plan of Management Objectives

The general objectives of this Plan of Management are:

PLAN OF MANAGEMENT OBJECTIVES	
1.	To ensure that relevant legislation is complied with in relation to the land.
2.	To inform Council staff and the community of the way the land will be managed.
3.	To implement specific policies, guidelines and works identified in the plan of management.
4.	To progressively improve the values of the land and to minimise the long-term cost of maintenance to the Council
5.	To make provisions for appropriate leases, licences, and agreements in respect to the land.
6.	To identify and recognise existing uses and improvements on the land.
7.	To set in place and administrative structure to ensure the achievement of land management objectives.
8.	To ensure that the management of the land is not likely to materially harm the use of the land for any of the purposes for which it is dedicated or reserved.

6.1.1 Management Authority

For the purposes of this plan, the management authority is Leeton Shire Council, in accordance with the provisions of the Crown Land Management Act 2016 and the Local Government Act 1993.

6.1.2 Delegation of Authority

Where Council's responsibilities have been delegated, the provisions of this management plan continue to apply.

6.1.3 Management Principles

Management of urban park recreation areas should take into consideration the principles of Crown Land management. The management of the land must also take

into account the reserve purpose of the land and the purpose for which the land is classified and categorised.

6.2 Action Plan

The Plan of Management specifies performance targets and priorities for actions to be taken in relation to the land to which the plan applies.

Assessment of achievement of the objectives of the plan is to be undertaken. A summary of indicators and targets for major objectives is outlined in the table below:

OBJECTIVES AND PERFORMANCE TARGETS OF THE PLAN IN RESPECT TO THE LAND	MEANS BY WHICH THE COUNCIL PROPOSES TO ACHIEVE THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS	MANNER IN WHICH COUNCIL PROPOSES TO ASSESS ITS PERFORMANCE WITH RESPECT TO THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS
To ensure that relevant legislation is complied with in relation to preparation of Plans of Management.	The Plan is prepared in accordance with the Act. Native Title Manager advice is sought during the preparation of the Plan.	The Plan is reviewed by Council's Native Title Manager and Department of Industry Crown Lands then exhibited and adopted by Council if there are no changes to the approved plan. If changes are made following exhibition the plan must again be approved by Department of Industry Crown Lands.
To inform Council staff and the community of the way the land will be managed.	The Plan is exhibited in accordance with the Local Government Act.	The Plan is exhibited and adopted by Council.
To implement the specific policies, guidelines and works identified in the plan of management.	Ensure that the Plan is referenced to identify specific policies, guidelines and works.	All works are carried out in accordance with the Plan.
To progressively improve the values of the land to minimise the long-term cost of maintenance to the Council.	Carry out all works identified in Council's long-term plan.	All works are completed, and minimal maintenance of the improvements is required.
To make provision for leases, licences, and agreements in respect of the land.	The Plan of Management expressly authorises the provision of leases, licences, and agreements where appropriate.	Any leases are prepared, exhibited, and adopted in accordance with the provisions of the Local Government Act 1993 and

		the Crown Land Management Act 2016. Native Title Manager advice and a check for a claim under the Aboriginal Land Rights Act is received for all proposed leases and licences.
To identify and recognise existing uses and improvements on the land.	Physical inspection.	The Plan is exhibited and adopted by Council.
To provide a reference and data bank in relation to information relevant to present and future management of the land.	Physical inspection and file research.	The Plan is exhibited and adopted by Council.
To set in place an administrative structure to ensure the achievement of land management objectives.	Ensure that all sections of Council are aware of the contents of the Plan.	All future works are carried out in accordance with the Plan.
To identify the major management issues applying to the land.	Consultation and staff discussions.	The Plan is exhibited and adopted by Council.
To simplify the process of management as far as possible.	Preparation of the Plan in accordance with the Act.	The Plan is exhibited and adopted by Council.

6.3 Administration

Administrative issues have an important influence on the way in which the land is managed.

Administration	
Staff Resources	Council shall seek to provide adequate staff resources for the management of the land in accordance with this Plan of Management. Staff shall have appropriate qualifications and/or experience.
Environmental Assessment of Activities	The environmental impact of activities carried out on the land will be assessed having regard to the requirements under the Environmental Planning and Assessment Act.
Role of Other Authorities	Other government authorities may have responsibilities or involvement in the management of the land or of immediately adjacent land. This will be taken into account and, where appropriate consultation will take place with relevant authorities.
Activities Carried Out by Other Authorities	Where activities are carried out on the land by other authorities, Council will make the authorities aware of the provisions of this Plan of Management and will seek to ensure that any activities

	are compatible with the objectives and guidelines of this Plan of Management.
Community Involvement in Management	Where appropriate Council may undertake community consultation subsequent to the making of this Plan of Management and may give community groups a role in management.
Contract and Volunteer Labor	In managing the land Council may use contract and volunteer labor but shall ensure that supervisors have appropriate qualifications and/or experience and are made aware of the requirements of this plan.
Delegation of Management Responsibilities	Where management responsibilities are delegated by the Council a requirement of the delegation shall be that the provisions of this Plan of Management are complied with.
Easements	The Council may grant easements for the provision of services over, or on the land provided that the land is not subject to Aboriginal Land Claim under the Aboriginal Land Rights Act, 1983 and a Native Title assessment has been carried out by Council's Native Title Manager and the provisions of the Local Government Act 1993 and the Crown Land Management Act 2016 have been complied with.
Existing Assets	Existing assets on the land shall be identified and measures taken to maintain them in a satisfactory manner. Council may make arrangement for community groups and users to undertake maintenance for specific facilities on Council's behalf.
Public Liability	Council will maintain public liability insurance for the land. All users of the land will be required to take out public liability insurance for a sum of not less than \$20m.
Public Safety	Reasonable measures will be taken by Council to ensure and maintain the public safety of persons using the land.
Commercial Activities	Commercial activities may be carried out on the land, provided that such is ancillary to a purpose authorised under this Plan of Management and is subject to prior Council consent.
Emergencies	This Plan of Management authorises any necessary activities to be carried out during declared emergencies as may be decided by the General Manager or delegate. Following carrying out of any activities, periodic monitoring will be undertaken, and rehabilitation works undertaken if necessary.
Occupation by Adjoining Landowners	In instances where there is an encroachment upon public land by a permanent structure, and the structure does not significantly interfere with the functioning of the reserve, Council may consider a lease or licence agreement with the adjoining property owner and recoup a fee as part of that agreement.
Land Proposed for Future Development	Land proposed in any of Council's plans for future development for a specific purpose may be utilised for other purposes on an interim basis until required for that purpose.
Undeveloped Areas	Land to which this Plan of Management applies that is undeveloped and unused for the purpose of the land may upon assessment be used for any activity that does not prevent or inhibit future use for the purpose of the land, including tree planting and mowing,

6.4 Management Guidelines

Based on legislative and corporate goals, community needs and expectations the following Management Guidelines have been identified. Some matters are subject to additional adopted policies and procedures, and these are to apply where appropriate.

6.4.1 Management Authority

For the purposes of this Plan the management Authority is the Crown Land Manager, Leeton Shire Council who will manage the land in accordance with the provisions of the Crown Land Management Act 2016 and the Local Government Act 1993.

6.4.2 Management Issues

Park management aims to maximise the provision of open space area and facilities for the community, whilst ensuring that optimum condition of the reserves is maintained, that conflicts are minimised, and that any future embellishments are compatible with the existing functions and character of the parks. To provide the best service to the community, the management of parks needs to be well planned and resourced and their use needs to be permitted on an equitable basis.

Play and Recreational Equipment	Play equipment may be installed or removed. Equipment shall be regularly maintained and kept in a safe condition in accordance with the relevant Australian Standard and Council's Playground Strategy.
Mowing	Urban recreational (Park) areas will be mowed in accordance with approvals, manuals or schedules as required.
Watering	Watering of the urban recreational (Park) areas shall be undertaken as required and according to specific water restrictions that may be in place.
Irrigation	This Plan of Management authorises the installation of underground irrigation pipes. This includes the use of recycled and raw water.
Wet Weather Use	During periods of wet weather, Council may restrict the use of the urban recreational (Park) area to prevent damage to grass surfaces.
Hours of Operation	Council may restrict the hours of operation of any area of the urban recreational (Park) areas at its discretion.
Development Activities	Development activities shall be undertaken in a way that minimises the area, degree and duration of disturbance, and areas are to be restored to the greatest extent practicable.
Alcohol	The occasional sale of alcohol by a sporting committee, club or user group requires the approval of the NSW Office of Liquor Gaming and Racing through the issue of a Limited Licence. The Licence should be provided to Council in each instance. When making application for the use of an active recreational area if the sale of alcohol is intended, applicants are required to comply with any requirements of both the Office of Liquor Gaming and Racing and Council.

Companion Animals	<p>Domestic pets may use the land where authorised by signage provided that they are under the control of a responsible person at all times and do not cause loss of amenity to other users of the land, except where specifically publicly notified.</p> <p>Dogs are not permitted within any area that is:</p> <ul style="list-style-type: none"> • set aside for the playing of organised games, or • within 10 meters of a children's playing apparatus or • within 10 meters of cooking or eating facilities. <p>Dogs are not permitted to be walked off leash unless they are within Council's designated off leash exercise areas.</p> <p>Dog clubs are required to seek Council permission to conduct dog obedience and training activities on all community land.</p>
Parking	<p>Car parking areas should not occupy valuable land but be positioned to minimise the impact on the reserve.</p> <p>Car parking is not to be situated near children's play areas. Existing car parking areas will be maintained to safety standards. Where off street parking occurs within the park consideration will be given to the provision of parking spaces for people with a disability (in accordance with regulations).</p> <p>Internal roads and parking areas may be constructed or reconstructed to a safe and all-weather standard.</p>
Neighbors	<p>Council shall endeavor to be a good neighbor and, as far as possible shall consult with adjoining owners in respect of management or other activities which may affect them.</p>

6.4.4 Buildings and Amenities

As well as providing largely unstructured areas for a variety of informal uses, most of Council's parks provide supplementary facilities to enhance people's enjoyment of their visit. These facilities will be maintained and enhanced, or introduced where possible, subject to an identified need.

Native Title Assessment	<p>The terms of the authorisation for the commencement of any building or development activity should include a Native Title assessment and validation under the Native Title Act 1993 to be carried out by Council's Native Title Manager.</p>
Aboriginal Land Claim	<p>The terms of the authorisation for the commencement of any building or development activity should include advice that the land is not subject to a claim under the Aboriginal Land Rights Act 1983. If a claim is registered on the land activity cannot commence until advice is received from Crown Lands – Aboriginal Land Claims Investigation Unit.</p>
Access	<p>This plan of management seeks to facilitate access to the land to enable its use for the purposes of a park.</p>

Buildings and Amenities	Buildings and amenities may be provided where consistent with the need to facilitate the use of the land, the provisions of the Local Government Act 1993 and the Crown Land Management Act 2016 have been complied with. Buildings and amenities are to be maintained to the highest possible standard.
Public Toilets and Amenities	Where public toilets are provided for community groups, not for profit users of commercial users under lease or licence they are to be maintained by the user.
Play Equipment and Recreation Equipment	Play equipment shall be constructed and maintained in accordance with the relevant Australian Standard and may be replaced or removed as required in accordance with Council policy and plans.
Outdoor furniture	Outdoor furniture shall be provided as required and maintained to a safe standard in accordance with any adopted landscape design.
Private buildings	Private buildings may be constructed only where there is a lease or licence from Council and that lease or licence specifically makes provision for the use or erection of a private building. Private buildings and the lease areas are to be fully maintained by the user.
Public Buildings	Public buildings may be constructed for any purpose ancillary to the purpose of the land, provided that the provisions of the Local Government Act 1993 and the Crown Land Management Act 2016 have been complied with. Community facilities may also be permitted.
Removal of Buildings or Utilities	Buildings or utilities that are no longer required may be removed by the Council subject to development approval. The land is to be rehabilitated following removal.
General Maintenance	General maintenance will match the level and type of use. Areas held under lease, licence or regular occupancy will be maintained by the user where appropriate. Existing assets on the land shall be identified and measures taken to maintain them in a satisfactory manner. The Council may make arrangements for community groups and other users to undertake maintenance on Council's behalf.
Horticultural Maintenance	Mowing shall be regularly undertaken as required in accordance with any adopted Council procedures manual. In areas of concentrated use reseeded or turfing may be undertaken as required.
Cleaning	Buildings and amenities will be regularly cleaned and maintained in a tidy condition in accordance with any adopted Council procedure manual.

6.4.5 Infrastructure

The level of facilities provided, and the maintenance standards provided by Council staff are kept within allocated budgets and to an agreed level of care.

The maintenance and scheduled upgrade of infrastructure is therefore crucial for

the long-term management of the passive recreation areas. Increasing the level of infrastructure provided in some parks may be considered and would be assessed with regard to patronage of the site and the scale of the additional facilities compared to the overall size, location and accessibility of the reserve.

Native Title Assessment	The terms of the authorisation for the commencement of any infrastructure construction activity should include a Native Title assessment and validation under the Native Title Act 1993 to be carried out by Council's Native Title Manager.
Aboriginal Land Claim	The terms of the authorisation for the commencement of any infrastructure construction activity should include advice that the land is not subject to a claim under the Aboriginal Land Rights Act 1983. If a claim is registered on the land activity cannot commence until advice is received from Crown Lands – Aboriginal Land Claims Investigation Unit or the claim is resolved.
Infrastructure	Any necessary infrastructure to service purpose of the land may be constructed.
Services and Utilities	Services and utilities such as water supply, sewerage, electricity supply, gas and telecommunications may be constructed, maintained, or repaired on the land.
General Maintenance	General maintenance will match the level and type of use. Areas held under lease, licence or regular occupancy shall be maintained by the user. Existing assets on the land shall be identified and measures taken to maintain them in a satisfactory manner. The Council may make arrangements for community groups to undertake maintenance for specific facilities on Council's behalf.
Energy Efficiency	Measures shall be taken to improve the energy efficiency of all buildings and activities carried out on the land. Measures shall include use of energy efficient lighting, periodic auditing of energy use, and appropriate orientation of any new buildings to incorporate passive solar design principles.
Lighting	Where appropriate, adequate lighting shall be provided on the land to ensure public safety and security for buildings and amenities as far as possible.
Floodlighting	Floodlights shall be designed and operated to minimise glare and spillage of light to adjoining properties. Where possible floodlights should comply with AS2560.
Fences	Fences may be constructed and shall be in accordance with any standards or guidelines adopted by Council.
Signs	Signs may be erected on the land in accordance with State Environmental Policy and any adopted Development Control Code and Policy. This plan of management authorises the erection of regulatory, interpretive, and directional signage within parks.

6.4.6 Access

In principle, all of Council's public open space areas should be accessible to the whole community, regardless of age, ability, or gender. Access for people with a disability is

accommodated where possible for general movement around open space areas and for the use and enjoyment of facilities and amenities.

Access and Occupation	The Plan of Management seeks to facilitate access to the land to enable its use for passive recreational purposes.
Access	Access to the land may be limited by Council at times where this may interfere with works or may have an adverse effect on the land.
Public Access	Public access to land to which this Plan of Management applies can be denied to assist rehabilitation or protection of special items of significance or where a lease or licence has been granted but shall not otherwise be denied.
Occupation by Adjoining Landowners	In instances where there is an encroachment upon public land by a permanent structure, and the structure does not significantly interfere with the functioning of the reserve, Council may consider a lease or licence agreement with the adjoining property owner and recoup a fee as part of that agreement.
Roads and Parking	Roads and parking areas may be constructed or reconstructed to a safe all-weather standard. New roads and parking areas may be constructed. In cases where significant new roadworks is proposed, a master plan should be prepared, and the works constructed in accordance with the plan.
After Hours Access	After-hours use of the parks may be restricted by opening and closing of gates and entry points where applicable.

6.4.7 Development Activities

Native Title Assessment	The terms of the authorisation for the commencement of any development or construction activity should include a Native Title assessment and validation under the Native Title Act 1993 to be carried out by Council's Native Title Manager.
Aboriginal Land Claim	The terms of the authorisation for the commencement of any development or construction activity should include advice that the land is not subject to a claim under the Aboriginal Land Rights Act 1983. If a claim is registered on the land advice should be sought from Crown Lands – Aboriginal Land Claims Investigation Unit, activity cannot commence until advice is received or the claim is resolved.
Development Activities	Development activities shall be undertaken in a way that minimises the area, degree and duration of disturbance, and area are to be restored to the greatest extent practicable.
Construction Works	Progressive site stabilisation and restoration shall be undertaken during the construction process.
Stockpiling of Materials	Works are to be completed in stages (clearing, topsoil stripping, relocation of topsoil, mulching, planting etc.) and shall follow the principle of isolating stockpiles of different materials to prevent contamination. Materials and soil may be stockpiled but only on a temporary basis and provided that measures are taken to

	prevent adverse effects such as soil erosion, introduction of weed species, soil compaction and the like. Stockpiles are to be more than 5 meters from trees.
Nutrients Leached from Building Materials	Materials (including concrete, gravel, topsoil, etc.) shall be stockpiled in such a way as to prevent nutrients from leaching into watercourses or into ground water systems.
Protection of Trees	Trees to be protected shall be identified prior to any construction and marked appropriately. Measures are to be taken to prevent damage and disturbance to tree roots by cutting of roots, loss of water, soil compaction or buildup of soil. Clearing works are to be in accordance with any additional procedures manuals or adopted policies. Tree removal shall be subject to the provisions of Council's Tree Management Policy.
New Development Works	New development works such as construction of roads, parking areas, cycleways etc. may be undertaken where the works are consistent with the objectives of this plan of management and where any necessary approvals and assessments have been obtained.
Fill	As far as possible, no fill should be deposited on the land unless it comes from the same area of parkland and adequate measures are taken to stabilise the fill. Works are to be in accordance with any additional procedures, manuals or adopted policies.
Soil Compaction	Measures shall be undertaken to avoid soil compaction arising from construction works and earthworks. Any compaction will be relieved by appropriate methods which may include the use of soil aeration equipment.

6.4.8 Pollution Control

Pollution Control	Management should seek to ensure that no pollution is generated on the land and that adequate measures are taken to prevent adverse impacts from adjoining land.
Soil Erosion and Sedimentation	All activities are to ensure adequate controls to prevent soil erosion and sedimentation and are to be inspected periodically.
Nutrients	Measures shall be taken to minimise and to control nutrients entering watercourses, water bodies or groundwater.
Environmental Protection (noise control, dust, chemicals etc.)	Measures shall be taken during any construction or maintenance works on the land to ensure that normal environmental protection, pollution control and health guidelines are met.
Litter	Litter shall be regularly collected and removed. Provision shall be made for the provision of litter bins at various locations. It is the responsibility of all users to ensure that the area and surrounds are left in a tidy manner after use.
Rubbish Dumping	Rubbish dumping is not permitted. Grass clippings or garden waste is to be disposed of in a manner that does not affect natural vegetation or encourage the spread of weeds.
Irrigation	Irrigation is to be managed on any grassed or mown areas to avoid runoff and a raised water table.

Noise	Noise from events shall be required to comply with noise pollution control requirements in accordance the Protection of the Environment Operations Act 1997 and the Protection of the Environment (Noise Control) Regulation 2008.
Drainage	Drainage works are allowed on the land to which this Plan of Management applies. Any works are to comply with any environmental management guidelines adopted by Council to minimise the flow of nutrients and pollutants into watercourses.
Fertilisers and Pesticides	The use of fertilisers and pesticides may be permitted on land to which this Plan of Management applies, but only where no suitable alternative exists, and no adverse environmental impact is likely to occur. New landscape designs are to minimise the need for these. Notification of use must be given in accordance with Council's adopted Pesticide Use Notification Plan.
Removal of Silt	Silt shall be removed from drains and silt traps as necessary.

6.4.12 Trees Vegetation and Landscape

Trees, Vegetation and Landscape	Proper management of landscaping measures, trees and vegetation is important to provide a high degree of amenity on the land.
Trees	Trees will be maintained, as will maintenance of appropriate growing conditions involving management of soil compaction and other encroachments, in accordance with Council's Tree Management Policy.
Tree Planting and Removal	Trees may be planted, removed, or replaced. In replacing trees, regard will be had to endorsed plans and policies outlining preferred species. Tree planting maintenance, removal and replacement shall be in accordance with adopted standards, codes, manuals, or policies.
Tree Protection	Appropriate protection such as guards and barriers shall generally be provided for all new plantings as may be required.
Landscape Design	Landscape design will be subject to approval.
Gardens	Gardens including Community Gardens may be constructed and maintained on the land. Where a Community Garden is constructed by a Community group or not for profit organisation, a licence may be issued. Community Gardens must be maintained to a high standard by the Community group or organisation.
Weed Control	Weed control shall be by both taking preventative measures and active control measures. Prevention of weed infestation shall be by minimising actions that disturb the ground surface and discouraging the conditions that encourage weeds. Measures shall be taken to prevent the dispersion of weeds by fill or the transport of seeds on machinery. Control measures which are acceptable include physical removal or slashing, accepted biological control techniques, bush regeneration, or chemical spraying where Council is satisfied that there will be no adverse residual effects and no adverse effect on human health will occur.

Bushfire Hazard Reduction	Where a bushfire hazard is identified on the land measure shall be taken to reduce the bushfire hazard.
---------------------------	---

6.4.13 Information Monitoring and Research

Information monitoring and Research	Monitoring and collection of information relating to the land to which the Plan of Management applies are important to enable good management.
Education and Research	Where a demonstrated need has been identified, an educational programme shall be developed to encourage use appropriate to the purpose to all or part of the land to which this Plan of Management applies.
Monitoring	Management arrangements shall be implemented to regularly monitor the use of the land, environmental conditions, and facilities.
Surveys	Surveys of visitation and/or satisfaction with the facilities may be undertaken to facilitate the management and use of the land.

Urban Parks Generic PLAN OF MANAGEMENT

**RESERVE 42291 - WHITTON MEMORIAL PARK
RESERVE 68742 - WARING PARK
RESERVE 71743 - GRAHAM PARK
RESERVE 82241 - ARBUCKLE PARK
RESERVE 83509 - WAMOON PARK
RESERVE 87727 - ENTICKNAP PARK
RESERVE 87728 - CENTRAL PARK
RESERVE 87729 - NOEL PULBROOK PARK**

DETAILED INFORMATION

WHITTON MEMORIAL PARK – RESERVE 42291



Reserve Number	42291	Gazetted Date	31/12/1907		
Reserve Type	RESERVE	Management Type	Council Crown Land Manager		
Reserve Name	WHITTON MEMORIAL PARK	Manager	Leeton Shire Council		
Purpose	Public Recreation	LGA	LEETON		
Suburb	WHITTON	Area (m2)	8,157.16		
Lots	Whole: Lot 701 DP 1021294	Parish	HULONG	County	COOPER
Zoning	RE1	Classification	Community	Category	Park



SLIPPERY DIP	BASKET SWING	SENIOR SWINGS	JUNIOR SWINGS	MODULAR PLAY STRUCTURE	SPRING ROCKERS	SOFT FALL ZONES
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

BBQ FACILITIES	TOILET FACILITIES	SEATING	PICNIC SHELTERS	DRINKING FOUNTAIN	LIGHTING
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

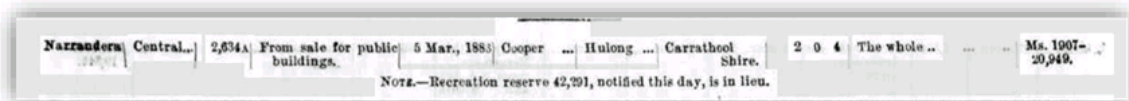
DESCRIPTION: The site comprises primarily passive open space in good grassed condition and includes a children's play area, drinking fountain, BBQ facilities, seating, and pedestrian lighting. An Amenities building hosts Male/Female/Disabled toilets. Parking is available.

DETAILS OF LEASES/LICENCES: Nil in place at time of adoption of Plan

WHITTON MEMORIAL PARK – RESERVE 42291

HISTORICAL CONTEXT

The town of Hulong was founded in 1850 and was renamed Whitton in 1883 when the railway was extended to the area. Whitton is named after John Whitton (1820-98), Engineer-in-Charge of the New South Wales Government Railways. The site of the Whitton Memorial Park was originally reserved from sale for *Public Buildings* on 15 March 1883 [Reserve 23641], this area was later reserved for *Recreation* on 31 December 1907.



In 1954 an approach was made to the Curator, Botanic Gardens Sydney for assistance in planning the park.



The park entrance hosts an imposing set of red brick and iron memorial gates with marble plaques listing veterans of World War's I & II.



Entrance to Memorial Park.

Memorial Gates: Red brick memorial gates with marble plaques [erected 1951].

Inscription: Commemorating 50 years to all who paid the supreme sacrifice in World War II, especially Reverend Chaplain M. M. Waugh Anglican Rector of Whitton, Barellan, Yenda accidentally killed in Lae, P. N. G. 18 February 1945.

WARING PARK – RESERVE 68742



Reserve Number	68742	Gazetted Date	20/10/1939		
Reserve Type	RESERVE	Management Type	Council Crown Land Manager		
Reserve Name	WARING PARK	Manager	Leeton Shire Council		
Purpose	Public Recreation	LGA	LEETON		
Suburb	WHITTON	Area (m2)	2,020.63		
Lots	Whole: Lots 207-208 DP 751745	Parish	YARANGERY	County	COOPER
Zoning	RE1	Classification	Community	Category	Park



SLIPPERY DIP	SENIOR SWINGS	JUNIOR TODDLER SWINGS	MODULAR PLAY STRUCTURE	SOFT FALL ZONES
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
TOILET FACILITIES		SEATING	LIGHTING	
<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

DESCRIPTION: The site comprises primarily passive open space in good grassed condition and includes a children’s play area, seating and pedestrian lighting. An Amenities building hosts Male/Female/Disabled/ accessible unisex toilets. Parking is available.

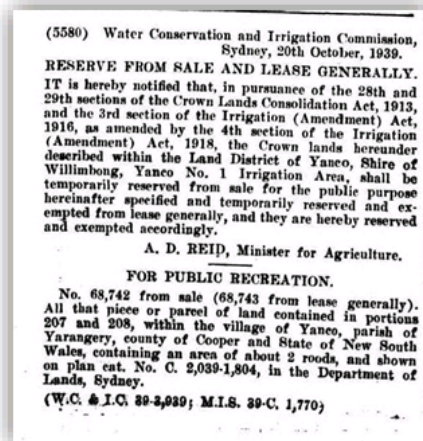
DETAILS OF LEASES/LICENCES: Nil in place at time of adoption of Plan

WARING PARK – RESERVE 68742

HISTORICAL CONTEXT

The town of Yanco came into existence when the railway was extended to from Narrandera to Hay in 1881. The area was formerly known as 'North Yanco' after the farm in the region owned by Sir Samuel McCaughey the 'Farther of Irrigation'.

The site was reserved for public recreation in 1939 [Reserve 68742] following a Council motion declaring the need for a place for children in the town, as a large number had to play in the street.



PLAYGROUND FOR YANCO FORESHADOWED

THE establishment of a playground for children at Yanco, was foreshadowed by a motion from Cr. Struck at the Council meeting on Tuesday night, that £50 from the Yanco Town Improvement Fund be used for this purpose.

It was stated that this was an excellent idea, as a large number of children had to play in the street, and it would take them away from the menace of the traffic on the main road. It is intended to erect swings, slides and other devices similar to those at the Leeton Baths.

The matter was referred to the B. Riding councillors, who will make the necessary negotiations with the Commission for a suitable block for the purpose in Yanco.

In 1949 the reserve was named Waring Playground in honour of the memory of the late Councillor Hector MacPherson Waring.



Hector MacPherson Waring

ARBUCKLE PARK – RESERVE 82241 WAMOON PARK – RESERVE 83509



Reserve 82241

Reserve Number	82241	Gazetted Date	24/12/1959		
Reserve Type	RESERVE	Management Type	Council Crown Land Manager		
Reserve Name	ARBUCKLE PARK	Manager	Leeton Shire Council		
Purpose	Children's Playground	LGA	LEETON		
Suburb	Wamoon	Area (m2)	3,700.24		
Lots	Whole: Lot 341 DP 751735	Parish	TUCKERBIL	County	COOPER
Zoning	RE1	Classification	Community	Category	Park



Reserve 83509

Reserve Number	83509	Gazetted Date	6/10/1961		
Reserve Type	RESERVE	Management Type	Council Crown Land Manager		
Reserve Name	WAMOON PARK	Manager	Leeton Shire Council		
Purpose	Public Recreation	LGA	LEETON		
Suburb	Wamoon	Area (m2)	3,415.48		
Lots	Whole: Lot 250 DP 751735	Parish	TUCKERBIL	County	COOPER
Zoning	RE1	Classification	Community	Category	Park

**ARBUCKLE PARK – RESERVE 82241
 WAMOON PARK – RESERVE 83509**



ARBUCKLE PARK

SLIPPERY DIP	SENIOR SWINGS	JUNIOR SWINGS	SOFT FALL ZONES
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

BBQ FACILITIES	SEATING	PICNIC SHELTERS	LIGHTING
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

DESCRIPTION: The sites comprising both reserves is primarily passive open space in good grassed condition. Reserve 82241 Arbuckle Park includes a children’s play area, seating and BBQ area. Parking is available.

DETAILS OF LEASES/LICENCES: Nil in place at time of adoption of Plan

HISTORICAL CONTEXT : Wamoon is a small village declared in 1921, providing a village of homes to the farmers of northern Leeton.

[3200] Water Conservation and Irrigation Commission,
 Sydney, 11th November, 1921.

VILLAGE OF WAMOON.

IN pursuance of the 5th and 23rd sections of the Crown Lands Consolidation Act, 1913, it is hereby declared that Wamoon is a village, and that the boundaries of the village lands are as described hereunder.

W. F. DUNN,
 Minister for Agriculture.

Arbuckle Park [Reserve 82241] was named in honour of the late William Alexander Arbuckle who was a pioneer fruit grower in the district and a Councillor and Shire President of Leeton Shire Council.

CENTRAL PARK – RESERVE 87728



Reserve Number	87728	Gazetted Date	29/5/1970		
Reserve Type	RESERVE	Management Type	Council Crown Land Manager		
Reserve Name	CENTRAL PARK	Manager	Leeton Shire Council		
Purpose	Public Park, Public Recreation	LGA	LEETON		
Suburb	LEETON	Area (m2)	15,265.49		
Lots	Whole: Lot 1 DP 1135132	Parish	YARANGERY	County	COOPER
Zoning	RE1	Classification	Community	Category	Park

SENIOR SWINGS & JUNIOR TODDLER SWINGS	SLIPPERY DIP	MODULAR PLAY STRUCTURE	SPRING ROCKERS	BALL SPORTS COURT	CLIMBING NET	SOFT FALL ZONES
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

BBQ FACILITIES	TOILET FACILITIES	SEATING	PICNIC SHELTERS	DRINKING FOUNTAIN	LIGHTING
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

DESCRIPTION: The site comprises three (3) all weather synthetic tennis courts, flood lighting, toilet facilities, passive open space areas in good grassed condition, hardstand carparking and a children's play area.

DETAILS OF LEASES/LICENCES: Nil in place at time of adoption of Plan

CENTRAL PARK – RESERVE 87728



HISTORICAL CONTEXT

Central Park is situated in 'Parkview' a residential subdivision of South Leeton which commenced in 1941. The park adjoins the Parkview Public School which was established on the original reserve. The park area was developed in 1960 with the assistance of citizens and service clubs to provide tennis courts and facilities. Basketball courts and a children's playground were later added.

(9792) Sydney, 29th May, 1970.
RESERVES FROM SALE
IT is hereby notified in pursuance of the provisions of section 28 of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts that the Crown lands hereunder described shall be reserved from sale for the public purposes hereinafter specified and they are hereby reserved accordingly.
JACK G. BEALE, Minister for Conservation.

CENTRAL DIVISION
Land District of Yanco; Yanco No. 1 Irrigation Area; Shire of Leeton
FOR PUBLIC PARK AND PUBLIC RECREATION

Reserve No. 87728 from sale. All that piece or parcel of land situated in the Parish of Yarangery, County of Cooper and State of New South Wales, being allotment 1, section 82, Town of Leeton, containing an area of 3 acres 3 roods 29 perches or thereabouts. (W.C. & I.C. 69-1624, M.I.A. 62/C1997)

ENTICKNAP PARK – RESERVE 87727



Reserve Number	87727	Gazetted Date	29/5/1970		
Reserve Type	RESERVE	Management Type	Council Crown Land Manager		
Reserve Name	ENTICKNAP PARK	Manager	Leeton Shire Council		
Purpose	Public Park, Public Recreation	LGA	LEETON		
Suburb	LEETON	Area (m2)	11,974.81		
Lots	Whole: Lot 7301 DP 1165101	Parish	YARANGERY	County	COOPER
Zoning	RE1	Classification	Community	Category	Park



BASKET SWING	SENIOR SWINGS	JUNIOR TODDLER SWINGS	MODULAR PLAY STRUCTURE	SEE-SAW	SOFT FALL ZONES
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

DESCRIPTION: The site comprises passive open space areas in good grassed condition, and a children's play area. Parking is available.

DETAILS OF LEASES/LICENCES: Nil in place at time of adoption of Plan

ENTICKNAP PARK – RESERVE 87727

HISTORICAL CONTEXT

Enticknap Park is situated in 'Parkview' a residential subdivision of South Leeton which commenced in 1941. The park adjoins the Parkview Public School. The park area was developed in the years 1954-1957, with the assistance of citizens and service clubs to provide tennis courts and facilities. Basketball courts and children's playground were later added.



The ornamental wrought iron gateway to the park was donated by the Leeton branch of the Primary Producers' Union was officially opened in May 1958.

Council resolved in 1952 in response to a request made by the South Leeton Progress Association to officially name the reserve Enticknap Park in honour of Ambrose George Enticknap, pioneer settler of the Yanco Irrigation Area, a pioneer fruitgrower, the First Chairman of Directors of the Leeton Co-operative Cannery, Councillor, Shire President and elected Member for Murrumbidgee, Member of the NSW Legislative Assembly 1941-1965.



THE HON. A.G. ENTICKNAP
(1894-1976)

GRAHAM PARK – RESERVE 71743



Reserve Number	71743	Gazetted Date	16/11/1945		
Reserve Type	RESERVE	Management Type	Council Crown Land Manager		
Reserve Name	GRAHAM PARK	Manager	Leeton Shire Council		
Purpose	Public Recreation	LGA	LEETON		
Suburb	LEETON	Area (m2)	8,937.34		
Lots	Lot 2 DP 1063643	Parish	YARANGERY	County	COOPER
Zoning	RE1	Classification	Community	Category	Park



BASKET SWING	SLIPPERY DIP	JUNIOR TODDLER SWINGS	SENIOR SWINGS	MODULAR PLAY STRUCTURE
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

BBQ FACILITIES	TOILET FACILITIES	PICNIC SHELTERS	SEATING	DRINKING FOUNTAIN	DISABILITY ACCESS	LIGHTING
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

DESCRIPTION: The site comprises primarily passive open space in good grassed condition and includes a children’s play area, BBQ facilities, toilet facilities and seating. Parking is available.

DETAILS OF LEASES/LICENCES: Nil in place at time of adoption of Plan

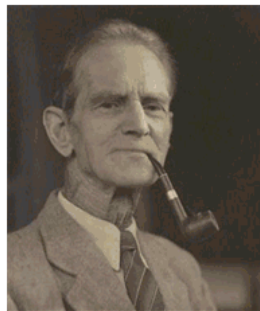
GRAHAM PARK – RESERVE 71743

HISTORICAL CONTEXT: The site of the Graham Park was originally reserved from sale for *Public Recreation* on 16 November 1945.

(5446) Sydney, 16th November, 1945.
RESERVE FROM SALE AND LEASE GENERALLY.
IT is hereby notified that, in pursuance of the 28th and 29th sections of the Crown Lands Consolidation Act, 1913, the Crown lands hereunder described shall be reserved from sale for the public purpose hereinafter specified and reserved and exempted from lease generally, and they are hereby reserved and exempted accordingly.
W. F. DUNN, Minister for Conservation.
FOR PUBLIC RECREATION.
Yanco No. 1 Irrigation Area.
LAND DISTRICT OF YANCO; WILLIMBONG SHIRE.
No. 71,743 from sale (71,744 from lease generally). Parish of Yarungery, county of Cooper. The whole of the lands comprised within the boundaries of allotment No. 6; section No. 62, town of Leeton, containing an area of 4 acres and 33 perches. Plan, Leeton 145. (W.C. & L.C. 44-5,944; 44-C. 5,065)

The reserve was originally known as Jim Grahame Park and is situated in the subdivision originally known as South East Leeton, later named Gralee.

The name Gralee is a composite of Grahame and Leeton, perpetuating the name and memory of the late Jack Gordon (*pen name Jim Grahame*) the famous Australian poet who spent the latter part of his life in Leeton and was a and treasured friend of Henry Lawson.



Jack Gordon (Jim Grahame)

The park was re-named Graham Park by Gazettal on 29 May 1970.

(9611) Department of Lands, Sydney, 29th May, 1970.
GEOGRAPHICAL NAMES ACT, 1966
HAVING previewed place names in YANCO 8128 I and IV, 1:100,000 map area, on standard topographic maps of EUROLEY, LEETON, TUBBO and WHITTON, in the area bounded by 34° 30' latitude to the north, 35° 45' latitude to the south, 146° 30' longitude to the east, 146° 00' longitude to the west, Counties Boyd, Cooper, Mitchell, the Geographical Names Board of New South Wales proposes to delete or discontinue certain recorded names and assign geographical names as indicated hereunder.
Any objections to the proposals should be in writing and lodged with the undersigned within one month from 29th May, 1970.

Proposed Geographical Name
Black Park
Corbie Hill
Dooley Park
Enticknap Park
Fivebough
Graham Park
Gralee
Hebdens Bend
Leeton Agricultural Research Station
McCaughys Lookout
Merungle Hill
Merungle Hill
Mountford Park
Parkview
Wattle Hill
Willimbong
Yanco Agricultural College and Research Station
Yanco Agricultural High School
Yanco Post Office

NOEL PULBROOK PARK – RESERVE 87729



Reserve Number	87729	Gazetted Date	29/5/1970		
Reserve Type	RESERVE	Management Type	Council Crown Land Manager		
Reserve Name	NOEL PULBROOK PARK	Manager	Leeton Shire Council		
Purpose	Public Park, Public Recreation	LGA	LEETON		
Suburb	LEETON	Area (m2)	7,829.92		
Lots	Whole: Lot 1 Sec 90 DP 758606	Parish	YARANGERY	County	COOPER
Zoning	RE1	Classification	Community	Category	Park



SEATING	SLIPPERY DIP	SENIOR SWINGS	MODULAR PLAY STRUCTURE	SOFT FALL ZONES
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

DESCRIPTION: The site comprises well grassed passive open space areas, and a children's play area. Parking is available.

DETAILS OF LEASES/LICENCES: Nil in place at time of adoption of Plan

NOEL PULBROOK PARK – RESERVE 87729

HISTORICAL CONTEXT

Noel Pulbrook Park is situated in 'Parkview' a residential subdivision of South Leeton which commenced in 1941. The area was named Parkview in 1952 and by 1966 350 residential blocks in the subdivision had been sold.



Noel Pulbrook Park is named in commemoration of Noel Pulbrook who became well known for his association and with the Heart Transplant programme. Noel Pulbrook lobbied for the continuation of government funding for this important work. Mr Pulbrook was himself a recipient of a heart transplant on two occasions.

11th heart transplant at St Vincent's

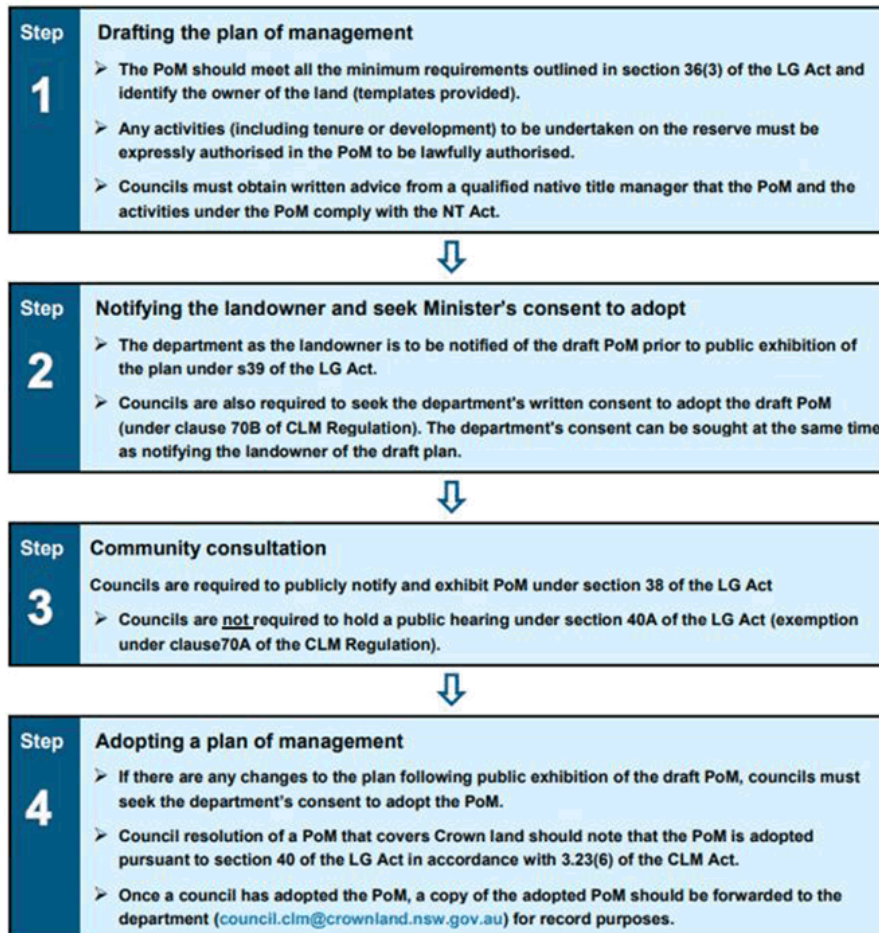
SYDNEY: A 51-year-old man from Leeton has become the 11th successful heart transplant patient at Sydney's St Vincent's Hospital.

Dr Virginia Furner said yesterday that Mr Noel Pulbrook was admitted to the hospital on Tuesday and received a new heart in a 4½-hour operation which began at 11pm.

Mr Pulbrook had been suffering from viral cardiomyopathy for five years, and had been waiting for a suitable heart donor since late last year.

Dr Furner said Mr Pulbrook's condition last night was satisfactory.

ANNEXURE 2 – FLOWCHART



FLOWCHART FOR CONSULTATION AND APPROVAL OF AN INITIAL PLAN OF MANAGEMENT



The Crown Land Management Act 2016 – Section 8.7 (1) (d) requires that Council as Crown Land Manager obtains the written advice of its Native Title Manager prior to its approval or submission for approval of a plan of management for the land that authorises or permits any kinds of dealings referred to in Section 8.7.

1. The Land to which this report applies

Crown Reserve 42291 is contained in Lot 701 Deposited Plan 1021294. The Reserve named **Whitton Memorial Park**. Reserve 42291 was reserved from sale for the public purpose of Public Recreation published in the Government Gazette on 31 December 1907.

Crown Reserve 68742 is contained in Lots 207-208 in Deposited Plan 751745. The Reserve named **Waring Park**. Reserve 68742 was reserved from sale for the public purpose of Public Recreation published in the Government Gazette on 20 October, 1939

Crown Reserve 71743 is contained in Lot 2 DP 1063643. The Reserve named **Graham Park**. Reserve 71743 was reserved from sale for the public purpose of Public Recreation and was published in the Government Gazette on 16 November 1945.

Crown Reserve 82241 is contained in Lot 341 Deposited Plan 751735. The Reserve is named **Arbuckle Park**. Reserve 82241 was reserved from sale for the public purpose of Children's Playground and was published in the Government Gazette on 24 December 1959.

Crown Reserve 83509 is contained in Lot 250 Deposited Plan 751735. The Reserve is named **Wamoon Park**. Reserve 83509 was reserved from sale for the public purpose off Public Recreation and was published in the Government Gazette on 6 October 961.

Crown Reserve 87727 is contained in Lot 7301 DP 1165101. The Reserve is named **Enticknap Park**. Reserve 87727 was reserved from sale for the purposes of Public Park and Public Recreation and was published in the Government Gazette on 29 May 1970.

Crown Reserve 87728 is contained in Lot 1 Deposited Plan 1135132. The Reserve is named **Central Park**. Reserve 87728 was reserved from sale for the public purposes of Public Park and Public Recreation and was published in the Government Gazette on 29 May 1970.

Crown Reserve 87729 is contained in Lot 1 Section 90 Deposited Plan 758606. The Reserve is named **Noel Pulbrook Park**. Reserve 87729 was reserved from sale for the public purposes of Public Park and Public Recreation and was published in the Government Gazette on 29 May 1970.

The Reserves listed above are owned by the Crown and are managed by Leeton Shire Council as Crown Land Manager under the Crown Land Management Act 2016. The management and use of the land is subject to the provisions contained in the Crown Land Management Act 2016 and is not subject to any condition, restriction or covenant imposed by the owner.

2. Details of activity on Crown Land

The Urban Parks Generic Plan of Management has been prepared by Council and provides direction as to the use and management of the Reserves listed in this report.

The Plan of Management is required in accordance with Section 3.23 of the Crown Lands Management Act 2016 and Section 36 of the Local Government Act 1993.

The Plan of Management outlines the way the reserves will be used and provides the framework for Council to follow in relation to the Leasing, Licencing and Permit processes for the lands.

The Plan of Management also provides for the granting of easements over the lands and the further development of the lands, buildings and infrastructure on the lands.

The Plan of Management provides strict guidelines such that each activity requires a Native Title Assessment and validation under the Native Title Act 1993 to be carried out by Council's Native Title Manager prior to the commencement or approval of that activity.

The Plan of Management is clear that the management of those activities that could be considered to be a future act must take into account the reserve purposes for the lands.

Accordingly, the activities authorised under the Plan of Management could be validated under Subdivision J of the Native Title Act 1993.

2a. Is the activity a future act?

The plan of management provides authorisation for the granting of Leases, Licences and other Estates over the lands and the granting of easements and further development of the lands, buildings and infrastructure on the lands provided that they are in accordance with or ancillary to the reserve purpose of the lands. These activities could be considered to be a future act within the meaning of Section 233 of the Native Title Act 1993.

2b. If it is, why? If it is not, why not?

The activities authorised under the Plan of Management could be considered to be a future act within the meaning of Section 233 of the Native Title Act 1993.

3. If the activity is a future act, which of the following subdivisions of the future act regime under the Native Title Act 1993 validate it?

The authorisation of the activities that could be considered a future act within the Plan of Management provides for the activity to be carried out in accordance with the reserve purpose of the lands.

The Plan of Management does not provide authorization for any activity that is not in accordance with the reserve purposes of the lands.

Accordingly, the activities could be validated under Subdivision J of the Native Title Act, 1993.

6. Requirements to notify any representative body.

The Plan of Management provides strict guidelines such that each activity requires a Native Title Assessment and validation under the Native Title Act 1993 to be carried out by Council's Native Title Manager prior to the commencement or approval of that activity.

Notification will be assessed on a case by case basis and parties will be notified when an activity is assessed.

As the Plan of Management authorises activities that could be considered to be future acts within the meaning of Section 233 of the Native Title Act 1993. Council will notify NTSCorp prior to adoption of the plan.

Subdivision J

Requirement	Section 24JA	Requirement satisfied
The reservation(s) were created on or before 23 December 1996; and	s. 24JA(1)(a)	Yes
The reservations were valid; and	s. 24JA(1)(b)	Yes
The creation of the reservation(s) was done by the Crown (the Commonwealth or State); and	s. 24JA(1)(c)	Yes
The whole or part of any land or waters under the reservation was to be used for a particular purpose; and	s. 24JA(1)(d)	Yes
The issue of the licence is done in good faith under or in accordance with the reservation(s), or	s. 24JA(1)(e) (i)	Yes
in the area covered by the reservation(s), so long as the act's impact on native title is no greater than the impact that any act that could have been done under or in accordance with the reservation would have had.	s. 24JA(1)(e) (ii)	

Summary:

The Plan of Management authorises activities that could be considered as future acts within the meaning of Section 233 of the Native Title Act 1993.

The Plan of Management provides that those activities are only to be authorized if they are in accordance with or ancillary to the reserve purpose(s) of the land(s).

Those activities that are consistent with the reserve purpose(s) of the land(s) may be validated under Subdivision J if the land was subject to a reservation created prior to 23 December 1996 and the reservation was done by the Crown.

Therefore requirements of s.24JA(1) (a) – (e) are met.

s. 24JA(1)(a) is satisfied as the relevant land(s) listed in this report were subject to reservation(s) created before 23 December 1996.

The reservations were gazetted on various dates mentioned in this report and each were created prior to 23 December 1996.

s. 24JA(1)(b) is satisfied as the Reserve(s) listed in this report were notified in the Government Gazette.

The reservations were published in the Government Gazette on various dates mentioned in this report.

s. 24JA(1)(c) is satisfied as the reservation(s) listed in this report were carried out by the Crown under the provision of the Crown Lands Consolidation Act, such reservation(s) had been carried out by a statutory power, exercised by the Minister on behalf of the Crown.

The published reservations were notified in pursuance with s.28 of the Crown Lands Consolidation Act, 1913.

s. 24JA(1)(d) is satisfied as the land(s) listed in this report were to be used for a specific purpose being a reservation under the Crown Lands Consolidation Act which reserved the land(s) from sale.

The land listed in this report have been used for the specific purpose in accordance with the various reservations of Children's Playground/ Public Park/Public Recreation.

s. 24JA(1)(e) (ii) is satisfied as the adoption of a Plan of Management that authorises activities to be done in accordance with the reserve purpose(s) in the area(s) covered by the reservation(s), so long as the act's impact on native title is no greater than the impact that any act that could have been done under or in accordance with the reservation would have had.

The Plan of Management provides that activities on the land(s) are only to be authorised if they are in accordance with or ancillary to the reserve purpose(s) of the land(s).

Donna O'Bryan

Donna O'Bryan
Native Title Manager
Leeton Shire Council

OPERATIONAL MATTERS

ITEM 8.14 PROPOSED IPART PEG FOR DOMESTIC WASTE CHARGES - RESPONSE FROM LEETON SHIRE COUNCIL

RECORD NUMBER	22/159
RELATED FILE NUMBER	EF21/132
AUTHOR/S	Manager Environmental Sustainability
APPROVER/S	General Manager

SUMMARY/PURPOSE

The purpose of this report is to seek Council's endorsement that Leeton Shire Council objects to the IPART proposal to introduce a Domestic Waste Charge peg.

RECOMMENDATION

THAT Council endorses objecting to the introduction of a Domestic Waste Management Charge peg and the publicising of Charge outliers and, instead, advocates that the NSW government pursues options to work directly and proactively with only those Councils they consider to be outliers.

REPORT

(a) Background

In May 2020, IPART initiated a review of the local government Domestic Waste Management (DWM) Charge after being informed that the Office of Local Government (OLG) had ceased auditing the reasonable cost basis of these charges in 2016-17. After surveying councils on DWM expenses and services for the 2017-18 and 2018-19 financial years as part of the 2019-20 Local Government Cost Index (LGCI), IPART found that DWM charges had risen significantly in recent years and that they vary significantly across councils and between similar councils as defined by OLG groupings. IPART has therefore proposed an approach to reduce variation in DWM charges.

IPART's Draft Report (2021) recommends the adoption of pricing principles and an annual 'benchmark' peg on the DWM charge, starting at 1.1% in 2022/23. IPART proposes to publish an annual report on the extent to which councils' annual DWM charges increased more than the benchmark peg. **Attachment 1 refers.**

(b) Discussion

Another peg, this one proposed for waste charges, would further frustrate Council's attempts to ensure each activity derives sufficient income to pay its way.

Leeton Shire Council is yet to implement Food Organics Green Organics (FOGO). The implementation of a rate peg will constrain Leeton's ability to successfully implement a FOGO program across our Shire as the roll out of this program will come with a significant financial outlay and is mandated by 2030.

In 2017 Leeton Shire Council developed a "Full Cost of Landfilling" report and the result indicated Leeton was significantly below true operational charges in regards gate fees. The gate fee value per tonne in 2017 was advised to be \$175.58/t but Council charged significantly less. In 2022, Council's gate fee is still sitting 40.2 % below the 2017 value per tonne, at \$105.00/t.

Whilst these figures are specific to gate fees and outside of the IPART rate peg, Council believes the overall service provided to our residents is a highly competitive and cost-effective service.

As such Leeton Shire Council is of the view that the implementation of a 'peg' for the DWM charge would leave Leeton Shire Council and other comparable councils with an insufficient DWM charge that could render Council unable to provide a sustainable service to our community.

Under the Key Priority Area Outcome Three: A HEALTHY NATURAL ENVIRONMENT within Council's adopted Delivery Program/Operational Plan – Advance environmental sustainability by leading at the local level. Leeton as a community is driven to reduce the effects of climate change & increasing climate resilience initiatives and mandates such as the 2030 - 80% waste diversion, the 2050 - CO2 reduction targets and the 2030 - FOGO Mandate.

Leeton Shire Council staff are of the opinion a DWM charge "Peg" will send the wrong message to our community and have adverse effects on the achievement of the various climate mandates and targets both practically and financially.

Staff recommend that the elected Council should advocate that the implementation of a rate peg will adversely influence its our ability to successfully and sustainability maintain a high-quality domestic waste service into the future. A draft letter has been prepared for Council's consideration – see **Attachment 2**.

(c) Options

1. That Council endorses the recommendation to object to a peg on the Domestic Waste Management Charge and the draft letter to IPART.
2. That Council does not endorse the recommendation to object to a peg on the Domestic Waste Management Charge and makes no submission to IPART.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

No immediate cost to Council. However, if a peg on the Domestic Waste Management Charge does proceed, Council may in future have insufficient funds available to run its waste service.

In 2021/22, Council will collect \$1,177,920 from the Domestic Waste Management Charge. Next year 2022/23, it is forecasting an increase of 3.1% to \$1,223,046 which will assist with the increased costs of running the service, as well as the costs of preparatory reports for FOGO and investigations for gas capture/management.

(b) Policy

Federal Government's 2030 Emissions Reduction Target.
New South Wales Government's Net Zero Plan 2020 – 2030.
Leeton Shire Council's Delivery Program 2017–2022 and Operational Plan 2021/22.

(c) Legislative/Statutory

As per the Local Government Act, a DWM charge is levied against each residential property for the provision of domestic waste management services. Leeton Shire Council's DWM charge includes the provision for the following services:

- Waste (red lid bin) collection and disposal (240 litre collected weekly)
- Recycling (yellow lid bin) collection and processing (240 litre collected weekly)
- Currently free household waste at the Leeton Waste and Recycling Centre (2021/2022)
- Costs associated with the Kerbside Collection Contract as a rise and fall contract.

(d) Risk

1. The current service costs are known, however future costs of the service are unknown. Industry information suggests increases in service cost may occur for DWM charges in the future, particularly in lieu of recent economic changes such as export bans, increasing processing costs of recycling, fuel costs, inflation, and resource shortages. These all pose challenges which may affect the cost of providing DWM services in the future. A set peg increase will not allow the true service costs to be adopted without an investigation by IPART, particularly if enhancements are to be made as part of a service, posing a potential risk to service delivery.
2. Reputational risks may occur, particularly if IPART choose to report councils with cost increases above a benchmark waste peg, which could be potentially misinterpreted as suggesting councils are overcharging and/or have inefficient practices, when we are working to maintain a service at cost.

3. Environmental risk is likely present, the options proposed do not cover service enhancements or the introduction of new services, this could inhibit innovation and could be contrary to current waste minimisation legislation with the focus moving to financial rather than resource recovery outcomes.
4. A waste peg presents a likely program risk to Council. Council will be able to make enhancements to service, however, will be part of an investigation process to justify the proposed cost changes. This process may potentially delay any enhancements to the proposed innovation under consideration.

CONSULTATION

(a) External

Local Government NSW (LGNSW)
Riverina and Murray Joint Organisation Waste Group

(b) Internal

General Manager
Group Manager Operations
Manager Environmental Sustainability
Waste and Recycling Coordinator

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 – 9 - A community that respects the natural environment - 9 a - Provide waste management services - Operate Resource Recovery Facility (includes landfill) and Transfer Stations to maximise landfill life".

ATTACHMENTS

- 1 [↓](#) Submission - Response to IPART paper on Domestic Waste Management Charges Reform
- 2 [↓](#) LGNSW Position Paper on Domestic Waste Management Charge Reforms



LEETON
SHIRE COUNCIL

EF21/132

28 April 2022

Sheridan Rapmund
IPART
PO Box K35
Haymarket Post Shop
NSW 1240

Dear Sheridan

RE: Leeton Shire Council Response Domestic Waste Management Charge Reforms proposed by IPART.

The purpose of this letter is to outline Leeton Shire Council's concerns about IPART's proposed reforms to the Domestic Waste Management Charge.

IPART's Recommendations

IPART's Draft Report (2021) recommends the adoption of pricing principles and an annual 'benchmark' peg on the DWM charge, starting at 1.1% in 2022/23. IPART proposes to publish an annual report on the extent to which councils' annual DWM charges increased more than the benchmark peg.

We understand that the Draft Report supersedes the approach proposed in IPART's original 2020 [Discussion Paper](#), which recommended adoption of pricing principles by councils only. The original Discussion Paper recommended setting a monitoring, reporting, and benchmarking regime, not a peg.

IPART's latest pricing principles would be applied via the Council Rating and Revenue Raising Manual to 'rebalance' costs attributed between the DWM charge and general rates, with a one-off variation to councils' general rate bases allowed in 2022/23 or 23/24. IPART would then monitor 'like for like' councils against their benchmarks and report on outlier councils each year, with outliers triggering a requirement to justify the variation or face potential regulatory response.

IPART has previously indicated that 'doing nothing' was not an option, and that local governments must indicate a preference for the proposal in the draft report or an alternative approach.

Leeton Shire Council's Position

Leeton strongly opposes the introduction of a peg on the DWM charge.

There are significant challenges and changes at present for local government in preparing and transitioning their communities to new waste models as mandated by the NSW Government's Waste and Sustainable Materials Strategy 2041. This will require councils to introduce new domestic food and organics collections, amongst a host of other new or enhanced activities, to deliver against the Strategy's objectives and targets. In addition to this, the challenges of waste export bans commencing, significant fuel price increases and transport costs, as well as the pandemic, it is clear now is not the time to further complicate and hamstring local councils working to service their communities.

Any mandated changes to the Waste industry pose significant additional financial strain on all Councils across New South Wales, a position amplified in medium and small regional Councils (such as Leeton Shire Council) who do not have the benefit of large economies of scale to help fund the cost of service.

It is noted IPART has seen concerns around a lack of transparency for residents on pricing and inconsistency of charges across councils for similar services and inconsistent cost allocations between the DWM charge and general rates.

Local Government New South Wales (LGNSW) has received advised councils of its response to the proposed DWM charge peg, being a solution focused on supporting councils to address the fundamental source of any concerns rather than introducing further regulatory measures such as a benchmark or peg. Leeton Shire Council supports this approach wholeheartedly and believes it has greater merit as it is geared better to achieving a more accurate mix of long term sustainability and affordability. **Pegs are blunt instruments that are totally unsuited to respond appropriately or in a timely fashion to market forces that impact the costs of service delivery.**

What Leeton Shire Council would benefit from instead is greater clarity on a range of matters, particularly:

1. Updated and clearer guidance on what should be included (or excluded) from the DWM charge as this is the simplest and most efficient way to provide transparency to residents and provision consistent allocation of costs.
2. Updated definitions (such as 'domestic waste management service') with the *Local Government Act 1993* and in the associated *Council Rating and Revenue Raising Manual*.

Most importantly, Leeton thinks that it would be far better for IPART to confidentially identify Councils on the outer parameters of the DWM charge across NSW and work directly with them to realign their fees and charges within the industry for comparable Councils.

It is important to note that service costs are influenced by factors that are variable and fixed, the latter including proximity of council to markets and disposal sites and subsequent transport costs. The lack of competition in the waste sector is also a factor

over which councils have little control. Industry development, innovation and increased competition is required, and these sit beyond the realm of IPART.

Leeton Shire Council, in accordance with the Local Government Act, has several existing mechanisms for engaging and reporting to the community on DWM services and charges. These include the Integrated Planning & Reporting process, publishing of council fees and charges on our website, and annual auditing by the NSW Audit Office. We contend that our community is fully informed.

Further considerations from Leeton Shire Council

Leeton Shire Council is yet to implement Food Organics Green Organics (FOGO). The implementation of a rate peg will cause significant financial strain on Leeton's ability to successfully implement a FOGO program across our Shire as the roll out of this program will come with a significant financial outlay.

In 2017 Leeton Shire Council developed a Full Cost of Landfilling report and the result indicated Leeton was significantly below the required operational charges - the gate fee value per tonne in 2017 was advised to be \$175.58/t whereas, in 2022, our current gate fee rate is sitting 40.2 % below at \$105.00/t. Whilst these figures are specific to gate fees and are in the process of being addressed, Council believes the overall service provided to our residents is a highly competitive and cost effective service.

As such, Leeton Shire Council is of the view that the implementation of a 'peg' for the DWM charge could in fact leave Leeton Shire Council and other comparable councils at a distinct disadvantage, hamstringing us from making incremental change over a number of years and risking our ability to sustainably service our community's waste needs.

Under the Key Priority Area Outcome Three: A HEALTHY NATURAL ENVIRONMENT within Council's adopted Delivery Program/Operational Plan – Advance environmental sustainability by leading at the local level, Leeton is working hard to reduce the effects of climate change and increasing climate resilience initiatives and mandates such as the 2030 - 80% waste diversion, the 2050 - CO2 reduction targets and the 2030 - FOGO mandate. Leeton Shire Council is of the opinion a DWM "Peg" will send the wrong message to our community as it will restrict our plans to deliver on these environmental goals and frustrate our efforts to achieve the various climate mandates and targets both practically and financially.

As such Leeton Shire Council calls upon IPART to acknowledge the significant challenges facing local government as well as the existing avenues for community transparency (including IP&R reporting), and immediately suspend the proposed reforms. We support a focus from IPART to identify and work with councils that are deviating from the Pricing Principles at both the upper and lower ends of the spectrum and to leave compliant councils to continue delivering quality services that meet the needs and service preferences of individual communities.

Additional feedback:

- Changes to Leeton Shire Council's DWM charge are always undertaken in consultation with our community.
- The current objective of our community is the minimisation of disposal to landfill.
- Rate pegs restrict innovation and will be contrary to current waste minimisation legislation – a peg will drive a financial outcome only and not the resource recovery outcomes communities and governments are wanting pursued.
- Benchmarking DWM charges across the state need to be undertaken cautiously as variations in services, environment and delivery costs are significant.
- A 1.1% peg will definitely not cover increases in CPI and contractor charges - this is unreasonable as it does not reflect the true costs for Council/s.
- Under proposed pricing principles rural Councils will be disadvantaged due to reduced economies of scale and the tyranny of distance.
- Leeton Shire Council is yet to introduce a FOGO service (which is due to become mandatory) and this cannot be achieved without a justified rise in DWM charges. Council will not be able to cover these costs if a peg is imposed.
- Being named in an annual report to parliament will be misleading to the broader community and could impact on Council's brand. It may imply a Council is overcharging and/or is inefficient when it is actually not. Each case needs to be assessed individually and the 'story behind the charges' needs to be fully understood before labelling a Council an outlier.
- Our view is that ratepayer concerns can already be raised directly with each Council as part of the annual budget development/submission process. There is also the opportunity for ratepayers to raise their concerns with the regulator if they are dissatisfied with a Council's response.
- There is an opportunity for Councils, the OLG and IPART to work collaboratively on strengthening the guidance available to Councils and the community regarding the development of domestic waste charges and associated costs.
- Council does not support DWM charges being regulated by IPART as the environment and market is regularly changing and the charge should be adjusted to reflect this dynamic industry.
- It is not justified to say that DWM charges increasing faster than the rate peg is a concern. This is a merely a reflection of the costs of service as well and the increased expectations of communities and governments with regard to innovative waste services that are environmentally more responsible.
- Council believes waste services should always be customised and relevant for their respective communities. For example, metro and regional centres have economies of scale advantages which present waste management opportunities at an affordable price, as well as broader end use opportunities and related industry support.
- Our experience indicates that there is effective competition within the market and DWM services can be outsourced. The decision to outsource or provide the service in-house should remain solely with the local Council.
- Allocation of overheads should remain the responsibility of the respective Councils, which should be an auditable, transparent transaction and only levied against DWM charges where applicable.

Leeton Shire Council acknowledges there is a wide variation in the number and type of DWM charges and services provided across Councils, and that further guidance into how DWM charges are set would be beneficial. Leeton Shire Council believes it is delivering good value for ratepayers, additionally providing the opportunity for the community to submit any concerns they may have regarding fees and charges. Council does not support regulation applied to DWM charges.

To conclude, Leeton Shire Council strongly recommends that IPART does not introduce a DWM charge peg or any other benchmark at present, but instead works with specific councils whose charging is being noticed as relatively high or relatively low. IPART should also work with the NSW Government to update the definitions and guidance relating to the DWM charge. Leeton Shire Council believes a rate peg or similar will run counter to achieving the Waste Diversion targets depicted within the NSW Government's Waste and Sustainable Materials Strategy 2041.

Yours faithfully

Jackie Kruger
General Manager

DRAFT

LGNSW Position Paper on Domestic Waste Management Charge Reforms

The purpose of this paper is to outline LGNSW's position with respect to IPART's proposed reforms to the Domestic Waste Management Charge.

The intent of this paper is to provide a basis for local government to consider and, if supported, the content can be used by councils in their own submissions to IPART's Draft Report.

Background

In May 2020, IPART initiated a review of the local government Domestic Waste Management (DWM) Charge after being informed that the Office of Local Government (OLG) had ceased auditing the reasonable cost basis of these charges in 2016-17. After surveying councils on DWM expenses and services for the 2017-18 and 2018-19 financial years as part of the 2019-20 Local Government Cost Index (LGCI), IPART found that DWM charges had risen significantly in recent years and that they vary significantly across councils and between similar councils as defined by OLG groupings. IPART has therefore proposed an approach to reduce variation in DWM charges.

What has IPART recommended?

IPART's Draft Report (2021) recommended adoption of pricing principles and an annual 'benchmark' peg on the DWM charge, starting at 1.1% in 2022/23. IPART proposes to publish an annual report on the extent to which councils' annual DWM charge increased more than the benchmark peg.

The Draft Report superseded the approach proposed in IPART's 2020 [Discussion Paper](#), which recommended adoption of pricing principles by councils but instead of a peg the Discussion Paper recommended setting a monitoring, reporting and benchmarking regime. IPART's pricing principles would be applied via the Council Rating and Revenue Raising Manual to 'rebalance' costs attributed between the DWM charge and general rates, with a one-off variation to councils' general rate base allowed in 2022/23 or 23/24. IPART would monitor 'like for like' councils against their benchmarks and report on outlier councils each year, with outliers triggering a requirement to justify the variation or face potential regulatory response.

IPART has verbally indicated that 'doing nothing' was not an option, and that local government must indicate a preference for the proposal in the draft report or an alternative approach.

LGNSW's Position

There are significant challenges and changes afoot for local government in preparing and transitioning their communities to a new waste paradigm as envisaged by the NSW Government's Waste and Sustainable Materials Strategy 2041 (WaSM). This will require councils to introduce new domestic food and organics collections, amongst a host of other new or enhanced activities, to deliver against the Strategy's objectives and targets.

Add to this the challenges of waste export bans commencing, significant fuel price increases and transport costs, and the lasting impacts of bushfire, flood and pandemic and it is clear that this is not the time to further complicate and hamstring councils as they service their communities.

IPART has identified concerns around lack of transparency for residents on pricing, inconsistency of charges across councils for similar services and inconsistent cost allocations between the DWM charge and general rates. LGNSW is of the strong view that the solution should therefore focus on supporting councils to address the fundamental source of any concerns rather than introducing further regulatory measures such as a benchmark or peg.

Updated and clearer guidance on what should be included (or excluded) from the DWM charge is the simplest and most efficient way to provide transparency to residents and consistent allocation of costs. The current definitions and guidance on what should be included in the DWM charge are dated and do not reflect modern waste management activities, nor provide for the activities that are likely to be required to enable the transition to a circular economy as per the NSW Government's vision outlined in the WaSM.

The first step should therefore be to update definitions (such as 'domestic waste management service') with the *Local Government Act 1993* and in the associated *Council Rating and Revenue Raising Manual*.

Consistency of costs for similar services across councils will also be supported by the above updates. However it must be noted that service costs are influenced by factors that are variable and fixed, the latter including proximity of council to markets / disposal sites and subsequent transport costs. The lack of competition in the waste sector is also a factor over which councils have little control. Support for market development, innovation and increased competition is required, and these sit beyond the realm of IPART.

LGNSW also considers that some of IPART's Draft Report recommendations go beyond IPART's remit. For example, the Minister's delegation under the Local Government Act does not provide for councils to report to IPART on their waste charges or other activities. We note IPART has acknowledged this in its draft Report "Our delegated powers cannot respond to many of the issues raised. We can only set an annual limit on the extent to which councils' DWM charges may be varied." (pg18).

With regards to transparency for residents, there are existing mechanisms for engaging and reporting to the community on DWM services and charges which are outlined in the section below. These include the Integrated Planning & Reporting process, publishing of council fees and charges, and auditing by the Office of Local Government or the NSW Audit Office. Again, the focus should be on ensuring the appropriate use of these mechanisms rather than introducing blunt instruments such as pegs or one-off adjustments.

In conclusion, LGNSW strongly recommends that IPART does not introduce a DWM charge peg or any other benchmark at this time, but instead works with local government and the NSW Government to update the definitions and guidance relating to the DWM charge.

Rationale for LGNSW's Position

In 2010 the Minister for Local Government delegated to IPART the function of determining the rate peg and minimum rates, approving special rate variations, and the function of varying annual domestic waste management charges. LGNSW understands that IPART's powers with respect to varying the DWM charge are limited by the constraints of the delegation from the Minister of Local Government under s507(2) of the *Local Government Act 1993*. The delegation currently only allows for IPART to set an annual limit on the extent to which councils' DWM charges may be varied. IPART acknowledges this constraint within the Draft Report.

As such LGNSW is of the view that IPART's remit is limited to the implementation of a 'peg' and could in fact, not mandate councils to undertake any additional reporting as proposed within the Draft Report. Imposing a reporting condition would be introducing a regulatory measure into a fund-raising mechanism. Any requirement for reporting would require a regulatory change.

The Minister for Local Government has not requested this current review of the DWM charge, and IPART identifies in the Draft Report that it commenced the review in response to notification in 2019 that OLG had ceased conducting audits of the reasonable cost basis of DWM charges in 2016–17. Therefore, IPART deemed it necessary to investigate the level of DWM charges across NSW and asked councils to report on their DWM expenses and services for the 2017–18 and 2018–19 financial years as part of the 2019–20 Local Government Cost Index (LGCI) survey to inform this process.

As such LGNSW calls upon IPART to acknowledge the significant challenges facing local government and the existing avenues for community transparency (including IP&R reporting) and suspend the proposed reforms. We support a focus from IPART to identify and work with councils that are not complying with the Pricing Principles and to leave compliant councils to continue delivering quality services that meet the needs and service preferences of individual communities.

Effective mechanisms exist

IPART has made the assertion that 'business as usual' when setting future DWM charges is not an option. However, councils already have a toolbox of measures available to them to ensure that they meet or exceed community expectations whilst achieving State and Federal waste targets. Indeed, there are many examples where councils' efficient use of the DWM charge has delivered an increasing range of domestic waste programs – demonstrating innovation, circular economy principles, improved resource recovery and of course improved environmental outcomes. As such to suggest that BAU is an ineffective method of determining the DMW charge is disingenuous.

Some of the measures currently used by councils include:

- The IP&R process which sets up the mechanisms for councils to engage with their community on appropriate DWM costs
- Councils' membership of ROCs, JOs and voluntary waste organisations which allow for joint contract negotiations and create opportunities to limit costs and facilitate consistency in regional waste delivery.

Local government procurement policies set out guidelines for purchasing and tendering to ensure communities receive best value for money. OLG has also foreshadowed a review of the Local Government tendering guidelines in 2022. The new procurement guidelines will

provide guidance on how councils can use procurement to further the community goals identified through the integrated planning and reporting process and as a social and economic development tool.

Revisiting the definition of 'best value' could further improve procurement outcomes however this is considered a separate matter.

There are existing reporting mechanisms which ensure the transparency of reporting the DMW charge and the details of services which are funded:

- A comparison of council services including DWM costs are already included in the Your Council website <https://www.yourcouncil.nsw.gov.au>.
- Annual Operational Plan public exhibition period and council deliberations.
- Fees and charges made publicly available on individual council websites.
- The OLG has the power to monitor DWM charges to ensure that they reflect reasonable costs.

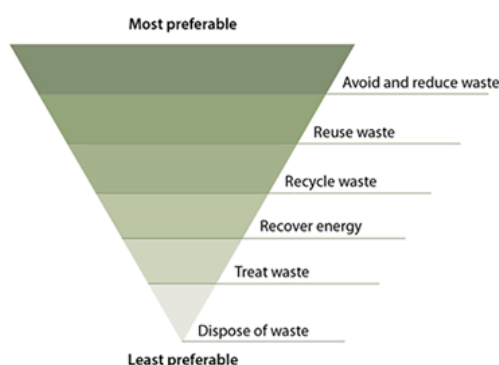
Factors influencing costs

There also needs to be recognition of the extraordinary factors that will continue to influence the delivery of waste services and councils' ability to meet community expectations. These include:

- The rollout of the Waste and Sustainable Materials Strategy (WaSM) which includes the inclusion of the food and garden organics mandate and changes to contestable / non-contestable funding.
- The effects of the China Sword policy, the Basel Convention and bans on the export of other waste materials.
- The NSW Government's current review of the NSW resource recovery framework which will likely see definitions of key terms (such as 'waste') altered amongst other changes to the framework. These may result in changed service costs for councils.
- Increasing costs and overheads for councils including fuel and electricity. This is coupled with uncertainty around future increases because of COVID-19, disruption to global supply chains and compounding local economic pressures and leading to an increasing CPI.
- Increasing staff wages which will increase by 2% in accordance with the LG Award on 1 July 2022.
- The impact of the 0.7% baseline rate peg handed down by IPART for this year which is likely to result in a \$100 million shortfall sector-wide.
- Concern around climate change which will continue to influence community sentiment towards increased resource recovery.
- The need to move toward a circular economy to minimise resource loss whilst driving innovation and opportunity.
- The increasing cost of managing waste resulting from climate change driven natural disasters.
- Existing monopolies within the waste industry which limit councils' capacity to negotiate contract costs.
- Increases in the superannuation guarantee levy which can lead to increasing contract costs.
- Anticipated high costs and extended lead times for the approval and construction of new disposal facilities.

In addition, IPART's approach to the DWM charge reflects a linear waste model and does not reflect the innovation and different way of thinking that is necessary for transitioning to a circular economy. Transitioning to a circular economy underpins the WaSM and is the NSW Government's stated policy direction for better managing our resources and minimising waste. It will potentially require councils to undertake activities beyond what IPART (and the definitions in the Local Government Act and Rating Manual) currently considers 'domestic waste management' to be.

The waste hierarchy sets out the priorities for waste disposal in Australia. It is clear that waste avoidance and reduction are the preferred mechanisms to efficiently manage waste and for councils this will mean increasing community education and programs that are designed to decrease waste generation. Such programmes are not currently included in the list of those that could be funded under the DWM charge.



Analysis of IPART's proposed peg

IPART's proposed 'Peg' approach involves:

- Publishing annually a benchmark DWM charge peg (1.1% for 2022-23) that gives guidance on how much the reasonable costs of providing DWM services have changed over the previous year.
- The DWM charge peg to be calculated based on a Waste Cost Index (WCI) taking into account a basket of 26 items taken from DWM expenditures in 2017-18 and 2018-19, IPART's Local Government Cost Index (LGCI) which determines the weight of each expenditure item to the total value of the basket, and ABS price indexes to measure changes in wage costs, producer and consumer indexes.
- Publishing an annual report on councils that have increased their DWM charges beyond the annual peg, and those councils' justifications for doing so.
- OLG to publish pricing principles in their *Council Rating and Revenue Raising Manual* on how to set DWM charges to ensure they reflect the costs of providing the service and best value for ratepayers.

The proposed peg approach has the following negative implications:

- a) It incentivises councils to do as little as possible and to prioritise cost over innovation and delivering best-practice services.
- b) It poses a significant barrier to delivery of council targets and the WaSM targets, and the services required to achieve those.

- c) The proposed peg of 1.1% may be calculated based upon flawed data. The calculation also uses historical data rather than forward projections to reflect future needs.
- d) It increases risk to the successful roll-out of new services such as food organics and garden organics (FOGO), which the EPA has mandated by 2030. SSROC's 2021 regional FOGO/FO feasibility study indicates that introducing FOGO will cost on average \$15.54 million per council in year 1, or an 8% increase in the cost of providing red-lidded and green-lidded bin services. The EPA's Organics Collection Grant program offers on average \$0.76 million per council if the total \$65 million available is divided equally between all councils that have not yet adopted FOGO. Therefore, introducing FOGO will require councils without a sufficient waste reserve to raise DWM charges well above 1.1%.
- e) As the peg uses historical data, it does not reflect the real costs being faced by councils in the coming year. For example, the 1,1% waste peg proposed for 2022-23 does not reflect an increasing CPI currently running at around 4%, real council award costs increases and the dramatically increased prices of fuel. Being named by IPART in an annual report for inevitably raising the DWM charge above the peg or applying for a time-consuming special rate variation to avoid this – just to introduce an EPA-mandated service such as FOGO – risks a community and media backlash. This may also undercut establishing social license for a new service, increase planning time and create delays in service introduction.
- f) Some councils have reported that the proposed peg has already created internal pressure to reduce costs while continuing to deliver a high-quality service, thus creating an unsustainable situation.
- g) Many councils have consulted their communities as part of their strategic planning and identified a strong community expectation for higher resource recovery and, in many cases, a willingness to pay for additional services.
- h) The peg further entrenches the gap between councils with relatively low DWM charges and councils with relatively high DWM charges, allowing the latter to continue levying high charges and increasing these at a higher annual increment than councils with lower DWM charges.
- i) As more councils inevitably exceed the voluntary peg, pressure will build on IPART to make the voluntary peg mandatory.
- j) There are concerns around increased reporting which will require resourcing, taking up valuable staff time.

Case studies / examples of implications in break out boxes to be included in final submission - - e.g. rise & fall clauses in contracts, councils with day labour are more heavily impacted by changes to the award (as 1.1% is less than CPI, and 2% award increase).

- Case Study – Council 1 (Regional Council)Detail waste services
- Detail population and community profile
- Detail factors directly influencing delivery of waste services
- Summarise challenges resulting from proposed changes

Case Study 2 – Metro Council

- Detail waste services
- Detail population and community profile
- Detail factors directly influencing delivery of waste services
- Summarise challenges resulting from proposed changes

Analysis of the “Rebalancing” approach

In August 2020 IPART released a DWM charge review Discussion Paper, which proposed:

- Benchmarking waste-related costs across councils;
- OLG to publish pricing principles in their *Council Rating and Revenue Raising Manual* on how to set DWM charges to ensure they reflect the costs of providing the service and best value for ratepayers;
- Councils to rebalance DWM income and expenses with general rates in line with the pricing principles with the aim of shifting overheads not consistent with the pricing principles to general rates; and
- Councils do annual reporting via a simple and streamlined spreadsheet.

Under this approach, councils would have a 2-year grace period to rebalance the DWM charge with general rates based on clear pricing principles. The general rates base peg would be applied to the new level of general rates after rebalancing. Total council revenue would thus be unaffected as this would merely shift some costs from one journal to another. IPART would only regulate by exception those councils that exceed the average DWM charge after rebalancing by about 15%. Shifting costs from one ledger to another does not allow for pricing signals to reflect the true cost of waste services, in the water industry ensuring that users pay for what they receive has helped to positively influence how the community values resources.

Of the two options contemplated by IPART (peg or rebalancing), and notwithstanding IPART’s limited powers under delegation, rebalancing is the “least worst” option. However local government’s concerns with this proposed approach include:

- a) Some council waste costs may vary significantly from benchmarked costs due to service level, density, demographics, and timing of service introductions compared to other councils, etc.
- b) According to IPART’s proposed delineation, the costs of managing illegal dumping would be accounted for as an unbooked clean-up and combined with clean-up costs. However, some councils do not know the cost of illegal dumping on its own as trucks generally do not have scales, it is sometimes combined with clean-ups and is often ad-hoc.
- c) Only those education costs related to waste and recycling can be included in DWM charges, which means the portion of costs of an educator’s time dedicated to non-waste issues such as environment and sustainability, and education campaigns not directly related to delivering waste services, could not be included in the DWM charge.
- d) Where activities are re-allocated to sit under general rates, there is strong concern that the relative priority of those activities will diminish when having to compete with other activities in general rates, eg education campaigns to reduce illegal dumping or avoid the generation of waste, or funding contributions towards Regional Illegal Dumping Squads.
- e) Councils, especially those in regional and rural areas would express concern if there were any risk to employment of waste staff through the rebalancing approach. Surety of employment is critical at this time and is necessary for the continued delivery of waste services.

IPART does not have the authority to set policy or require the reporting by councils that this option would require to be effective. That these proposals are outside of IPART’s remit should be considered alongside the implications of the rebalancing option.

Pricing Principles

Local government generally supports the concept and intent of pricing principles and would in due course welcome updated, realistic and considered guidance on how they should be applied. This will further improve transparency and increase certainty that they are being consistently applied.

It is understood that the *Council Rating and Revenue Raising Manual* is slated for update as part of the broader Rating reforms, and that would be the appropriate time for IPART to prompt the inclusion and application of pricing principles.

IPART's draft report asks whether the pricing principles "will assist councils to set DWM charges to achieve best value for ratepayers". This question assumes that councils are not already seeking to achieve best value for ratepayers – an unfounded and incorrect assumption. Councils are constantly seeking out the best way to deliver the community's expected services in the most efficient way, so as to minimise costs to ratepayers. There is no benefit in councils operating inefficiently as it jeopardises their ability to deliver expected community services, and only results in criticism.

Local government supports IPART's suggestion of further detailed examples being included in the *Council Rating and Revenue Raising Manual* to assist in implementing the pricing principles. Examples covering WaSM priorities such as FOGO services or additional collections from multi-unit dwellings for textiles (for example) would be useful. Note that the examples should serve to demonstrate how the principles are applied, and not necessarily provide the exact formula for all services as these will vary between councils.

Principle 1

"DWM revenue should equal the efficient incremental cost of providing the DWM service"

The intent of this principle is accepted, however it is the definition of DWM service that requires further detail and consideration. The current definitions and guidance provided by the *Local Government Act* and the *Council Rating and Revenue Raising Manual* are dated and do not reflect modern waste management. As already noted, they do not reflect the Government's current policy direction of converting from a linear waste model to a circular economy.

Given the pace of change in this area it is recommended that once updated, the definitions and guidance on the DWM charge be reviewed every 5 years to maintain currency and reflect real-world conditions.

Updating the definitions and guidance will provide a more definitive list of what costs should be attributed to the DWM charge vs general rates. It is critical that local government drives formulation of the list as they are most familiar with the day to day activities in this area.

IPART's draft report includes examples of what activities should be included in the DWM charge (pg 23). Local government recommends the following activities should also be included:

- illegal dumping clean up costs, particularly where the material predominantly arises from residential sources. For example, councils report that 100% of illegal dumping in some eastern Sydney councils is household waste.
- Broader waste avoidance education, not just disposal and recycling education, of residents (in line with the waste hierarchy such as reusable coffee cup programs).

- Events such as Clean Up Australia Day, Tidy Towns and other littering/waste community programs.
- Operational and ongoing costs of a Community Recycling Centre, being a service provided to residents.
- Drop off events for hazardous waste, chemicals, e-waste and other future product stewardship scheme items eg other electronic waste
- Collection and recycling of materials from residents, including soft plastics, textiles, mattresses, tyres and solar PV panels.

The above list provides broader activities that should be included, however there are several others costs that should be included in the DWM charge, for example, if we look specifically at rolling out an organics collection:

- Contract development and variations
- Trials and pilots
- Additional staff to support a new service
- Replacement bins and caddies (extra to initial infrastructure provided)
- MUD upgrades and fitouts to allow for food collection
- Audits and evaluation
- Advertising and media
- Consultant costs in designing, consulting community and implementation
- Contamination fees and decontamination costs
- Implementation of smart technology such as RFID which is proven to reduce contamination issues

These would be costs that are directly incurred in providing the service to residents. Without the above, the service would not occur or be less effective.

The above lists are not exhaustive, and the list must also make provision for new services or activities that will be required to implement WaSM / transition to a circular economy. We also reiterate that the guidance of what is / is not included in the DWM charge should be updated regularly to ensure it keeps pace with modern approaches to "waste management services", however they are defined.

The report notes that some direct overheads that are incurred in the direct delivery of the any of the DWM services can be included. We note IPART's draft report endeavours to demonstrate how overheads would be calculated in Appendix D however some of the assumptions are not practical for councils. It will not always be practical to directly apportion all overheads appropriately, especially in rural and remote councils where waste services are bundled in with other engineering or environmental responsibilities resulting in a potential shortfall for funding of key management staff.

IPART notes that "a separate targeted review would be best placed to consider issues around the equity and efficiency of funding pensioner concessions" (pg 12, Draft Report). LGNSW agrees this issue should be considered as part of the review of the Rating Manual and what costs are eligible for inclusion in the DWM charge.

There is some concern around the omission of rural transfer stations being identified as a service that can be funded under the DWM charge. Rural and regional councils frequently operate rural transfer stations in lieu of a domestic kerbside service, as enabling rural residents to dispose of waste and recycling at a centralised location is a far more efficient option. Costs, time and distance coupled with safety issues commonly prevent rural and regional councils from operating a domestic kerbside service outside of city, town or village

areas. This is another example of where the definition of 'modern waste management' needs to be clarified as historically much of this waste was landfilled on rural properties and councils have worked diligently to minimise this form of land contamination through the provision of accessible waste services.

Finally, cost recovery is a risk to the early adoption of services, there are increasingly instances where councils need to fund research and investigation into new waste service options, These might include changes to waste delivery models and/or the provision of collections covering emerging wastes, such as where councils are investigating how to implement the most effective form of food or food and garden waste collections, possibly including communal collections – noting that public place rubbish bins are not included in the current provisions.

Principle 2

Councils should publish details of all the DWM services they provide, the size of the bin, the frequency of the collection and the individual charges for each service

This is supported in principle, however councils already publish information regarding the waste services they provide and the relevant charges as part of their Fees and Charges information readily available in the Operational Plan and on council websites. This information is usually itemised to outline bin size, frequency of collection, plus charges for additional service components (additional bins, wheel in/out services etc).

The Your Council website provides a figure for each council's per capita environmental expenditure (including waste), with a comparison figure for other councils in the same 'group'. While this comparison is broader than just 'waste' it does provide a point of reference.

There also needs to be recognition that councils have varying capacity to neatly bundle this information on websites or issue detailed 'community friendly' reports. Further increasing the requirements for annual reporting will add burden and detract from service provision in councils that do not have communications/PR staff on hand.

For some councils publishing a 'price per bin' is not straightforward due to the complex mix of services available to meet varying community needs. Many councils are moving away from a 'standard service' in order to drive down bin void space and maximise waste avoidance. For example, a metropolitan council with a high proportion of single/stand-alone dwellings, multi-unit dwellings and a small rural fringe area offers a mix of bin sizes and frequency of collections depending on household size and need. There are certain overheads which would mean that a fortnightly collection will never cost half that of a weekly collection. Furthermore, having a smaller bin does not necessarily reduce collection costs. Publishing this type of data could cause confusion and concern as costs are not always directly related to bin size and/or collection frequency.

Councils may offer compassionate collections for elderly and/or residents with a disability, such services should be catered for in future domestic waste management services and they are less likely to be cost reflective.

Principle 3

Within a council area, customers that are:

- imposing similar costs for a particular service should pay the same DWM charge
- paying the same DWM charge for a particular service should receive the same level of service.

The intent of this principle is acknowledged and supported – same price for the same service – however the wording does not make sense as customers do not impose costs. We assume that the report is referring to councils imposing similar costs

No two councils are exactly the same and therefore the service cost is likely to vary in some way. Despite the use of the OLG groupings there are still concerns around comparing 'apples' with 'oranges' as OLG groupings differ to Commonwealth council groupings. LGNSW understands there has also been comparison of rural fringe councils where one is in the levy paying area and the other outside the levy paying area.

For example, even if the land area and population of two councils is the same their different distances to market can cause variation in the service cost. Even where the metrics of a service look to be very similar, Council A may be charged less than Council B by the same service provider for their own business reasons eg they discount the contract with Council A as a 'first mover' to entice others to come on board, while offsetting costs against other contracts. Or it could be a tactic by the service provider to undercut and further monopolise services in a region. These business decisions are out of the control of councils, and the impacts of this are further heightened when we consider the very small number of service providers in the market.

It is acknowledged that in regional and rural areas, councils will have the capacity to vary the cost-of-service delivery where the same service is delivered in different communities. These costs will often reflect variations in infrastructure and transportation costs as well as the time taken to service remote communities. These challenges also apply to councils across NSW, no council is the same in its service delivery, access to infrastructure and access to service providers, and therefore costs between councils will always vary.

IPART itself notes the following point under this principle:

- *The service level a council provides is a question for councils to decide after consulting with their ratepayers.*

Whilst councils would consult through the IP&R process around service delivery there are many other factors including WaSM mandates and waste/emissions targets that will directly impact councils' service delivery. In the case of the FOGO mandate, communities may not immediately support the service due to increased cost, but councils will still have an obligation to implement the service. Under this principle if councils provide the service that their community expects it may find itself in the situation where some/many of the expected services are not covered by the DMWC and councils are forced to cover these through general rates.

Principle 4

Any capital costs of providing DWM services should be recovered over the life of the asset to minimise price volatility

The intent of this principle is acknowledged and accepted. Wherever possible the capital costs can be spread over multiple years however there may be circumstances where there is

an imperative to introduce the service relatively quickly and in shorter timeframe than the asset's life (eg FOGO rollout and if new landfills were required to manage disaster waste).

Capital costs should continue to be recovered and held in reserve based on forward planning as opposed to relying on borrowings to fund expenditure and recover costs post service implementation, such as in the case of future waste disposal facilities. The interest on financing waste facilities and land acquisition imposes a significant extra financial burden on ratepayers and does not represent the most efficient costs.

There is some concern around the management of waste reserves under the proposed 'peg'. Councils require reserves for many things, the common example being the remediation of landfill. However in the recent floods (as an example) councils will need to fund the replacement of large quantities of bins over a short timeframe and as such not all expenditure from reserves are long term investments and councils can often have competing needs, all requiring reserves.

CONCLUSION

This position paper has been developed to collate the key issues ahead of LGNSW preparing its formal submission. This position paper has been developed based upon consultation and research with key stakeholders and reflects the views and concerns of LGNSW. We note that councils may share some but not all views contained within the paper and therefore invite councils to use any points within the position paper within your own submission.

LGNSW welcomes councils to contact LGNSW to discuss any part of this position paper ahead of developing your own submission. The final LGNSW submission will be placed on the LGNSW website and circulated to stakeholders.

**ITEM 8.15 ADDITION OF RESERVE 751745 FOR FUTURE PUBLIC REQUIREMENTS TO
RESERVE 90972 MCCAUGHEY PARK - OFF LEASH PET AREA**

RECORD NUMBER	22/104
RELATED FILE NUMBER	EF21/162
AUTHOR/S	Group Manager Operations Property Coordinator and Native Title Manager
APPROVER/S	General Manager

SUMMARY/PURPOSE

The purpose of this report is to authorise the addition of Reserve 751745 for Future Public Requirements (contained in Lot 7302) into Reserve 90972 for public recreation (contained in Lot 7010 DP1027093), being McCaughey Park. The purpose of the addition is to legitimise the encroachment of the pond onto Crown Land and to provide additional recreational space to include an off-leash pet area. The land in this reserve is also important for drainage of adjoining residential properties.

RECOMMENDATION

THAT Council:

1. Approves the addition of Lot 7302 DP 1164094 (Reserve 751745 For Future Public Requirements) into Reserve 90972 known as McCaughey Park.
 2. Requests approval from the Minister administering the Crown Lands Management Act 2016 to approve the addition of Lot 7302 DP 1164094 (Reserve 751745 For Future Public Requirements) into Reserve 90972 known as McCaughey Park.
 3. Confirms the land contained in Lot 7302 Deposited Plan 1164094, once added to Reserve 90972, be classified as Community land and Categorized as Park.
-

REPORT

(a) Background

Council staff have investigated the addition of the land contained in Reserve 751745 which is managed by Crown Lands, into Reserve 90972 McCaughey Park which is managed by Council.

In 2005 Council took out a Licence for Investigative Purposes for the Reserve. The Licence is current but cannot be used for any purpose other than investigation of the site.

A small portion of the McCaughey Park lake has encroached onto the Crown managed reserve as shown in Attachment 1. Further, additional recreational land is needed in the Yanco area for an off-leash area for dogs and this piece of land would be most suitable.

(b) Discussion

The addition of the Crown managed Reserve 751745 will both legitimise the encroachment by Council of the lake on to the reserve and provide the extra land needed for the progression of the Yanco off-leash dog area project.

Council will also look into using the additional area to mitigate localised flooding.

(c) Options

1. Approve the addition of the Crown managed Reserve to the Council managed Reserve McCaughey Park. **This is the recommended option.**
2. Not approve the addition of the Crown managed Reserve and explore other avenues for the encroachment of the lake upon the adjoining reserve and alternate sites for the off-leash dog park.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

Council has \$50K allocated for an off-leash area in the current 2022 / 23 budget. This may not be enough to fully develop the area however this does not impinge on Council advocating to acquire the land for incorporation into McCaughey Park. The cost of developing the off-leash area will come back to Council for consideration if it cannot be achieved within the estimated \$50K.

It is expected that the addition of the land into McCaughey Park will be at no cost to Council, as per the addition of the land into the Cemetery reserve. There are no legal costs associated with the transfer as it is an internal matter for Crown Lands which only requires ministerial approval and a Gazettal.

(b) Policy

Companion Animals Management Policy
Parks, Playgrounds and Recreational Facilities Asset Management Plan

(c) Legislative/Statutory

Crown Land Management Act 2016

(d) Risk

There is a low risk that Crown Lands may direct Council to rectify the encroachment of the lake onto the adjoining Crown reserve. Incorporating the land into the Council managed McCaughey Park helps solve this issue.

CONSULTATION

(a) External

Department of Planning and Environment – Crown Lands

(b) Internal

Manager Open Space and Recreation
Group Manager Operations

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

Under the Key Priority Area Outcome Five: A QUALITY BUILT ENVIRONMENT within Council's adopted Delivery Program/Operational Plan – 17 - A community that enjoys attractive towns and parks - 17 a - Provide open spaces for active and passive leisure - Maintain and improve Council's park network".

ATTACHMENTS

1 [↓](#) ATTACHMENT 1 Map showing encroachment of Lake onto adjoining reserve

ATTACHMENT 1

MAP SHOWING ENCROACHMENT ONTO ADJOINING RESERVE



ACTIVATION MATTERS

ITEM 8.16 DEFERRED DEVELOPER CONTRIBUTIONS POLICY - COMMUNITY FEEDBACK

RECORD NUMBER	22/142
RELATED FILE NUMBER	EF21/25
AUTHOR/S	Group Manager Shire Activation
APPROVER/S	General Manager

SUMMARY/PURPOSE

The purpose of this report is to seek Council's adoption of the Developer Contributions Deferred Payment Policy following public exhibition and feedback.

The Deferred Developer Contribution Policy will provide developers the option to continue to either pay their contributions upfront upon approval of the subdivision or opt to defer those contributions and match payments to the sale of allotments.

RECOMMENDATION

THAT Council adopts the updated Developer Contributions Deferred Payment Policy.

REPORT

(a) Background

Council collects developer contributions as permitted under Section 7.12 of the *Environmental Planning and Assessment Act 1979*. 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.

Developers have previously presented to Council that the developer contribution can be an impediment to the rate of development growth and therefore of our area.

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.*"

As presented to Council in September 2021 the purpose of the policy is to facilitate large scale residential land or subdivision 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.

The policy was adapted from a similar policy adopted by Temora Shire Council in June 2021.

In summary the key items of the proposed draft policy were:

- An initial deposit of \$50,000.
- Enable the developer to defer payment of any remaining balance until the blocks in the subdivision were sold. Payments would be made as each block is sold, thereby matching the expenditure to the income for the developer.
- The outstanding fees payable would be secured by holding a caveat over the unsold lots in the subdivision and payable as lots are subsequently sold, thereby releasing the caveat on those lots.
- Outstanding or deferred contributions would attract a 3% administration fee to account for interest and processing costs.
- Any deferred contribution balance on unsold allotments could be deferred for a maximum of 10 years, at which time the balance on any contribution on those unsold allotments must be paid, thereby enabling Council to release any remaining caveats on those allotments.

(b) Discussion

Community Feedback

Feedback following the community consultation period included:

- General support for initiatives that stimulate land development.
- The payment of an initial deposit was challenged.
- A question regarding what happens if the developer is placed into administration.
- Criticism of Council's efforts to stimulate land development to date.
- Allegation that Council was not legally able to make the decision due to the Caretaker Period prior to an election.

Staff Response

The developer contribution is a statutory charge under the *Environmental Planning and Assessment Act 1979*. As any unpaid developer contribution will be secured by registering a caveat over the land, the outstanding balance is a secured creditor which will be prioritised over other creditors affected by any insolvency event on behalf of the developer and will be required to be paid prior any land sale process as part of the insolvency.

The initial deposit limit has also been reviewed based upon a recent 66 lot subdivision off Karri Road in Leeton. The details of the developer contributions payable were therefore:

- Total developer contribution of \$21,120.

- Further developer contributions of \$3,500 per dwelling (circa \$231k) would be payable as the individual allotments are developed. These amounts are therefore already deferred to the time of development of each allotment.

Based on this example, it is considered unlikely that a subdivision would have initial development costs greater than \$5,000,000 which would result in a total contribution payable of greater than \$50,000, thereby enabling an amount to be deferred. (i.e. any amount greater than the \$50,000 initial deposit in the draft policy).

As a result, to encourage residential land development, it is recommended that the requirement for a minimum deposit to be paid be removed and as allotments are progressively sold that the developer contribution be paid at that time to enable release of Council's caveat over the land.

There were no legal impediments to the adopting the policy. It should be noted that:

- The submission is incorrect in that the policy was presented for Council's consideration at the 22 September 2021 meeting, which was prior to the caretaker period which commenced on Friday 5 November 2021.
- The purpose of the caretaker period is to prevent Council from entering into major decisions that bind a new Council. As the policy could be rescinded by a new Council and only affects the timing of a receipt and not the amount of the revenue to council, when combined with the financial impact of the policy on Council's financial position, approval of the policy would have been an allowable item for Council's consideration in the normal course of conducting the business of Council during the caretaker period.

Future Consideration

Another alternative to stimulate residential land development may include the implementation of an initial rate free period (12 months) for developers on unsold allotments. This will be considered further and if recommended a draft policy will be put forward for Council's consideration.

(c) Options

1. Adopt the updated Developer Contributions Deferred Payment Policy as presented. **This is the preferred option.**
2. Adopt the updated Developer Contributions Deferred Payment Policy with amendments.
3. Not adopt the updated Developer Contributions Deferred Payment Policy.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

The financial impact of the updated Developer Contributions Deferred Payment Policy is the time value of the delay in collecting any deferred amount. This is partially offset by the 3% annual administration fee collected on the deferred amount payable.

As stated above the amount payable as a developer contribution is likely to be less than \$50,000 per development/subdivision. It is considered unlikely that more than a few subdivisions would be released in any one year. Therefore, the probability of any deferred balance having a material effect on Council's cashflow management is estimated to be extremely low.

(b) Policy

Leeton Shire Council Section 94A Fixed Levy Plan.

The rates applicable in the 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.

(c) Legislative/Statutory

Environmental Planning and Assessment Act 1979

Section 94A contributions have been updated and are now referred to as Section 7.12.

(d) Risk

The risks identified in the initial proposal of the policy included:

- Non-payment
- Cash flow
- Reputation

There is no update to the risks identified as a result of the community consultation and updates to the policy.

CONSULTATION

(a) External

The draft policy was placed on public exhibition for community consultation for 30 days with submissions closing on 22 October 2021. The feedback received included:

- *Have your say survey* – 10 responses.
- Written contributions – 2 responses. Note that 1 response was submitted directly to Councillors after the public exhibition period, and not via Council's formal submission process.

(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 [↓](#) Updated Deferred Developer Contribution Policy V2
- 2 [↓](#) Developer Contributions Deferred Payment Policy - Have your Say
- 3 [↓](#) Deferred Developer Contribution Feedback - F.Porcu
- 4 [↓](#) Deferred Developer Contribution Feedback - G.Stoll



LEETON
SHIRE COUNCIL

**DEVELOPER
CONTRIBUTIONS DEFERRED
PAYMENT POLICY**

FEBRUARY 2022

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)
Draft	Aug 2021	Draft policy for community consultation	AR		21/335
V2	Feb 2022	Updated policy for adoption	AR		

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 Councils 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:

- 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

Survey Responses
23 September 2021 - 23 October 2021

Survey

Have Your Say Leeton Shire

Project: DRAFT Developer Contributions Deferred Payment Policy



VISITORS					
21					
CONTRIBUTORS			RESPONSES		
10			10		
10	0	0	10	0	0
Registered	Unverified	Anonymous	Registered	Unverified	Anonymous



Respondent No: 1
Login: Registered

Responded At: Sep 23, 2021 15:40:59 pm
Last Seen: Sep 23, 2021 05:39:55 am

Q1. Do you have any feedback on Council's DRAFT Developer Contributions Deferred Payment Policy? If so, please share your thoughts with us below.

good initiative providing its well managed



Respondent No: 2
Login: Registered

Responded At: Sep 23, 2021 15:41:52 pm
Last Seen: Sep 23, 2021 05:41:07 am

Q1. Do you have any feedback on Council's DRAFT Developer Contributions Deferred Payment Policy? If so, please share your thoughts with us below.

Important initiative because it is very difficult to find decent blacks to build on



Respondent No: 3
Login: Registered

Responded At: Sep 23, 2021 15:49:45 pm
Last Seen: Sep 23, 2021 05:46:40 am

Q1. Do you have any feedback on Council's DRAFT Developer Contributions Deferred Payment Policy? If so, please share your thoughts with us below.

not answered



Respondent No: 4
Login: Registered

Responded At: Sep 23, 2021 16:18:21 pm
Last Seen: Sep 23, 2021 06:18:03 am

Q1. Do you have any feedback on Council's DRAFT Developer Contributions Deferred Payment Policy? If so, please share your thoughts with us below.

not answered



Respondent No: 5
Login: Registered

Responded At: Sep 23, 2021 19:53:18 pm
Last Seen: Sep 23, 2021 09:14:21 am

Q1. Do you have any feedback on Council's DRAFT Developer Contributions Deferred Payment Policy? If so, please share your thoughts with us below.

I don't have a problem with the deferred payment policy per se however the type of housing estate is critical. For example, Golf Club Estate which has been crammed with cheaper housing plus the subdivision has been badly designed compared to other areas such as the subdivisions Lansdowne, Isabella Place, Bella Vista Drive and surrounding subdivisions which are more spacious and appealing with ease of access for trades, residents and visitors.



Respondent No: 6
Login: Registered

Responded At: Sep 23, 2021 19:53:47 pm
Last Seen: Sep 23, 2021 09:51:58 am

Q1. Do you have any feedback on Council's DRAFT Developer Contributions Deferred Payment Policy? If so, please share your thoughts with us below.

A good idea. We need more housing in Leeton. The new policy will support serious developers with cash flow to get on with the next project.



Respondent No: 7
Login: Registered

Responded At: Sep 23, 2021 20:05:21 pm
Last Seen: Sep 23, 2021 10:05:08 am

Q1. Do you have any feedback on Council's DRAFT Developer Contributions Deferred Payment Policy? If so, please share your thoughts with us below.

not answered



Respondent No: 8
Login: Registered

Responded At: Sep 24, 2021 07:01:20 am
Last Seen: Sep 23, 2021 20:59:47 pm

Q1. Do you have any feedback on Council's DRAFT Developer Contributions Deferred Payment Policy? If so, please share your thoughts with us below.

Just generally excited about the concept and the opportunity it brings for development in Leeton. Housing shortage is critical & easing the burden to develop will be a win-win for the all involved- particularly the Leeton community.



Respondent No: 9
Login: Registered

Responded At: Sep 24, 2021 08:21:15 am
Last Seen: Sep 23, 2021 22:16:04 pm

Q1. Do you have any feedback on Council's DRAFT Developer Contributions Deferred Payment Policy? If so, please share your thoughts with us below.

What is the plan for any development lots that may go into administration?



Respondent No: 10
Login: Registered

Responded At: Oct 09, 2021 19:08:27 pm
Last Seen: Oct 09, 2021 08:04:20 am

Q1. Do you have any feedback on Council's DRAFT Developer Contributions Deferred Payment Policy? If so, please share your thoughts with us below.

I think it is a sensible idea and seems to be well thought out. The matter of interest on the deferred payment amount is mentioned as being calculated by the Finance Manager - my question is, what is that interest rate based on? Uncertainty around the potential for interest accrual could be a deterrent to the uptake of the policy. I can see that administration fees of 3% are also included. It seems that 3% is already a good amount - given the small margins of low density residential development, a fixed rate like that is quite a lot already. Apart from that I think the policy is clear.



FELIX JOINERY TIMBER & HARDWARE PTY LTD
2 RAILWAY AVE
LEETON NSW 2705
Phone: 6953 6422

FRANK PORCU
LICENCE NO: 139385C
ABN: 46 109 026 771

22nd October 2021

Leeton Shire Council
23-25 Chelmsford Place
LEETON NSW 2705

**LEETON SHIRE COUNCIL – DRAFT DEVELOPER CONTRIBUTIONS DEFERRED
PAYMENT POLICY**

TO WHOM IT MAY CONCERN

Thank you for forwarding on your proposal for the deferring of the developer's contributions, we would like to make the following comments in regards to your proposal.

PURPOSE: A submission from the development draft, as we see it as thinly veiled, not support but disguised as support.

This proposal of a loan is something we see as unacceptable; we can proceed with a bank loan rather than a Council Loan.

SCOPE: We understand the scope and we have don't have any problem with the scope development.

OUTCOMES: We believe the outcome for developers is to see a greater and better result for developments to move forward.



ROLES AND RESPONSIBILITY: In a democratic society, I find it most concerning that we revert back to a dictatorship for a single person to become the arbiter of the development, to be the rejector or acceptor we find this most unacceptable and a different method sort, a committee with greater transparency would be recommended.

The time costs of finding better methods to help developers have been wasteful, non-progressive and a great hinderance to existing developers, rather than looking for a better scope to help new developers. We expect nothing more to come of this, as per the last 5 years of non-action, it would have been helpful for existing developers to be looked after, rather than the hinderance that has occurred.

We hope that Council will look at these points of interest and consider our local people when moving forward with a decision on developments.

Yours sincerely

Frank Porcu
Managing Director

2 November 2021

Dear Councillor Ciccia

RE: Proposed Deferred Developer Contributions Policy

I am writing to you in relation to the consideration by Council of the draft deferred developer contributions policy that was recently advertised. Whilst a policy that will encourage residential development is to be applauded, the proposed policy as presented appears to be restrictive and complicated and as such needs the careful consideration by Council.

The proposed policy presents as a commercial loan based scheme requiring the approval of 5 separate staff members, the payment of an upfront deposit of the greater amount of \$50,000 or 10% of the developer contributions plus administration costs of 3% a year. However, these requirements seem extremely restrictive and will result in a deposit of \$50,000 being paid by the developer in almost all situations in order to have their contributions deferred.

Generally, developer contributions consist of a s.7.12 planning levy equal to 1% of the development cost (less land) plus water, sewer and stormwater contributions of up to a maximum of \$7,367 per lot.

For example, a 65 lot subdivision having a development cost of \$3.5m would pay a total of approximately \$513,855 in contributions (s.7.12 levy \$35,000 and contributions = 65 x \$7367). 10% of this amount is \$51,385.50.

I have also been informed by a number of builders, real estate agents and developers who attended meetings in 2019 to discuss this matter, that a meeting to outline and explain the proposed policy has not yet occurred despite assurances that a follow up meeting would be held to present any proposed policy.

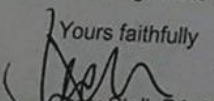
Further the decision to consider this draft policy at the November 2021 Council meeting appears to be legally questionable. Despite the wording of s. 393B of the Local Government Regulations, the guidelines and expectations of the Office of Local Government require that councils must assume a caretaker role at least one month prior to any council election to ensure that major strategic decisions are not made which will limit the actions of the incoming council. The caretaker role for councils prior to the 2021 elections begins on the 4th November 2021.

Leeton is not in a position where developers knock down the council door to develop residential land and therefore council should adopt a proactive innovative culture to promote this development, and not totally rely upon a commercial, risk adverse approach.

Councillors should be aware that following the meetings that were held in 2019 with developers to discuss the deferment of developer charges, a report was presented to senior staff in early 2020, outlining a simple legally binding process that is used by a number of other councils to defer developer contributions applying to residential lots which defers payment until the lot is actually sold, rather than upfront or via a complicated system requiring the payment of at least \$50,000.

I would therefore urge Councillors to consider re-visiting this draft policy in 2022 so that consideration can be given to a policy that will achieve what council is actually setting out to achieve.

Yours faithfully



Garry Stoll BA App Sc (Env Planning) MA Local Gov Law MBA
100 Almond Road Leeton