



LEETON
SHIRE COUNCIL

ORDINARY COUNCIL MEETING
AGENDA

27 OCTOBER 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 October 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 28 September 2022, as circulated, be taken as read and CONFIRMED.
5. DISCLOSURES OF INTERESTS
 6. MAYORAL MINUTES
 7. REPORTS TO COUNCIL
- GENERAL MANAGER'S MATTERS**
- 7.1 CHRISTMAS/NEW YEAR ARRANGEMENTS5
 - 7.2 ANNUAL DISCLOSURES OF INTEREST RETURNS BY COUNCILLORS AND DESIGNATED PERSONS - 1 JULY 2021 - 30 JUNE 20228
 - 7.3 MINUTES OF RAMJO MEETING - 25 FEBRUARY 202211
- CORPORATE MATTERS**
- 7.4 INVESTMENTS REPORT FOR SEPTEMBER 202214
 - 7.5 UPDATED TEMPORARY TRADE OF WATER ALLOCATION POLICY26
 - 7.6 POLICY REVIEW - 202245

OPERATIONAL MATTERS

7.7 AUTOMATIC WATER METER REPLACEMENT PROJECT REVIEW66

ACTIVATION MATTERS

**7.8 APPLICATIONS FOR LOCAL HERITAGE PLACES GRANTS FOR
2022/2370**

**7.9 ADOPTION OF DRAFT LEETON DEVELOPMENT CONTROL
PLAN 202291**

**7.10 QUICK RESPONSE GRANT APPLICATION - LEETON PIPE
BAND 125**

**7.11 MINUTES OF THE YANCO COMMUNITY HALL AND MARKET
COMMITTEE MEETING - 8 AUGUST 2022 (AGM) AND 12
SEPTEMBER 2022..... 132**

**7.12 MINUTES OF THE YANCO TOWN IMPROVEMENT COMMITTEE
MEETING - 4 OCTOBER 2022 141**

8. NOTICES OF MOTIONS

9. CONFIDENTIAL MATTERS

9.1 CHELMSFORD TOWN SQUARE TENDER

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.

9.2 LEETON REGIONAL AQUATIC CENTRE WATERSLIDE TENDER

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.

10. COUNCILLOR ACTIVITY REPORTS

10.1 COUNCILLOR ACTIVITY REPORT 145

11. 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 Angela Stevens – 6953 0911 or email council@leeton.nsw.gov.au

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 7.1 CHRISTMAS/NEW YEAR ARRANGEMENTS

RECORD NUMBER	22/417
RELATED FILE NUMBER	EF22/16
AUTHOR/S	HR Officer
APPROVER/S	General Manager

SUMMARY/PURPOSE

The purpose of this report is to provide Council with the opportunity to consider the closure of Council's operations over the Christmas/New Year period for 2022/23.

RECOMMENDATION

THAT Council:

1. Approves Council's Depot, Administration Office, Library and Visitor Information Centre (VIC) be closed to the public for the Christmas/New Year period from close of business Thursday 22 December 2022 until Monday 2 January 2023 (inclusive) and reopen on Tuesday 3 January 2023 and that staff not required for other duties be permitted to take annual leave or other authorised leave for the 4 days which are not public holidays during the closure period.
 2. Notes that the Leeton Museum and Gallery will remain open from 10am to 3pm on all holiday period days that are not public holidays, staffed by officers with minimal leave, volunteers and/or casuals.
 3. Notes that signage stating that the VIC is temporarily operating from the Leeton Museum and Gallery will be prominently displayed at the VIC during the Christmas/New Year period.
 4. Notes that a skeleton team will remain on duty over the holiday period for water and sewer treatment, operations, landfill, swimming pools, ranger services and on-call services.
 5. Notes that LELC and Vacation Care will close from close of business on Friday 23 December 2023 and re-open on Monday 9 January 2023.
 6. Notes that extensive pre-Christmas publicity be given to the changes to Council's operations over the Christmas/New Year Period.
-

REPORT

(a) Background

In previous years Council has agreed, due to minimal activities involving the public over the Christmas/New Year period, to close operations during this period for staff to take annual leave (or other leave) on those days that are not public holidays or rostered days off.

(b) Discussion

If Council were to close from 5pm Thursday 22 December 2022 until Monday 1 January 2023 (inclusive) that would provide staff with a one week break over the Christmas/New Year period.

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

- Christmas Day, Sunday 25 December 2022 and Tuesday 27 December 2022 (in lieu)
- Boxing Day, Monday 26 December 2022
- New Year's Day, Sunday 1 January 2023 and Monday 2 January 2023 (in lieu).

There are just four working days during this proposed break period. All staff who are off during these working days will have the days deducted from their available leave credit.

The closure affords staff:

1. Time away from work to fully relax and recharge.
2. It also helps reduce Council's leave liability.

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

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

The "Well Done" after hours service will be operating throughout the proposed closure period. On call provisions will be made for any emergencies and the cemetery and a skeleton staff from Operations will work to cover the closure period to cover water supply and sewer treatment services.

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

(c) Options

1. THAT Council's Depot, Administration Office, Library and VIC (but not the Museum and Gallery, which would operate from 10am to 3pm on days that are not public holidays, be staffed by officers with minimal leave, volunteers and/or casuals and offer visitor information services) be closed for the period from 5pm Thursday 22 December 2022 until Monday 1 January 2023 (incl) and reopen on Tuesday 2 January 2023 and staff be permitted to take leave for the days which are not public holidays during the closure period. **This is the preferred option.**

2. THAT Council chooses a different arrangement for the Christmas/New Year period.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

Nil – However will provided advantage of reducing the leave liability.

(b) Policy

Nil

(c) Legislative/Statutory

Nil

(d) Risk

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

CONSULTATION

(a) External

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

(b) Internal

Senior Management Team

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

Under the Key Priority Area CSP FOCUS AREA 5 - Strong leadership and civic participation within Council's adopted Delivery Program/Operational Plan – DELIVERY PROGRAM FUNCTIONAL AREA 9 - Governance and Administration - DELIVERY PROGRAM ACTIVITY 9.5 - Foster a valued and committed workforce that is suitably rewarded and goes home safe each day - OPERATIONAL PLAN ACTIVITY 9.5.1 - Effectively manage and value Council's workforce".

ATTACHMENTS

There are no attachments for this report

ITEM 7.2 ANNUAL DISCLOSURES OF INTEREST RETURNS BY COUNCILLORS AND DESIGNATED PERSONS - 1 JULY 2021 - 30 JUNE 2022

RECORD NUMBER	22/415
RELATED FILE NUMBER	EF21/123
AUTHOR/S	Governance and Records Officer
APPROVER/S	Customer Service and Governance Coordinator

SUMMARY/PURPOSE

The purpose of this report is to advise Council that the annual Disclosure of Interest Returns by Councillors, senior management and designated persons for the period 1 July 2021 to 30 June 2022 were submitted in the appropriate form by the deadline of 30 September 2022 and have been made publicly available.

RECOMMENDATION

THAT Council receives and notes the report on the 2021/22 Annual Disclosure of Interest Returns by Councillors, senior management and designated persons.

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.

Disclosure of Interest Returns lodged by Councillors, senior management and designated persons (as defined in Part 5 of the Code of Conduct) must be tabled at a Council meeting after the final lodgement date of 30 September each year, in accordance with the Code of Conduct.

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 Disclosure of Interest Returns for all Councillors, senior staff and designated persons for the period 1 July 2021 to 30 June 2022 were lodged in the appropriate format by the due date of 30 September 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 and home addresses have been redacted from all published returns for reason of previous employment by councillors and designated person.

Hardcopy returns will be made available upon request at the Council Office.

(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 \(DPOP\)](#)

CSP FOCUS AREA 5 - Strong leadership and civic participation – DELIVERY PROGRAM
FUNCTIONAL AREA 9 - Governance and Administration - DELIVERY PROGRAM
ACTIVITY 9.6 - Deploy reliable and efficient corporate and project governance
including audit, risk and improvement - OPERATIONAL PLAN ACTIVITY 9.6.4 - Maintain
a Compliance Register to track Council's compliance with all legislative and
governance requirements

ATTACHMENTS

There are no attachments for this report

ITEM 7.3 MINUTES OF RAMJO MEETING - 25 FEBRUARY 2022

RECORD NUMBER	22/393
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 – 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 \(DPOP\)](#)

CSP FOCUS AREA 5 - Strong leadership and civic participation – DELIVERY PROGRAM
FUNCTIONAL AREA 9 - Governance and Administration - DELIVERY PROGRAM
ACTIVITY 9.4 - Nurture strong partnerships with Murray Darling Association, RAMJO, MI
Ltd, NSW Government, Commonwealth – Participate in RAMJO.

[ATTACHMENTS](#)

There are no attachments for this report

CORPORATE MATTERS

ITEM 7.4 INVESTMENTS REPORT FOR SEPTEMBER 2022

RECORD NUMBER	22/416
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 30 September 2022.

RECOMMENDATION

THAT Council notes the information contained in the Investments Report for September 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 30 September 2022 Leeton Shire Council has \$48,275,270 invested in Approved Deposit Institutions (ADIs) of which \$6,142,012 (12.72%) 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 30 September 2022.

The Statement of Bank Reconciliation reconciles the Bank Statement balances to the General Ledger at 30 September 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 30 September 2022.

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

Opening Balance	\$ 47,251,829
Less:	
Maturities (4)	\$ 4,000,000
Transfer to CBA Current Account	\$ 0
Subtotal	\$ 43,251,829
Plus:	
Roll-overs (4)	\$ 4,000,000
New Investments (1)	\$ 1,000,000
CBA Business Online Saver (BOS) movements	\$ 4,995
AMP Business Saver Account	\$ 5
AMP 31 Day Notice Account	\$ 13,096
Macquarie Cash Management Accelerator Account	\$ 5,345
Closing balance as at 30 September 2022	\$ \$48,275,270

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

Total Investments	\$ 48,275,270
Less restrictions (GL Balance per Draft FS 30.6.22)	
Water Supply (Excl. Unfinished Works)	\$ 17,320,000
Sewerage Services (Excl. Unfinished Works)	\$ 5,703,000
Domestic Waste Management	\$ 4,518,000
*Other external restrictions	\$ 8,739,000
External Restrictions (Excl. Unfinished Works) - Sub Total	\$ 36,280,000
Internal restrictions	\$ 9,631,000
Total restrictions	\$ 45,911,000
**Operating Capital (available from investments)	\$ 2,364,270

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

** Excludes cash at bank and on hand

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

In accordance with Murrumbidgee Irrigation (MI) records, the total Water Licenses currently held are 5,584 ML. As at 4 October 2022, there was 100% allocation for town water, 95% for high security and 50% for general security water.

Table of Water Sales to date

Date	Qty	Price/ML	Total Water Sale	Brokerage	Net Total
21/07/2022	300	\$70	\$21,000	-\$ 930	\$20,070
10/08/2022	600	\$70	\$42,000	-\$1,441	\$40,559
General Fund Sales	900		\$63,000	-\$2,371	\$60,629

As at 30 September 2022, Council has undertaken temporary trade of 900 ML for \$60,629 (net of sale brokerage fees). The annualised return on investment for the sale is 3.00%. It is worth noting that water sales pricing is unreliable and as such the ROI may not be sustained.

As at 20 October 2022 water had last traded at \$20.00 per ML on Waterfind and \$24.00 on Ruralco. Also, on 20 October 2022 there were no Buy Orders on Waterfind or Ruralco.

Water Entitlements	Allocation (%)	Total Allocation (ML)	F'cast + Usage (ML)	Sales this month	Total Volume Sold (ML)	Safety Margin (ML)	Remaining Allocation (Saleable)	Market rate 30.09.22	Potential Income from Sales
Town Water High Security (C7) - 4,097ML	100%	4,097	2,706	-	-	1,718	-	\$40.00	\$0
Investment Water									
*General Security (C1) - 516 ML	50%	258		-	-		258	\$40.00	\$10,320
High Security (C3) - 971ML	95%	923		-	900		23	\$40.00	\$920
General Security Carry over and Surplus (new items)	100%	283					283	\$40.00	\$11,320
Total		5,561	2,706	-	900	1,718	564		22,560

Water Pricing Benchmark Table	Last Trade 29/08/22	Current Buy 30/09/22
Waterfind	\$ 70.00	\$ 40.00
Ruralco	\$ 46.40	\$ 40.67

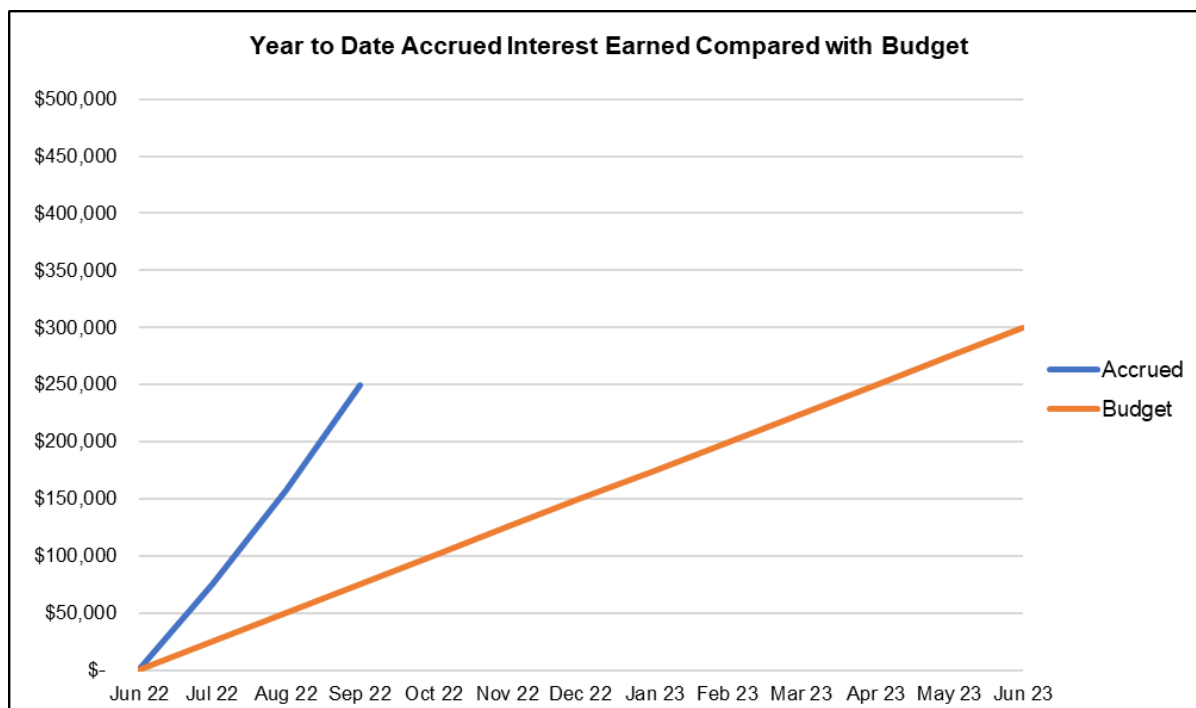
IMPLICATIONS TO BE ADDRESSED

(a) Financial

The annualised rate of return across the investment portfolio is 2.59% for September 2022 which is well above the annual budgeted return of 0.85%.

The actual \$91,844 in interest earned for September 2022 is higher than the original budgeted amount of \$25,000 by \$66,844.

The following graph compares year-to-date interest with the original budgeted interest for the period. This shows that Council's actual investment income is higher than the original budget as at 30 September 2022.



Original Budgeted Interest for FY22-23 is \$300,000.00. The consolidated actual investment income from 1 July 2022 to 30 September 2022 compared to the original budgeted investment interest is detailed below.

Actual versus budgeted interest and earnings	Sep-22	Year To Date
Investments - Interest earned	\$ 65,157	\$ 184,154
Deposits at call	\$ 25,183	\$ 60,361
Rebates and Other earnings	\$ 1,504	\$ 5,069
Total Earnings	\$ 91,844	\$ 249,584
Budgeted Interest	\$ 25,000	\$ 75,000
Variance – Positive	\$ 66,844	\$174,584

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 (Sept)
Portfolio Average Interest Rate (year to date inc. Cash)	2.22%	0.79%
Investment Balances	Year to Date	Last Year
Opening Balance as at 1 September	\$47,251,829	\$45,523,479
Current Balance as at 30 September	\$48,275,270	\$45,527,341

LEETON SHIRE COUNCIL

Ordinary Council Meeting - Thursday 27 October 2022

For the month of September 2022, the portfolio (excluding cash) provided a solid return of +0.20% (actual) or +2.43% p.a. (annualised), outperforming the benchmark AusBond Bank Bill Index return of +0.15% (actual) or +1.79% p.a. (annualised). The outperformance continues to be driven by a combination of those deposits originally invested between 1-3 years, as well as the introduction of FRNs into the portfolio, which have been locked-in at attractive margins.

The RBA raised the official cash rate by 0.25% to 2.60% at its 4 October 2022 meeting. The size and timing of future interest rate increases will continue to be determined by the incoming data and the Board's assessment of the outlook for inflation and the labour market. The Board remains resolute in its determination to return inflation to target and will do what is necessary to achieve that.

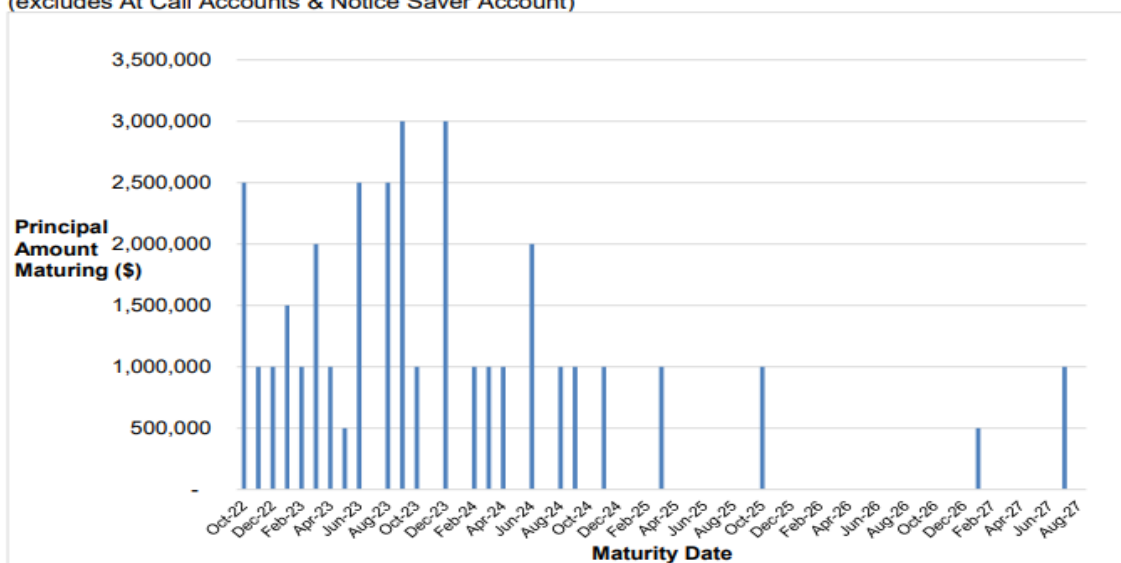
Council Portfolio Compliance

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

Council's financial assets are invested as per the table below:

Investment Type	Risk Assessment		Investment Face Value	% of Portfolio
	Capital	Interest		
Term Deposits	Low	Low	26,500,000	54.89%
Cash/At Call Deposits	Low	Low	14,275,270	29.57%
Floating Rate Notes	Low	Low	4,000,000	8.29%
Bonds	Low	Low	3,500,000	7.25%
TOTAL			48,275,270	100%

Counterparty

At 30 September 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.

All aggregate ratings categories are within the Investment Policy limits.

Compliant	Issuer	Rating	Invested (\$) ^	Invested (%)	Max. Limit (%)	Available (\$)
✓	RBC Covered	AAA	\$992,409	2.06%	45%	\$20,691,518
✓	ANZ Bank	AA-	\$1,001,485	2.08%	45%	\$20,682,441
✓	CBA	AA-	\$9,136,613	18.96%	45%	\$12,547,314
✓	NAB	AA-	\$5,000,000	10.38%	45%	\$16,683,927
✓	NTTC	AA-	\$1,000,000	2.08%	45%	\$20,683,927
✓	WBC	AA-	\$6,500,000	13.49%	45%	\$15,183,927
✓	Macquarie	A+	\$4,030,305	8.36%	35%	\$12,834,971
✓	Aus. Military	BBB+	\$1,000,000	2.08%	30%	\$13,455,951
✓	Bendigo (Rural)	BBB+	\$954,541	1.98%	30%	\$13,501,410
✓	BoQ	BBB+	\$3,972,338	8.24%	30%	\$10,483,613
✓	Qbank	BBB+	\$996,350	2.07%	30%	\$13,459,601
✓	AMP Bank	BBB	\$10,602,953	22.00%	30%	\$3,852,998
✓	Auswide Bank	BBB	\$1,999,510	4.15%	30%	\$12,456,441
✓	Beyond Bank	BBB	\$1,000,000	2.08%	30%	\$13,455,951
			\$48,186,504	100.00%		

Credit Quality

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

Compliant	Credit Rating	Invested (\$)	Invested %	Max. Limit (%)
Yes	AAA Category	\$992,409	2.06%	100.00%
Yes	AA Category	\$22,638,099	46.98%	100.00%
Yes	A Category	\$4,030,305	8.36%	80.00%
Yes	BBB Category	\$20,525,692	42.60%	70.00%
Yes	Unrated ADI's	\$0	0.00%	30.00%
		\$48,186,504	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. (Imperium Markets)*

Maximum Limit Percentage is based on the Revised Investment Policy for 2022.

(b) 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 September 2022.

Council is currently seeking strategic advice from Marsden Jacobs on water trading.

(b) Internal

For Water Trading:
General Manager
Group Manager Operations

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN

Under the Key Priority Area CSP FOCUS AREA 5 - Strong leadership and civic participation within Council's adopted Delivery Program/Operational Plan – DELIVERY PROGRAM FUNCTIONAL AREA 9 - Governance and Administration - DELIVERY PROGRAM ACTIVITY 9.7 - Deploy reliable and efficient corporate management - financial, asset, property, records, information technology, buildings and plant/fleet - OPERATIONAL PLAN ACTIVITY 9.7.3 - Foster Council's financial sustainability through maximising investment returns, including cash and water sales".

ATTACHMENTS

- 1** [↓](#) Bank Reconciliation Sept 22
- 2** [↓](#) Summary of Investments Sept 22

MONTH END BANK RECONCILIATION REPORT

Prepared by the Accountant

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 30 September 2022

BALANCE AS PER GENERAL LEDGER

Opening Balance:	1/09/2022	\$	2,270,257.75
September Movements:		-\$	66,419.59
Closing Balance:	30/09/2022	\$	2,203,838.16
Less Unprocessed Bank Statement Transactions:		-\$	55,099.63
Total:		\$	<u>2,148,738.53</u>

BALANCE AS PER BANK STATEMENTS

		\$	<u>2,148,116.38</u>
Less Unpresented Cheques		-\$	54.50
Less Unpresented Debits			
Plus Unpresented Deposits		\$	676.65
Total		\$	<u>2,148,738.53</u>


Responsible Accounting Officer
10 October 2022

Leeton Shire Council

Summary of Term Investments as at: 30/09/2022

BBSW 90: 3.06% Average Yield: 2.59%

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	CBA Business Online Saver - Cash	Cash	10206481	12/10/09	156	0	5,142,012.34	2.35%	13/10/22	DAC
		AMP Business Saver									
20-00	AMP Bank	Account		437864762	10/07/20	27	0	513.11	0.70%	13/10/22	DAC
21-00	AMP Bank	AMP 31 Day Notice		971165956	17/07/20	26	0	6,102,439.83	3.00%	13/10/22	DAC
22-00	Macquarie Bank	Macquarie Cash		940367790	07/11/20	23	0	3,030,305.03	2.35%	13/10/22	DAC
20-11	ANZ Bank	ANZ Bank		AU3FN00497	29/08/19	60	22	1,000,000.00	3.20%	29/08/24	FRN
20-31	National Aust Bank	RACQ Bank		AU3FN00531	24/02/20	36	4	1,000,000.00	3.32%	24/02/23	FRN
20-35	Laminar Capital	Auswide Bank		AU3FN00531	17/03/20	35	5	1,000,000.00	3.89%	17/03/23	FRN
22-21	Commonwealth Bank	Commonwealth Bank		AU3FN00651	14/01/22	60	51	500,000.00	2.74%	14/01/27	FRN
23-01	Commonwealth Bank	Royal Bank of Canada		AU3FN0070C	13/07/22	60	57	500,000.00	2.86%	13/07/27	FRN
22-23	National Aust Bank	Bendigo and Adelaide Bank		8156149	17/03/22	36	29	1,000,000.00	3.00%	17/03/25	Bonc
22-27	Commonwealth Bank	Bank of Queensland		AU3CB0288I	29/04/22	42	36	1,000,000.00	4.00%	29/10/25	Bonc
21-10	Northern Territory Treasury	Territory Bond		AA-109-3B	14/09/20	38	14	1,000,000.00	1.25%	15/12/23	Bonc
23-02	Commonwealth Bank	Royal Bank of Canada		AU3CB0290I	13/07/22	60	57	500,000.00	4.50%	13/07/27	Bonc
21-12	Beyond Bank	Beyond Bank Leeton		123075182	28/10/20	23	0	1,000,000.00	0.95%	28/10/22	LTD
21-25	AMP Bank	AMP Bank		TD86556078	06/04/21	18	0	500,000.00	0.50%	06/10/22	LTD
21-26	Australian Military Bank	Australian Military Bank		301037038	13/04/21	36	18	1,000,000.00	0.76%	15/04/24	LTD
22-06	National Aust Bank	National Aust Bank		33-718-2858	25/08/21	24	10	1,000,000.00	0.65%	25/08/23	LTD
22-13	Auswide Bank	Auswide Bank		5652782.16	05/10/21	12	0	1,000,000.00	0.50%	05/10/22	LTD
22-15	Westpac Bank	Westpac Bank		9514165	21/10/21	24	12	1,000,000.00	0.87%	23/10/23	LTD
22-16	AMP Bank	AMP Bank		TD60160792	29/10/21	18	7	500,000.00	1.20%	01/05/23	LTD
22-17	Westpac Bank	Westpac Bank		9563400	11/11/21	36	25	1,000,000.00	1.60%	11/11/24	LTD
22-18	AMP Bank	AMP Bank		TD02163069	01/12/21	10	0	1,000,000.00	1.20%	27/10/22	LTD
22-19	Westpac Bank	Westpac Bank		9620456	09/12/21	24	14	1,000,000.00	1.21%	11/12/23	LTD
22-20	AMP Bank	AMP Bank		TD34064791	21/12/21	24	14	1,000,000.00	1.55%	21/12/23	LTD
22-22	National Aust Bank	National Aust Bank		88-293-8040	23/02/22	24	16	1,000,000.00	1.80%	24/02/24	LTD
22-24	Westpac Bank	Westpac Bank		9806557	22/03/22	24	17	1,000,000.00	2.21%	22/03/24	LTD
22-25	Westpac Bank	Westpac Bank		9486425	23/03/22	12	5	1,000,000.00	1.38%	23/03/23	LTD
22-26	Bank of Queensland	Bank of Queensland		486112	07/04/22	12	6	1,000,000.00	1.85%	11/04/23	LTD
22-28	Westpac Bank	Westpac Bank		9653246	08/06/22	12	8	500,000.00	3.50%	08/06/23	LTD
22-29	Commonwealth Bank	Commonwealth Bank		38344709	14/06/22	6	2	1,000,000.00	3.16%	14/12/22	LTD
22-30	Commonwealth Bank	Commonwealth Bank		38344709	21/06/22	12	8	1,000,000.00	4.30%	21/06/23	LTD
22-31	Bank of Queensland	Bank of Queensland		508507	23/06/22	24	20	1,000,000.00	4.40%	24/06/24	LTD
22-32	Macquarie Bank	Macquarie Bank		232613257	24/06/22	24	20	1,000,000.00	4.43%	24/06/24	LTD
22-33	Commonwealth Bank	Commonwealth Bank		38344709	27/06/22	6	3	1,500,000.00	3.06%	09/01/23	LTD
22-34	Members Equity Bank	Member Equity Bank		416264	28/06/22	12	8	1,000,000.00	4.00%	28/06/23	LTD
23-03	AMP Bank	AMP Bank		TD52801630	08/08/22	12	10	500,000.00	4.35%	08/08/23	LTD
23-04	National Aust Bank	National Aust Bank		71-990-2283	16/08/22	12	10	1,000,000.00	4.00%	16/08/23	LTD
23-05	National Aust Bank	National Aust Bank		88-085-5591	09/09/22	12	11	1,000,000.00	4.10%	11/09/23	LTD
23-06	AMP Bank	AMP Bank		TD06515165	14/09/22	12	11	1,000,000.00	4.65%	14/09/23	LTD

Leeton Shire Council

Summary of Term Investments as at:		30/09/2022	BBSW 90:	3.06%	Average Yield:	2.59%
23-07	National Aust Bank	97-327-3005	24	23	1,000,000.00	4.90%
23-08	Westpac Bank	9929030	11	11	1,000,000.00	4.59%
			Total Investments:		\$ 48,275,270.31	
						LTD
						27/09/24 LTD
						29/09/23 LTD

Leeton Shire Council

30/09/2022

Summary of Term Investments as at:

BBSW 90: 3.06% Average Yield: 2.59%

Investment by Type		
Investment	Amount	%
Beyond Bank Leeton	1,000,000	2.1%
Member Equity Bank	1,000,000	2.1%
AMP Bank	4,500,000	9.3%
Auswide Bank	2,000,000	4.1%
National Aust Bank	5,000,000	10.4%
Australian Military Bank	1,000,000	2.1%
ANZ Bank	1,000,000	2.1%
RACQ Bank	1,000,000	2.1%
Territory Bond	1,000,000	2.1%
CBA Business Online Sa	5,142,012	10.7%
AMP 31 Day Notice Acc	6,102,440	12.6%
Macquarie Cash Mana	3,030,305	6.3%
Commonwealth Bank	4,000,000	8.3%
Westpac Bank	6,500,000	13.5%
Bendigo and Adelaide	1,000,000	2.1%
Bank of Queensland	3,000,000	6.2%
Macquarie Bank	1,000,000	2.1%
AMP Business Saver Acc	513	0.0%
Royal Bank of Canada	1,000,000	2.1%
TOTAL	48,275,270	100.0%
Local	6,142,012	12.72%
Non Local	42,133,258	87.28%

Investments by Age		
Age	Amount	%
1. Less than 30 Days	17,775,270	37%
2. 30 to 180 Days	5,500,000	11%
3. 180 to 365 Days	9,500,000	20%
4. 1 to 3 years	14,000,000	29%
5. 3 to 5 years	1,500,000	3%
TOTAL	48,275,270	100%

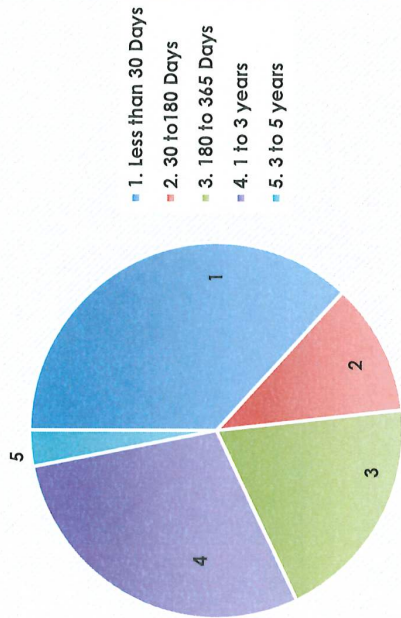
Investments by Age and Type		
Sum of Principal	Type	Total
Current	DAC	14,275,270
	LTD	16,500,000
	FRN	2,000,000
Current Total		32,775,270
Non Current	LTD	10,000,000
	FRN	2,000,000
	Bond	3,500,000
Non Current Total		15,500,000
Grand Total		48,275,270

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

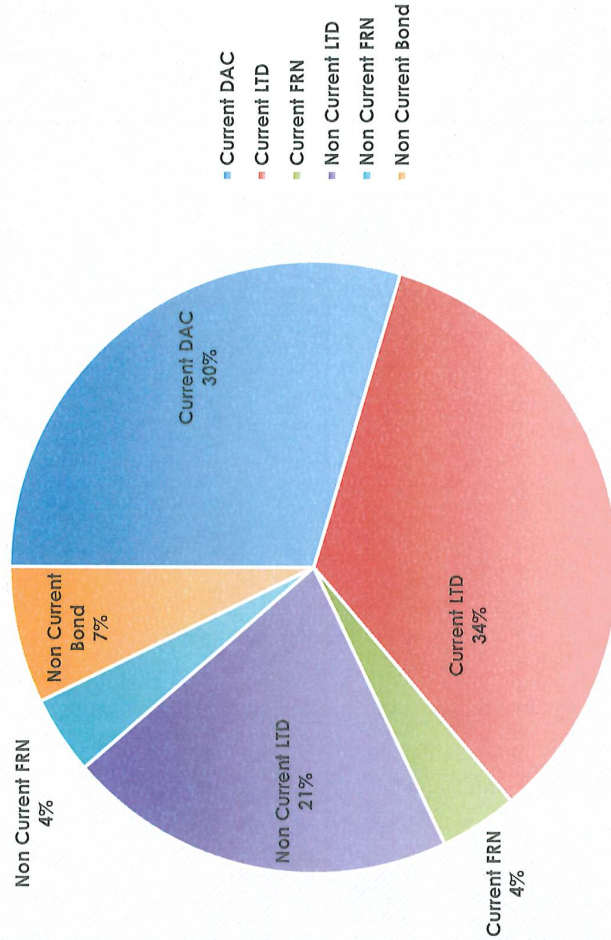
Leeton Shire Council

Summary of Term Investments as at: 30/09/2022	BBSW 90: 3.06%	Average Yield: 2.59%
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Investments by Age



Investments by Type and Term



Explanatory notes:

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


 Responsible Accounting Officer
 10 October, 2022

ITEM 7.5 UPDATED TEMPORARY TRADE OF WATER ALLOCATION POLICY

RECORD NUMBER	22/355
RELATED FILE NUMBER	EF21/429
AUTHOR/S	Group Manager Corporate
APPROVER/S	General Manager

SUMMARY/PURPOSE

This report provides information on the DRAFT Temporary Trade of Water Allocation Policy October 2022 (**Attachment 1**) which is presented for endorsement by Council to be placed on public exhibition for 28 days.

RECOMMENDATION

THAT Council:

1. Endorses the DRAFT Temporary Trade of Water Allocation Policy October 2022.
 2. Places the DRAFT Temporary Trade of Water Allocation Policy October 2022 on public exhibition for 28 days, and, if no feedback is received, the policy will be considered adopted after the exhibition period.
-

REPORT

Background

Council approved a Temporary Trade of Water Allocation Policy March 2022 in March. Since that time:

- The Office of Local Government (OLG) has written to Council regarding water trading as a result of a Public Interest Disclosure review and suggested changes to the policy.
- As a result of the above, and matters identified by Management, some changes are proposed to the policy.

The correspondence between OLG and Council is at **Attachment 2** and **Attachment 3**. OLG has requested a copy of the updated policy by 30 November 2022.

Discussion

OLG proposed that Council should consider amending the policy as follows:

- Identify the applicability of Section 55 of the Act to contracts for, or in excess of, \$250,000 and specify that any such proposed trades are to be reported to Council.
- Require that at least two Council officers are involved in the recommendation/approval of Investment Water trades.

- Specify how Council will benchmark the performance of its water trading activities.
- Specify that Council will select brokers to facilitate its water trades in accordance with its Procurement Policy.
- Specify that all communications between Council and brokers will be recorded in writing and retained by Council.
- Provide guidance on what discount Council is prepared to accept in order to ensure that its water is sold to a local buyer.

With regard to the final point the discount Council is prepared to accept in order to ensure that its water is sold to a local buyer, Council is required to conduct all of its water trades through Murrumbidgee Irrigation and is therefore not able to sell outside the Murrumbidgee Irrigation District. Accordingly, the updated policy specifies that water trades can be made within the Murrumbidgee Irrigation Area, instead of to buyers within the Leeton Shire. In these circumstances Council will not be in a position where it is issuing any directions regarding the selling of its water and therefore not being subject to any "discount" (to use OLG's word).

Management proposes that Council should consider amending the policy to change the Recommended Safety Margin as follows:

- Allow for up to 500ML of Town Water to be sold at any time after the commencement of the Water Year up until 1 November. This results in a safety margin for the July to October period of up to 597ML which is 20% for a Dry Year and 25% for a Wet Year.
- Allow for the Recommended Safety Margin to be set at 10% of the predicted Water Demand for the remainder of the Water Year, effectively enabling the sale of surplus Town Water by the last day of the Water Year.

This recommendation is based on detailed analysis of water usage over recent years and will be monitored by Council on an ongoing basis. The safety margin is also part of the information that Council, as water utility, has to provide to DPE-Water (via Murrumbidgee Irrigation) in order to trade town water.

All changes in the attached draft policy are highlighted in yellow.

Options

1. Endorse the DRAFT Temporary Trade of Water Allocation Policy October 2022 as recommended. **This is the preferred option.**
2. Endorse the DRAFT Temporary Trade of Water Allocation Policy October 2022 with suggested amendments.
3. Another resolution as determined by Council.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

While dependant on the dynamics in the temporary water trading market (mainly impacted by climatic conditions and consequent water availability) Council has the

ability to make significant additional income from General and High Security water and surplus Town Water, especially in dry years.

Costs associated with the review of Council policies will be limited to those policies which are required to be advertised in accordance with Section 160 of the Local Government Act 1993 and will be met from the adopted budget for 2022/2023.

(b) Policy

The DRAFT Temporary Trade of Water Allocation Policy October 2022 is an amendment of an existing policy for Council.

(c) Legislative/Statutory

Local Government Act 1993 –
Section 55 Requirements for Tendering
Section 160 Public notice and exhibition of draft local policy
Section 161 Adoption of draft local policy
Section 165 Amendment and revocation of local policy
Section 167 Public availability of local policy

Access Licence Dealing Principles Order 2004

(d) Risk

The Temporary Trade of Water Allocation Policy is an important risk management tool for Council.

As the local water utility Council has to have systems and controls to ensure that the determination of Council's surplus Town Water are robust and reliable. Otherwise there is a risk that the temporary trade of surplus Town Water could result in Council being unable to provide sufficient Town Water to all of the towns that it is responsible for servicing.

Council has the ability to make additional income from surplus Town Water and its General and High Security water entitlements. It is important that Council has systems and controls to ensure that the additional income from these Council assets is optimised. Otherwise there is a risk that the temporary trade of surplus Town Water and General and High Security water could result in Council not optimising its additional income.

CONSULTATION

(a) External

All policies, apart from those with mandatory content, will be placed on public exhibition for 28 days. Draft policies for which feedback has been received will be reviewed in line with relevant feedback and returned to Council for consideration and adoption.

If no feedback is received, the policies will be considered adopted after the exhibition period has closed.

Department of Planning and Environment - Water Utilities Branch
Murrumbidgee Irrigation
Office of Local Government
Marsden Jacobs Associates
National Audit Group

(b) Internal

Group Manager Operations
Manager Finance
Manager of Environmental Sustainability
Manager Water and Wastewater

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

CSP FOCUS AREA 5 - Strong leadership and civic participation – DELIVERY PROGRAM
FUNCTIONAL AREA 9 - Governance and Administration - DELIVERY PROGRAM
ACTIVITY 9.7 - Deploy reliable and efficient corporate management - financial, asset,
property, records, information technology, buildings and plant/fleet - OPERATIONAL
PLAN ACTIVITY 9.7.3 - Foster Council's financial sustainability through maximising
investment returns, including cash and water sales".

ATTACHMENTS

- 1 [↓](#) DRAFT - Temporary Trade of Water Allocation Policy
- 2 [↓](#) Public Interest Disclosure - Water Trading- Advice from OLG
- 3 [↓](#) Council response to OLG - Sept 2022



LEETON
SHIRE COUNCIL

DRAFT
**TEMPORARY TRADE OF WATER
ALLOCATION POLICY**
OCTOBER 2022

DOCUMENT CONTROL

RESPONSIBLE OFFICER:	Group Manager Corporate				
REVIEWED BY:	Senior Management Team				
LINK TO CSP/DELIVERY PROGRAM/OPERATIONAL PLAN:	CSP FOCUS AREA 5 - Strong leadership and civic participation – DELIVERY PROGRAM FUNCTIONAL AREA 9 - Governance and Administration - DELIVERY PROGRAM ACTIVITY 9.7 - Deploy reliable and efficient corporate management - financial, asset, property, records, information technology, buildings and plant/fleet - OPERATIONAL PLAN ACTIVITY 9.7.3 - Foster Council's financial sustainability through maximising investment returns, including cash and water sales".				
DATE ADOPTED:	27 October 2022				
ADOPTED BY:	Council				
RESOLUTION NO: (IF RELEVANT):					
FOR PUBLICATION:	<input type="checkbox"/> INTRANET <input type="checkbox"/> COUNCIL WEBSITE <input checked="" type="checkbox"/> BOTH				
REVIEW DUE DATE:	October 2026				
REVISION NUMBER:	2				
PREVIOUS VERSIONS:	DATE	DESCRIPTION OF AMENDMENTS	AUTHOR/EDITOR	REVIEW/SIGN OFF	MINUTE NO (IF RELEVANT)
1	23/3/2022	Initial version	M Rogers	Council	22/030
2	28/10/2022	Information changed in response to OLG	M Rogers		

REVIEW OF THIS DOCUMENT

This document will be reviewed every 4 years or as required in the event of legislative changes or operational requirements.

Any major amendments to the document must be made by way of a Council Resolution. Minor amendments such as corrections to spelling, changes to wording for improved clarity, formatting and updates to the Appendixes may be made without approval from the Council.

CONTENTS

1. Purpose	4
2. Scope.....	4
3. Roles and Responsibilities	4
3.1 Delegation of authority	4
3.2 Prudent person standard	4
3.3 Ethics and conflicts of interest	4
4. Definitions	5
5. Supporting Documents and Legislation.....	6
6. Policy Procedure.....	6
6.1 Town Water	6
6.1.1 How does Council determine its Water Demand	6
6.1.2 How does Council determine its Water Usage.....	6
6.1.3 How does Council determine if it has Surplus Water.....	7
6.1.4 What can Council do with Surplus water.....	7
6.1.5 How are Temporary Trades of Surplus Water approved.....	7
6.2 Investment Water Allocation	7
6.2.1 How are Temporary Trades of Investment Water Allocations managed?	7
6.2.2 How are Temporary Trades of Investment Water Allocations approved?	7
6.2.3 Brokerage Services and Professional advice regarding Temporary Trades	7
7. Recording and Reporting.....	8
8. Appendix 1	8
9. Appendix 2.....	9
10. Appendix 3.....	10

1. Purpose

Leeton Shire Council exercises water supply functions under *Division 2 Part 3 Chapter 6 Local Government Act 1993* for the towns within the Leeton Shire. In this capacity Council holds Water Entitlements with the subcategory "town water supply" (Town Water) and is a designated local water utility.

In addition to Town Water Council holds High Security and General Security Water Entitlements. During the Water Year Council's Water Entitlements are credited with Water Allocations in accordance with the relevant Murrumbidgee Valley Water allocation statement from *The Department of Planning, Industry, Environment – Water* (DPE – Water).

Council has determined that it will engage in the Temporary Trade of Town Water Allocations, that are surplus to Council's requirements, and Investment Water Allocations.

Given Council's responsibilities as a Local Water Utility and its ability to make additional income from Surplus Water and Investment Water, it is important that there are robust systems and controls in place.

Accordingly, this policy on the Temporary Trade of Water Allocations seeks to meet community expectations, maximise returns and minimise risk.

2. Scope

This policy applies to Council's Town Water and Investment Water Entitlements but only takes effect for Town Supply where Council has surplus Water Allocations.

For the avoidance of doubt this Policy does not apply if Council determines that it has deficit of Water Allocations or to the Permanent Trade of any Water Entitlements.

3. Roles and Responsibilities

3.1 Delegation of authority

Authority for implementation of this policy is delegated by Council to the General Manager in accordance with the *Local Government Act 1993*.

Any other officer's delegated authority under this policy is required to be recorded and acknowledged in writing.

3.2 Prudent person standard

Council's water resources will be managed with the care, diligence and skill that a prudent person would exercise. As trustees of public monies, officers are to manage Council's water resources in accordance with the spirit of this policy and not for speculative purposes.

3.3 Ethics and conflicts of interest

Officers shall refrain from personal activities that would conflict with the proper management of Council's water resources.

This policy requires officers to disclose any conflict of interest to the General Manager.

4. Definitions

Dry Year – is a year in which the outlook for rainfall is well below average rainfall and which will result in lower-than-normal Water Allocations. A variety of sources may be used to determine this, including Bureau of Meteorology long term climate outlook and Elders Weather 12-month rainfall forecast.

General Security Water Entitlement are described as category 1 on the MI Water Entitlements Certificate (refer Appendix Two and Three) under the Water Entitlements Contract between MI and Council. Such entitlements have been acquired by Council from various sources, generally as part of the purchase of farmland. The entitlements are not secure and traditionally achieve a lower percentage of Water Allocation subject to the climate outlook for the current Water Year.

High Security Water Entitlement are described as category 3 on the MI Water Entitlements Certificate (refer Appendix Two and Three) under the Water Entitlements Contract between MI and Council. Such entitlements have been acquired by Council from various sources, generally as part of the purchase of farmland. The entitlements are relatively secure and traditionally achieve at least 95% of Water Allocation.

Investment Water Allocation (Investment Water) is a combination of the Water Allocations for General and High Security Water Entitlements. Council is permitted to lease these entitlements. For the avoidance of doubt Investment Water does not include Town Water.

MI is Murrumbidgee Irrigation Limited (ABN 39 084 943 037)

MIA is the area serviced by the MI supply network.

Recommended Safety Margin is the amount of **Town Supply** Water Allocation retained by Council above the predicted Water Demand for the Water Year. It depends on the length of time remaining for the Water Year and the climate outlook for the current Water Year and the following Water Year. Council's current Recommended Safety Margin is set out at Appendix One.

Surplus Water applies only to Town Water and for a particular Water Year is the sum of the Water Allocation for the Town Water Entitlement less any Temporary Trade of Town Water less forecast Water Demand less the Recommended Safety Margin.

Temporary Trade is the trading of Water Allocation from one Water Entitlement to another Water Entitlement and may include the leasing of Investment Water.

Permanent Trade is the permanent transfer, termination and surrender of Water Entitlements.

Town Water Entitlement (Town Water) is described as category 7 on the MI Water Entitlements Certificate (refer Appendix Two and Three) under the Water Entitlements Contract between MI and Council. Such entitlements have been granted to Council in its capacity as a local water utility. Under the MI's Transfer Rules Council is not permitted to lease or permanently transfer these entitlements.

Water Allocation is described under the Water Entitlements Contract between MI and Council. Water Allocations are credited to Water Entitlement holders by MI based on the amount of water available for extraction as advised by DPE - Water and the type of Water Entitlement.

Water Entitlement is described under the Water Entitlements Contract between MI and Council. Water Entitlements represent a right, according to type of entitlement to a Water Allocation.

Water Demand applies only to Town Water for a particular Water Year and is Council's forecast Water Usage plus the Recommended Safety Margin.

Water Usage applies only to Town Water and is made up of the Town Water already drawn from MI to date (actual usage) and the remaining amount that Council predicts it draw from MI for the remainder of the Water Year.

Water Year is the period from 1 July each year until 30 June the following year. Water Allocations usually commence on 1 July and continue to be credited to Water Entitlement holders during the Water Year.

Wet Year – A wet year is a year in which the outlook for rainfall is well below average rainfall and which will result in lower-than-normal Water Allocations. A variety of sources may be used to determine this, including Bureau of Meteorology long term climate outlook and Elders Weather 12-month rainfall forecast.

5. Supporting Documents and Legislation

The details and terms under Council's agreements with MI, of Council's Town, General Security and High Security Water Entitlement are provided on MI's website at <https://www.mirrigation.com.au/customers/contracts-and-rules>

Where relevant, records and transactions are to comply with the following:

- Access Licence Dealing Principles Order 2004
- Australian Accounting Standards
- *Local Government Act 1993* - in particular section 55 of that Act
- *Local Government (General) Regulation 2021*
- Local Government Code of Accounting Practice and Financial Reporting
- MI Water Entitlements Certificate under the Water Entitlements Contract between MI and Council
- *Records Management Act 1998*
- Procurement Policy
- Local Preference Policy.

6. Policy Procedure

6.1 Town Water

As a Water Utility, Council is permitted to engage in Temporary Trade of Town Water Allocations with the approval of DPE – Water.

6.1.1 How does Council determine its Water Demand

Council determines its Water Demand for the Water Year on a monthly basis with reference to:

- Historical, actual and forecast Water Usage based on MI's and Council's records and scenarios developed using Council's records and if the climate outlook is for a Dry Year or a Wet Year.
- The Recommended Safety Margin

6.1.2 How does Council determine its Water Usage

Council determines its actual Water Usage for the Water Year on a monthly basis with reference to MI's records.

Council determines its forecast Water Usage for the Water Year with reference to:

- actual Water Usage to date
- remaining predicted Water Usage based on historic records and the climate outlook
- The Recommended Safety Margin.

6.1.3 How does Council determine if it has Surplus Water

Council determines its Surplus Water for the Water Year on a monthly basis with reference to:

- Water Allocations published by DPE – Water
- Temporary Trades undertaken by Council for the Water Year based on Council's and MI's records
- Water Demand
- The Recommended Safety Margin

Surplus Water applies only to Town Water and for a particular Water Year is the sum of the Water Allocation for the Town Water Entitlement less any Temporary Trade of Town Water less forecast Water Usage less the Recommended Safety Margin.

6.1.4 What can Council do with Surplus water

Council has determined that Surplus Water may be sold for the purpose of generating additional income, subject to the following, and other requirements in accordance with this Policy:

- Town residential and commercial customers and services and sporting facilities and parks have priority
- The water is offered for Temporary Trade to enterprises within the MIA in the first instance.

6.1.5 How are Temporary Trades of Surplus Water approved

The General Manager (or delegate) will consult with the Group Manager Operations to confirm the volume of Surplus Water before any sale (see How does Council determine if it has Surplus Water).

Sales of Surplus Water must be approved by the General Manager (or delegate) and the Group Manager Operations.

The Group Manager Corporate may act as an alternate in the absence of the Group Manager Operations or the General Manager.

6.2 Investment Water Allocation

6.2.1 How are Temporary Trades of Investment Water Allocations managed?

Given that Council has adequate Town Water to meet its Water Demands for the foreseeable future Council has determined that Investment Water Allocations can be traded by way of Temporary Trade.

Investment Water is offered for Temporary Trade to enterprises **within the MIA**.

6.2.2 How are Temporary Trades of Investment Water Allocations approved?

Sales of Investment Water Allocations must be approved by the General Manager (or delegate) **and the Group Manager Corporate**.

The Group Manager Operations may act as an alternate in the absence of the General Manager or the General Manager.

6.2.3 Brokerage Services and Professional advice regarding Temporary Trades

Officers may seek advice from persons that they believe to be suitably qualified and independent and to not have any actual or potential conflict of interest.

The providers of brokerage services will be appointed in accordance with Council's Procurement Policy and Local Preference Policy.

7. Recording and Reporting

Documentary evidence must be held for each Water Entitlement and the relevant Water Allocation. Details thereof must be maintained in the Investment Register. The maintenance of the Investment Register is the responsibility of the Finance Department.

The documentary evidence must evidence Council's legal title to the Water Entitlement and the value of the Water Allocation for each reporting period. Confirmation of all Water Entitlements is to be obtained each year end as part of the annual audit process.

Documentation in relation to Water Entitlements and Water Allocations, including Water Trades and communications with providers of brokerage services, are to be appropriately recorded in Council's financial records and reconciled on a monthly basis, where relevant.

As a minimum the monthly Investment Report to Council shall include the following for Water Entitlements and Water Allocations for the current Water Year along with any changes during the month:

- Opening and closing Water Allocation volumes for each type of Water Entitlement
- Temporary Trade volumes and values during the month and if advice was sought and any commissions or other benefits paid in relation to the sale
- The Recommended Safety Margin volume
- Surplus Water volume and market value for each type of Water Entitlement as at the date of the report
- Comparison to performance benchmarks provided by at least two water brokers for trades in the MIA
- Any trades for, or in excess of, \$250,000 (inc GST) will be separately identified.

8. Appendix 1

DPE - Water recommends water utilities retain more water allocations than the predicted water demand up until 30 June in any Water Year to provide a safety margin. DPE - Water assesses safety margins on a case by case basis using information provided by Council.

Council nominates the following Recommended Safety Margins, but notes that these are subject to the approval of DPE – Water in accordance with section 7.1 of this Policy.

Analysis indicates that Water Usage will not exceed 3,000 ML in a Dry Year and 2,400 in a Wet Year.

Accordingly, Council nominates that:

- Up to 500 ML of Town Water can be sold at any time after the commencement of the Water Year up until 31 October. This results in a Recommended Safety Margin of up to 597 ML which is 20% for a Dry Year and 25% for a Wet Year.
- From 1 November the Recommended Safety Margin is set at 10% of the predicted Water Demand for the remainder of the Water Year, effectively enabling the sale of all Town Water by the last day of the Water Year.

This Recommended Safety Margin is based on detailed analysis of Water Usage over recent years and will be monitored by Council on an ongoing basis, including with regard to whether the climate outlook is for a Dry Year or a Wet Year .

Month	July to October	November to June
Recommended Safety Margin - Dry Year	20% (597/3,000ML)	10%
Recommended Safety Margin - Wet Year	25% (597/2,400ML)	10%

9. Appendix 2



Murrumbidgee
Irrigation

Postal Locked Bag 6010, Griffith NSW 2680
Offices • Research Station Rd, Hamwood NSW 2680 • Dunn Ave, Leeton NSW 2705
Contact T (02) 6962 0200 F (02) 6962 0209 E info@murrirrigation.com.au
www.murrirrigation.com.au ABN 35 084 943 037

COPY

Water Entitlements Certificate

- [1] This is a Water Entitlements Certificate under the Water Entitlements Contract between the Company and the Customer whose name is set out in Item 1 of Schedule 1.
- [2] This Water Entitlements Certificate evidences (but does not confer) the Customer's entitlement to the Water Entitlements set out in Item 2 of Schedule 1 as at the date set out in Item 3 of Schedule 1. The Customer is entitled to the number of Water Entitlements in respect of which the Customer is the registered holder in the Water Entitlements Register.
- [3] Subject to the Water Entitlements Contract, the Company and the Customer must comply with the conditions set out in Schedule 2.
- [4] In this Water Entitlements Certificate, unless the contrary intention appears, a word or phrase defined in the Water Entitlements Contract has the same meaning in this Water Entitlements Certificate. Clause 1.2 (Interpretation) of the Water Entitlements Contract applies to this Water Entitlements Certificate with the necessary changes.

Schedule 1 - Water Entitlements

Item 1 **Name of Customer**

LEETON SHIRE COUNCIL

ABN 59217957665

Item 2 **Volumes and categories of Water Entitlements**

516 Megalitres of category 1
971 Megalitres of category 3
0 Megalitres of category 5
0 Megalitres of category 6
4097 Megalitres of category 7

Item 3 **Date**

1/03/2022

Schedule 2 - **Other conditions**

10. Appendix 3

Schedule 2 - Categories of water entitlements

Category	1	- General security water entitlement
Category	3	- High security water entitlement
Category	5	- High security (domestic and stock) water entitlement
Category	6	- High security (non-potable domestic) water entitlement
Category	7	- High security (lows) water entitlement

Notes:

(1) Former type 2 (normal security allocation for recreation use) has been incorporated into category 1 (general security water entitlement).

(2) Former type 4 (high security allocation for industrial purposes) has been incorporated into category 3 (high security water entitlement).



Office of
Local Government

5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541

Our Reference: A753726
Contact: Richard Murphy
Phone: 02 4428 4191

Ms Jacqueline Kruger
General Manager
Leeton Shire Council

By email: jackiek@leeton.nsw.gov.au

Dear Jackie

I refer to previous correspondence about Leeton Shire Council's (Council's) trading of water entitlements.

The Office of Local Government (OLG) has completed its assessment of this matter. In doing so, it has examined aspects of Council's water trading practices, its past and current policy framework and its compliance with Section 55 of the *Local Government Act 1993* (the Act).

There is information that indicates Council breached Section 55 of that Act on 20 February 2020 when it entered into a contract with a value of \$270,336 to sell part of its water entitlement for the 2019/2021 financial year. Council did not call for tenders for this contract. It was required to do so. Council needs to implement controls to ensure that there are no further breaches of the Act when entering into such contracts.

As I understand it, Council's position is that the nature of the water market precludes it from being able to sell water using a tender process. If this is the case, Council can consider using the process provided for in section 55(3)(i) of the Act to exempt specific contracts from tendering.

While OLG appreciates that Council has recently adopted a new water trading policy with the intention of improving the governance of its water trading activities, it is suggested that it consider amending its policy and associated procedures to:

- Identify the applicability of Section 55 of the Act to contracts for or in excess of \$250,000 and specify that any such proposed trades are to be reported to Council
- Ensure that at least two Council officers are involved in the recommendation/approval of all water trades with an appropriate segregation of responsibilities to minimise the risk of fraud
- Specify how Council will benchmark the performance of its water trading activities
- Specify how Council will select brokers to facilitate its water trades
- Specify that all communications between Council and brokers be recorded in writing and retained on the relevant Council file

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



2

- Provide guidance on what discount Council is prepared to accept in order to ensure that its water is sold to a local buyer.

I have provided some additional comments hereunder to assist Council in understanding the basis for the suggested actions.

With respect to the suggestion that two Council officers be involved in the recommendation/approval of water trades, currently Council's policy only requires this for town water. There is no requirement for anyone other than the General Manager to be involved in the approval of the trading of investment water. While I have no reason to doubt your or any other Council officer's integrity, having a single officer undertake all of the substantive parts of the trading process is a significant probity risk.

While the policy provides for benchmarking and reporting, at the time of OLG's enquiries Council had not settled how it would benchmark its trades against the price achieved by other traders. This needs to be determined.

The basis for procurement of brokerage services should be referenced in the policy and have regard to Council's adopted general policies and procedures for procurement of goods and services.

Council has an obligation pursuant to the *State Records Act 1998* to make and keep full and accurate records of its activities. It is OLG's understanding that Council may not have made and/or kept full records of its dealings with brokers, particularly in respect of approaches made to Council to buy its water and instructions given to brokers in relation to the preference to be given to local buyers.

While Council's preference to sell its water entitlement for use in the local area has been noted, it is suggested that it consider what discount it is prepared to accept for such an outcome. The absence of such a provision could give rise to a circumstance where Council sells valuable water for a discount that is not commensurate with the economic benefit to the community that arises from it being used locally.


Finally, I am advised that Council commissioned an internal audit of its water trading practices. This commendable and, self-evidently, Council should carefully consider the findings of that audit.

Please provide a copy of this letter to the elected Council and the members of the Audit Risk and Improvement Committee. I also ask that you provide the OLG with a written response within 3 months of the date of this letter detailing any actions taken by Council in relation to this matter.

3

I trust that Council finds the information provided of assistance. Please call Richard Murphy of OLG's Investigations Team on 02 4428 4191 if you wish to discuss this matter further.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ally Dench', with a long horizontal flourish extending to the right.

Ally Dench
Executive Director Local Government



EF22/7

14 September 2022

Ally Dench
Executive Director Local Government
Office of Local Government
Locked Bag 3015
NOWRA NSW 2541

Dear Ally,

Your Reference: A753726

Thank you for your correspondence regarding Leeton Shire Council's (Council's) trading of water allocations.

As requested, I am providing a response to you within three months of receipt of that correspondence by Council.

The suggestions made by the Office of Local Government have been considered and the following is in response to those suggestions.

Council is proposing to amend its Temporary Trade of Water Allocation Policy by 30 November 2022 to:-

- Identify the applicability of Section 55 of the Act to contracts for, or in excess of, \$250,000 and specify that any such proposed trades are to be reported to Council. In the meantime, I confirm that water is selling at relatively low prices due to a wet season and the \$250K threshold will not nearly be met in 2022.
- Require that at least two Council officers are involved in the recommendation/approval of investment water trades, in addition to town water trades which already require the approval of two officers under the policy. This is already being enacted.
- Specify that Council will benchmark and report the performance of its water trading activities against information provided by at least two water brokers for trades in Murrumbidgee Zone 13, being the relevant zone in which Council can trade water (see below). This is already being enacted.
- Specify that Council will select brokers to facilitate its water trades in accordance with its Procurement Policy. This action will also be completed by 30 November 2022.
- Specify that all communications between Council and brokers will be recorded in writing and retained by Council. This is already being enacted.

With regard to the discount Council is prepared to accept in order to ensure that its water is sold to a local buyer, Council is required to conduct all of its water trades through Murrumbidgee Irrigation and is therefore not able to sell outside the Murrumbidgee Irrigation District. Accordingly, Council will amend its policy to specify that water trades can be made within the Murrumbidgee Irrigation District, as opposed to buyers within the Leeton Shire. In these circumstances Council will not be in a position where it is issuing any directions regarding the selling of its water and therefore not being subject to any 'discount' (to use your word).

I also confirm that a copy of your letter was provided to the elected Council and the members of the Audit Risk and Improvement Committee.

Yours sincerely



Jackie Kruger
General Manager

ITEM 7.6 POLICY REVIEW - 2022

RECORD NUMBER	22/424
RELATED FILE NUMBER	EF20/62
AUTHOR/S	Governance and Records Officer
APPROVER/S	Customer Service and Governance Coordinator

SUMMARY/PURPOSE

The purpose of this report is to present two policies to Council for endorsement to be placed on public exhibition for 28 days.

If feedback is received on any of the policies that is material, it will be brought back to Council for consideration prior to adoption. If no feedback is received, the policies will be considered adopted after the exhibition period.

RECOMMENDATION

THAT Council endorses the following for public exhibition for 28 days, and, if no feedback is received, the policies will be considered adopted after the exhibition period:

- Fraud and Corruption Prevention Policy
- Council Workshop Policy

REPORT

(a) Background

Each new Council is required to adopt the certain of Council policies, plans and strategies within 12 months of the Local Government elections including the Councillor Expenses and Facilities Policy, Code of Meeting Practice, the Delivery Program and Operational Plan and the Community Strategic Plan.

These documents were all adopted by Council within the required 12 months.

Staff have also commenced updating other policies that are due for review.

(b) Discussion

Staff are currently reviewing policies and presenting them to Council in batches for endorsement and subsequent adoption (if there is no feedback from the community requiring the policies to be brought back to Council).

The current batch of policies includes those listed in the table below:

Draft Policy	Comments on Changes
Fraud and Corruption Policy	Information changed to be in line with new legislation and recommendations from the Office of Local Government (OLG).
Council Workshop Policy	Grammatical changes only, content of policy has not changed.

It should also be noted that the policies adopted by the previous Council remain current and Councillors, staff, volunteers and contractors must continue to adhere to these policies until they are superseded or made obsolete.

All Council's current policies can be viewed on Council's website under the heading 'Your Council/About Council/Policies'.

(c) Options

1. THAT Council endorses the above draft policies or policy obsolescence for public exhibition for 28 days. **This is the preferred option.**
2. THAT Council seeks amendments to individual policies prior to endorsement and adoption.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

Nil

(b) Policy

Revised policies, once adopted, will supersede previous versions of those policies.

(c) Legislative/Statutory

Each new Council must adopt certain policies, plans and strategies within 12 months of its election according to the following sections of the *Local Government Act 1993*:

- Section 160
- Section 165
- Section 252
- Section 253
- Section 402
- Clause 403
- Section 404

(d) Risk

Not reviewing, updating and adopting policies leaves Council exposed to not having a documented structure or accountability and responsibility obligations in place to operate Council efficiently and effectively.

CONSULTATION

(a) External

All policies, apart from those with mandatory content, will be placed on public exhibition for 28 days. Draft policies for which feedback has been received will be reviewed in line with relevant feedback and returned to Council for consideration and adoption.

If no feedback is received, the policies will be considered adopted after the exhibition period has closed.

(b) Internal

Each of the policies has been reviewed/updated by the relevant subject experts within Council, their supervisors, Governance staff and the Senior Management Team.

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

CSP FOCUS AREA 5 - Strong leadership and civic participation – DELIVERY PROGRAM
FUNCTIONAL AREA 9 - Governance and Administration - DELIVERY PROGRAM
ACTIVITY 9.6 - Deploy reliable and efficient corporate and project governance including audit, risk and improvement - OPERATIONAL PLAN ACTIVITY 9.6.5 - Continuously review and update of Council policies and plans to appropriately support Council's operations".

ATTACHMENTS

- 1** [↓](#) DRAFT - Fraud and Corruption Prevention Policy
- 2** [↓](#) DRAFT - Council Workshop Policy



LEETON
SHIRE COUNCIL

DRAFT
**FRAUD AND CORRUPTION
PREVENTION POLICY**

SEPTEMBER 2022

DOCUMENT CONTROL

RESPONSIBLE OFFICER:	Group Manager Corporate				
REVIEWED BY:	Senior Management Team				
LINK TO CSP/DELIVERY PROGRAM/OPERATIONAL PLAN:	CSP FOCUS AREA 5 - Strong leadership and civic participation – DELIVERY PROGRAM FUNCTIONAL AREA 9 - Governance and Administration - DELIVERY PROGRAM ACTIVITY 9.6 - Deploy reliable and efficient corporate and project governance including audit, risk and improvement - OPERATIONAL PLAN ACTIVITY 9.6.5 - Continuously review and update of Council policies and plans to appropriately support Council's operations".				
DATE ADOPTED:					
ADOPTED BY:	Council				
RESOLUTION NO: (IF RELEVANT):					
FOR PUBLICATION:	<input type="checkbox"/> INTRANET <input type="checkbox"/> COUNCIL WEBSITE <input checked="" type="checkbox"/> BOTH				
REVIEW DUE DATE:	September 2026				
REVISION NUMBER:	2				
PREVIOUS VERSIONS:	DATE	DESCRIPTION OF AMENDMENTS	AUTHOR/EDITOR	REVIEW/SIGN OFF	MINUTE NO (IF RELEVANT)
1	28/10/2019		A Balind		19/236
2	28/9/2022	In accordance with the Fraud Control Framework Review 2021 – Endorsed by ARIC	M Rogers		

REVIEW OF THIS DOCUMENT

This document will be reviewed every four years or as required in the event of legislative changes or operational requirements.

Any major amendments to the document must be made by way of a Council Resolution. Minor amendments such as corrections to spelling, changes to wording for improved clarity, formatting and updates to the Appendixes may be made without approval from the Council.

CONTENTS

1. Purpose	5
2. Scope	5
3. Outcomes	5
4. Definitions	5
5. Policy Statement	6
5.1 Fraud control	6
5.1.1 Attribute One: Leadership	6
5.1.2 Attribute Two: Ethical Framework	6
5.1.3 Attribute Three: Responsibility Structures	6
5.1.4 Attribute Four: Fraud and Corruption Prevention Policy	7
5.1.5 Attribute Five: Prevention Systems	7
5.1.6 Attribute Six: Fraud and Corruption Awareness	8
5.1.7 Attribute Seven: Third Party Management Systems	9
5.1.8 Attribute Eight: Notification Systems	10
5.1.9 Attribute Nine – Detection Systems	10
5.1.10 Attribute 10: Investigation Systems	11
6. Examples of Potential Fraudulent and Corrupt Behaviour	12
6.1 Theft	12
6.2 Gifts, Benefits and Bribes	12
6.3 Misuse of Council Resources for Inappropriate Private Purposes	13
6.4 Zoning and Development	13
6.5 Regulatory Compliance	13
6.6 Procurement, Tendering and Contract Management	13
6.7 Conflicts of Interest	13
6.8 Human Resources	13
6.9 Delegations	13
6.10 Information Technology	14
6.11 Forgery or Falsification or Records to Originate or Conceal a Fraud	14
6.12 Unauthorised Sale or Provision of Information	14
7. Legislative Context	14
8. Contact	14
9. Review	14

1. Purpose

To clearly state the commitment by Leeton Shire Council (Council) to the prevention of fraud and corruption and to outline the methodology to detect and deter fraudulent behaviour and corrupt conduct.

2. Scope

This policy applies to all Council Officials.

3. Outcomes

Leeton Shire Council will not tolerate fraudulent or corrupt conduct by its Councillors and employees or by any contractor, consultant or volunteer.

Leeton Shire Council is committed to the:

- development and maintenance of a sound ethical culture supported by appropriate policies, procedures and strategies that prevent fraudulent and corrupt behaviour;
- regular conduct and review of fraud and corruption risk assessments to identify circumstances in which fraud and corruption could occur;
- implementation of fraud and corruption prevention and mitigation procedures in day to day operations;
- use of formal procedures for the investigation of allegations of corrupt and fraudulent behaviour;
- maintenance of processes and procedures that encourage all business dealings with tenderers, suppliers, consultants and contractors to be conducted in an ethical manner; and
- ongoing education and training of Council officers and Councillors in relation to their obligations in combating dishonest and fraudulent behaviour.

4. Definitions

Council official: Includes Councillors, Council staff, Council Committee members, conduct reviewers and delegates of Council (including but not limited to volunteers, consultants and contractors performing works on behalf of Council).

Fraud: is defined in *Australian Standard AS8001-2021: Fraud and Corruption Control*, as:

"Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity".

Corruption - is defined in *Australian Standard AS8001-2021: Fraud and Corruption Control*, as:

"Dishonest activity in which a director, executive, manager, employee or contractor of an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity."

Conflicts of interest: The conflict between the public duty and private interest of a public official where the public official has private interests which could improperly influence his or her official duties and responsibilities.

Disclosure Coordinator: is Council's Disclosure Coordinator for the purpose of Council's Internal Reporting Policy (Public Interest Disclosures).

5. Policy Statement

5.1 Fraud control

Council's approach to fraud control is based on the ten attributes of fraud control contained within the *Fraud Control Improvement Kit* released by the NSW Audit Office in 2015. These attributes sit within the themes of prevention, detection and response as follows:

The Ten Attributes of Fraud Control

Attribute		Theme
Attribute One	Leadership	Prevention
Attribute Two	Ethical Framework	Prevention, Detection, Response
Attribute Three	Responsibility structures	Prevention, Detection, Response
Attribute Four	Policy	Prevention
Attribute Five	Prevention systems	Prevention
Attribute Six	Fraud awareness	Prevention, Response
Attribute Seven	Third party management systems	Prevention, Response
Attribute Eight	Notification systems	Detection, Response
Attribute Nine	Detection systems	Detection
Attribute Ten	Investigation systems	Response

5.1.1 Attribute One: Leadership

A successful fraud control framework is led by a committed and accountable executive. Council's General Manager has ultimate responsibility for the fraud and corruption control framework and endorses fraud and corruption control activities within Council. The General Manager is supported by the Senior Management Team, the Audit, Risk & Improvement Committee (ARIC) and the Disclosure Coordinator.

5.1.2 Attribute Two: Ethical Framework

Leeton Shire Council has adopted a Code of Conduct that clearly sets out acceptable standards of ethical behaviour. The Code of Conduct is provided to all Councillors at the start of each term of Council and to all Council staff upon commencement. Training is provided to ensure that all Councillors and Council staff understand their obligations. In addition, complementary policies and corporate practices have been adopted that are listed in this Policy under section 5.1.6.3.

5.1.3 Attribute Three: Responsibility Structures

5.1.3.1 Responsibilities Within Council

Councillors are responsible for:

- promoting awareness and compliance with this Policy and Council's Code of Conduct;
- supporting the General Manager in the implementation of adequate prevention measures for fraud and corruption; and
- reporting all instances of suspected or actual fraud or corrupt conduct in accordance with Council's Code of Conduct and Internal Reporting Policy (Public Interest Disclosures).

The **General Manager** is responsible for the proper management of Council resources and the development and implementation of systems and practices to minimise the risk of fraud and corruption, including:

- reporting actual or suspected corrupt conduct to the Independent Commission Against Corruption (ICAC) in accordance with Section 11 of the *ICAC Act 1988*
<https://www.icac.nsw.gov.au/reporting/report-corruption/section-11-reporting-online>;
- reporting criminal offences to the NSW Police Force;
- requiring Councillors and Council staff to prevent and minimise fraud and corruption by focusing on ethical behaviour, good practice and sound internal controls;

- requiring regular fraud and corruption awareness training courses for Councillors and Council staff;
- promoting a workplace culture and environment in which fraud and corruption is actively discouraged and is readily reported should it occur; and
- undertaking and reviewing fraud and corruption risk assessment on a regular basis.

Senior Management Team are responsible for:

- taking a leadership role in promoting ethical behaviour within the Council;
- ensuring that Council staff within their area of responsibility receive appropriate fraud and corruption awareness training and understand Council's Code of Conduct;
- providing ethical advice and support to Council staff;
- ensuring that appropriate internal controls are in place and operating effectively to minimise fraud and corruption risks;
- identifying and managing potential fraud and corruption risks within their area of responsibility; and
- taking reasonable steps to require that Council contractors who report to them comply with this to the extent that it is relevant to their contractual arrangements.

Disclosures Coordinator is responsible for the education and overseeing the prevention of fraud and corruption.

Council staff are responsible for:

- performing their functions and duties with skill, care, diligence, honesty, integrity and impartiality;
- being aware of their individual responsibilities under this Policy;
- complying with the requirements of this Policy and legislative requirements to not participate in fraudulent and corrupt behaviour; and
- reporting in accordance with this Policy any suspicion of fraudulent and corrupt behaviour.

Council requires all **contractors, consultant, applicants, suppliers of goods and services, owners and applicants of development applications and anyone doing business with Council**, to observe this Policy and the following principles:

- act ethically and honestly in all dealings with Council;
- declare actual or perceived conflicts of interests as soon as the conflict becomes apparent;
- comply with Council's procurement policies and procedures;
- provide accurate and reliable information when required; and
- take all reasonable measures to prevent disclosure of confidential Council information.

5.1.3.2 Audit, Risk and Improvement Committee

The ARIC is responsible for providing independent assistance to Council and the General Manager by monitoring and providing advice on the adequacy of the fraud control framework and the processes and systems in place to capture and effectively investigate fraud-related information. This includes reviewing the fraud control framework, Fraud Risk Assessment and other strategies and the effectiveness of their implementation every two years.

5.1.4 Attribute Four: Fraud and Corruption Prevention Policy

This *Fraud and Corruption Prevention Policy* does not operate in isolation and has strong links to the Code of Conduct. It sets out the system of fraud and corruption control and covers the responsibilities for managing fraud and corruption within Council.

5.1.5 Attribute Five: Prevention Systems

Council's fraud and corruption prevention systems contain a number of components including:

5.1.5.1 Fraud and Corruption Risk Assessment

The Fraud and Corruption Risk Assessment is a proactive effort:

- to identify areas where fraud risks exist;
- to evaluate how effective controls are to mitigate those risks; and
- to determine actions necessary to eliminate any gaps.

The Fraud and Corruption Risk Assessment includes responsibilities and timeframes for action and reporting.

The Fraud and Corruption Risk Assessment is carried out when there is a substantial change in the function, structure or activities of Council and at least every two years. The Risk Manager is responsible for monitoring the results over time and for reporting the results of the Fraud and Corruption Risk Assessment to the General Manager and the ARIC.

5.1.5.2 Fraud and Corruption Prevention Action Plan

The Fraud and Corruption Action Plan contains all the key fraud and corruption control activities of Council, responsibilities and timeframes for action and information on review mechanisms. It is linked to the Fraud and Corruption Risk Assessment and contains details of the risks requiring treatment, controls and mitigation strategies in place. The Fraud and Corruption Action Plan is regularly reviewed and updated, and its outcomes and results reported to the General Manager and the ARIC.

5.1.5.3 Ethical Workforce

Council is committed to employing people who support our ethical values. Pre-employment screening is used to verify information supplied by candidates on their resumes and applications and includes two reference checks prior to a position being offered.

5.1.5.4 Information Technology Security

The Information Communication Technology Strategy supports the interests of Council by defining management requirements for safeguarding its information assets and assuring the continued delivery of services.

5.1.6 Attribute Six: Fraud and Corruption Awareness

A key element of the Fraud and Corruption Prevention Policy and Fraud and Corruption Action Plan is:

- creating awareness about the different parts of the strategy among Councillors, Council staff and other Council stakeholders;
- creating awareness about what activities are considered fraudulent and corrupt; and
- providing information on how to respond if fraud or corruption is suspected.

5.1.6.1 Staff Awareness

Council staff need to be made aware that fraud and corruption are not tolerated, consequences and their responsibility to contribute to eliminating fraud and corruption. They need to be aware of:

- what is fraud and corruption;
- common types of fraud and corruption they may encounter;
- their responsibilities; and
- how to report suspected fraud and corruption.

5.1.6.2 Staff Training

The Code of Conduct is provided to all Councillors and Council staff upon commencement to assist them in understanding the expected standards of behaviour. Council staff will also be provided with a copy of this Policy to raise awareness of fraud and corruption control by Council. Council staff will be required to sign an acknowledgement and agreement declaration to abide by its provisions.

Awareness training will be implemented through the following programs:

- Induction Program for new Councillors and staff to include awareness of this Policy and the Code of Conduct;
- Regular training (including mandatory training) in fraud and corruption prevention;
- Distribution of fraud and corruption prevention information through management meetings, newsletters and other internal publications; and
- Active participation in the Fraud and Corruption Risk Assessment and other activities undertaken by Council.

5.1.6.3 Ethical Behaviour Policies and Corporate Practices

Relevant Legislation, Regulations and Industry Standards include:

- *Local Government Act 1993*
- Local Government (General) Regulation 2005
- *Independent Commission Against Corruption Act 1988*
- Australian Standard AS 8001-2021 Fraud and Corruption Control
- Australian Standard AS/ISO 19600:2015 Compliance Management - Guidelines
- *Public Interest Disclosures Act 1994*

Council has a range of policies and other guidance to encourage ethical behaviour and reduce the incidence of fraud and corruption including:

- Code of Conduct
- Procurement Policy
- Information Guide
- Complaints Handling Policy
- Gifts and Benefits Policy
- Cash Handling Policy and Procedure
- Internal Reporting Policy (Public Interest Disclosure)
- Work Health & Safety Statement
- Work Health & Safety Management Plan
- Enterprise Risk Management Policy and Plan
- Related Parties Disclosure Policy.

5.1.6.4 Awareness Raising

The Risk Manager will conduct a review of the Fraud and Corruption Action Plan every two years. Council staff will be asked to provide views on their understanding of the *Fraud and Corruption Prevention Policy* and how Council is managing the prevention of fraud and corruption. The results of the review will be provided to the General Manager, ARIC and summarised for all Council staff.

5.1.6.5 Stakeholder and Supplier Awareness

Council is committed to ensuring our stakeholders and suppliers are aware of our commitment to ethical behaviour. The Code of Conduct sets out our position on fraud and corruption and the expected standards of behaviour in business relationships with external parties. It is published on our website, along with the *Fraud and Corruption Prevention Policy* and *Receipt of Gifts and Benefits Policy*.

5.1.7 Attribute Seven: Third Party Management Systems

Council ensures specific internal controls relating to third parties, such as segregation of duties, are in place to manage our dealings with third parties. We provide a copy of the Code of Conduct, setting out expected standards of behaviour and mutual obligations of all parties on our website.

Third party management also covers managing Conflicts of Interest. The Code of Conduct set out

how Council officers should manage conflicts of interest, including secondary employment.

5.1.8 Attribute Eight: Notification Systems

Council requires Council staff, and encourages its stakeholders and suppliers, to report known or suspected fraud or unethical behaviour. Council staff should be aware of the provision in section 316(1) of the Crimes Act 1900 which says that a failure to report a serious offence, including fraud, is an offence.

5.1.8.1 Fraud and Corruption Allegations Made by a Staff Member

If a Councillor or council staff member knows or suspects another Council staff member has engaged in fraud or corruption, they must report it to:

- Their Manager;
- The Disclosure Coordinator; or
- The General Manager

For guidance on how to report suspected or actual fraud refer to the Internal Reporting Policy (*Public Interest Disclosures*). Council staff are encouraged to make a report in writing, as this helps to avoid any confusion or misinterpretation, but reports can be made orally.

In most instances, reports of fraud or corruption can be dealt with internally. However, if Council staff have concerns that their report will not be dealt with appropriately, then they have the option of reporting directly to the ICAC.

If Council staff suspect that another organisation or person is defrauding Council, the suspicion can be discussed with their manager in the first instance, or directly with the Disclosure Coordinator or the General Manager.

5.1.8.2 Public Interest Disclosures

In addition to the above notification on fraud and corruption allegations, a Council staff member can make a public interest disclosure in respect of internal corrupt conduct, maladministration, or serious and substantial waste of public money. For more detailed information, refer to the Internal Reporting Policy (*Public Interest Disclosures*) which includes details of all the categories of behaviour covered by the *Public Interest Disclosures Act 1994*.

5.1.8.3 Fraud and Corruption Allegations About Council Made by Stakeholders and Suppliers

Our stakeholders and suppliers and members of the public are encouraged to report suspected cases of fraud, misconduct or unethical behaviour by Council Officers.

Any detailed allegations of substantial fraud or corruption will be referred to the relevant external body. Where, on reasonable grounds, there is suspicion that corrupt conduct has occurred, the General Manager has a duty under section 11 of the *Independent Commission Against Corruption Act 1988* to report it to the ICAC as soon as the suspicion arises. This is irrespective of the how insignificant or minor the allegation.

5.1.9 Attribute Nine – Detection Systems

Internal controls are effective at detecting fraud and corruption. Council maintains appropriate controls including:

- segregation of duties;
- delegations, approvals and authorisation;
- verification;
- reconciliations;
- management reviews;
- risk assessments; and
- internal and external audits.

5.1.9.1 Risk-based Internal Audit Program

ARIC oversees Council's internal audit program. Internal audits are conducted regularly to examine risk processes across Council and detect irregularities. Internal audit recommendations are recorded and followed up regularly with responsibility assigned to individuals and clear time tables set for response. Outcomes of reviews are reported to the Senior Management Team and the ARIC. Management uses internal audit findings as an opportunity to improve processes.

5.1.9.2 Protection Against Reprisals

Council will not tolerate any reprisal action against Council staff and will ensure appropriate action is taken to protect Council staff who report suspected fraud or corruption ('internal reporter'). If someone believes detrimental action has been, or is being, taken against them, or the internal reporter, they should immediately tell:

- Their Manager;
- The Disclosure Coordinator; or
- The General Manager.

Council will make sure that internal reporters are supported and encouraged to access the professional support services they may need as a result of the reporting process including stress management, counselling services or legal advice.

5.1.10 Attribute 10: Investigation Systems

5.1.10.1 Preliminary Assessment

When an allegation of fraud is made against a Council staff member ('alleged perpetrator'), the person to whom the report has been made will discuss the matter with the internal reporter. The internal reporter may be asked to make a written statement regarding the allegations.

The alleged perpetrator may be interviewed during this preliminary stage and can be accompanied by their Manager, or other nominated staff member, during the interview.

The Disclosure Coordinator:

- will acknowledge the report within 10 working days of receipt, providing the name and contact details of the people who can provide further updates or information;
- will organise a preliminary assessment of the allegations and provide details to the internal reporter of any decisions and how the allegations will be progressed; and
- may, if the allegation is serious and the evidence is compelling, recommend to the General Manager that the matter be immediately referred to an external body.

5.1.10.2 Full Investigation

Following the preliminary assessment, the Disclosures Coordinator may recommend to the General Manager a full investigation be conducted by an appropriately qualified external investigator. Any internal investigation should be conducted in accordance with the ICAC's Fact Finder – 'A guide to conducting internal investigations (April 2022)' where considered appropriate.

The internal reporter will be advised of the decision and any actions that will be taken. When further action is to be taken, the alleged perpetrator may also be notified.

During the investigation, the Manager People & Organisational Development will be involved to ensure the appropriate policies are properly followed and to ensure that any personal issues affecting the staff members are properly addressed. Proper and full records will be kept during the investigation and any evidence gathered will be secured and preserved.

5.1.10.3 Conduct Standards

The standards of personal conduct expected of Council staff are clearly set out in the Code of Conduct. The Code requires that Council staff act lawfully and honestly, and not conduct

themselves in a manner that is improper or unethical or is likely to bring the Council or Council Officials into disrepute.

5.1.10.4 Disciplinary Standards

Where the allegation is proved because of an admission by the Council staff member or as a result of an investigation, the Disclosure Coordinator, in consultation with the Manager People & Organisational Development, will make a recommendation to the General Manager regarding disciplinary action or referral to an external body.

The General Manager will determine the nature of any disciplinary action.

5.1.10.5 Maintaining Confidentiality

Every endeavour will be made to ensure that any allegations of fraud and corruption and subsequent investigations are handled confidentially. This is designed to help prevent any action being taken against internal reporters. However, there may be situations where confidentiality may not be possible or appropriate. This will be discussed with the internal reporter.

While anonymous reports are not encouraged, there may be situations where someone may not want to identify themselves. Council will accept anonymous reports, however, anonymity may limit Councils' ability to seek further information to assess the report adequately. When the identity of the internal reporter is known, Council is able to obtain any further necessary information, provide the person with protection and support and give feedback about the outcome of any investigation into the allegations.

5.1.10.6 Making Vexatious, Frivolous or Misleading Allegations

Any report that turns out to be vexatious, frivolous or misleading will result in disciplinary action against the internal reporter.

5.1.10.7 Documenting Reported Fraud and Corruption

The Disclosure Coordinator will maintain a database of all reports of suspected fraud and corruption. The database will help Council determine where it should focus its efforts and where changes to controls, policies or procedures are required. The results of any investigation will be reported to the General Manager who will decide on the appropriate communication and action required.

6. Examples of Potential Fraudulent and Corrupt Behaviour

6.1 Theft

Common types of property stolen include:

- stationery and office supplies;
- construction and maintenance equipment and tools;
- lap top computers;
- mobile phones;
- technical equipment;
- cash;
- unauthorized use of credit cards; and
- intellectual property, including documents and data.

6.2 Gifts, Benefits and Bribes

Gifts, benefits and bribes are usually intended to influence the way the recipient carries out official functions. The intention may be to encourage the recipient to not look too closely at an illegal or unauthorised activity, or to actively participate in a fraudulent or corrupt activity.

Exposure to offers of gifts, benefits or bribes is common for Council staff who:

- approve or can influence decisions;

- procure goods or services;
- carry out regulatory work;
- provide customer or client service; or
- carry out work with the private sector.

6.3 Misuse of Council Resources for Inappropriate Private Purposes

In their publication "Use and Misuse of Public Sector Resources Guideline 2" (2008), the ICAC provide a number of examples of this type of risk, including:

- surplus materials – taking left over materials from a work site outside the requirements of policy;
- falsification of timesheets; and
- favouritism – using your position to allocate a public resource to favour friends or relatives rather than impartially.

6.4 Zoning and Development

The main risk areas of zoning and development activities are:

- coercion, intimidation and harassment of Council planners dealing with development applications; and
- inducements from developers to modify approved Development Applications or conditions imposed.

6.5 Regulatory Compliance

The main risk area of regulatory compliance is Council staff accepting bribes and favours to allow illegal and unauthorised activities.

6.6 Procurement, Tendering and Contract Management

Activities associated with procurement, tendering and contract management have traditionally been susceptible to fraud and corruption. This normally results from bribes, commissions or conflicts of interests. Examples of the type of fraud and corruption risk exposures include:

- order splitting to avoid tendering or obtaining quotes;
- collusion with suppliers to provide dummy quotes;
- accepting late tenders without justification; and
- approving fraudulent contract variations.

6.7 Conflicts of Interest

A conflict of interest can be pecuniary or non-pecuniary (see Council's Code of Conduct) and risk exposure can include:

- Councillors pressured by key local constituents;
- regular contact between Council staff and developers that leads to personal relationships; and
- Council use of consultants who may have conflicts of interest with external parties that they are negotiating with, regulating or investigating.

6.8 Human Resources

The main risk areas of Human Resources are:

- creation of fictitious Council staff on the payroll register;
- applicants for positions falsifying career background details; and
- direct recruitment of friends and relatives to permanent and casual positions.

6.9 Delegations

The main risk areas in relation to delegations are:

- not acting within delegations;

- delegation for order and payment granted to same person; and
- lack of supporting documentation.

6.10 Information Technology

The main risk areas in relation to Information Technology are:

- unauthorised electronic transfer of funds.
- electronic claims processing;
- unauthorised alteration;
- misappropriation, destruction or suppression data; and
- alteration or misuse of software programs.

6.11 Forgery or Falsification of Records to Originate or Conceal a Fraud

The falsification of records and processing of a false statement is fraud. Examples include falsification of:

- data on expense claims and receipts;
- credit card reimbursement claims;
- invoices and timesheets;
- job application forms;
- leave records; and
- forgery of a signature on a document.

6.12 Unauthorised Sale or Provision of Information

This risk involves unauthorised sale or provision of confidential information, including client information.

7. Legislative Context

This Policy is based on the following:

- NSW Audit Office's Fraud Control Improvement Kit (February 2015)
- Australian Standard 8001-2021 Fraud and Corruption Controls;
- Public Interest Disclosure Act 1994;
- Independent Commission Against Corruption Act 1988; and
- ICAC advice on developing a Fraud and Corruption Control Policy (January 2021)

This Policy should also be read in conjunction with the Model Code of Conduct issued by the Office of Local Government.

8. Contact

The Disclosure Coordinator is the contact for this policy.

9. Review

The Policy is reviewed every two years, or earlier if significant new information, legislative or organisational change warrants an update.



LEETON
SHIRE COUNCIL

COUNCIL WORKSHOPS POLICY

October 2022

DOCUMENT CONTROL

RESPONSIBLE OFFICER:	General Manager				
REVIEWED BY:	Senior Management Team				
LINK TO CSP/DELIVERY PROGRAM/OPERATIONAL PLAN:					
DATE ADOPTED:	27 October 2022				
ADOPTED BY:	Council				
RESOLUTION NO: (IF RELEVANT):					
FOR PUBLICATION:	<input type="checkbox"/> INTRANET <input type="checkbox"/> COUNCIL WEBSITE <input checked="" type="checkbox"/> BOTH				
REVIEW DUE DATE:	27 October 2026				
REVISION NUMBER:	4				
PREVIOUS VERSIONS:	DATE	DESCRIPTION OF AMENDMENTS	AUTHOR/EDITOR	REVIEW/SIGN OFF	MINUTE NO (IF RELEVANT)
New	25/07/2007				07/306
1	26/06/2013				13/136
2	22/02/2017				17/018
3	27/10/2022				

REVIEW OF THIS DOCUMENT

This document will be reviewed every 4 years or as required in the event of legislative changes or operational requirements.

Any major amendments to the document must be made by way of a Council Resolution. Minor amendments such as corrections to spelling, changes to wording for improved clarity, formatting and updates to the Appendixes may be made without approval from the Council.

CONTENTS

1. Purpose.....	4
2. Scope	4
3. Council Workshop Format	4
3.1 Procedural.....	4
3.2 Venue	4
3.3 Date and Time	4
3.4 Agenda	4
3.5 No Decisions.....	5

1. Purpose

The purpose of this policy is to outline the reasoning behind holding Council Workshops and the process.

The purpose of Council Workshops is to allow the Mayor, elected Councillors and Senior Management staff to:

- Exchange information (sometimes confidential) on projects or proposals that are being worked on by staff or projects or proposals that Councillors would like to see investigated.
- Provide a forum for discussion on proposed staff initiatives and discuss options for engaging the community in determining Council's strategic corporate direction.
- Provide an avenue for presentations to Council outside of the formal Council arena.
- Assist Councillors/executive staff in team building.
- Help develop trust and understanding between those who attend the workshops.

2. Scope

This policy applies to all Council Staff and Councillors.

3. Council Workshop Format

The format of Council Workshops will be as follows:

3.1 Procedural

There will be no standing orders or formal meeting procedures, however there will a set agenda to follow.

Those attending the workshop should be respectful and show courtesy for the person that is talking.

3.2 Venue

The venue for workshops will be determined by the General Manager and/or Mayor but generally is the Council Chambers.

3.3 Date and Time

Council Workshops shall be held on the second Wednesday of each month and at other times as required, commencing at 6.30pm.

Other workshops shall be held as required and the starting times shall be determined by Council, the Mayor or General Manager.

3.4 Agenda

An Agenda will be issued for all workshops, at least 2 days prior. Councillors and staff may include issues and information reports with the agenda. These may consist of notes, memorandums and draft reports, but not including recommendations. Such information is to be provided to the General Manager, or their delegate, two days prior to the session.

3.5 No Decisions

Under the terms of the *NSW Local Government Act 1993* and the Code of Meeting Practice issued by the Office of Local Government formal decisions cannot be made at Councillor Workshops.

OPERATIONAL MATTERS

ITEM 7.7 AUTOMATIC WATER METER REPLACEMENT PROJECT REVIEW

RECORD NUMBER	22/407
RELATED FILE NUMBER	EF20/71
AUTHOR/S	Manager Water and Wastewater Manager ICT
APPROVER/S	Group Manager Operations

SUMMARY/PURPOSE

The purpose of this report is to inform Council of the outcomes of the Automatic Water Meter Replacement project (Taggle).

RECOMMENDATION

THAT Council notes the information on the Automatic Water Meter Replacement project contained in the report.

REPORT

(a) Background

At the Ordinary November 2019 meeting Council resolved to accept quotation from Taggle Systems to replace the aging water meter fleet and outfit Council's water meter assets with Automatic Meter Reading (AMR) technology. Council also endorsed a public education program to be coordinated prior and during the implementation and that a report be provided back to Council on project completion. This report outlines the performance of the system, the impact on water use and cost savings and financial impacts to ratepayers.

The initial scope estimated 2789 meters that were greater than 10 years old and required replacement. These and the rest of Council's meter fleet would be fitted with AMR. Ultimately 3447 water meters were replaced, comprising of 20mm and 25mm meters of the 4417-meter fleet. 970 meters were deemed fit for service and retrofitted with AMR.

These meters had reached the end of their useful asset life and were inaccurate in the measurement of actual water use. Their replacement has resulted in 4417 meters fully operational and reading accurately. 90% of these meters report water consumption hourly, with the last 10% reporting at least once per day (this is to minimise battery consumption of the meter in difficult locations).

(b) Discussion

Outcomes

The AMR technology has brought about many benefits which are summarised as follows:

- Live on-demand water consumption data for Council staff
- Increased visibility of water consumption direct to the ratepayer through the MyH2O web portal
- Automatic leak detection on the ratepayer side of the meter through the web portal analytics, leading to potential cost savings for ratepayers
- Accurate mass balancing of the potable water produced vs water consumed vs unmeasured water

Performance of the System

The system allows both Council and the ratepayer to monitor and manage the effective use of their potable water by providing on-demand water consumption information.

The online customer portal has meant greater engagement where the online portal is able to automatically communicate with the ratepayer monthly for the status and bill estimate of water usage. The portal is also able to notify the resident for undetected leaks via either SMS or email depending on their preference.

Additionally, the Water Billing and Revenue officer periodically sends out notifications to residents notifying them of customer side undetected leaks.

Impact on Water Use

At this stage it is difficult to quantify the impact on water use. The project has been completed during an unusual period of wet weather, meaning that water consumption is lower than usual. The majority of Council's meter fleet was greater than 10 years old. These meters were under-reading the water consumption. This means that measured water consumption should have increased, however the water filtration plants have used less water to supply the town. This is due to multiple factors including gardens have not needed to be watered as much, cooler weather resulting in less dehydration and increased consumption of captured rainwater.

Cost Savings and Financial Impact to Ratepayers

One of the original objectives of the project was to reduce non-revenue water consumption and measure losses throughout the network. The previous estimate of non-revenue water consumption/loss was between 25-40%. With the conclusion of this project we now know that our non-revenue water is 15%, which is below the State average. The cost savings to Council and residents are multiple:

- Council now correctly bills ratepayers for their water consumption and no longer needs to offer the high bill relief reduction in consumption charges from undetected leaks. An updated concealed leak detection policy is currently being drafted by the revenue team to reference the new smart water meters.

- The water team has seen capacity creation of 0.2 FTE due to not having to manually read meters. Staff are no longer required to do special or final meter reads as the system is always up to date.
- Some residents with out-of-date meters *did* experience surprise bill shock when they received their first water rates notice prior to their meter being installed with AMR. This was handled on a case-by-case basis. We believe that these residents now have an increased awareness and value water greater than they did previously. This, combined with the communication from Council staff and contractors, has led to an estimated decrease in consumption. This will delay an increase in water connection and consumption charges, creating greater future value for ratepayers.

Next Steps

The water serviced area of Leeton and Yanco has been divided up in Council's software system into District Metered Areas (DMAs). The DMAs reflect distinct areas within the urban area connected by transfer mains. These are set up within the software to more easily break down water consumption per area and allow Council to determine the difference between potable water produced and water consumed (non-revenue water).

During the roll out process, it was identified that there are three locations within the network that have unmetered cross connections between DMAs. These are transfer, fire and some reticulation mains that provide water and balance water distribution and equalise pressure between Leeton CBD, Parkview, Wattle Hill and Maiden Av areas. Further break down of the water serviced area is critical for obtaining accurate and system-generated mass balancing between the DMAs.

If this was achieved it would result in the system being able to better pinpoint locations of non-revenue water consumption (i.e. leaks, theft, faulty water meters). This will also better inform future water main renewal programs. Council has adopted \$50,000.00 in the current financial year's budget for the installation of the additional DMA meters to conclude the project.

A preliminary non-revenue water measurement from the system is already showing positive results. The estimated non-revenue water consumption average is 15%, well under the previous estimates of between 25-40%, and under the State average of 25%.

(c) Options

1. THAT Council notes the information contained in the report. **This is the preferred option.**
2. THAT Council requests a further report, outlining what additional information is required.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

At the Ordinary November 2019 meeting Council adopted a budget \$1,250,000 for the project. The total expenditure for the project is \$1,387,005 with the difference

covered by Council's adopted water meter replacement program annual budgets in 2019/2020 and 2020/2021.

Council has adopted \$50,000.00 in the current financial year's budget for the installation of the additional DMA meters.

(b) Policy

Nil

(c) Legislative/Statutory

Nil

(d) Risk

There is a risk that residents will not experience the full "bill shock" until the weather changes back to normal rainfall patterns for a full billing year. This is considered low risk as the increase will be incremental throughout the year until residential water consumption returns to normal.

CONSULTATION

(a) External

Taggle Systems
I2R
Elster

(b) Internal

Manager ICT
Manager Water and Waste Water
Water and Waste Water Engineer
Water and Waste Water Coordinator
Manager Finance

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

CSP FOCUS AREA 4 - A quality environment – DELIVERY PROGRAM FUNCTIONAL AREA 7 - Water and Sewer Services - DELIVERY PROGRAM ACTIVITY 7.1 - Provide potable water services to the urban residents of Leeton Shire - OPERATIONAL PLAN ACTIVITY 7.1.2 - Operate and maintain water supply reticulation services in Leeton, Yanco, Wamoon, Whitton and Murrumbidgee".

ATTACHMENTS

There are no attachments for this report.

ACTIVATION MATTERS

ITEM 7.8 APPLICATIONS FOR LOCAL HERITAGE PLACES GRANTS FOR 2022/23

RECORD NUMBER	22/403
RELATED FILE NUMBER	EF10/338/01
AUTHOR/S	Manager Planning, Building and Health
APPROVER/S	General Manager

SUMMARY/PURPOSE

The Local Heritage Places grant scheme was advertised during July 2022. As a result, eight applications for funding assistance were received and were assessed by Council's Heritage Advisor Noel Thomson. A report from the heritage advisor was presented to the Leeton Shire Council Heritage Committee for consideration on 6 October 2022.

These applications are now submitted to Council for review and approval.

RECOMMENDATION

THAT Council approves the following Local Heritage Places Grant offers for 2022/23:

Applicant	Work to be done	Total Project Cost	Funding Requested	Funding Recommended	Applicant's Contribution
David Hawken (St Andrew's Church)	Restoration of windows at St Andrew's Church	\$4,451	\$2,225	\$2,200	\$2,251
Beverly Johnson	Restoration of walls & ceiling at former Anglican Church	\$7,500	\$3,750	\$3,500	\$4,000
Tracy Catlin	External restoration works and roof painting to Whitton Post Office	\$12,265	\$5,000	\$4,300	\$7,965
Gordon Files	External upgrade and painting to walls of shop	\$11,880	\$5,000	\$5,000	\$6,880
Evonne Newton	Replace windows, repair weather boards and repainting to west wall of House	\$9,240	\$4,620	\$4,000	\$5,240
(incl GST)		\$45,336	\$20,595	\$19,000	\$26,336

REPORT

(a) Background

Funding is available for 'Listed' heritage items in the Leeton Local Environmental Plan 2014 or for buildings supported by Council's heritage advisor as being of heritage significance. The Local Heritage Places Grants for 2022/23 were advertised and open for application during July 2022. Noel Thomson reviewed the eight (8) applications received whereupon the applications were presented to the Leeton Shire Council Heritage Committee on 6 October 2022 for consideration. The Heritage Grant assessment report is attached.

The Leeton Heritage Committee unanimously accepted the recommendation of the Heritage Advisor and recommended that 5 applications be approved.

(b) Discussion

The following eight applications were received for heritage funding:

2022-23/1 Restoration & repairs to windows at Presbyterian Church, Sycamore St, Leeton

Submission from representative of the Presbyterian Church (David Hawken) is for the proposed repairs and restoration to the windows at the west side to 'as new' condition. The church is local Heritage Item (I40) "St Andrews Presbyterian Church" in Leeton LEP and therefore the building has heritage significance. The window restoration project suits the criteria for heritage funding.

Recommendation is for the window restoration works project at "St Andrews Presbyterian Church" be undertaken as per heritage advisor recommendations with funding of \$2,200 (incl GST) acceptable for this is a good project for the Local Heritage Fund. Approval required from Council as per LEP Clause 5.10 (3) prior to works commencing on site.

2022-23/2 Restoration of walls & ceiling at former Church, Melbergen St, Whitton

Submission from Owner (Beverly Johnson) notes the project is for the restoration of the walls and ceiling to remove later added 'modern' material at the former Church at 9 Melbergen St, Whitton. The former "St Johns Anglican Church" is local heritage item (I92) in Leeton LEP and has heritage significance and on review of the works proposed suits the criteria of the local heritage fund.

Recommendation is for the restoration works at the former "St Johns Anglican Church" be undertaken as per heritage advisor recommendations with funding of \$3,500 (incl GST) acceptable for this project. Approval required from Council as per LEP Clause 5.10 (3) prior to works commencing on site.

2022-23/3 External restoration & painting at Post Office, Hulong St, Whitton

Submission from Owner (Tracy Catlin) notes the project is for the restoration and repainting of the exterior of the Post Office at 1 Hulong St, Whitton. On review of the works proposed suits the criteria of the local heritage fund for this building in the Whitton Heritage Conservation Area.

Recommendation is for the restoration and painting works at the Witton Post Office be undertaken as per heritage advisor recommendations with funding of \$4,300 (incl

GST) acceptable for this project. Approval required from Council as per LEP Clause 5.10 (3) prior to works commencing on site.

2022-23/4 External painting to St Peters Church, Church St, Leeton

Submission from representative of the Anglican Church (Fr Robert Murphy) for the proposed external repainting of St Peters Church, that is on the site of the locally listed Heritage Item (I58) "St Peters Church Hall" in Leeton LEP. Therefore due to the church not being the heritage item its rating is very low, although the works proposed is suitable for heritage funding.

Although an important project and part of the jubilee celebrations for the church, recommendation for the repainting of the external areas of St Peters Church is that it unfortunately cannot be funded from this year's local heritage fund.

2022-23/5 Repairs and repainting to exterior of Shop, 15-17 Pine Ave, Leeton

Submission from Owner (Gordon Files) is for the proposed repairs, restoration and repainting the external areas of the Shop at 15-17 Pine Ave Leeton is Heritage Listed Item (I56) "Shop (former producers' cooperative)" and on review of the works proposed suits the criteria of the local heritage fund.

Recommendation for the external upgrade, repairs and repainting of Shop is that funding of \$5,000 (incl GST) is acceptable for this important project that will improve the streetscape. Works to be undertaken to Heritage Advisor recommendations and approval required from Council as per LEP Clause 5.10 (3) prior to works commencing on site.

2022-23/6 Repairs, restoration of wall & windows to residence at 102 Kurrajong Ave, Leeton

Submission from Owner (Evonne Newton) notes the project is for the restoration of weatherboards/timber + repainting and replacement of deteriorated windows to the west side / exterior of the residence at 102 Kurrajong Ave, Leeton. On review, the works proposed suits the criteria of the local heritage fund for this Listed Heritage Item (I21) "House".

Recommendation for the external upgrade, replacement windows, repairs and repainting of House is that funding of \$4,000 (incl GST) is acceptable for this project. Works to be undertaken to Heritage Advisor recommendations and approval required from Council as per LEP Clause 5.10 (3) prior to works commencing on site.

2022-23/7 Replacing floor tiles/pans to Ladies Amenities at Showground, Acacia Ave, Leeton

Submission from representative of the Leeton Show Society (Janne Skewes - secretary) is for the proposed replacement of floor tiling and toilet pans to the Ladies Amenities building that is on the site of the Listed Heritage Item (I52) "Showground buildings" at 66 Acacia Ave, Leeton. It is noted that the 'modern' amenities building does not contribute to the heritage significance of the site and therefore the works do not meet the criteria of the local heritage fund.

2022-23/8 Repairs & painting to Ladies Amenities at Showground, Acacia Ave, Leeton

Submission from representative of Trustee for Showground Trust (Bill Alendi) is for the proposed internal restoration works, repairs and repainting to the Ladies Amenities building that is on the site of the Listed Heritage Item (I52) "Showground buildings" at

66 Acacia Ave, Leeton. NT notes that on review the “Building” is the same as per LHF Application 6 and due to being a ‘modern’ building the works do not meet the criteria of the local heritage fund.

Applicant	Property / Heritage Listing	Work to be done	Total Project Cost	Funding Requested	Funding Recommended	Applicant's Contribution	Rating
David Hawken (St Andrew's Church)	Yes – LEP Item I40	Restoration of windows at St Andrew's Church	\$4,451	\$2,225	\$2,200	\$2,251	63
Beverly Johnson	Yes – LEP Item I92	Restoration of walls & ceiling at former Anglican Church	\$7,500	\$3,750	\$3,500	\$4,000	62
Tracy Catlin	No – in HCA Whitton	External restoration works and roof painting to Whitton Post Office	\$12,265	\$5,000	\$4,300	\$7,965	58
Fr Robert Murphy (St Peters Church)	No - Yes for the site – LEP Item I58	External painting to St Peter's Church	\$18,000	\$5,000	Nil	\$-	57
Gordon Files	Yes – LEP Item I56	External upgrade and painting to walls of shop	\$11,880	\$5,000	\$5,000	\$6,880	63
Evonne Newton	Yes – LEP Item I21	Replace windows, repair weatherboards and repainting to west wall of House	\$9,240	\$4,620	\$4,000	\$5,240	61
Bill Alendi (Trustee for Showground Trust)	No - Yes, for the site – LEP Item I52	Replacement of floor tiling & toilet pans at Ladies Amenities Block at Leeton Showground	\$9,264	\$4,632	Nil	\$-	33
Janne Skewes (Leeton Show Society)	No - Yes, for the site – LEP Item I52	Replacement of timber doors & painting at Ladies Amenities Block at Leeton Showground	\$6,700	\$3,350	Nil	\$-	33
(incl GST)			\$79,300	\$33,577	\$19,000	\$26,336	

(c) Options

1. Approve the Local Heritage Places Grants as recommended. **This is the preferred option**
2. Approve the Local Heritage Places grant with amendments.
3. Another resolution as determined by Council.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

The 2022/23 Operational Plan Council documents an allocation of \$19,000 for the Local Heritage Places Grants. This funding is made up of a grant of \$5,500 from the NSW Office of Environment and Heritage. If Council approves the recommendations made in this report, there will be no remaining funds available.

(b) Policy

Nil

(c) Legislative/Statutory

Leeton Local Environmental Plan 2014
Heritage Act 1977
Environmental Planning and Assessment Act 1979

(d) Risk

Applicants must complete projects by the due date or grant funds will not be paid. This would allow grant funds to be reallocated.

CONSULTATION

(a) External

The Local Heritage Places Grants were advertised in the local paper as well as Council's website and via social media.

(b) Internal

Heritage Committee
Heritage Advisor
Group Manager Activation

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

CSP FOCUS AREA 3 - A thriving regional economy – DELIVERY PROGRAM
FUNCTIONAL AREA 5 - Planning, Building and Public Health - DELIVERY PROGRAM
ACTIVITY 5.4 - Provide built heritage services, including access to a heritage advisor and heritage grant funding for private heritage listed properties - OPERATIONAL PLAN ACTIVITY 5.4.1 - Offer an annual Heritage Grants program with a focus on Leeton's CBD to promote Leeton's position as a regional Art Deco capital of Australia".

ATTACHMENTS

1 [↓](#) Local Heritage Fund Assessments 2022-23



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LEETON SHIRE COUNCIL
LOCAL HERITAGE FUND
ASSESSMENT FORM 2022-2023

Project Name		Score 100	Assessor	Specialist	Comments
RESTORATION OF WINDOWS AT ST ANDREW'S PRESBYTERIAN CHURCH, LEETON					
Project No.		2022-23 / 01			
My Project is for	Assess the heritage listing for the proposed project application	40			
	SHR Heritage listed item/s	15		-	
	LEP Heritage listed item.	12		12	LEP Item IAO
	Main Street / Heritage Study Area	8		-	
	Other significant item	5		-	
Sub Total				12	
Priorities	Assess the project against your Council's local heritage fund priorities for this funding round	23			
Priority 1	Commercial properties within the Main Street Conservation Areas and/or Heritage Item identified as having significant Art Deco features:- a) Repair of original features; b) Painting in period colour and styles - Art Deco Colours; c) Replacement of advertising signage with Art Deco Style advertising signage d) Works to meet BCA requirements for new uses eg. Disabled access.	15		15	
Priority 2	Buildings outside the Main Street or Heritage Study areas that are identified by Council's Heritage Advisor as having heritage significance:- a) Painting in period colours; b) Repair/restoration of heritage features; c) Restoration of period front fences; d) Works to meet BCA requirements for new uses	8		-	
Sub Total				15	

Project Name		Score	Assessor	Specialist	Comments
Common Selection Criteria	Assess the project against ALL of these criteria	17			
Sustainable long term benefits	Long term plan in place to manage heritage item/s	6		5	
Public benefit & enjoyment	Increase opportunities for learning about & access	4		4	
Capacity & Commitment	Time, financial & management skills	3		3	
	Complete within funding timeframe	4		4	
Sub Total				16	
Project	Assess the quality and completeness of the project application	20			
	Project scope	5		5	
	Project costings	5		5	
	Photos	5		5	
	Greater than \$ for \$ contribution	5		5	
Sub Total				20	
TOTAL				63	ADJUSTED TOTAL
Funding	Assess the funding requested				
	Total Project Cost		\$	\$ 4451	
	Requested amount		\$	\$ 2225	
	Applicant Contribution		\$	\$ 2226	
	Recommended amount		\$	\$ 2000	
Assessors summary comments					
<p>THE PRESBYTERIAN CHURCH IS A LISTED HERITAGE ITEM AND SOME DAMAGED AND DETERIORATED WINDOWS REQUIRE RESTORATION, WITH THE WORKS SUITING THE CRITERIA FOR HERITAGE FUNDING.</p>					
Name			Date		
NOEL THOMSON LEETON HERITAGE ADVISOR			16 AUGUST 2022		
If approved, any special project funding conditions (to be added to the Funding Agreement)					
<p>eg Heritage Specialist required for this project eg To confirm paint colour scheme before proceeding eg Approvals required: Local Government / Heritage Act</p>					
<p>APPROVAL FOR THE WORKS UNDER LEP CLAUSE 5.10(3) REQUIRED PRIOR TO COMMENCING SITE.</p>					



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LEETON SHIRE COUNCIL
LOCAL HERITAGE FUND
ASSESSMENT FORM 2022-2023

Project Name		Score	Project No.		
RESTORATION OF WALLS & CEILING AT FORMER ANGELICAN CHURCH, WHITTON		100	2022-23/02		
My Project is for	Assess the heritage listing for the proposed project application	Assessor	Specialist	Comments	
	SHR Heritage listed item/s	15	-		
	LEP Heritage listed item:	12	12	LEP ITEM I92	
	Main Street / Heritage Study Area	8	-		
	Other significant item	5	-		
Sub Total			12		
Priorities	Assess the project against your Council's local heritage fund priorities for this funding round	Score	Assessor	Specialist	Comments
Priority 1	Commercial properties within the Main Street Conservation Areas and/or Heritage Item identified as having significant Art Deco features:- a) Repair of original features; b) Painting in period colour and styles - Art Deco Colours; c) Replacement of advertising signage with Art Deco Style advertising signage d) Works to meet BCA requirements for new uses eg. Disabled access.	15		15	
Priority 2	Buildings outside the Main Street or Heritage Study areas that are identified by Council's Heritage Advisor as having heritage significance:- a) Painting in period colours; b) Repair/restoration of heritage features; c) Restoration of period front fences; d) Works to meet BCA requirements for new uses	8		-	
Sub Total				15	

Project Name		Score	Assessor	Specialist	Comments
Common Selection Criteria	Assess the project against ALL of these criteria	17			
Sustainable long term benefits	Long term plan in place to manage heritage item/s	6		6	
Public benefit & enjoyment	Increase opportunities for learning about & access	4		2	
Capacity & Commitment	Time, financial & management skills	3		3	
	Complete within funding timeframe	4		4	
Sub Total				15	
Project	Assess the quality and completeness of the project application	20			
	Project scope	5		5	
	Project costings	5		5	
	Photos	5		5	
	Greater than \$ for \$ contribution	5		5	
Sub Total				20	
TOTAL				62	ADJUSTED TOTAL
Funding	Assess the funding requested				
	Total Project Cost		\$	\$7,500	
	Requested amount		\$	\$3,750	
	Applicant Contribution		\$	\$3,750	
	Recommended amount		\$	\$3,250	
Assessors summary comments					
<p>THE FORMER CHURCH IN WHITTAKI HAS PREVIOUSLY RECEIVED HERITAGE FUNDING FOR FLOORING STABILISATION WORKS WITH THE WAUS & CEILING RESTORATION THE NEXT PROJECT. THESE WORKS MEETS CRITERIA FOR HERITAGE FUNDING</p>					
Name			Date		
NOEL THOMSON LEETON HERITAGE ADVISOR			18 AUGUST 2022		
If approved, any special project funding conditions (to be added to the Funding Agreement)					
<p>eg Heritage Specialist required for this project eg To confirm paint colour scheme before proceeding eg Approvals required: Local Government / Heritage Act</p>					
<p>APPROVAL FOR THE WORKS UNDER LEP CLAUSE 5.10 (3) REQUIRED PRIOR TO COMMENCING ON SITE.</p>					



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LEETON SHIRE COUNCIL
 LOCAL HERITAGE FUND
 ASSESSMENT FORM 2022-2023

Project Name		Score	Project No.		
EXTERNAL RESTORATION WORKS + PAINTING TO WHITTON POST OFFICE		100	2022-23/03		
My Project is for	Assess the heritage listing for the proposed project application	Score	Assessor	Specialist	Comments
	SHR Heritage listed item/s	15		-	
	LEP Heritage listed item	12		-	
	Main Street / Heritage Study Area	8		8	IN HERITAGE CONSERVATION AREA
	Other significant item	5		-	
Sub Total				8	
Priorities	Assess the project against your Council's local heritage fund priorities for this funding round	Score			
Priority 1	Commercial properties within the Main Street Conservation Areas and/or Heritage Item identified as having significant Art Deco features:- a) Repair of original features; b) Painting in period colour and styles - Art Deco Colours; c) Replacement of advertising signage with Art Deco Style advertising signage d) Works to meet BCA requirements for new uses eg. Disabled access.	15		15	
Priority 2	Buildings outside the Main Street or Heritage Study areas that are identified by Council's Heritage Advisor as having heritage significance:- a) Painting in period colours; b) Repair/restoration of heritage features; c) Restoration of period front fences; d) Works to meet BCA requirements for new uses	8		-	
Sub Total				15	

Project Name		Score	Assessor	Specialist	Comments
Common Selection Criteria	Assess the project against ALL of these criteria	17			
Sustainable long term benefits	Long term plan in place to manage heritage item/s	6		4	
Public benefit & enjoyment	Increase opportunities for learning about & access	4		4	
Capacity & Commitment	Time, financial & management skills	3		3	
	Complete within funding timeframe	4		4	
Sub Total				15	
Project	Assess the quality and completeness of the project application	20			
	Project scope	5		5	
	Project costings	5		5	
	Photos	5		5	
	Greater than \$ for \$ contribution	5		5	
Sub Total				20	
TOTAL				58	ADJUSTED TOTAL
Funding	Assess the funding requested				
	Total Project Cost		\$	\$12,265	
	Requested amount		\$	\$5,000	
	Applicant Contribution		\$	\$7,265	
	Recommended amount		\$	\$5,000	
Assessors summary comments					
<p>THIS IMPORTANT POST OFFICE BUILDING IN WHITTON HERITAGE CONSERVATION AREA IS IN NEED EXTERNAL RESTORATION WORKS AND REPAINTING WHICH MEETS THE CRITERIA FOR HERITAGE FUNDING</p>					
Name NOEL THOMSON LEETON HERITAGE ADVISOR			Date 18 AUGUST 2022		
If approved, any special project funding conditions (to be added to the Funding Agreement)					
eg Heritage Specialist required for this project		APPROVAL FOR THE WORKS UNDER LEP CLAUSE 5.10 (3) REQUIRED PRIOR TO COMMENCING ON SITE			
eg To confirm paint colour scheme before proceeding					
eg Approvals required: Local Government / Heritage Act					



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LEETON SHIRE COUNCIL
LOCAL HERITAGE FUND
ASSESSMENT FORM 2022-2023

Project Name			Project No.		
EXTERNAL PAINTING 90 ST PETER'S ANGLICAN CHURCH, LEETON			2022-23/04		
	Score 100		Assessor	Specialist	Comments
My Project is for	Assess the heritage listing for the proposed project application	40			
	SHR Heritage listed item/s	15		-	
	LEP Heritage listed item.	12		-	HALL IS LISTED HERITAGE ITEM
	Main Street / Heritage Study Area	8		B	NOT THE CHURCH - IN HCA
	Other significant item	5		-	
Sub Total				B	
Priorities	Assess the project against your Council's local heritage fund priorities for this funding round	23			
Priority 1	Commercial properties within the Main Street Conservation Areas and/or Heritage Item identified as having significant Art Deco features:- a) Repair of original features; b) Painting in period colour and styles - Art Deco Colours; c) Replacement of advertising signage with Art Deco Style advertising signage d) Works to meet BCA requirements for new uses eg. Disabled access.	15		15	
Priority 2	Buildings outside the Main Street or Heritage Study areas that are identified by Council's Heritage Advisor as having heritage significance:- a) Painting in period colours; b) Repair/restoration of heritage features; c) Restoration of period front fences; d) Works to meet BCA requirements for new uses	8		-	
Sub Total				15	

Project Name		Score	Assessor	Specialist	Comments
Common Selection Criteria	Assess the project against ALL of these criteria	17			
Sustainable long term benefits	Long term plan in place to manage heritage item/s	6		4	
Public benefit & enjoyment	Increase opportunities for learning about & access	4		3	
Capacity & Commitment	Time, financial & management skills	3		3	
	Complete within funding timeframe	4		4	
Sub Total				14	
Project	Assess the quality and completeness of the project application	20			
	Project scope	5		5	
	Project costings	5		5	
	Photos	5		5	
	Greater than \$ for \$ contribution	5		5	
Sub Total				20	
TOTAL				57	ADJUSTED TOTAL
Funding	Assess the funding requested				
	Total Project Cost		\$	\$18,000	
	Requested amount		\$	\$5,000	
	Applicant Contribution		\$	\$13,000	
	Recommended amount		\$	NIL	
Assessors summary comments					
<p>ALTHOUGH A WORTHY PROJECT TO AN IMPORTANT CHURCH BUILDING, IT IS NOT HERITAGE LISTED (THE CHURCH HALL IS THE LISTED HERITAGE ITEM) AND THEREFORE CAN NOT BE FUNDED THIS YEAR.</p>					
Name			Date		
NOEL THOMSON LEETON HERITAGE ADVISOR			18 AUGUST 2022		
<p>If approved, any special project funding conditions (to be added to the Funding Agreement) eg Heritage Specialist required for this project eg To confirm paint colour scheme before proceeding eg Approvals required: Local Government / Heritage Act</p>					



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LEETON SHIRE COUNCIL
LOCAL HERITAGE FUND
ASSESSMENT FORM 2022-2023

Project Name		Score	Project No.		
EXTERNAL UPGRADE & PAINTING TO SHOP 15-17 PINE AVE, LEETON		100	2022-23 / 05		
My Project is for	Assess the heritage listing for the proposed project application	Score	Assessor	Specialist	Comments
	SHR Heritage listed item/s	15		-	
	LEP Heritage listed item.	12		12	HERITAGE ITEM 156
	Main Street / Heritage Study Area	8		-	
	Other significant item	5		-	
Sub Total				12	
Priorities	Assess the project against your Council's local heritage fund priorities for this funding round	Score			
Priority 1	Commercial properties within the Main Street Conservation Areas and/or Heritage Item identified as having significant Art Deco features:- a) Repair of original features; b) Painting in period colour and styles - Art Deco Colours; c) Replacement of advertising signage with Art Deco Style advertising signage d) Works to meet BCA requirements for new uses eg. Disabled access.	15		15	
Priority 2	Buildings outside the Main Street or Heritage Study areas that are identified by Council's Heritage Advisor as having heritage significance:- a) Painting in period colours; b) Repair/restoration of heritage features; c) Restoration of period front fences; d) Works to meet BCA requirements for new uses	8		-	
Sub Total				15	

Project Name		Score	Assessor	Specialist	Comments
Common Selection Criteria	Assess the project against ALL of these criteria	17			
Sustainable long term benefits	Long term plan in place to manage heritage item/s	6		5	
Public benefit & enjoyment	Increase opportunities for learning about & access	4		4	
Capacity & Commitment	Time, financial & management skills	3		3	
	Complete within funding timeframe	4		4	
Sub Total				16	
Project	Assess the quality and completeness of the project application	20			
	Project scope	5		5	
	Project costings	5		5	
	Photos	5		5	
	Greater than \$ for \$ contribution	5		5	
Sub Total				20	
TOTAL				63	ADJUSTED TOTAL
Funding	Assess the funding requested				
	Total Project Cost		\$	\$11,880	
	Requested amount		\$	\$5,000	
	Applicant Contribution		\$	\$6,880	
	Recommended amount		\$	\$5,000	
Assessors summary comments					
<p>THIS MAIN STREET HERITAGE LISTED BUILDING IS TO BE UPGRADED AND AIM IS TO REPAIR AND PRESERVE THE BUILDING AND PAINT IN NEW COLOUR SCHEME. THIS PROJECT SUITS THE OBJECTIVES OF THE LOCAL HERITAGE FUND.</p>					
Name NOEL THOMSON LEETON HERITAGE ADVISOR			Date 18 AUGUST 2022		
<p>If approved, any special project funding conditions (to be added to the Funding Agreement) eg Heritage Specialist required for this project eg To confirm paint colour scheme before proceeding eg Approvals required: Local Government / Heritage Act</p>					
<p>APPROVAL FOR THE WORKS REQUIRED UNDER CLAUSE 5.10(3) PRIOR TO COMMENCING ON SITE.</p>					



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LEETON SHIRE COUNCIL
LOCAL HERITAGE FUND
ASSESSMENT FORM 2022-2023

Project Name		REPLACE WINDOWS, REPAIR WEATHERBOARDS & REPAINTING OF HOUSE 102 KURRAJONG LEETON	Project No.	2022-23/06	
		Score	Assessor	Specialist	Comments
		100			
My Project is for	Assess the heritage listing for the proposed project application	40			
	SHR Heritage listed item/s	15		-	
	LEP Heritage listed item.	12		12	HERITAGE ITEM I21
	Main Street / Heritage Study Area	8		-	
	Other significant item	5		-	
Sub Total				12	
Priorities	Assess the project against your Council's local heritage fund priorities for this funding round	23			
Priority 1	Commercial properties within the Main Street Conservation Areas and/or Heritage Item identified as having significant Art Deco features:- a) Repair of original features; b) Painting in period colour and styles - Art Deco Colours; c) Replacement of advertising signage with Art Deco Style advertising signage d) Works to meet BCA requirements for new uses eg. Disabled access.	15		15	
	Priority 2	Buildings outside the Main Street or Heritage Study areas that are identified by Council's Heritage Advisor as having heritage significance:- a) Painting in period colours; b) Repair/restoration of heritage features; c) Restoration of period front fences; d) Works to meet BCA requirements for new uses	8		-
Sub Total				15	

Project Name		Score	Assessor	Specialist	Comments
Common Selection Criteria	Assess the project against ALL of these criteria	17			
Sustainable long term benefits	Long term plan in place to manage heritage item/s	6		4	
Public benefit & enjoyment	Increase opportunities for learning about & access	4		3	
Capacity & Commitment	Time, financial & management skills	3		3	
	Complete within funding timeframe	4		4	
Sub Total				14	
Project	Assess the quality and completeness of the project application	20			
	Project scope	5		5	
	Project costings	5		5	
	Photos	5		5	
	Greater than \$ for \$ contribution	5		5	
Sub Total				20	
TOTAL				61	ADJUSTED TOTAL
Funding	Assess the funding requested				
	Total Project Cost		\$	\$ 9,240	
	Requested amount		\$	\$ 4,620	
	Applicant Contribution		\$	\$ 4,620	
	Recommended amount		\$	\$ 3,750	
Assessors summary comments					
<p>THIS HOUSE IS A HERITAGE ITEM AND THE WESTERN FACING TIMBER (WEATHERBOARDS, WINDOWS) HAS DETERIORATED - REPAIRS AND REPAINTING SUIT CRITERIA FOR HERITAGE FUNDING</p>					
Name NOEL THOMSON LEETON HERITAGE ADVISOR			Date 18 AUGUST 2022		
<p>If approved, any special project funding conditions (to be added to the Funding Agreement) eg Heritage Specialist required for this project eg To confirm paint colour scheme before proceeding eg Approvals required: Local Government / Heritage Act</p>					
<p>APPROVAL OF THE WORKS REQUIRED UNDER LEP CLAUSE 5.10 (3) PRIOR TO COMMENCING ON SITE</p>					



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LEETON SHIRE COUNCIL
LOCAL HERITAGE FUND
ASSESSMENT FORM 2022-2023

Project Name		Project No.			
REPLACEMENT OF FLOOR TILES/PANS TO LADIES AMENITIES AT LEETON SHOWGROUNDS		2022-23/07			
		Score 100	Assessor	Specialist	Comments
Why Project is for	Assess the heritage listing for the proposed project application	40			
	SHR Heritage listed item/s	15		-	
	LEP Heritage listed item.	12		-	OTHER BUILDINGS AT SHOWGROUNDS
	Main Street / Heritage Study Area	8		-	FORM PART OF LISTED HERITAGE
	Other significant item	5		-	ITEM - NOT MODERN TOILETS
Sub Total				0	
Priorities	Assess the project against your Council's local heritage fund priorities for this funding round	23			
Priority 1	Commercial properties within the Main Street Conservation Areas and/or Heritage Item identified as having significant Art Deco features:- a) Repair of original features; b) Painting in period colour and styles - Art Deco Colours; c) Replacement of advertising signage with Art Deco Style advertising signage d) Works to meet BCA requirements for new uses eg. Disabled access.	15		-	
Priority 2	Buildings outside the Main Street or Heritage Study areas that are identified by Council's Heritage Advisor as having heritage significance:- a) Painting in period colours; b) Repair/restoration of heritage features; c) Restoration of period front fences; d) Works to meet BCA requirements for new uses	8		-	
Sub Total				0	

Project Name		Score	Assessor	Specialist	Comments
Common Selection Criteria	Assess the project against ALL of these criteria	17			
Sustainable long term benefits	Long term plan in place to manage heritage item/s	6		2	
Public benefit & enjoyment	Increase opportunities for learning about & access	4		4	
Capacity & Commitment	Time, financial & management skills	3		3	
	Complete within funding timeframe	4		4	
Sub Total				13	
Project	Assess the quality and completeness of the project application	20			
	Project scope	5		5	
	Project costings	5		5	
	Photos	5		5	
	Greater than \$ for \$ contribution	5		5	
Sub Total				20	
TOTAL				33	ADJUSTED TOTAL
Funding	Assess the funding requested				
	Total Project Cost		\$	\$ 9,264	
	Requested amount		\$	\$ 4,632	
	Applicant Contribution		\$	\$ 4,632	
	Recommended amount		\$	NIL	
Assessors summary comments					
<p>THIS PROJECT INVOLVES INTERNAL WORKS (REPLACEMENT OF TILES, TOILETS, etc) AT 'MODERN' VARIES AMENITIES AND DOES NOT MEET THE CRITERIA FOR HERITAGE FUNDING</p>					
Name NOEL THOMSON LEETON HERITAGE ADVISOR			Date 18 AUGUST 2022		
<p>If approved, any special project funding conditions (to be added to the Funding Agreement)</p> <ul style="list-style-type: none"> g Heritage Specialist required for this project g To confirm paint colour scheme before proceeding g Approvals required: Local Government / Heritage Act 					



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LEETON SHIRE COUNCIL
 LOCAL HERITAGE FUND
 ASSESSMENT FORM 2022-2023

Project Name REPLACEMENT OF TIMBER DOORS + PAINTING OF FEMALE TOILETS, LEETON SHOWGROUNDS		Project No. 2022-23/08			
		Score 100	Assessor	Specialist	Comments
Why Project is for	Assess the heritage listing for the proposed project application	40			
	SHR Heritage listed item/s	15		-	OTHER BUILDINGS AT SHOWGROUNDS
	LEP Heritage listed item.	12		-	FORM PART OF LISTED HERITAGE
	Main Street / Heritage Study Area	8		-	ITEM - NOT MODERN TOILETS
	Other significant item	5		-	
Sub Total				0	
Priorities	Assess the project against your Council's local heritage fund priorities for this funding round	23			
Priority 1	Commercial properties within the Main Street Conservation Areas and/or Heritage Item identified as having significant Art Deco features:- a) Repair of original features; b) Painting in period colour and styles - Art Deco Colours; c) Replacement of advertising signage with Art Deco Style advertising signage d) Works to meet BCA requirements for new uses eg. Disabled access.	15		-	
Priority 2	Buildings outside the Main Street or Heritage Study areas that are identified by Council's Heritage Advisor as having heritage significance:- a) Painting in period colours; b) Repair/restoration of heritage features; c) Restoration of period front fences; d) Works to meet BCA requirements for new uses	8		-	
Sub Total				0	

Project Name		Score	Assessor	Specialist	Comments
Common Selection Criteria	Assess the project against ALL of these criteria	17			
Sustainable long term benefits	Long term plan in place to manage heritage item/s	6		2	
Public benefit & enjoyment	Increase opportunities for learning about & access	4		4	
Capacity & Commitment	Time, financial & management skills	3		3	
	Complete within funding timeframe	4		4	
Sub Total				13	
Project	Assess the quality and completeness of the project application	20			
	Project scope	5		5	
	Project costings	5		5	
	Photos	5		5	
	Greater than \$ for \$ contribution	5		5	
Sub Total				20	
TOTAL				33	ADJUSTED TOTAL
Funding	Assess the funding requested				
	Total Project Cost		\$	\$6,700	
	Requested amount		\$	\$3,350	
	Applicant Contribution		\$	\$3,350	
	Recommended amount		\$	NIL	
Assessors summary comments					
THIS PROJECT INVOLVES THE INTERNAL WORKS TO 'MODERN' TOILET AMENITIES AND DOES NOT SUIT THE CRITERIA FOR HERITAGE FUNDING					
Name			Date		
NOEL THOMSON LEETON HERITAGE ADVISOR			18 AUGUST 2022		
If approved, any special project funding conditions (to be added to the Funding Agreement) eg Heritage Specialist required for this project eg To confirm paint colour scheme before proceeding eg Approvals required: Local Government / Heritage Act					

ITEM 7.9 ADOPTION OF DRAFT LEETON DEVELOPMENT CONTROL PLAN 2022

RECORD NUMBER	22/404
RELATED FILE NUMBER	EF/277/02
AUTHOR/S	Manager Planning, Building and Health
APPROVER/S	General Manager

SUMMARY/PURPOSE

The draft Leeton Shire Development Control Plan (DCP) has been placed on public exhibition and updated because of submissions received during the public engagement phase.

A final draft of the DCP is attached to this report, along with a Leeton DCP Review of Submissions Table. In general, the Draft DCP has been well-received and there were only minor changes required to address issues raised in submissions, as detailed in the Leeton DCP Review of Submissions Table.

Division 3.6 of the *Environmental Planning and Assessment Act 1979* and Division 2 of the *Environmental Planning and Assessment Regulation 2021* provides the process for the making of the Leeton Shire Development Control Plan. It involves Council's resolution to 'approve' the DCP and subsequent public notice of the decision on Council's website within 28 days as well as the provision of a copy of the adopted DCP to the Planning Secretary.

The purpose of this report is to seek a resolution of Leeton Shire Council to adopt the Leeton Shire Development Control Plan.

Once adopted, the DCP will apply to the whole of the Leeton Shire to guide development that is permissible under the Leeton Local Environmental Plan 2014 in the one user friendly document.

RECOMMENDATION

THAT Council:

1. Approves the Leeton Shire Council Development Control Plan 2022 to apply to the Leeton Local Government Area.
 2. Places notice of its decision to approve the Leeton Shire Council Development Control Plan 2022 for adoption on its website within 28 days of the resolution.
 3. Sends a copy of the approved Leeton Shire Development Control Plan 2022 to the Planning Secretary of the Department of Planning and Environment within 28 days of the resolution.
-

REPORT

(a) Background

The preparation of the Leeton Shire Development Control Plan was identified as a high priority project in the Leeton Local Strategic Planning Statement 2020. The DCP is intended to be used as a planning tool to assist with the assessment of Development Applications lodged with Council, to ensure growth and development occurs in a consistent, orderly and environmentally sensitive manner.

Currajong Pty Ltd (regional planning consultants) were engaged by Council to develop the Leeton Shire Development Control Plan Issues Paper and the draft Leeton Shire Development Control Plan. Currajong has worked closely with Council engineering, economic development and planning staff to complete a draft DCP that is easy to read and navigate in electronic and hard copy formats.

Community engagement has been an important aspect of the plan making process.

(b) Discussion

Leeton Shire Council prepared a draft Development Control Plan (DCP) to guide development that is permissible under the Leeton Local Environmental Plan 2014.

The DCP is intended to apply to the whole of the Leeton Shire and combined Council's main policies and standards.

Subsequent to the June 2022 Ordinary Council Meeting, the draft Leeton DCP 2022 was on public exhibition throughout July and August 2022. Five (5) submissions were received, which included 30 comments, and are detailed in attached review of submissions table. Twelve (12) minor amendments are recommended and are summarised below.

Recommended changes to the draft DCP			
No.	Submissions details	Relevant section of DCP	Recommended change
1	Comment no 4 (Hotondo)	Part D 1.3 Setbacks	9m setback for allotments over 1000m ² have been reduced to 6 m
2	Comment no 7 (Hotondo)	Part D.1.9(x) and (x)Utilities and service provisions Waste bin storage area to be located behind the building line and screened from public view from street Rainwater tank to be non-reflective if visible from street	Changes to Part D1.9(c) and (x) to require screening from roads only. References to adjoining properties have been removed from the wording of the control.
3	Comment no 12 (Hotondo)	Part D6.3(c) Swimming Pools Clarification on pool depths	Appropriate changes to Part D6.3(c) are recommended to allow for greater depth of

			excavation on sloping land where it can be demonstrated that impacts are unlikely to be generated in terms of the structural integrity of nearby buildings / infrastructure.
4	Comment no 13 (Hotondo)	Part D6.4(a)(viii) Draft DCP only referred to stepping of fences	Part D6.4(a)(viii) has been changed to include stepping /sloping of fences.
5	Comment no 16 (Hotondo)	Setbacks in cul-de-sacs No specific mention of this matter in draft DCP	Front setbacks in cul-de-sacs are proposed to be reduced to 6m for blocks up to 1,500m ² or in line with existing buildings.
6	Comment no 4 (ACME Pty Ltd)	Setbacks in relation to lots of different sizes (same as above)	Setback standards have been changed as requested.
7	Comment no 1 (CJ Design Services)	Part D – Relating to setbacks Sought clarification on type of buildings	The DCP setbacks have been changed. Tables 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 have been updated to clearly state the standards apply to residential dwellings only.
8	Comment no 2 (CJ Design Services)	Part D6.1 - Subdivisions (setbacks with blocks having mixed allotment sizes) Same as above.	The DCP setbacks have been changed in response to issues raised.
9	Comment no 3 (CJ Design Services)	Setback enquiry in relation to mixed allotment sizes	The front setbacks have been reviewed and changes made to achieve a minimum 6m front setback for urban blocks less than 1,500m ²
10	Comment no 6 (CJ Design Services)	Single storey and 2 storey setbacks – Request a different approach should be adopted for the setback of 2 storey dwellings from side boundaries.	Appropriate changes have been made to Tables 1, 2, 3, 4 and 5 of Part D1 of the DCP relating to setback controls for new dwellings on standard, battle-axe, parallel road, corner and laneway lots. Appropriate changes have also been made to Tables 6, 7, 8, 9 and 10 of Part D2 of the DCP relating to setback controls for new medium density housing on

			standard, battle-axe, parallel road, corner and laneway lots.
11	Have your say comment	Part D 6 – Development in front of building line.	DCP changed to include the following wording “All proposed structures in front of the building line will trigger neighbour notifications. Submissions received will be considered as part of the DA assessment”
12	Have your say comment	Comments related to typo errors and incorrect numbering	Numbering and typo errors corrected

The draft DCP and is now presented to Council for adoption.

(c) Options

Option 1 – adopt the attached draft Leeton DCP as Council's Development Control Plan. This is the **preferred** option.

Option 2 - adopt the attached draft Leeton DCP as Council's Development Control Plan with further amendments.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

The Leeton Shire Development Control Plan project has been completed within budget.

(b) Policy

The Leeton Shire Development Control Plan is intended to be adopted by Council as its Policy to guide the assessment of Development Applications.

(c) Legislative/Statutory

The Leeton Shire Development Control Plan will function as a non-statutory planning instruments that provide guidance on:

- giving effect to the aims of any environmental planning instrument that applies to the development,
- facilitating development that is permissible under any such instrument, and
- achieving the objectives of land zones under the Leeton Local Environmental Plan 2014.

The *Environmental Planning and Assessment Act 1979* and Division 2 of the *Environmental Planning and Assessment Regulation 2021* provides the process for the making of the Leeton Shire Development Control Plan. It involves Council's resolution to 'approve' the DCP and subsequent public notice of the decision on Council's

website within 28 days as well as the provision of a copy of the adopted DCP to the Planning Secretary.

(d) Risk

Having an adopted DCP provides developers with clarity and certainty early in their project planning. Having an adopted DCP will help to improve communications between Council and proponents of development applications and should help to minimise the risks associated with planning decisions on developments that have local and regional significance.

CONSULTATION

(a) External

Community engagement has been an important aspect of the plan making process, which has included the following:

- Public exhibition of the Leeton Shire Development Control Plan Issues Paper from 7 Dec 2021 to 27 January 2022.
- DCP Councillor workshop on 8 June 2022.
- Public exhibition of the draft Leeton Shire Development Control Plan from 1 July 2022 to 31 August 2022.
- DCP consultation meeting with developers, real estate agencies, building designers and building contractors on 20 July 2022.
- DCP community consultation meeting on 22 July 2022.
- DCP follow-up meeting with developers and community members on 19 August 2022.

Consultation methods during exhibition were via Council media release, Council's webpage, Council's Facebook, Irrigator newspaper, Have your say and Online surveys and emails. Hard copies of the draft Leeton Shire Development Control Plan and Issues Paper were exhibited at Yanco Post Office, Whitton Post Office, Murrumbidgee Post Office, Leeton Library and Leeton Administration Office.

All submissions received from the public exhibition of the draft Leeton Shire Development Control Plan have been considered in a Review of Submissions Table, which is attached to this report.

To complete the plan making process, it is a requirement under the *Environmental Planning and Assessment Act 1979* and Division 2 of the *Environmental Planning and Assessment Regulation 2021* that Council provides notice of its decision to 'approve' the Leeton Shire Development Control Plan to the Planning Secretary of the NSW Department of Planning and post a public notice of its decision on Council's website within 28 days.

(b) Internal

General Manager
Group Manager Activation
Council staff from engineering, economic development, building certification and town planning sections.

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

CSP FOCUS AREA 3 - A thriving regional economy – DELIVERY PROGRAM
FUNCTIONAL AREA 5 - Planning, Building and Public Health - DELIVERY PROGRAM
ACTIVITY 5.1 - Undertake and implement strategic land use planning, including:
Implementation of Local Strategic Planning Statement (LSPS); Developing a growth
strategy for Leeton Shire Council - OPERATIONAL PLAN ACTIVITY 5.1.2 -
Implementation of new Leeton Shire Development Control Plan".

ATTACHMENTS

- 1↓ Leeton DCP - Review of Submissions table
- 2⇒ Leeton DCP - Part A - Introduction (final for adoption) - *Attached separately*
- 3⇒ Leeton DCP - Part B - Design Guidelines (final for adoption) - *Attached separately*
- 4⇒ Leeton DCP - Part C - Subdivision (final for adoption) - *Attached separately*
- 5⇒ Leeton DCP - Part D - Residential (final for adoption) - *Attached separately*
- 6⇒ Leeton DCP - Part E - Rural (final for adoption) - *Attached separately*
- 7⇒ Leeton DCP - Part F - Commercial (final for adoption) - *Attached separately*
- 8⇒ Leeton DCP - Part G - Industrial (final for adoption) - *Attached separately*
- 9⇒ Leeton DCP - Part H - Special Place Precincts (final for adoption) - *Attached separately*
- 10⇒ Leeton DCP - Part I - Heritage Guidelines (final for adoption) - *Attached separately*
- 11⇒ Leeton DCP - Part J - Parking + Access (final for adoption) - *Attached separately*
- 12⇒ Leeton DCP - Part K - Flood Risk Management (final for adoption) - *Attached separately*
- 13⇒ Leeton DCP - Part L - Biodiversity Management (final for adoption) - *Attached separately*



SEPTEMBER 2022

REVIEW OF SUBMISSIONS REPORT

This report documents the findings of public consultation in relation to the Draft Leeton DCP and identifies where changes are required as part of the finalisation and adoption of the plan.



LEETON COUNCIL
COMPREHENSIVE DCP
2022

Report Introduction

The Draft Leeton Development Control Plan (DCP) was placed on public exhibition from 7 July 2022 to 31 August 2022, following public exhibition of the Leeton Shire DCP Issues Paper earlier in the year.

The exhibition of the Draft DCP included hard copies available for view at

- + Leeton Shire Council's Administration Centre,
- + Leeton Shire Major Dooley Library,
- + Whitton Post Offices,
- + Murrumbidgee Post Office, and
- + Yanco Shop.

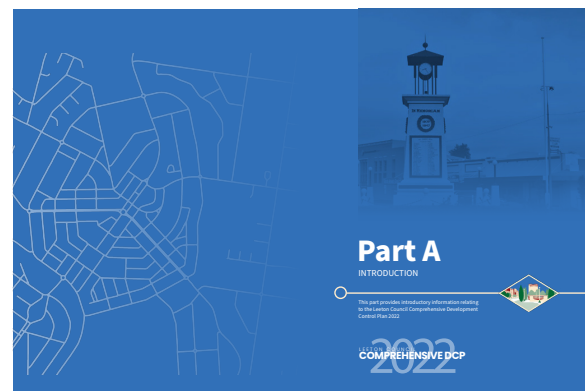
The Draft DCP was also made available on Council's 'Have Your Say' online engagement portal, which included the option of completing a survey.

Community workshops were held at Council's Administration Centre to provide developers, industry trades, industry professionals and other members of the community an opportunity to provide feedback to Council staff on the Draft DCP.

A number of written submissions were received from government agencies and members of the public as a result of exhibition. Copies of the submissions are included in Appendix A to this report.

This report has been prepared to properly document the key issues raised in the public submissions. Recommendations are also made on whether changes are required to the Draft Leeton DCP as a result of the issues raised in the public submissions.

This report forms the basis for the finalisation and adoption of the Leeton Comprehensive Development Control Plan 2022 by Council.



Review of Submissions

Submission Details

Author M Arnold

M Arnold is the Director of Hotondo Homes, operating in the Leeton Shire. Matt has raised a number of issues for consideration in the finalisation of the Leeton DCP. The submission provides important insight into local housing issues, particularly at Leeton.

A copy of the submission from M Arnold has been included in Appendix A of this report.

Comment No. 1

Part D1.2(b) Bathroom Windows - We have quite a few standard designs that have an ensuite to the side of the master bedroom at the front of the building. The point does state dominant feature but will a home with an ensuite with the window at the front of the home be knocked back. I can provide some examples of our designs that have this if needed.

Assessment Comment No. 1

Part D1.2(b)(ii) requires dwellings to be designed with attractive street elevations that avoid the placement of kitchen, laundry or bathroom windows as dominant features. The standard has a sound basis for retention in the DCP to achieve dwelling design outcomes that complements streetscape objectives. Section A.9 provides the basis for variations to standards in the DCP, which is considered to be the appropriate mechanism to review a new dwelling proposing kitchen, laundry or bathroom windows facing a public street. In such instances the proponent is required to submit a variation statement that demonstrates the standard cannot be complied with and explain why non-compliance with the standard is warranted by special circumstances or to achieve a superior standard.

Recommended Change

There are no changes recommended to the Draft DCP as a result of this comment.

Comment No. 2

Part D1.2(d) Corner Lots - We have built a lot of homes on corner lots that only face one street, a particular example is the two homes in Isabella Place that are also on the corner of Rigby place. Both homes face Isabella Place but have designed their landscaping as to not block road vision and also look aesthetically appealing. Neither house have a façade facing Rigby Place, but both don't look out of place in the way they have been designed. I propose that an amendment be made to that point in that maybe instead of facing both streets they may need to construct a fence so that is does not block road vision and so that it also looks aesthetically pleasing

Assessment Comment No. 2

Part D1.2(d) requires dwellings on corner lots to be designed to address both streets. The standard has a sound basis for retention in the DCP to achieve dwelling design outcomes that complements streetscape objectives. Section A.9 provides the basis for variations to standards in the DCP, which is considered to be the appropriate mechanism to review a new dwelling proposing a dwelling orientation to one street only. In such instances the proponent is required to submit a variation statement that demonstrates the standard cannot be complied with and explain why non-compliance with the standard is warranted by special circumstances or to achieve a superior standard.

Recommended Change

There are no changes recommended to the Draft DCP as a result of this comment.

Comment No. 3

Part D1.2(f) Removal of Trees: We have had a few homes where the trees are existing and they have blocked the new driveway of the home and had to be removed. Again, I understand the point is stating trees that significantly contribute to the streetscape but in some instances they can be placed in less than ideal places. Request this point be amended to trees not in important locations (i.e if it is on the boundary between two buildings then there is no need to remove it, but if it is in the middle of the block then it does not give the applicant many options for their house design). I would also propose that street trees only be planted on lot boundaries in new subdivisions, or they be planted on sites once most of the development has taken place. The trees in Isabella/Rigby Place were planted once the majority of development had taken place. I would imagine this option would also be beneficial to council as the owners of the homes often maintain these trees for council.

Assessment Comment No. 3

Part D1.2(f) requires that new development does not necessitate the removal of existing trees that significantly contribute to streetscape appeal and character. The standard has a sound basis for retention in the DCP to protect significant street trees. Section A.9 provides the basis for variations to standards in the DCP, which is considered to be the appropriate mechanism to review situations where street tree assets are required to be removed. In such instances the proponent is required to submit a variation statement that demonstrates the standard cannot be complied with and explain why non-compliance with the standard is warranted by special circumstances or to achieve a superior standard.

Recommended Change

There are no changes recommended to the Draft DCP as a result of this comment.

Comment No. 4

Part D1.3 Setbacks – Submission also relating to all other parts where setbacks listed below are applicable. Lots over 1,000m² setbacks are noted as 9m. As discussed at the workshop I feel this could be amended to 6m. Most new lots in our subdivision are between 700-1,200m² so using this as an example some blocks will have a setback of 6 and others will have 9m. As a general rule 6m has always been the minimum setback we have worked off. 4.5m I can accept for the smaller lots, but it also brings in the same problem as above where some are set back further than others. I would propose possibly a 5m setback for smaller lot with 6m being for lots between 700m² and above. There is also quite a few blocks that are over 1,000m² still yet to build on in town so I feel that the lot area could be adjusted to say 1,200-1,500m² for the 6m setback. The rear setbacks for battle-axe blocks, corner lots and lane way lots are also quite high at 5m. I think for these lots it could severely impact what sort of home can be built on certain lots.

Assessment Comment No. 4

Part D1.3 deals with setbacks of residential buildings from property boundaries, which is summarised in a Table 1 specifying standards for primary road, side boundary and rear boundary setbacks.

There is merit in reducing setbacks as suggested, including a 6m front setback applying for blocks up to 1,000m².

The rear setback standards have a sound basis for retention in the DCP to achieve dwelling design outcomes that provide for adequate areas of private open spaces in rear yards. Section A.9 provides the basis for variations to standards in the DCP, which is considered to be the appropriate mechanism to review a new dwelling proposing a reduced rear setback. In such instances the proponent is required to submit a variation statement that demonstrates the standard cannot be complied with and explain why non-compliance with the standard is warranted by special circumstances or to achieve a superior standard.

Recommended Change

The front setbacks standards have been changed as requested by M Arnold.

Comment No. 5

Part D1.4 Building Design – While we encourage owners to try and face their homes north as much as possible some lots will not be able to achieve this. Our new subdivision and Isabella Place are perfect examples of this as the homes face south at the rear and most people want their alfresco facing the rear which normally joins on to their family/living areas.

Assessment Comment No. 5

Part D1.4 includes building design standards for residential buildings, requiring achievement of at least 3 hours solar access to living spaces / private open spaces.

The standard has a sound basis for retention in the DCP to achieve dwelling design outcomes that provide adequate sunlight to indoor and outdoor living spaces and to meet BASIX in relation to building design. No changes to the DCP standard are considered warranted.

Recommended Change

There are no changes recommended to the Draft DCP as a result of this comment.

Comment No. 6

Part D1.8(a)(ii) Stormwater Management – Stormwater is to be discharged at 190m² per pipe, however point (v) states that only a single discharge point to the overflow to a table drain is allowed.

Assessment Comment No. 6

Part D1.8(a)(v) requires stormwater discharge to a roadside table drain via one point of discharge.

The standard has a sound basis for retention in the DCP to minimise multiple discharge points which can present challenges for roadside management / maintenance. No changes to the DCP standard are considered warranted.

Recommended Change

There are no changes recommended to the Draft DCP as a result of this comment.

Comment No. 7

Part D1.9(a) Utilities - Will the letter box standard be required prior to issue of an Occupation Certificate. Questions requirements for bin storage screening and non-reflective materials for water tanks where readily visible from roads as outlined in Part D1.9(c) and (x). Suggests construction of sheds, carports should be permitted to partially build over an easement.

Assessment Comment No. 7

Part D1.9(a) deals with standards requiring design of letter boxes in compliance with AS-NZ 4253, 2019. Installation of letterboxes in accordance with this standard will only be an issue for an Occupation Certificate if imposed as a condition of consent.

Part D 1.9(c) deals with the desire to screen waste bins so they are not readily visible from adjoining land / roads. D1.9(x) requires non-reflective water tanks where they are readily visible from roads / adjoining lands. The standards have a sound basis for retention in the DCP to screen unsightly structures, especially where they adjoin public roads / streets. It is proposed to slightly change Part D1.9(c) and (x) to require screening from roads only.

Recommended Change

Changes are proposed to Part D1.9(c) and (x) to require screening from roads only. References to adjoining properties have been removed from the wording of the control.

Comment No. 8

Part D2.4(b) Streetscape Character - Consideration needs to be taken into account about certain materials being used on buildings in our climate. There are a few homes around town where colour is fading, or things are falling apart due to using the incorrect materials. Should someone want to build 3 or more dwellings in a row, a brick veneer finish home is most suited to our environment. Cladding can also be incorporated but brick certainly has the longevity side of things. The duplex double storey homes in Sycamore Street are perfect examples of this and are all brick finish and look excellent. I think opening options for different finishes is a great idea, but I feel if someone wants to go all brick, I don't think they should be knocked back due to just being one type of material.

Assessment Comment No. 8

Part D2.4(b) encourages incorporation of 'visually significant changes in massing, form and materials on street facing elevations of new developments involving medium density dwellings. Use of different building materials is only one way of achieving changes between buildings.

The standard has sound basis for retention in the DCP to achieve interesting building facades facing street frontages. Section A.9 provides the basis for variations to standards in the DCP, which is considered to be the appropriate mechanism to review housing design issues. In such instances the proponent is required to submit a variation statement that demonstrates the standard cannot be complied with and explain why non-compliance with the standard is warranted by special circumstances or to achieve a superior standard.

Recommended Change

There are no changes recommended to the Draft DCP as a result of this comment.

Comment No. 9

Part D2.5 Building Setbacks - Rear boundary setbacks for blocks are 5m and 8m for lots between 750-1,000m² and over 1,000m² which is quite high. Again, it restricts what you can build on these blocks. Consideration may be taken to reduce these setbacks. As above front and parallel setbacks are quite high on bigger blocks.

Assessment Comment No. 9

Part D2.5 deals with medium density building setbacks. The rear setback standards have a sound basis for retention in the DCP to achieve dwelling design outcomes that provide for adequate areas of private open spaces in rear yards and to ensure a level of privacy / solar access at rear yards of adjoining properties.

Section A.9 provides the basis for variations to standards in the DCP, which is considered to be the appropriate mechanism to review medium density housing designs proposed reductions to rear setback standards. In such instances the proponent is required to submit a variation statement that demonstrates the standard cannot be complied with and explain why non-compliance with the standard is warranted by special circumstances or to achieve a superior standard.

Recommended Change

There are no changes recommended to the Draft DCP as a result of this comment.

Comment No. 10

Part D4.3 Building Setbacks – Front setback of 15m for lots less than 4,000m² and 20m for lots greater than 4,000m² needs review. Also questions whether the requirement to build outside the flood planning area prohibits the ‘build-up’ on the site.

Assessment Comment No. 10

Part D4.3 deals with large lot housing setbacks on land zoned R2 and R5.

The setback standards have a sound basis that reflects average building setbacks on large lot housing. It also requires buildings to be located outside environmentally sensitive land overlays and the flood planning area. The standards don’t apply to blocks that have designated building envelopes.

Section A.9 provides the basis for variations to standards in the DCP, which is considered to be the appropriate mechanism to review housing proposals involving variations to setback requirements. Leeton Local Environmental Plan 2014 also provides criteria for the assessment of environmentally sensitive land and flooding. There is considered to be reasonable flexibility in the standards in Part D4.3 to deal with variations to nominal standards. In such instances the proponent is required to submit a variation statement that demonstrates the standard cannot be complied with and explain why non-compliance with the standard is warranted by special circumstances or to achieve a superior standard.

Recommended Change

There are no changes recommended to the Draft DCP as a result of this comment.

Comment No. 11

Part D4.5(h) Utilities – Minimum tank size to be 45,000L. Would this be applicable if they are connected to town water? Again, this seems like a lot of additional storage if town water is available.

Assessment Comment No. 11

Part D4.5(h) only requires minimum 45,000L water tanks where reticulated water supply is not provided, in order to ensure adequate water supply for domestic and firefighting purposes.

Recommended Change

There are no changes recommended to the Draft DCP as a result of this comment.

Comment No. 12

Part D6.3(c) Swimming Pools – Requests clarity around pool depth requirements and soundproofing pool pumps.

Assessment Comment No. 12

Part D6.3 deals with standards relating to new pool installations. It allows for up to 2m ground excavation, which is considered to be a reasonable nominal standard. There are merits in supporting changes to Part D6.3 to allow for greater depth of excavation on sloping land where it can be demonstrated that impacts are unlikely to be generated in terms of the structural integrity of nearby buildings / infrastructure. The requirement for sound proofing of pool pumps can generally be met by enclosing them in a shed / structure. In general, it would not be necessary to line the shed with sound absorbing material to achieve compliance with the design goal of the pump not being audible from the inside of an adjoining residence.

Recommended Change

Appropriate changes to Part D6.3(c) are recommended to allow for greater depth of excavation on sloping land where it can be demonstrated that impacts are unlikely to be generated in terms of the structural integrity of nearby buildings / infrastructure.

Comment No. 13

Part D6.4(a)(viii) Fencing – In builder terms stepping of fences is seen as the easy way out. Sloping the fence requires more skill and looks a lot better than the steps. Would you consider adding in sloping (where appropriate, as some slopes are too much to slope the fence) as well as stepping the fence.

Assessment Comment No. 13

Comments are accepted. Appropriate changes should be made to the DCP.

Recommended Change

Part D6.4(a)(viii) has been changed to include stepping / sloping of fences.

Comment No. 14

Part K1.6(a) Flooding – Questions who would be able to provide this justification and what would be appropriate justifications. Where will the information on flood levels be? Council has this data from its flood study so this needs to be able to be viewed by the public before the DCP is released. Would council consider adopting the survey levels themselves and charging accordingly? The main issue facing surveyors at the moment is there isn't many around that can provide this service and their costs are now blowing out all over the place. If council had a qualified surveyor working directly for council (or subcontracting) they can offer this service to applicants to help with the process. I'm sure there is a need for a surveyor in other areas of councils works i.e roads etc so they could use this as an opportunity to provide more work for said developer

Assessment Comment No. 14

Part K1.6 provides the relevant matters for consideration of flooding, in addition to the special provisions of Leeton Local Environmental Plan 2014.

Council is obliged to properly consider the impacts of flooding as part of development assessment processes. Council can assist landowners and developers with flood planning advice, but the responsibility to establish flood levels should remain with the landowner / developer and in most cases will require the services of a surveyor or suitably qualified engineer. This is standard practice amongst other Local Government Authorities dealing with flood planning issues as part of development related matters.

Recommended Change

There are no changes recommended to the Draft DCP as a result of this comment.

Comment No. 15

Part K1.7 Fill - Most developments are going to be using fill to build up if they are in a flood zone, so who will be required to provide this flood modelling? In my experience this sort of modelling / compliance with recommendations is very costly. Could council consider this option in high-risk flood zones only?.

Assessment Comment No. 15

Part K1.7 provides the relevant matters for consideration of flooding, in addition to the provisions of Leeton Local Environmental Plan 2014. Where filling of blocks is proposed as the method for achieving compliance with flood planning controls, this can have implications for adjoining / downstream land-users which need to be properly investigated by a suitably qualified professional. The DCP aims to provide additional detail to assist with the interpretation of Leeton Local Environmental Plan 2014. It is not appropriate to impose DCP standards that are not consistent with the LEP.

Recommended Change

There are no changes recommended to the Draft DCP as a result of this comment.

<p>Submission Details</p> <p>Author G Saddler</p> <p>Glenn Saddler is a Structural Engineer operating in the Leeton Shire. Glenn has raised a number of issues for consideration in the finalisation of the Leeton DCP.</p> <p>A copy of the submission from G Saddler has been included in Appendix A of this report.</p>	<p>Comment No. 1</p> <p>Commends Council for the initiative and generally agrees with the contents.</p> <p>Comment No. 2</p> <p>Suggests it should be made clear that the document is subject to other Council processes that consider the merits of the project and neighbours' submissions.</p> <p>Comment No. 3</p> <p>Part J1.7 Car Parking Exemptions - Suggests need to clarify parking exemptions in Kurrajong Ave (maybe there should be a process to apply for exemption for the remainder of Kurrajong Ave based upon the project).</p> <p>Comment No. 4</p> <p>Setbacks - Suggests need to clarify setbacks on different sized blocks and on rear laneways.</p>	<p>Assessment Comment No. 1</p> <p>Noted.</p> <p>Assessment Comment No. 2</p> <p>Part A of the DCP adequately explains the relationship with other plans and processes.</p> <p>Assessment Comment No. 3</p> <p>The exemptions have been applied to the main parts of Kurrajong Ave where commercial buildings are predominantly built to boundaries and it can be difficult to achieve compliance with normal car parking requirements. The extension of the exemption area is not supported, but the DCP retains provisions which allows for car parking variations to be considered on merit.</p> <p>Assessment Comment No. 4</p> <p>The DCP setbacks have been reviewed as a result of comments raised in other submissions. Relevant changes are supported.</p>	<p>Recommended Change</p> <p>There are no changes recommended to the Draft DCP as a result of this comment.</p> <p>Recommended Change</p> <p>There are no changes recommended to the Draft DCP as a result of this comment.</p> <p>Recommended Change</p> <p>There are no changes recommended to the Draft DCP as a result of this comment.</p> <p>Recommended Change</p> <p>The setbacks standards have been changed as requested by G Saddler.</p>
	<p>Comment No. 16</p> <p>Setbacks in cul-de-sacs - There is no mention of this in the DCP but we would like the setback to be reduced on the closest point. If one side of the home is at the appropriate setback the other side would likely be closer too. Can there be a tolerance for this?</p>	<p>Assessment Comment No. 16</p> <p>Comment accepted. This is a relevant issue for consideration as part of the finalisation of the DCP.</p>	<p>Recommended Change</p> <p>Front setbacks in cul-de-sacs are proposed to be reduced to 6m for blocks up to 1,500m2 or in line with existing buildings. Appropriate changes have been made to the relevant parts of the DCP.</p>
	<p>Comment No. 17</p> <p>Medium density buildings - Is it an option to have one home on the boundary and one 900mm from the boundary? Using the home on the boundary as the fence?</p>	<p>Assessment Comment No. 17</p> <p>The option of having medium density buildings with zero setbacks from side boundaries is not supported due to potential impacts on adjoining land-users.</p>	<p>Recommended Change</p> <p>There are no changes recommended to the Draft DCP as a result of this comment.</p>

Submission Details

Author C Watson

Craig Watson is the Senior Designer for CJ Design Services. Craig has raised a number of issues for consideration in the finalisation of the Leeton DCP.

A copy of the submission from C Watson has been included in Appendix A of this report.

Comment No. 1

Part D dealing with setbacks – Disagrees with minimum rear setbacks as on all lots. In particular with regard to laneway lots. Is this only applicable to habitable buildings as shown in your illustrations?

Assessment Comment No. 1

Part D1.3 deals with setbacks of residential buildings from property boundaries, which is summarised in a Table 1 specifying standards for primary road, side boundary and rear boundary setbacks. Ancillary buildings are subject to different controls in Part D6.1 and have reduced setback requirements.

The rear setback standards for residential buildings have a sound basis for retention in the DCP to achieve dwelling design outcomes that provide for adequate areas of private open spaces in rear yards.

Section A.9 provides the basis for variations to standards in the DCP, which is considered to be the appropriate mechanism to review a new dwelling proposing a dwelling orientation to one street only. In such instances the proponent is required to submit a variation statement that demonstrates the standard cannot be complied with and explain why non-compliance with the standard is warranted by special circumstances or to achieve a superior standard.

Recommended Change

The DCP setbacks have been changed in response to issues raised by C Watson.

Tables 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 have been updated to clearly state the standards apply to residential dwellings only.

Comment No. 2

Part D6.1 Ancillary structures - Laneway lots show a setback of 2.5m and parallel road shows 3m where vehicle access is required? Why and why different distances? I understand sight distance is important, but this should also be considered on a case-by-case basis. This could require the developer to show the safe entry and exit of vehicles rather than stipulate the setback. Does this also mean the whole building is pushed 2500 or 3000 back into the block for the whole length of the building. This area needs clarification as it seems confusing and has lots of implications.

Assessment Comment No. 2

Part D6.1 Ancillary structures has been changed to provide a setback of 2.5m for laneway and parallel road situations.

Section A.9 provides the basis for variations to standards in the DCP, where the proponent demonstrates the standard cannot be complied with / not warranted by special circumstances or to achieve a superior standard.

Recommended Change

The DCP setbacks have been changed in response to issues raised by C Watson.

Comment No. 3

With regard to subdivisions there also needs to be a consistent approach to determine the front setbacks to avoid the streetscapes looking staggered when mixed allotment sizes are encountered.

Assessment Comment No. 3

The front setbacks have been reviewed and changes made to achieve a minimum 6m front setback for urban blocks less than 1,500m².

It should be noted the DCP has been developed having regard to the provisions of State Environmental Planning Policy (Exempt and Complying Codes) 2008, which also specifies setback standards for development approved under a Complying Development Certificate.

Recommended Change

The DCP setbacks have been changed in response to issues raised by C Watson.

Comment No. 4

Part J1.7 Car Parking - Car parking exemptions should extend for the extent of the main street for Palm Ave and Kurrajong Ave.

Assessment Comment No. 4

The exemptions have been applied to the main parts of Kurrajong Ave where commercial buildings are predominantly built to boundaries and it can be difficult to achieve compliance with normal car parking requirements. The extension of the exemption area is not supported, but the DCP retains provisions which allows for car parking variations to be considered on merit.

Recommended Change

There are no changes recommended to the Draft DCP as a result of this comment.

Comment No. 5

Neighbours or public consent - Should a neighbour or member of the public dispute a proposed development this should not be deemed by council as refusal of the development. Council should be able to assess the development on its merits.

Assessment Comment No. 5

Agreed. Council is consent authority responsible for determining local development in accordance with the Environmental Planning and Assessment Act 1979. In circumstances where certain types of development require notification / advertising, Council is obliged to take any issues raised into consideration in determining applications.

Recommended Change

There are no changes recommended to the Draft DCP as a result of this comment.

Comment No. 6

Single storey and 2 storey setbacks - A different approach should be adopted for the setback of 2 storey dwellings from side boundaries. Chris has suggested an approach that allows for the stepping of building form, with the lower storey allowed to encroach closer, and the second storey stepped with an increase setback.

Assessment Comment No. 6

The approach to boundary setback controls for 2 storey dwellings a suggested by C Watson has merit. Stepped building forms can allow for building designs that maximise the use of site area without compromising planning outcomes related to visual and acoustic privacy, sunlight access and streetscape appearance.

Recommended Change

Appropriate changes have been made to Tables 1, 2, 3, 4 and 5 of Part D1 of the DCP relating to setback controls for new dwellings on standard, battle-axe, parallel road, corner and laneway lots.

Appropriate changes have also been made to Tables 6, 7, 8, 9 and 10 of Part D2 of the DCP relating to setback controls for new medium density housing on standard, battle-axe, parallel road, corner and laneway lots.

Submission Details

Author NSW Department of Planning and Environment
 A copy of the submission from DPE has been included in Appendix A of this report.

Comment No. 1

The Manager, Local and Regional Planning Haydon Murdoch has provided comments, commending Council on its development of a well- conceived / comprehensive DCP.

Assessment Comment No. 1

Noted.

Recommended Change

There are no changes recommended to the Draft DCP as a result of this comment.

Submission Details

Author Have Your Say Comments
 A copy of the survey results has been included in Appendix A of this report.

Comment No. 1

Part D6 Ancillary development on pages 71 and 75. The draft DCP states the following: 'There are no objections received from immediately adjoining or adjacent landowners.' This requirement should be deleted. Automatic refusal based on an objection is wrong. Approval or refusal of structures, even in front of the building line must be merit based. It is recommended to include the following instead: "All proposed structures in front of the building line will trigger neighbour notifications. Submissions received will be considered as part of the DA assessment".

Assessment Comment No. 1

Comment accepted. There is merit in deleting this control and instead replacing it with the following words: "All proposed structures in front of the building line will trigger neighbour notifications. Submissions received will be considered as part of the DA assessment".

Recommended Change

The controls to Parts D6.1(i) and D6.2(g) have been amended.

Comment No. 2

Part D1 on page 3 – Incorrect numbering – D1.9 repeats. Liveable housing should be deleted.
 Part D2 on page 23 – Incorrect numbering D2.9 is missing, D1.9 on page 45 should be D2.9.

Assessment Comment No. 2

The numbering system in Part D1 and D2 have been corrected.

Recommended Change

The numbering system in Part D1 and D2 have been corrected.

A

Appendix Copies of Submissions

From: Haydon Murdoch <[REDACTED]>
Sent: Tuesday, 16 August 2022 9:03 AM
To: Francois Van Der Berg <francoisv@leeton.nsw.gov.au>
Subject: RE: Draft DCP on exhibition

Hi Francois,

Well done preparing the DCP. It's a very thorough and well thought through document.

I've been through the document and don't have any specific comments to make.

As you may have been aware, the Department has been working on a standardised DCP template for many years. Due to COVID and other matters the project has been delayed. I followed up with the relevant team to get an update. There isn't a timeframe for when the project will be picked up again or when it will be rolled out. We'll do our best to keep the Riverina Murray councils informed on its progress.

Again well done!

Thanks

Haydon Murdoch
Manager, Local and Regional Planning
Local and Regional Planning | Department of Planning and Environment
T 0417532933 | E haydon.murdoch@planning.nsw.gov.au
www.dpie.nsw.gov.au



The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

From: Glenn Saddler <[REDACTED]>
Sent: Friday, 19 August 2022 2:36 PM
To: Francois Van Der Berg <francoisv@leeton.nsw.gov.au>
Subject: Re: Feedback meeting on draft DCP - Friday, 19 August 2022 at 12pm

Thanks for the update on the proposed DCP today Francois.
I would like to make the following submission.

I commend you and the Council for the initiative.
Generally I agree with the contents.

I think it should be made clear that the document is subject to other Council processes that consider the merits of the project and neighbours' submissions.

I agree with those at the presentation today that you may wish to clarify the following;

- parking exemptions in Kurrajong Ave (maybe there should be a process to apply for exemption for the remainder of Kurrajong Ave based upon the project),
- setbacks on different sized blocks having an overriding consistent setback in areas with multiple size category blocks, and
- rear setbacks being varied to suit light traffic rear lane entry.

I have attached a typo amendment along with the others I pointed out today.

From: [REDACTED]
Sent: Friday, 19 August 2022 4:00 PM
To: Francois Van Der Berg <francoisv@leeton.nsw.gov.au>
Subject: Leeton DCP Submission

Francois,

Thank you again for today's catch up.

A couple of things from the meeting I would like addressed are as follows:

Setbacks

Minimum rear setbacks 3,5 & 6 etc. as shown I disagree with on all lots.
In particular with regard to laneway lots.
Is this only applicable to habitable buildings as shown in your illustrations?

Attached and Detached ancillary structures (residential pp70-75) indicates different setbacks.
Laneway lots show a setback of 2500 & parallel road shows 3000 where vehicle access is required? Why and why different distances?

I understand sight distance is important but this should also be considered on a case by case basis.
This could require the developer to show the safe entry and exit of vehicles rather than stipulate the setback.
Does this also mean the whole building is pushed 2500 or 3000 back into the block for the whole length of the building.

This area needs clarification as it seems confusing and has lots of implications.

With regard to subdivisions there also needs to be a consistent approach to determine the front setbacks to avoid the streetscapes looking staggered when mixed allotment sizes are encountered.

Car parking exemptions:

Part J1.7 Car parking exemptions should extend for the extent of the main street for Palm Ave and Kurrajong Ave.

Neighbours or public consent:

Should a neighbour or member of the public dispute a proposed development this should **not be deemed** by council as refusal of the development.
Council should be able to assess the development on its merits.

Single storey and 2 storey setbacks:

This should be determined similarly to the illustration below.
It was indicated in today's meeting that if a building was 2 storey the whole building had to be setback from the boundary as if it was all 2 storey. I disagree with that and wish it to be determined as per below.

Kind Regards,

Craig Watson

Senior Designer

CJDS

CJ Design Services Pty Ltd

Project Design, Management & Drafting Service

ABN 80 126 806 424 PH: 0410 894411

PO Box 780, LEETON NSW 2705

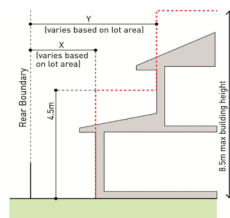


Figure 4: Section showing the minimum rear setback requirements for dwelling houses (the maximum allowed building envelope is shown in red)

From: Matt Arnold | Hotondo Homes Leeton <[REDACTED]>
Sent: Wednesday, 31 August 2022 4:07 PM
To: Francois Van Der Berg <francoisv@leeton.nsw.gov.au>
Cc: Daniel Watt <[REDACTED]> Andrew Reilly <[REDACTED]>
Subject: Draft DCP Submissions

Hi Francois

Below are our submissions for your draft DCP, I have put each submission under a heading that represents the part it is located in

Part D

D 1.2

b, ii. We have quite a few standard designs that have an ensuite to the side of the master bedroom at the front of the building. The point does state dominant feature but will a home with a ensuite with the window at the front of the home be knocked back. I can provide some examples of our designs that have this if need be
d. corner lots to comply with both streets. We have built a lot of homes on corner lots that only face one street, a particular example is the two homes in Isabella place that are also on the corner of Rigby place. Both homes face Isabella place but have designed their landscaping as to not block road vision and also look aesthetically appealing. Neither homes have a façade facing Rigby place but both don't look out of place in the way they have been designed. I propose that a amendment be made to that point in that maybe instead of facing both streets they may need to construct a fence so that it does not block road vision and so that it also looks aesthetically pleasing

f. removal of trees. We have had a few homes where the trees are existing and they have blocked the new driveway of the home and had to be removed. Again I understand the point is stating trees that significantly contribute to the streetscape but in some instances they can be placed in less than ideal places. Maybe this point can be amended to trees not in important locations, i.e if it is on the boundary between two buildings then there is no need to remove it, but if it is in the middle of the block then it does not give the applicant much options for their house design. I would also propose that street trees only be planted on lot boundaries in new subdivisions or they be planted on sites once most of the development has taken place. The trees in Isabella/Rigby place where planted once the majority of development had taken place. I would imagine this option would also be beneficial to council as the owners of the homes often maintain these trees for council

D1.3

Setbacks (also relating to all other parts where setbacks listed below are applicable)

- lots over 1000m2 setbacks are noted as 9m. as discussed at the workshop with you a few weeks ago I feel this could be amended to 6m. most new lots in our subdivision are between 700-1200m2 so using this as an example some blocks will have a setback of 6 and others will have 9m. I feel I speak for most builders and developers in town that as a general rule 6m has always been the min setback we have worked off. 4.5m I can accept for the smaller lots but it also brings in the same problem as above where some are set back further than others. I would propose possibly a 5m setback for smaller lot with 6m being for lots between 700 and above. There is also quite a few blocks that are over 1000m2 still yet to build on in town so I feel that the m2 amount could be adjusted to say 1200-1500m2 for the 6m setback
- the rear setbacks for battle axe block, corner lots and lane way lots are also quite high at 5m. I think for these lots it could severely impact what sort of home can be built on certain lots

D 1.4

g. while we encourage owners to try and face their homes north as much as possible some lots will you will not be able to achieve this. Our new subdivision and Isabella place are perfect examples of this as the homes to the left of both road as you drive in face south at the rear and most people want their alfresco facing the rear which normally joins on to their family/living areas

D1.8

a iii - stormwater is to be discharged at 190m2 per pipe however point v states that only a single discharge point to the overflow is allowed. Most new homes are over 190m2 so this will mean we will need two 90mm pipes however are only allowed 1 discharge point which seems a little pointless to join them again

D 1.9

- a. Will this be needed before Occupation certificate
- c. states bins need to be readily visible from the road, most people want their bins out of view as they are a bit of an eyesore
- x. as above most tanks are positioned so they are out of view
- h i. I propose that uninhabitable buildings (shed carports etc) be permitted to partially build over an easement. Again referencing Isabella place there is a 5m easement that runs along the back of the southern side blocks that is just a waste of space. Most owners could have encroached maybe 1 – 1.5m into this easement and you would still have access. Even if owners where to sign an indemnity stating they understand if it needs to be dug up should there be any issues with the easement you would find that most owners would sign and still build over it

D2.4

- b. consideration needs to be taken into account about certain materials being used on building in our climate. There is a few homes around town where colour is fading or things are falling apart due to using the incorrect materials. Should someone want to build 3 or more dwelling in a row a brick veneer finish home is most suited to our environment. Cladding can also be incorporated but brick certainly has the longevity side of things. The duplex double storey homes in sycamore street are perfect examples of this and are all brick finish and look excellent. I think opening options for different finishes is a great idea too but I feel if someone wants to go all brick I don't think they should be knocked back due to just being one type of material.

D2.5

- rear boundary setbacks for blocks are 5m and 8m for lots between 750-1000 and over 1000m2 which is quite high. Again it restricts what you can build on these blocks. Consideration may be taken to reduce these setbacks
- as above front and parallel setbacks are quite high on bigger blocks

D 4.3

- quite a large setback if 15m for new development
- currently this applies to homes 1000m2 or more so think that this also needs to be looked at
- I would propose this is for lots between 1500m2 and 4000m2
- c. setback for lots above 4000m2 are also quite high at 20m
- minimum setback for land mapped as flood planning area is to be outside the flood mapping area. some land at this size will be in a flood zone so does this permit us to build up

D 4.5

- h ii. Minimum tank size to be 45000L. would this be applicable if they are connected to town water? Again this seems like a lot of additional storage if town water is available

D 6.3

- c. swimming pool depth. Where does existing ground level come from. It could be possible that a site cut of say 1m has to be made to a block meaning that technically your pool depth can only be 1m as the max depth is 2m. maybe just some more clarity around that
- g. soundproofing pool pumps. Most pumps are put in a shed which is not soundproofed. Maybe adding in soundproofing if they are in a certain proximity to a boundary. For example you could have a pool on a large lot development over 4000m2 and your pool pump could be 40m away from any neighbouring development but you are required to soundproof when just enclosing it would be more than sufficient

D 6.4

- a viii. – stepping of fences. In builders terms stepping of fences is seen as the easy way out. Sloping the fence requires more skill and looks a lot better than the steps. Would you consider adding in sloping (where appropriate, as some slopes are too much to slope the fence) as well as stepping the fence

Part K

K 1.6

- a. who would be able to provide this justification and what would be appropriate justifications.

- b. where will the information on flood levels be? Council has this data from it flood study so this needs to be able to be viewed by the public before the DCP is released
- would council consider adopting the survey levels themselves and charging accordingly? The main issue facing surveyors at the moment is there isn't many around that can provide this service and their costs are now blowing out all over the place. If council had a qualified surveyor working directly for council (or subcontracting) they can offer this service to applicants to help with the process. Im sure there is a need for a surveyor in other areas of councils works i.e roads etc so they could use this as an opportunity to provide more work for said developer

K 1.7

- c. most developments are going to be using fill to build up if they are in a flood zone so who will be required to provide this flood modelling? Could council consider maybe this option in high risk flood zones only? In my experience this sort of modelling is very costly to do and also then what needs to be done to the home is also very costly
- e. this would be applicable in areas that have previous development that is not build up but if a new building is built next door that will impact the lower building. What is council proposing to do in these situations
- h. again referencing my point above about councils own surveyor. Having this certified adds more cost again to the build. Most builders have their own laser levels and could provide this level to a council engineer or qualified representative after the surveyor has installed the reference mark. Could this be adopted as an option rather than getting the surveyor back to certify and adding more cost to the build? The surveyor providing this level could be an option for high risk flooding only

Other things not mentioned in Draft DCP that we want considered

- setbacks in cul de sacs. There is no mention of this in the DCP but we would like the setback to be reduced on the closest point. If one side of the home is at the appropriate setback the other side would likely be closer to can there be a tolerance for this
- medium density buildings, is it an option to have one home on the boundary and one 900mm from the boundary? Using the home on the boundary as the fence?

Thanks

Matt Arnold


Director
Bill Arnold PTY LTD
Ph: 02 6953 6976

Survey : Survey Report for 21 April 2016 to 31 August 2022

Survey

SURVEY RESPONSE REPORT
21 April 2016 - 31 August 2022

PROJECT NAME:
DRAFT Development Control Plan

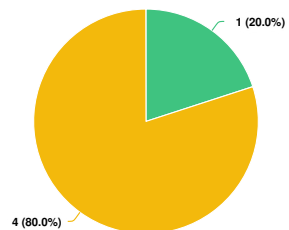


SURVEY QUESTIONS

Page 1 of 22

Survey : Survey Report for 21 April 2016 to 31 August 2022

Q1 Do you think the Matrix in Part A is easy to follow to identify the relevant parts of the DCP that relates to your developm...



Question options

- Yes
- No

Mandatory Question (5 response(s))
 Question type: Dropdown Question

Survey : Survey Report for 21 April 2016 to 31 August 2022

Q2 Please explain reasons for your answer.

Screen Name Redacted No comment
 7/12/2022 08:06 AM

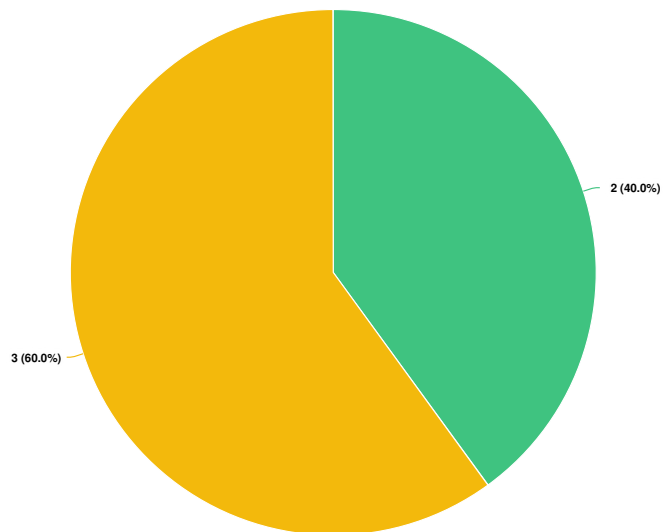
Screen Name Redacted It's not easy to follow, but that doesn't mean it is without value - someone who is really lost will take the time to figure it out, and may benefit. The good thing is that the substantive report is very well laid out, and so if people skip past the matrix, I don't think it will matter. I think the matrix could inform an interactive widget of some kind for the Shire website though - a final version of the DCP could be broken down into much smaller parts and made into web pages so that people don't have to download long form documents.
 7/15/2022 12:20 PM

Screen Name Redacted na
 8/30/2022 04:41 PM

Optional question (3 response(s), 2 skipped)
 Question type: Essay Question

Survey : Survey Report for 21 April 2016 to 31 August 2022

Q3 Part C of the DCP cover development standards that relates to subdivisions. Do you think the development controls are comprehensive enough and reasonable?



Question options

- Yes
- No

Mandatory Question (5 response(s))
 Question type: Dropdown Question

Survey : Survey Report for 21 April 2016 to 31 August 2022

Q4 Please explain reasons for your answer.

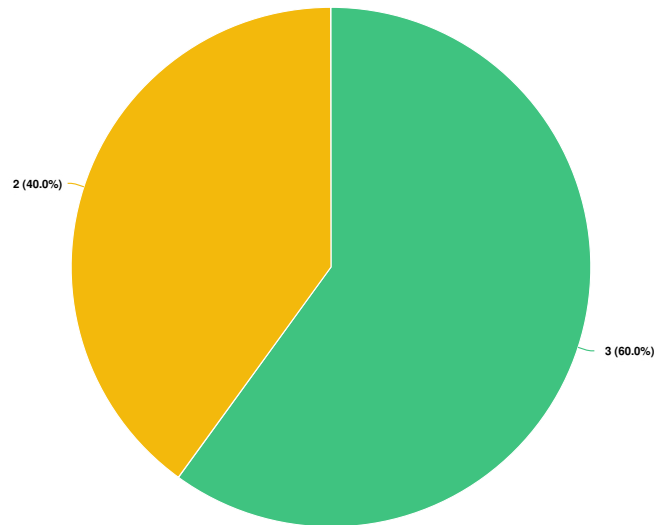
Screen Name Redacted
 7/15/2022 12:20 PM
 I think the section is comprehensive, but I disagree with some of the quantums - I think that there needs to be higher density allowed for the medium density zones. 280 square metres as a minimum is too low. There is also no

Screen Name Redacted
 8/30/2022 04:41 PM
 na

Optional question (2 response(s), 3 skipped)
 Question type: Essay Question

Survey : Survey Report for 21 April 2016 to 31 August 2022

Q5 Throughout the DCP Council utilises drawings to explain development controls. Do you find these drawings to be useful?



Question options

- Yes
- No

Mandatory Question (5 response(s))
Question type: Dropdown Question

Survey : Survey Report for 21 April 2016 to 31 August 2022

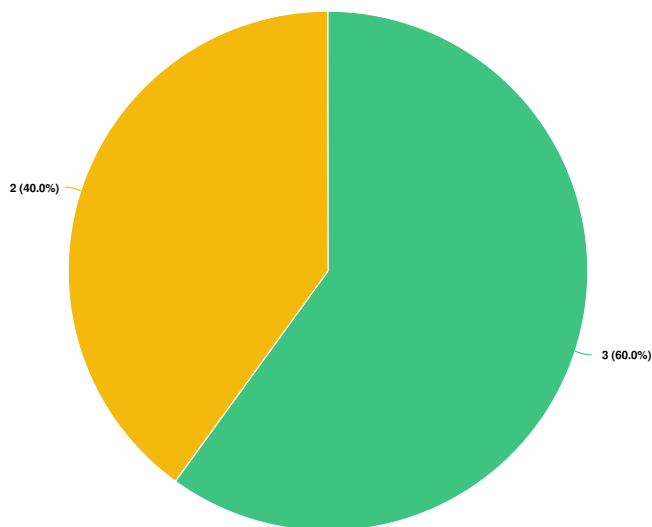
Q6 Please explain reasons for your answer.

Screen Name Redacted na
8/30/2022 04:41 PM

Optional question (1 response(s), 4 skipped)
Question type: Essay Question

Survey : Survey Report for 21 April 2016 to 31 August 2022

Q7 Leeton Shire Council developed setback standards in Part D of the DCP. Do you agree with these standards?



Question options

- Yes
- No

Mandatory Question (5 response(s))
 Question type: Dropdown Question

Survey : Survey Report for 21 April 2016 to 31 August 2022

Q8 Please explain reasons for your answer.

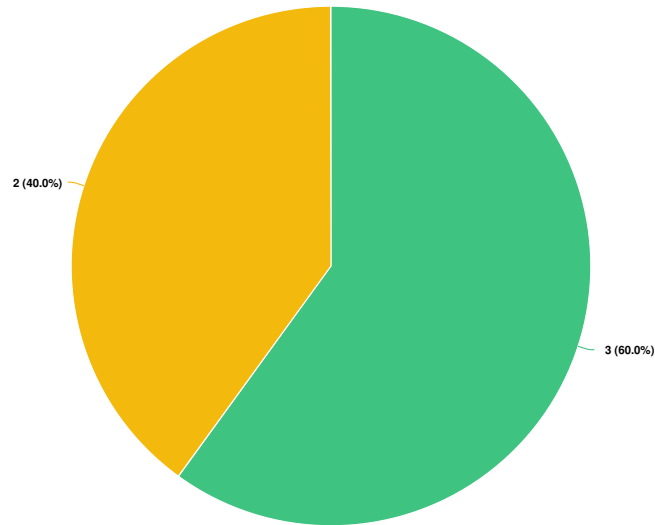
Screen Name Redacted
 8/30/2022 04:41 PM

Large lot setbacks (Table 13, p59) to RU1 are insufficient based on the range of landuses that can be carried out in RU1. To minimise land use conflicts, the table provided for Rural housing setbacks (Table 14, p65) should also be applied for large lots that adjoin RU1 zoned land.

Optional question (1 response(s), 4 skipped)
 Question type: Essay Question

Survey : Survey Report for 21 April 2016 to 31 August 2022

Q9 Part D deals with housing and ancillary development. An important consideration for development is the protection of privacy. Do you agree with the proposed privacy controls?



Question options

- Yes
- No

Mandatory Question (5 response(s))
Question type: Dropdown Question

Survey : Survey Report for 21 April 2016 to 31 August 2022

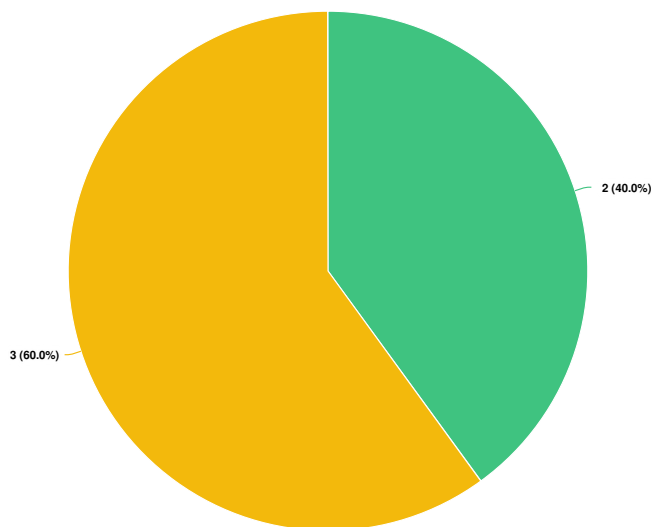
Q10 Please explain reasons for your answer.

Screen Name Redacted na
8/30/2022 04:41 PM

Optional question (1 response(s), 4 skipped)
Question type: Essay Question

Survey : Survey Report for 21 April 2016 to 31 August 2022

Q11 Part I deals with heritage. Do you consider the heritage development controls to be adequate to guide future development and to protect heritage?



Question options
 ● Yes ● No

Mandatory Question (5 response(s))
 Question type: Dropdown Question

Page 12 of 22

Survey : Survey Report for 21 April 2016 to 31 August 2022

Q12 Please explain reasons for your answer.

Screen Name Redacted
 7/15/2022 12:20 PM

I'm very happy that there is a heritage overlay, and I think the controls are adequate for what is needed in the towns and villages. I just wish there was an Aboriginal heritage overlay - one that showed the sites. I hope that this is in the works for the next DCP.

Screen Name Redacted
 8/30/2022 04:41 PM

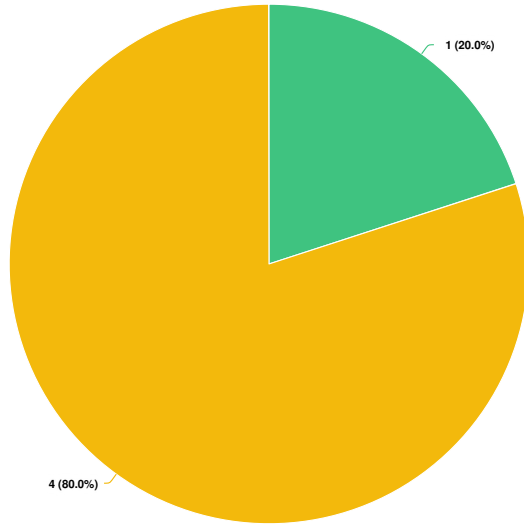
na

Optional question (2 response(s), 3 skipped)
 Question type: Essay Question

Page 13 of 22

Survey : Survey Report for 21 April 2016 to 31 August 2022

Q13 Part J deals with car parking and access. Part J 1.7 provides a map of the Leeton CBD that is exempt from off-street parking. Do you feel this area is adequate?



Question options
 ● Yes ● No

Mandatory Question (5 response(s))
 Question type: Dropdown Question

Survey : Survey Report for 21 April 2016 to 31 August 2022

Q14 Please explain reasons for your answer.

Screen Name Redacted Need flexibility in Vance estate as too number of off-street carparks required
 7/12/2022 08:56 AM

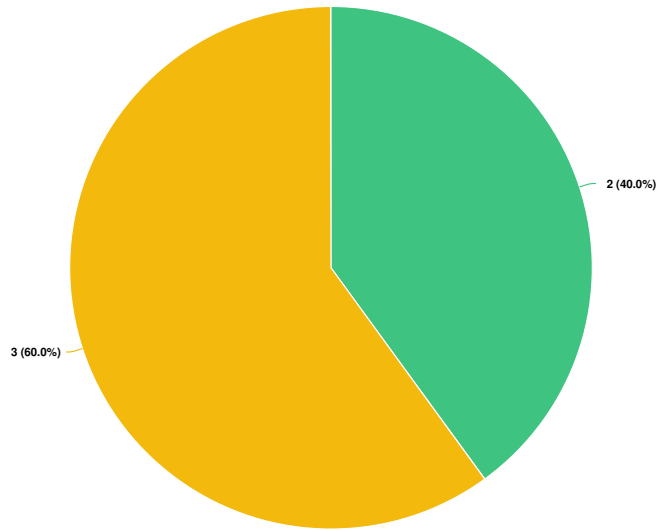
Screen Name Redacted There is no part J available for download.
 7/15/2022 12:20 PM

Screen Name Redacted na
 8/30/2022 04:41 PM

Optional question (3 response(s), 2 skipped)
 Question type: Essay Question

Survey : Survey Report for 21 April 2016 to 31 August 2022

Q15 Tables are used in Part J to specify parking requirements for different types of development. Do you consider the proposed parking requirements as adequate?



Question options

- Yes
- No

Mandatory Question (5 response(s))
 Question type: Dropdown Question

Survey : Survey Report for 21 April 2016 to 31 August 2022

Q16 Please explain reasons for your answer.

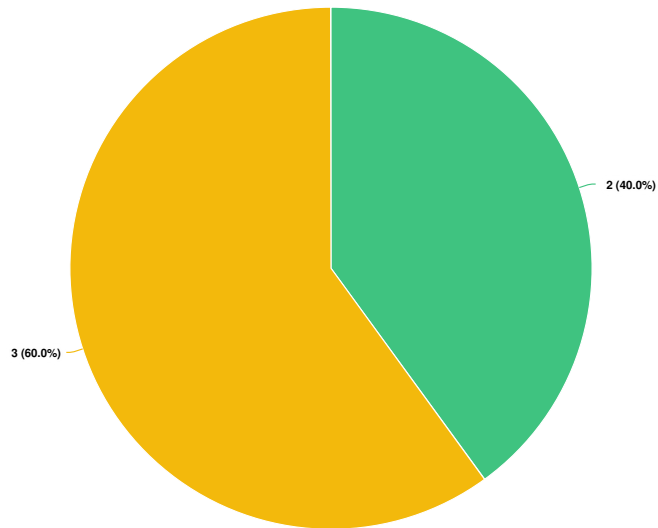
Screen Name Redacted no Part J available to view
 7/15/2022 12:20 PM

Screen Name Redacted na
 8/30/2022 04:41 PM

Optional question (2 response(s), 3 skipped)
 Question type: Essay Question

Survey : Survey Report for 21 April 2016 to 31 August 2022

Q17 Part K of the DCP deals with flooding. Do you consider the flood planning controls to be clear and easy to understand?



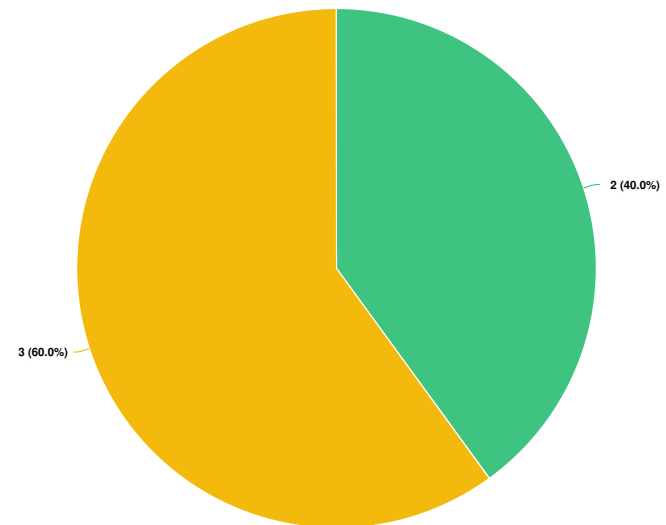
Question options

- Yes
- No

Mandatory Question (5 response(s))
Question type: Dropdown Question

Survey : Survey Report for 21 April 2016 to 31 August 2022

Q18 Dealing with Biodiversity can be difficult when planning a project. Do you think the guidelines in Part L of the DCP is useful to identify if a Biodiversity Offset Scheme applies or not?



Question options

- Yes
- No

Mandatory Question (5 response(s))
Question type: Dropdown Question

Survey : Survey Report for 21 April 2016 to 31 August 2022

Q19 Please explain reasons for your answer.

Screen Name Redacted
 7/15/2022 12:20 PM

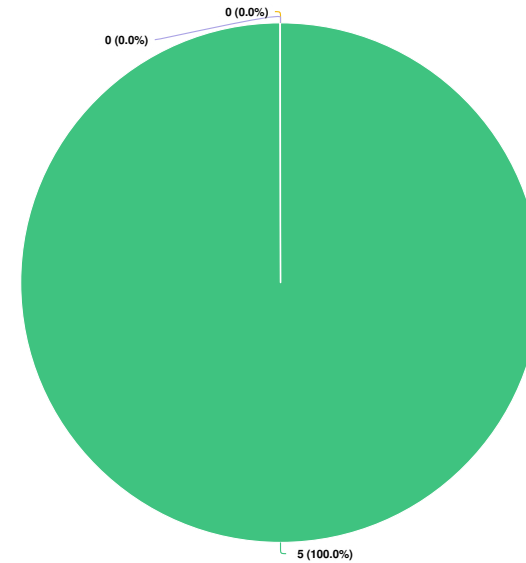
The areas subject to the land clearing policy could be better expressed in a map showing that area as an overlay, as well as property boundaries. The link to the RFS is very small and likely to be overlooked. The example of the subdivision decision path uses too many abbreviations - you should just use the full terms with abbreviations in parentheses, and if that means the shape elements in the flow chart are bigger, then so be it; there's plenty of space on the page and useability should trump design aesthetics.

Screen Name Redacted na
 8/30/2022 04:41 PM

Optional question (2 response(s), 3 skipped)
Question type: Essay Question

Survey : Survey Report for 21 April 2016 to 31 August 2022

Q31 Please indicate which category best describes your background.



Question options
 ● Other ● Property Developer ● Builder/Building Contractor

Optional question (5 response(s), 0 skipped)
Question type: Dropdown Question

Survey : Survey Report for 21 April 2016 to 31 August 2022

Q32 Do you have any other feedback you would like to provide?

Screen Name Redacted
7/12/2022 08:56 AM

Amazed to see no mention of places of worship, we opened our arms to refugees and immigrants and need to make provision for them to have places of worship near where they live, all residential subdivisions need mandatory sewer connections or we have 1-acre blocks all over town that look a total mess, too difficult to maintain for people but need it for their septic system, the new estate on Almond road, would be far more attractive to buyers if the blocks were 1/2 the size with sewer, and more rates for the council

Screen Name Redacted
7/15/2022 12:20 PM

Part K should include the flooding overlay, to help people know whether their property is subject to those regulations. Links should be made bigger and more obvious - you do this well in Part D and even include a QR code, but you could do that in several other places throughout the documents as well.

Screen Name Redacted
8/30/2022 04:41 PM

With regard Section E, land use conflict would be minimised by having larger setbacks for tourist and visitor accommodation, not just site selection that "avoids" impacts from existing rural land use activities such as intensive agriculture. The 1000m setback as per Extractive industries p18, Intensive livestock agriculture p19 and frost fans p21 should also be applied for large lot housing adjoining RU1 and tourist&visitor accommodation within RU1.

Optional question (3 response(s), 2 skipped)

Question type: Essay Question

ITEM 7.10 QUICK RESPONSE GRANT APPLICATION - LEETON PIPE BAND

RECORD NUMBER	22/413
RELATED FILE NUMBER	EF21/359
AUTHOR/S	Community Development Coordinator
APPROVER/S	Economic and Strategic Development Manager

SUMMARY/PURPOSE

The purpose of this report is to advise Council of an application received through Council's Community Grants program under the Quick Response Grant Category.

RECOMMENDATION

THAT Council awards the Leeton Pipe Band a \$2,000 Quick Response Grant to go towards the coordination of their 100 Year Celebration Event on 26 November 2022.

REPORT

(a) Background

Council's Community Grants Program includes a 'Quick Response' Grant Category which aims to support activities that arise unexpectedly, with limited notice, outside the window of the twice-yearly Community Grants Scheme. Applications within this category are capped at a maximum of \$2,000.

An application has been received from Leeton Pipe Band for funding to assist with costs involved in coordinating and hosting a performance event at the Leeton Soldiers Club to celebrate 100 years of the Leeton Pipe Band. This event is outside the Community Strengthening Grants program.

The application was lodged with Council on Friday 30 September 2022 and is requesting \$2,000.

(b) Discussion

The Leeton Pipe Band are coordinating an event to celebrate its 100th birthday. The Canberra City Pipe Band and fellow Leeton community group, Just Fling It Highland Dancers, have committed to perform at the event with their performance fees being in kind.

Whilst the majority of the costs is being covered by in kind contributions, there are some aspects which the Leeton Pipe Band are being required to cover such as sound and lighting.

No profit will be made by the Leeton Pipe Band from this event.

The Leeton Pipe Band have generously volunteered their time on many occasions for community events.

(c) Options

Council has the following options available:

1. Approve the Leeton Pipe Band grant application for \$2,000. **This is the preferred option.**
2. Approve the Leeton Pipe Band grant application for a lesser amount.
3. Reject the Leeton Pipe Band grant application for \$2,000.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

The Quick Response and Youth Development Category of the Community 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 \$1,250 of the allocation has been utilised for Youth Development Grants and \$2,000 has been utilised for Quick Response Grants, leaving \$5,725 in the budget.

If this application is awarded there will be \$3,725 remaining for the 2022/23 budget.

(b) Policy

Leeton Shire Council's Donations, Assistance, Sponsorships and Grants Policy.
Community Grant Program Guidelines.

(c) Legislative/Statutory

Section 356 of the *Local Government Act 1993* (the Act) states the following:

Can a Council financially assist others?

1. A Council may, in accordance with a resolution of the Council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.
2. A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the Council proposal to pass the necessary resolution has been given.

(d) Risk

To ensure funds are spent appropriately, all beneficiaries are required to acquit the grants received from Council.

CONSULTATION

(a) External

Staff have consulted with the applicant.

(b) Internal

Community Project Planner

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

CSP FOCUS AREA 1 - A connected, inclusive and enriched community – DELIVERY PROGRAM FUNCTIONAL AREA 1 - Community Services and Community Development - DELIVERY PROGRAM ACTIVITY 1.5 - Offer advice, active support and grants to community groups including: A community grants program; Annual donations to the Town Band, Men's Shed and Eisteddfod Society; Annual school prizes; Low and subsidised leases/licences for community groups; Payroll services for grant funded staff at Leeton Connect, Leeton Multicultural Support Group and Jumpstart - OPERATIONAL PLAN ACTIVITY 1.5.1 - Support the community by offering a Community Grants program".

ATTACHMENTS

1 [↓](#) Leeton Pipe Band - Quick Response Grant



QUICK RESPONSE GRANT APPLICATION

Please ensure that you have read a copy of the guidelines before completing this application

ORGANISATION DETAILS

Name of community group or organisation	Leeton Pipe Band
Contact Name	John Stewart
Postal Address	[REDACTED]
Email	johnstewart@leetonshirecouncil.com.au
Phone	[REDACTED]

Incorporated non-profit organisation* Yes No
 Certificate of Currency* Yes No
 Public Liability* Yes No

**Please attach copies*

AUSPICE DETAILS (ONLY IF APPLICABLE)

Auspice organisation applying on behalf of group	Canberra City Pipes and Drums
Contact Name	Carole Took
Postal Address	[REDACTED]
Email	[REDACTED]
Phone	[REDACTED]

Incorporated non-profit organisation* Yes No
 Certificate of Currency* Yes No
 Public Liability* Yes No

**Please attach copies*

REASON FOR QUICK RESPONSE

Remember: Poor planning does not justify a quick response grant application

The event is being held on Saturday 26 November 2022 therefore we are unable to submit an application to the Community Strengthening Grants Round One program with enough time to plan the event. The event planning commenced in September.

PROJECT DESCRIPTION

Project Title:
Leeton Pipe Band – 100 Year Anniversary
Project Summary:
The Leeton Pipe Band is an important, longstanding institution in the Leeton Community. To celebrate it's Centenary, the Leeton Pipe Band are planning to coordinate and host a celebratory event including performances from the Canberra City Pipe Band and Just Fling it Highland Dancers.
It should be noted that the Canberra Pipe Band have participated in the iconic event, the Royal Edinburgh Military Tattoo.
Community Benefit:
Celebrating Leeton's rich Scottish history. Economic benefit from performers and attendees coming to Leeton.

Partner Organisation	Roles & Responsibilities	Contribution (\$)	Contribution (In Kind)
Canberra Pipe Band	Performance		2500
Just Fling It	Performance		200
Leeton Soldiers Club	Venue		500

Project Start Date: 26/11/22

Project End Date: 26/11/22

**Please keep in mind that projects can not begin before payment is approved and processes – see guidelines for more information*

Council Officer's Name: Paul Smith

Date of Contact: 30/9/22

**It is a requirement of the application process that you contact a Council Officer to discuss the project*

Link to Council's Community Strategic Plan: *(select from drop-down box)*

Choose an item.

Our Community > Arts and Culture

PROJECT BUDGET

Outline your project budget and include your own organisation's cash and/or in-kind contribution. Also include any confirmed/unconfirmed and in-kind contributions from partner organisations and other funding bodies (C=Confirmed; NC= Not Confirmed, IK= In-Kind)

Income	C/NC/IK	Amount (\$)
Grant amount requested from Leeton Shire Council	C	\$2,000
Entry/participant fees	C	\$2,500 (100 tickets at \$25 each)
Cash from own organisation		\$1,400
In-kind from own organisation		
Cash from partner organisation		
Wade Bowling Club fund	C	\$3,000
Leeton Soldiers Club	IK	\$500
	Total	\$9,400


Expenditure	Amount (\$)
Sound and Lighting	\$2,000
Accommodation and travel costs for performers	\$3,800
Marketing materials and ticket printing	\$600
Meals for Event	\$2,500
Venue	\$500
Other:	
Other:	
	Total \$9,400

**Total income should equal expenditure*

What items will be funded by the Community Strengthening Grant?
Sound and lighting by John Silvestro

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. The application has been submitted with the full knowledge and agreement of the management of the community group, organisation or auspice body. I have read the accompanying guidelines and information to applicants provided with this application form.

Group Organisation	Leeton Pipe Band	Auspice Organisation	
Name	John Stewart	Name	
Title		Title	
Date	26.10.2022	Date	
Signature		Signature	

SUBMITTING YOUR APPLICATION

Complete the checklist on the following page before you submit your application using ONE of these methods:

Email

council@leeton.nsw.gov.au

Mail

IPR, Governance and Engagement Team
Leeton Shire Council
23-25 Chelmsford Place
Leeton NSW 2705

In person

Leeton Shire Council
23-25 Chelmsford Place
Leeton NSW 2705

ITEM 7.11 MINUTES OF THE YANCO COMMUNITY HALL AND MARKET COMMITTEE MEETING - 8 AUGUST 2022 (AGM) AND 12 SEPTEMBER 2022

RECORD NUMBER	22/397
RELATED FILE NUMBER	EF21/436
AUTHOR/S	Manager Visitor Services and Local Activation
APPROVER/S	General Manager

SUMMARY/PURPOSE

The purpose of this report is to provide Council with the Minutes of the Yanco Community Hall and Market Committee held on Monday 8 August 2022 (AGM) (**Attachment 1**) and Monday 12 September 2022 (**Attachment 2**).

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

RECOMMENDATION

THAT Council:

1. Receives for information the Minutes of the Yanco Community Hall and Market Committee AGM held on Monday 8 August 2022 and September monthly meeting held on Monday 12 September 2022.
2. Endorses the election of the office bearers of the Yanco Community Hall and Market Committee for the 2022/23 Financial Year.
3. Endorses a \$500 donation to the Yanco Town Improvement Committee that will go directly towards the cost of purchasing street decorations to be displayed in the leadup to the Christmas festive season in Yanco.

REPORT

(a) Background

The Yanco Community Hall and Market Committee has been established to:

- Oversee the day-to-day operations of the Yanco Community Hall and Market as per the delegation issued by Leeton Shire Council
- Overview the strategic direction of the Yanco Community Hall and Market and provide reports and recommendations to the Council as considered appropriate
- Promote optimum usage of the Yanco Community Hall
- Care for and maintain the facility through responsible day-to-day management
- Ensure the safety of the patrons of the Yanco Community Hall and Market.

(b) Discussion

The main points of discussion across both meetings were:

- The Election of Office Bearers for the Yanco Community Hall and Market Committee for the 2022/23 Financial Year.
- Correspondence was received from the Yanco Town Improvement Committee seeking a donation towards the purchase of Christmas decorations to decorate the main street area of Yanco for the festive season. \$500 was deemed a suitable donation by the committee for Council to endorse.

Options

Nil – for information noting purposes only.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

As the Yanco Community Hall Committee is a Section 355 Committee, any identified day-to-day maintenance issues are met through Council's annual maintenance program. If outside that budget allocation scope, any new enhancements proposed for the Hall by the Committee are to be funded via the Yanco Community Hall and Market Committee term deposit which currently sits at \$30,000.

(b) Policy

Committee Terms of Reference

(c) Legislative/Statutory

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

(d) Risk

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

CONSULTATION

(a) External

Committee members

(b) Internal

Nil

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

CSP FOCUS AREA 5 - Strong leadership and civic participation – DELIVERY PROGRAM
FUNCTIONAL AREA 9 - Governance and Administration - DELIVERY PROGRAM
ACTIVITY 9.3 - Provide respected and effective representation, leadership and
advocacy - OPERATIONAL PLAN ACTIVITY 9.3.5 - Support and report on Council's
Section 355, Advisory and Action Committees.

ATTACHMENTS

- 1**  Yanco Community Hall and Market Committee AGM Minutes - 8 August 2022
- 2**  Yanco Community Hall and Market Committee Meeting Minutes - 12 September 2022

YANCO TOWN HALL COMMITTEE (AGM) Annual General Meeting
MINUTES

MONDAY 08th AUGUST 2022

Attendees: Hugh Milvain & Evonne Milvain, Josie & Tony Bagiante, Robert Quodling, Beryl Coeli, , Pam Bonfield, Bob Hermes, (Leeton Shire Council - Julie Halden & Major Tony Reneker).

Apologies: Terry Coeli, Mary Stevenson.

Meeting Opened: at 1.05pm.

First Order of Business:

Hugh Milvain called all Executive Committee “Positions” vacant and requested nominations for same.

The nominations were as follows;

Hugh Milvain was nominated as President by Robert Quodling. Seconded by Beryl Coeli.

Tony Bagiante was nominated as Vice President by Julie. Seconded by Robert Quodling.

Robert was nominated as Secretary by Hugh Milvain. Seconded by Josie Bagiante.

Beryl was nominated as Treasurer by Robert. Seconded by Tony Bagiante.

Therefore the “Yanco Hall Executive Committee” members consist of; A President, Vice President, Treasurer & Secretary. (As outlined above).

All previous positions held are now considered “null and void”. Additionally, any other names designated as “signatories” at the Bank are to removed from the Banks list as soon as practicable.

Second Order of Business:

The process and “issuance” of finance from the Yanco Hall account.

1. The only way money is to be; accessed “withdrawn” or utilised is by way of cheque.
2. All Cheques must be signed by at least two, of the executive committee members.
3. Hugh Milvain as Hall President hereby signs this document (as per the Commonwealth Bank request).

Signed:

Yanco Hall Committee President

Previous Minutes: Beryl Coeli issued the minutes from the previous meeting & the Annual Financial Statement.

It was noted that due to 5 Markets being missed in the previous year, that income was naturally reduced down, from that of the previous year.

The minutes and Annual Financial Statement were accepted unanimously.

Yanco Hall Management Committee

Financial Statement 1st July 2021 to June 30th 2022

INCOME		EXPENDITURE	
Market Stalls	4005.90	Gas & Elec	1833.49
Market Door	3144.00	Advertising	377.56
G.S.T	261.00	Cleaning	1075.00
Sale of Tables	20.00	S.S.T.	163.00
N.S.W Govt.	360.00	Print & Post	303.86
	7731.50	Donations	6500.00
		Refund	200.00
Stop Payment for Cheque	140.00	Committee Dinner	256.00
Term Deposit	2771.82	Insurance	2563.00
	10643.32		13271.91
Balance brought forward	5030.71		
ADD Income	10643.32	BANK RECONCILIATION	
	15674.03	Bal. as statement	3158.12
Less Taxes	13271.91	Less o/s Chq.	756.00
	\$2402.12		\$2402.12

End of meeting: 1.34pm

End of Document.

YANCO TOWN HALL COMMITTEE (General Meeting) MINUTES

MONDAY 12th SEPTEMBER 2022

Attendees: Hugh Milvain & Eyvone Milvain, Josie & Tony Bagiante, Robert Quodling, Beryl Coeli & Terry Coeli, (Leeton Shire Council - Mr Brent Lawrence).

Apologies: Mary Stevenson, (Leeton Shire Council - Julie Halden & Major Tony Reneker). Major Reneker will be absent (for any Committee business) for approximately six weeks, whilst on leave.

Meeting Opened: at 1.06pm.

General Business:

1. Beryl Coeli mentioned that the "old" cheque (for the cleaner) that had been lost, had been found & subsequently torn up. A new one has been re-issued.
2. Hugh Milvain presented a copy of Market "Costings" to the Committee including booking fees, Stall costs etc.
3. Banking; The four executive members of the committee have now all completed the required paperwork with the exception of the Vice President - Mr Tony Bagiante. Tony committed to completing that task post meeting.
4. The Flowers that were ordered for Mary Stephenson, were unable to be delivered, so Julie Halden kept them & was re-imbursed by Beryl Coeli. The committee extends it's thanks to Julie for "going out of her way" to purchase and attempt to deliver the flowers to Mary.
5. There have been "concerns" raised regarding the Yanco Hall Committee proposing a "two day Market" to celebrate it's 40th anniversary. This would "clash" with the Yanco Town Improvement Committee's (YTIC) Inaugural "Twilight Market".

6. Questions about the difference between the Yanco Hall Committee & the Yanco Town Improvement Committee and their respective functions, were answered by Brent Lawrence (Leeton Council).
7. The committee has received a letter requesting a donation for some additional decorations for their "Twilight Market". The committee voted, and it was decided to provide a cheque to the YTIC in the amount of \$500. Eyvone Milvain & Beryl Coeli commented that this was "in alignment" with donations made by our committee in the past year, to the Lions Club. (Included were, a Cheque and some decorations). Robert commented that this was a show of "good faith" towards the YTIC and their proposed purpose.
8. Brent Lawrence (Leeton Council) reminded the committee that any cheque for donations must be first approved by council before being issued.
9. Hugh Milvain has put a request to the YTIC for a similar donation to our committee, in the amount of \$500. Tony Bagiante put the motion forward and Terry Coeli seconded it. It was put to a "vote" amongst the committee members present. The motion was approved.
10. Hugh Milvain presented a photographic map of the YTIC Twilight Market Stall positions, in relation to the street. Also included were the proposed traffic adjustments (to accommodate the event). The Committee thanks YTIC for supplying these documents.
11. Josie Bagiante has received a request for a couple of tables and chairs to be made available for "Visitors" to the Markets. Josie commented that there was a real "need" from patrons for a place to sit, whilst spending their time at our venue. This proposal was met with unanimous support. The ensuing discussion focused on types of seating and tables and their positioning. Tony Bagiante commented that several "Food Retailers" had contacted him and could be persuaded to join the Markets, if these amenities were available for their customers.
12. Robert approved by committee to approach Council for the purchase of a "cheap" laptop & software (MS 365 and Adobe) to perform committee Secretarial role. Including the maintenance of a "new" FaceBook page, with a contact email address.
13. Eyvonne Milvain commented that the FaceBook page should include; "New Stallholders Welcome", "Costings" (\$10 per table & \$10

for Gazebo site). Also, "No Insurance required" (for most stallholder goods/activities). Hugh Milvain & Tony Bagiante to be the "Point of Contact" for Stallholders by telephone, as well as Robert via email & FaceBook.

14. Tony Bagiante presented the "Flyer" he has had created, for our monthly Market. The Committee thanked Tony.

15. Robert volunteered to actively seek "Grants" for the Committee's projects moving forward.

Correspondence

One letter from YTIC.

Financial Statement for September 2022

INCOME		EXPENDITURE	
Market Stalls	306.00	Gas & Elec	334.97
Market Door	265.05	Cleaning	75.00
		GST	377.56
Total	571.05	Total.	443.99

Next Meeting: Monday, October 10th.

End of meeting: 2.40pm

End of Document.

**ITEM 7.12 MINUTES OF THE YANCO TOWN IMPROVEMENT COMMITTEE MEETING - 4
OCTOBER 2022**

RECORD NUMBER	22/419
RELATED FILE NUMBER	EF21/446/02
AUTHOR/S	Manager Visitor Services and Local Activation
APPROVER/S	General Manager

SUMMARY/PURPOSE

The purpose of this report is to provide Council with the Minutes of the Yanco Town Improvement Committee meeting held on Tuesday 4 October 2022 (**Attachment 1**).

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

RECOMMENDATION

THAT Council receives for information the Minutes of the Yanco Town Improvement Committee meeting held on Tuesday 4 October 2022.

REPORT

(a) Background

The purpose of the Yanco Town Improvement Committee (YTIC) is to be a forum for engagement between the community of Yanco and Leeton Shire Council. To facilitate this purpose, the Committee holds meetings monthly to discuss priorities for the Yanco community.

(b) Discussion

YTIC met for a Committee Meeting on Tuesday 4 October 2022. Key discussion points/updates from the meeting were as follows:

- **Yanco Twilight Markets Stallholder Update** – There are 25 stalls booked in to attend the event. Committee to follow up some children's amusements.
Yanco Lions are to hold their Christmas Tree Festival and ham raffle on market day as well as having a hot chip stall. Yanco Lions also have a verbal agreement from Leeton Lions that they will provide the Lions Train.
- **Reconnecting Regional NSW - Community Events Program** – a request for variation to reallocate \$5,000 towards the operating costs for the inaugural Yanco Twilight Markets was unsuccessful. New funding stream has been sourced.

A full copy of the minutes can be viewed in **Attachment 1** with this report.

(c) Options

Nil – this report is for information purposes only.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

An application to the Community Grants Program for \$5,000 has been submitted by Yanco Town Improvement Committee for review by the Community Grants Committee Meeting to be held on Monday 7 November and presented to Council for endorsement at the November Ordinary Council Meeting.

(b) Policy

Yanco Town Improvement Committee Terms of Reference

(c) Legislative/Statutory

The Yanco Town Improvement Committee is an Advisory Committee of Council.

(d) Risk

- Financial (ensuring community knows identified projects are subject to budget bids).
- Representative (ensuring voice of community is heard, not just Committee).
- Steps to keep general Yanco Community informed about Committee/ plans/progress.

CONSULTATION

(a) External

Committee members

(b) Internal

Roads Maintenance Superintendent

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN

Under the Key Priority Area FOCUS AREA 5. Strong leadership and civic participation within Council's adopted Delivery Program/Operational Plan – 5 - Our Council operates efficiently and effectively - 5.2 - Maintain a framework of up-to-date plans, policies, procedures, systems and service standards - Support and report on Council's Section 355, Advisory and Action Committees".

ATTACHMENTS

- 1 [Yanco Town Improvement Committee Meeting Minutes - 4 OCTOBER 2022](#)

**YANCO TOWN IMPROVEMENT COMMITTEE
OCTOBER MEETING**

MINUTES

Date: 4 October 2022

Place of Meeting: Yanco All Servicemen's Club

Meeting commenced: 6:10 pm with Karen O'Grady in the Chair. Karen welcomed all who were in attendance.

Present: Tracey Hamilton, Fran Porter, Sue Driscoll, Hugh Milvain, Brent Lawrence, Karen O'Grady, Helen Macarthur, Graham Williams, Halina Capstick, Dan Watt, Rob Quodling and Tessa Hamilton.

Apologies: Tony Reneker (Mayor) and Paul Smith (Councillor).

Minutes of Previous meeting held 5 September 2022 were confirmed as true and correct.

Moved: Fran Porter Seconded Hugh Milvain

Business arising from previous minutes:

- * Rob Quodling spoke on behalf of Yanco Hall Committee that they have given a donation of \$500 to YTIC for Christmas decorations. The donation requires endorsement from Council so funds will be available after endorsement. Rob also wished YTIC all the best and looked forward to all committees working together for the Yanco community.
- * All Twilight market items to be discussed in General Business

Correspondence in:

- * Email - Volunteer small funding grant application EOI to Susan Ley's office, more information to be received in October.

Correspondence out:

- * September 2022 Minutes
- * Email Sussan Ley's office for Volunteer small funding grant EOI.

General Business:

Twilight Market Update:

* Dan informed all that some Christmas decorations were available from "Light up Leeton". They are stored in a container. Agreed that Dan, Tessa, Karen, Helen & Graham meet on Thursday to do a stocktake of container contents. Decided that decorations will be erected December and stay till after New Year.

* YTIC Christmas raffle. Karen has started a collection basket for donations of all Christmas food etc for our raffle to be drawn at the Twilight Market. Donations to be left at Yanco Shop. Books will be issued to all committee members ASAP.

* Tracey read a draft letter to be given to all residents that live in the service road where the market will be held, informing them of the market and asking residence to move cars from 12 noon on the day of the market. All were in favour of sending the letter as well as a copy of the Site report and the official letter for the road closure from Council.

* Brent reported that Council has wooden staging that YTIC could access for entertainment at the Twilight market.

* Brent gave an update on the \$5K from Council. Original source of funds was unsuccessful, but Brent has allocated \$5K from another budget. Many thanks Brent.

* Brent to lock in road crews to close service road.

* Discussion on next meeting. Decided to hold two (2) meetings in November. Monday 7th and Monday 21st.

* Graham spoke about Yanco Lions ideas for decorations. Dan suggested starting small with maybe Christmas banners on some light poles. Graham suggested a star on the water tower. Cost will be a big factor.

* Yanco Lions are to hold their Christmas Tree Festival and ham raffle on market day as well as having a hot chip stall. Yanco Lions also have a verbal agreement from Leeton Lions that they will provide the Lions Train. Tracey to write a thank you letter to Leeton Lions with information on the Twilight Market.

* Need to encourage more stall holders. Fran is to distribute YTIC flyers and Halina will liaise with Yanco School Principal, when school returns, regarding posters and entertainment.

* Karen reported Yanco Fire Brigade were coming to the market, and she was sourcing "Santa".

* Rob advised the next Yanco Hall Markets will be held 30 October.

Meeting Closed : 6:57pm

COUNCILLOR ACTIVITY REPORTS

ITEM 1 COUNCILLOR ACTIVITY REPORT

RECORD NUMBER	22/420
RELATED FILE NUMBER	EF21/508
AUTHOR	Executive Assistant to the General Manager and Mayor

RECOMMENDATION

THAT Council notes the Councillor Activity Reports for the period 29 September 2022 to 27 October 2022.

Cr Tony Reneker

18 – 20 October 2022	SRV Community Forums
21 October 2022	Narrandera Shire Council and Leeton Shire Council – Airport Committee Meeting
22 October 2022	Chill n Grill
23-26 October 2022	LGNSW Annual Conference

Cr Tracey Morris

1 October 2022	Leeton Sport & Recreation Precinct Parkrun
8 October 2022	Leeton Sport & recreation Precinct Parkrun
9 October 2022	Roxy Redevelopment Committee Meeting
11 October 2022	Audit Risk & Improvement Committee Meeting
18 - 20 October 2022	SRV Community Forums
21 October 2022	NSW Business Chamber Meeting
22 October 2022	Chill n Grill

Cr Michael Kidd

30 September 2022	Opening of Leeton Plaza Refurbishment
6 October 2022	Leeton Hospital Auxiliary Meeting
10 October 2022	African Agricultural Delegation Meet and Greet
13 October 2022	Chamber of Commerce Networking Event
14 October 2022	Opening of the Early Ford V8 National Rally
15 October 2022	CanAssist 40 th Anniversary Celebration
16 October 2022	Early Ford V8 Car Club of America Dinner
18 October 2022	LGNSW Forum on IPART Review of Rate Peg
18 – 20 October 2022	SRV Community Forums
19 October 2022	RRL Advisory Community Meeting
20 October 2022	Inspection of Almond Road
23 - 26 October 2022	LGNSW Annual Conference

Cr George Weston

6 October 2022	Special Heritage Meeting
13 October 2022	Police Safety Meeting
25 October 2022	SRV Community Forum