



AGENDA

Ordinary Council Meeting Friday, 17 December 2021

Date: Friday, 17 December 2021

Time: 12noon

Location: Council Chambers, Market Street Balranald

**Glenn Wilcox
Acting General Manager**

BALRANALD SHIRE COUNCIL

AGENDA

In Case of an emergency, for example a fire, please evacuate the building following the direction of the Administrator. The order to evacuate may be signified by a council officer or myself. Please proceed to the assembly area (in front of police station) or in the car park across the road. An instruction to evacuate to an area should be followed without delay to assist Council in ensuring the Health and Safety of all staff and visitors.

LIVE STREAMING OF COUNCIL MEETINGS PLEASE NOTE: This Council meeting is being streamed live, recorded, and broadcast online via Facebook. To those present in the gallery today, by attending or participating in this public meeting you are consenting to your image, voice and comments being recorded and published. The Administrator and/or General Manager have the authority to pause or terminate the stream if comments or debate are considered defamatory or otherwise inappropriate for publishing. Attendees are advised that they may be subject to legal action if they engage in unlawful behaviour or commentary.

Our Vision

To create a better, more vibrant, more resilient and more engaged community, by capitalising upon its human, cultural, environmental and business assets and encouraging a strong sense of civic participation and pride.

Our Mission

"Committed to Balranald Shire, Providing for our People, Protecting our Heritage, and Planning for our Future."

Our Values

- Honesty:** We will be transparent, frank and truthful to ourselves, each other and with other people we deal with.
- Respect:** We will treat others as we want to be treated ourselves, we will be tolerant of each other and accept that people have different opinions.
- Enjoyment:** We will create a pleasant and enjoyable working environment with satisfying jobs.
- Teamwork:** We will cooperate and support each other to achieve common goals.
- Openness:** We will collaborate openly and provide opportunities to communicate and network regularly with each other.
- Leadership:** We will provide a clear strategy and direction and support all to achieve organisational and community goals.
- Customer Focus:** We will constantly strive to be responsive to our customers' needs and preferences by providing high quality services.

Notice is hereby given that an Ordinary Meeting of Council will be held in the Council Chambers, Market Street Balranald on:
Friday, 17 December 2021 at 12noon

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1 OPENING OF MEETING

The Council’s Charter

(Chapter 3. Section 8 (1) Local Government Act 1993)

(1) A Council has the following charter:

- To provide directly or on behalf of other levels of government, after due consultation, adequate and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively;
- To exercise community leadership;
- To exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism;
- To promote and to provide and plan for the needs of children;
- To properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development;
- To have regard to the long term and cumulative effects of its decisions;
- To bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible;
- To facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government;
- To raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants;
- To keep the local community and the State government (and through it, the wider community) informed about its activities;
- To ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected;
- To be a responsible employer.

(2) A council, in the exercise of its functions, must pursue its charter but nothing in the charter or this section gives rise to, or can be taken into account in, any civil cause of action.

2 ACKNOWLEDGEMENT OF COUNTRY

Acknowledgement of Country

We pay our respect to the Traditional Custodians of the Lands where we hold this meeting to Elders past, present and emerging.

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**3 APOLOGIES**

**4 CONFIRMATION OF MINUTES**

**4.1 MINUTES OF THE COUNCIL MEETING HELD ON 16 NOVEMBER 2021**

**File Number: D21.59196**

**Reporting Officer: Carol Holmes, Senior Executive Assistant**

**Responsible Officer: Glenn Wilcox, Acting General Manager**

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**OFFICER RECOMMENDATION**

That the Minutes of the Council Meeting held on 16 November 2021 be received and confirmed.

**MINUTES**

The Minutes of the Ordinary Council Meeting held on 16 November 2021 are attached to this agenda for confirmation.

**ATTACHMENTS**

- 1. Minutes of the Council Meeting held on 16 November 2021**



# **MINUTES**

**Ordinary Council Meeting  
Tuesday, 16 November 2021**

**Order Of Business**

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**MINUTES OF BALRANALD SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, MARKET STREET BALRANALD  
ON TUESDAY, 16 NOVEMBER 2021 AT 5PM**

**1 OPENING OF MEETING**

**2 ACKNOWLEDGMENT OF COUNTRY**

We pay our respect to the Traditional Custodians of the Lands where we hold this meeting to Elders past, present and emerging.

**PRESENT:**

Administrator Mike Colreavy

**IN ATTENDANCE:**

Glenn Wilcox (Acting General Manager), Ray Davy (Director Infrastructure & Development), Hodi Beauliv (Member) and Carol Holmes (Senior Executive Officer).

**3 APOLOGIES**

Nil

**4 CONFIRMATION OF MINUTES**

**4.1 MINUTES OF THE COUNCIL MEETING HELD ON 19 OCTOBER 2021**

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**RESOLUTION 2021/189**

Moved: Administrator Mike Colreavy

That the Minutes of the Council Meeting held on 19 October 2021 be received and noted.

**CARRIED**

**5 DISCLOSURE OF INTEREST - There were no Disclosures of Interest.**

**6 ADMINISTRATOR MINUTE/REPORT - There was no Administrator Minute/Report.**

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**7 COMMITTEE REPORTS FOR ADOPTION****7.1 MINUTES OF THE WORKS COMMITTEE MEETING HELD ON 8 NOVEMBER 2021**

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**RESOLUTION 2021/190**

Moved: Administrator Mike Colreavy

That Council

1. Receives and notes the Minutes of Works Committee Meeting held on Monday 8 November 2021;
2. Approves the Terms of Reference for the Works Committee as set out in the report.
3. Proceed with the calling of tenders to undertake construction works on Tapalin Mail Road as detailed in the report to the Committee.
4. Proceed with the calling of tenders to undertake construction works on Kilpatrick Road and Leslie Drive, Euston as detailed in the report to the Committee.
5. Notes the actions taken to progress the Visitor Information Centre project.
6. Endorses in principle the ten-year road construction programme as described in the report to the Committee, with the inclusion of the proposed Balranald Western Bypass, for the purposes of prioritising forward planning, design and grant applications; and requests that the programme be updated to reflect funding opportunities as and when they become available, and be reviewed annually on a ten year rolling basis.

**CARRIED**

**7.2 EUSTON PROGRESSIVE ADVISORY COMMITTEE MEETING - HELD ON 27 SEPTEMBER & 25 OCTOBER 2021**

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**RESOLUTION 2021/191**

Moved: Administrator Mike Colreavy

That Council

1. Receives and notes the Minutes of the Euston Progressive Advisory Committee (EPAC) meetings held on Monday 27 September and 25 October 2021;
2. Investigate funding options to enable insulating the Club Rooms.
3. Make the conversion of the netball court to a covered Multipurpose court facility a priority;
5. Send the Euston Progressive Advisory Committee an email with updates on all the previous recommendations from the Committee to Council.

**CARRIED**

**7.3 BALRANALD BEAUTIFICATION ADVISORY COMMITTEE HELD ON 6 OCTOBER 2021**

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**RESOLUTION 2021/192**

Moved: Administrator Mike Colreavy

That Council receives and notes the Minutes of the Balranald Beautification Advisory Committee (BBAC) meeting held on 6 October 2021 and the recommendations therein be adopted.

**CARRIED**

**7.4 STRENGTHENING COMMUNITY ACCESS, INCLUSION & WELLBEING ADVISORY COMMITTEE HELD ON 4 NOVEMBER 2021**

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**RESOLUTION 2021/193**

Moved: Administrator Mike Colreavy

That Council

1. Receives and notes the Minutes of the Strengthening Community Access, Inclusion & Wellbeing Advisory Committee (SCAIW) meeting held on 4 November 2021.
2. Notes the SCAIW Advisory Committees unanimous decision about merging to decline the request.

**CARRIED**

**7.5 LOCAL TRAFFIC COMMITTEE MEETING HELD ON TUESDAY 9 NOVEMBER 2021**

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**RESOLUTION 2021/194**

Moved: Administrator Mike Colreavy

That the Minutes of the Local Traffic Committee meeting held on Tuesday 9 November 2021 be received and noted.

**CARRIED**

**RESOLUTION 2021/195**

Moved: Administrator Mike Colreavy

That the late item 7.6 Growing Business Industry & Tourism Advisory Committee Meeting held on 9 November 2021 and Item 7.7 Executive of Chairs Committee Meetings held on 21 September and 9 November 2021 be admitted to the agenda.

**CARRIED**

**7.6 GROWING BUSINESS INDUSTRY & TOURISM ADVISORY COMMITTEE MEETING HELD ON 9 NOVEMBER 2021**

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**RESOLUTION 2021/196**

Moved: Administrator Mike Colreavy

That Council receives and notes the Minutes of the Growing Business Industry & Tourism Advisory Committee (GBITAC) meeting held on 9 November 2021

**CARRIED**

**7.7 EXECUTIVE OF CHAIRS COMMITTEE HELD ON 21 SEPTEMBER AND 9 NOVEMBER 2021****EXECUTIVE OF CHAIRS REQUEST - 9 NOVEMBER 2021****ADMINISTRATORS REMARKS**

After the Ageing Well Aged Care & Facilities Advisory Committee met on 14 October 2021, it recommended that Council proceed with the expansion of Bidgee Haven whilst Council investigates the possibility of negotiating a sale of the “whole” Bidgee Haven Retirement Hostel complex – i.e. Aged Care, Dementia Care and Independent Living Units.

On 19 October Council resolved:

- That Council receives and notes the Minutes of the Ageing Well, Aged Care and Facilities Advisory Committee (AWACAFAC) meeting held on 14 October 2021.
- That tendering and construction of the 15-bed extension be placed on hold, at this stage.
- That advice be sought from the funding body about the potential to transfer the approved grant funding to a future hostel operator.
- That expressions of interest be called for the sale of the Bidgee Haven Hostel complex to an experienced, specialist aged-care operator.
- That the pre-construction design and planning work, and preparation of tender documents currently underway, be finalised by Council for inclusion with the sale of the complex.

The Executive of Chairs requested to meet me on this subject. This occurred on 9 November 2021 – the majority of Chairs were present. During a lengthy discussion, the Chairs urged Council not to divest the Bidgee Haven Hostel under any circumstances expressing a strong sense of ownership and control of the Hostel among the community, as well as a very sentimental attachment to it. They unanimously rejected all the reasons for divestment to an experienced, specialist aged-care operator. They expressed fears that the Government may change its direction on aged care and remove the beds from Balranald. They implied that the safest option for retaining community control of the Hostel is for Council to retain it. They were unconcerned that in Council's hands, the Hostel is not financially viable in the long term, or about the impacts of that on other Council infrastructure.

The session with the Chairs ended with their recommendation to put the divestment on-hold:

- *The decision be put on hold and other scenarios be looked at for the operation of the Hostel.*
- *Continue discussions with the Chairs and invite two other community members (Mia Zaffina and Peter Lawler) who have extensive knowledge in this space.*

In the absence of an elected governing body at Balranald, Council's advisory committees exist to provide community input into the appointed governing body's decision-making. When I met with them, the Chairs asked me to consider if the advisory committees are of any use if they are not listened to.

Please be assured that the advisory committees are listened to. This is exemplified by most recommendations coming to Council from these committees, up until now, being adopted by Council. That is not to say that Council accepts every comment made by individual committee members, or by an individual Chair. My responsibility is to judge what is in Council's best interests, what comments or advice to accept, and (sometimes) what to reject. For example, in that session, without offering any evidence at all, one Chair accused the Government of being 'corrupt' as a reason for not divesting the Hostel. That kind of unsubstantiated commentary has played no part in the decision I am about to relay to you. It is counter-productive because it triggers a higher level of alertness to everything that is said in these types of discussions, and it undermines the credibility of the person(s) who made the accusation.

Council is in a challenging overall financial position. We are currently still awaiting the Annual Financial Statements for the Year ended 30 June 2021. These are expected to be finalised by mid-January. Once they are received, I will be better placed to understand the relationship between our overall financial position, the risk implications attached to retaining the Hostel as a 15-bed facility, or the proposed extension to 30 beds, and the importance, or otherwise, to its continuing viability of divestment to a specialist aged-care provider.

Having listened carefully to the arguments of the Ageing Well, Aged Care & Facilities Advisory Committee and to those of the Executive of Chairs, I have decided that putting the divestment decision on hold for a brief period until February 2022 will not unduly expand the governance and financial risks to Council. Council will further review the matter at that time. Expressions of interest will therefore not be called for the sale of the Bidgee Haven Hostel complex to an experienced, specialist aged-care operator while the matter is on hold. In the interim, Council has been provided advice at Item 12.2 of today's Agenda on appropriate interim governance and management oversight arrangements for the Hostel.

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### **RESOLUTION 2021/197**

Moved: Administrator Mike Colreavy

1. The decision to go to expressions of interest for the divestment of Bidgee Haven Hostel embodied in Clause 4 of Council Resolution No 2021/186 (19 October 2021) be placed on hold until February 2022;
2. There be a further report on this matter to the February 2022 Council Meeting;
3. In the interim, the General Manager has provided advice to Council on the interim governance structure for the Hostel in the report at Item 12.2 on today's Agenda;
4. That my opening remarks on this matter be recorded in the minutes of this meeting;
5. Receives and notes the Minutes of the Executive of Chairs Committee Meeting held on Tuesday 21 September and 9 November 2021; and
6. Continue discussions with the Chair's and invite two other community members (Mia Zaffina and Peter Lawler) who have extensive knowledge in this space.

**CARRIED**

**GENERAL MANAGER'S REPORTS (INCORPORATING ALL STAFF REPORTS)****PART A – ITEMS REQUIRING DECISION****8 GENERAL MANAGER'S REPORTS****8.1 ADOPTION OF MODEL CODE OF MEETING PRACTICE****PURPOSE OF REPORT**

To seek Council agreement to formally adopt the revised Model Code of Meeting Practice 2021 for Local Councils in NSW presented by Office of Local Government.

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**RESOLUTION 2021/198**

Moved: Administrator Mike Colreavy

That the Draft Model Code of Meeting Practice be placed on exhibition and advertised for a period of 28 days for public comment and any public comments be reported back to the February Ordinary Council Meeting.

**CARRIED**

**9 CORPORATE & COMMUNITY SERVICES REPORTS****9.1 QUARTERLY BUDGET REVIEW - SEPTEMBER 2021****PURPOSE OF REPORT**

To advise Council of the Quarterly budget review and financial position as at 30 September 2021.

---

**RESOLUTION 2021/199**

Moved: Administrator Mike Colreavy

1. That the Officers Report be received and noted;
2. That the proposed budget adjustments to reflect Council decisions since budget and quarterly budget adjustments be endorsed; and
3. That the Council endorses the Statement acknowledging the financial position is considered satisfactory.

**CARRIED**

**9.2 TENDERS – RFT 20/21-07 - IT TRANSFORMATION AND MANAGED SERVICES****PURPOSE OF REPORT**

To recommend acceptance of the successful tender for Balranald Shire Council's IT Transformation and Managed Services.

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**RESOLUTION 2021/200**

Moved: Administrator Mike Colreavy

That Council

1. Accept the tender received from Eflex for the Contract RFT 20/21-07 IT Transformation and Managed Service in the amount of \$620,645.45 excluding GST for a 3-year contract with the ability to extend for a further 2 year term and then another 1 year term
2. Authorise the General Manager and Administrator to sign and affix the Common Seal of Balranald Shire Council to the Contract documentation for the IT Transformation and Managed Services

**CARRIED**

**9.3 BALRANALD SHIRE COUNCIL 2020-21 ANNUAL REPORT AND END OF TERM REPORT****PURPOSE OF REPORT**

To provide a copy of the Balranald Shire Council 2020-21 Annual Report and the 2017-2021 End of Term report to Council for adoption.

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**RESOLUTION 2021/201**

Moved: Administrator Mike Colreavy

That Council receive the Balranald Shire Council 2020-21 Annual Report and the 2017-2021 End of Term report and place copies on Council's Website.

**CARRIED**

**9.4 ADVICE FROM DEPARTMENT OF HEALTH REGARDING GRANT FUNDING FOR THE BALRANALD RETIREMENT HOSTEL**

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**RESOLUTION 2021/202**

Moved: Administrator Mike Colreavy

That the attached letter from the Australian Government Department of Health on the funding for the Balranald Retirement Hostel be noted.

**CARRIED**



**10 INFRASTRUCTURE & DEVELOPMENT REPORTS****10.1 INFRASTRUCTURE UPDATE****PURPOSE OF REPORT**

To update Council on infrastructure works currently in hand and in planning, updated to 10 November 2021.

---

**RESOLUTION 2021/203**

Moved: Administrator Mike Colreavy

That the monthly update of infrastructure projects be received and noted

**.CARRIED**

**PART B – ITEMS FOR INFORMATION****11 GENERAL MANAGER’S REPORTS****11.1 BETTER PRACTICE RECOMMENDATIONS****PURPOSE OF REPORT**

Council at its October 2021 Meeting resolved to adopt the report on the Voluntary assessment of the organisation under the Office of Local Governments Better Practice Review assessment program.

---

**RESOLUTION 2021/204**

Moved: Administrator Mike Colreavy

That the report be received and noted and I look forward to future editions when we start to reduce outstanding requirements.

**CARRIED**

**11.2 OUTSTANDING ACTIONS****PURPOSE OF REPORT**

To bring forward for information the Action Report with actions taken on previous Council resolutions.

---

**RESOLUTION 2021/205**

Moved: Administrator Mike Colreavy

That the report be received and noted.

**CARRIED**

**11.3 ADMINISTRATOR, GENERAL MANAGER AND DIRECTORS MEETINGS****PURPOSE OF REPORT**

To advise Council of the meetings undertaken on behalf of Council by the Administrator, General Manager and Directors since October 2021 Ordinary Meeting.

---

**OFFICE RECOMMENDATION**

That the report be received and noted.

**RESOLUTION 2021/206**

Moved: Administrator Mike Colreavy

That the Recommendations from Item 11.3 and 11.4 be adopted.

**CARRIED**

**11.4 CIRCULARS FROM OFFICE LOCAL GOVERNMENT****PURPOSE OF REPORT**

To provide Council with copies of the circulars received from Office Local Government since October Council Meeting.

---

**RESOLUTION 2021/207**

Moved: Administrator Mike Colreavy

That Council receive and note this report.

**CARRIED**

**11.5 DRAFT COMMUNITY STRATEGIC PLAN****PURPOSE OF REPORT**

This report is to provide advice on the development of a new Community Strategic Plan as required under the Local Government Act 1993.

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**RESOLUTION 2021/208**

Moved: Administrator Mike Colreavy

That Council

1. Notes the development of the Draft Issues Paper and the survey; and
2. Advertise the survey on Council's website and monthly community newsletter.

**CARRIED**

**12 CORPORATE & COMMUNITY SERVICES REPORTS****12.1 BALRANALD CARAVAN PARK FINANCIAL REPORT****PURPOSE OF REPORT**

The purpose of the Financial Review report is to provide Council with accurate and timely reporting of revenue and expenditure against the adopted Operational and Capital Works budget for the Balranald Caravan Park.

---

**RESOLUTION 2021/209**

Moved: Administrator Mike Colreavy

That Council receive and note the Balranald Caravan Park Financial Report for the period ended on 30 September 2021.

**CARRIED**

**12.2 BIDGEE HAVEN QUARTERLY REPORT****PURPOSE OF REPORT**

The purpose of the Bidgee Haven Retirement Hostel Quarterly Report and financial review is to provide Council with information regarding activity within the Hostel including reporting of revenue and expenditure against the adopted Operational and Capital Works budget.

---

**RESOLUTION 2021/210**

Moved: Administrator Mike Colreavy

1. That Council receive and note the Bidgee Haven Retirement Hostel September 2021 Quarterly Report inclusive of financial information against the operational and capital budget.
2. That Council approves the appointment of an internal committee, consisting of the Administrator, General Manager, Director Corporate and Community Services and Hostel Coordinator for the oversight of the Balranald Bidgee Haven Retirement Hostel.

**CARRIED**

**12.3 STATEMENT OF FUNDS - OCTOBER 2021****PURPOSE OF REPORT**

The purpose of this report is to:

1. Advise Council of the balance of funds and investments held for the month ending 31 October 2021
  2. Certify that Council's investments have been made in accordance with the *Local Government Act 1993 (Section 625)*, the Local Government (General) Regulation 2005 (Section 212) and are moving towards compliance with Council's Investment Policy, which was adopted by Council on the 17 October 2017
- 

**RESOLUTION 2021/211**

Moved: Administrator Mike Colreavy

That Council receives and notes the Statement of Funds for the period ending 31 October 2021.

**CARRIED**

**12.4 MONTHLY FINANCE REPORT - OCTOBER 2021****PURPOSE OF REPORT**

The purpose of this report is to advise Council of the actions undertaken during October 2021 to ensure Council's transactions are up-to-date and correct in the Practical and subsidiary ledger systems for the month ending 31 October 2021

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**RESOLUTION 2021/212**

Moved: Administrator Mike Colreavy

That Council receives and notes the report on the status of Council's financial operating systems and processes.

**CARRIED**

**12.5 QUARTERLY TOURISM REPORT - JULY TO SEPTEMBER 2021****PURPOSE OF REPORT**

To provide Council with an update on Tourism activity and provide the quarterly report on Revenue, Expenditure and Capital Works against the adopted Operational and Capital Works budget for the September 2021 quarter.

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**RESOLUTION 2021/213**

Moved: Administrator Mike Colreavy

That Council receives and notes the Quarterly Tourism Report July – September 2021.

**CARRIED**

**13 INFRASTRUCTURE & DEVELOPMENT REPORTS**

**13.1 PLANNING ADMINISTRATION**

**PURPOSE OF REPORT**

To advise Council of activities in the Planning area

---

**RESOLUTION 2021/214**

Moved: Administrator Mike Colreavy

That the report be received and noted.

**CARRIED**

**14 NOTICE OF MOTION / QUESTIONS ON NOTICE**

Nil

**15 CONFIDENTIAL MATTERS**

Nil

**The Meeting closed at 6.04pm.**

**The minutes of this meeting were confirmed at the Council Meeting held on 17 December 2021.**

.....  
**ADMINISTRATOR**

.....  
**ACTING GENERAL MANAGER**

- 5 DISCLOSURE OF INTEREST**
- 6 ADMINISTRATOR MINUTE/REPORT**

**7 COMMITTEE REPORTS FOR ADOPTION****7.1 EXECUTIVE OF CHAIRS COMMITTEE HELD ON 25 NOVEMBER AND 13 DECEMBER 2021**

**File Number:** D21.59912

**Reporting Officer:** Carol Holmes, Senior Executive Assistant

**Responsible Officer:** Glenn Wilcox, Acting General Manager

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**OFFICER RECOMMENDATION**

That Council

1. Receives and notes the Minutes of the Executive of Chairs Committee held on Tuesday 25 November and Tuesday 13 December 2021.
2. Advertise the extension of Australia Day Nominations until Tuesday 4th January 2022.

**PURPOSE**

To provide a report from the Executive of Chairs (EOC) meeting held on 25 November and 13 December 2021.

**REPORT**

The EOC Meetings held on 25 November and 13 December 2021 were held and discussed the following;

**25 November**

- Administrator advised the committee that he moved a motion at the November Council Meeting to place the future divestment of the Hostel on hold until February 2022 Council Meeting.
- An internal Hostel meeting Advisory Committee was held on 25 November to provide an oversight of the operation of the Hostel by the Administrator, Acting General Manager, Director Corporate & Community Services and the Hostel Coordinator
- Section 355 Committee for Bidgee Haven, Executive of Chairs would like to be involved in the Committee, the committee gave some recommendations on the preferred pathway for the Bidgee Haven Hostel.
- Tender process for the Hostel.
- Council's concerns for issues related to processes and the ability to ensure costs and outcomes are achieved as per budget and plans for projects.
- Boundary realignments and confirmation from Services Club for the purchase of land.
- Bidgee Haven Hostel finances
- Importance of community members on the Section 355 committee for Bidgee Haven Hostel.
- It was advised that the new committee will be responsible for managing of the budget, and the Hostel Coordinator will be upskilled to oversee this.
- Upskilling staff to manage their own budgets.
- Executive of Chairs advised that they want to ensure that the Hostel remains within the community and managed by the community under Council or other organisation.

**13 December**

This special meeting was held to discuss the Australia Day Applications. As we were low in numbers of applications it was agreed by the committee to extend the process until Tuesday 4th January 2022. The committee will reconvene in a remote (zoom) session commencing at 5.30pm on Monday 10 January 2022 to finalise selecting the Australia Day Award recipients.

**ATTACHMENTS**

1. **Minutes - Executive of Chairs - 25 November 2021** 
2. **Minutes - Executive of Chairs Meeting - Australia Day Awards - 13 December 2021** 



**7.2 GROWING BUSINESS INDUSTRY & TOURISM ADVISORY COMMITTEE MEETING HELD ON 7 DECEMBER 2021**

**File Number:** D21.59905

**Reporting Officer:** Carol Holmes, Senior Executive Assistant

**Responsible Officer:** Glenn Wilcox, Acting General Manager

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**OFFICER RECOMMENDATION**

That Council receives and meeting notes of the Growing Business Industry & Tourism Advisory Committee (GBITAC) meeting held on 7 December 2021.

**GROWING BUSINESS, INDUSTRY AND TOURISM ADVISORY COMMITTEE**

The purpose of this report is to update Council on the Growing Business Industry & Tourism Advisory Committee (GBIT) meeting held on 7 December 2021.

The GBIT Advisory Committee meeting was held in Council Chambers on 7 December 2021 and discussed the following items;

- Meeting to discuss Discovery Centre Upgrade Plans
- Public Art Master Plan – Peter Lawler will approach the Balranald Arts & Crafts Committee to gauge interest in the formation of an Arts, Heritage & Culture Advisory Committee
- David Eastburn's proposal – discussions were held regarding this proposal for developing signage about Balranald's Pastoral Heritage.
- Waugh family representative be invited to address GBITAC – Iain will action
- Beautification Advisory Committee windmill proposal.
- Nature strip maintenance in front of Telstra tower in River Street. It was suggested that Council approach Telstra to request more regular mowing. Acting General Manager will approach Council maintenance staff to mow the site.
- Acciona, Keri Keri Wind Farm request to address GBITAC in February 2022. Simone will invite representatives to GBITAC.
- Executive of Chairs Meeting regarding the possible sale of Bidgee Haven.
- BSC/Kyalite Progress Association Funding success – Simone advised of a successful grant of \$32,572 through the Community Building Partnership Program.

AS there was no quorum these were only discussion notes and no recommendations to council were made.

**ATTACHMENTS**

1. **Minutes - Meeting Notes - GBITAC Meeting - December 2021** 

**GENERAL MANAGER'S REPORTS (INCORPORATING ALL STAFF REPORTS)****PART A – ITEMS REQUIRING DECISION****8 GENERAL MANAGER'S REPORTS****8.1 ADOPTION OF COUNCIL POLICIES**

|                                    |                                                                                                                                      |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.59159</b>                                                                                                                     |
| <b>Reporting Officer:</b>          | <b>Glenn Wilcox, Acting General Manager</b>                                                                                          |
| <b>Responsible Officer:</b>        | <b>Glenn Wilcox, Acting General Manager</b>                                                                                          |
| <b>Operational Plan Objective:</b> | <b>Pillar 6: Our Leadership – A community that values and fosters leadership, lifelong learning, innovation and good governance.</b> |

**OFFICER RECOMMENDATION**

That Council adopt the Local policies as listed below.

**PURPOSE OF REPORT**

In accordance with the Local Government Act 1993 a Council is required to review its local policies and other documents following a general election. Council is under Administration; however, this should not remove the requirement for a review as required by the Act. Council is required to advertise the policies to the public.

**BACKGROUND**

The operation of Council is subject to regulations that direct how and when Council must act. A review of Councils policies and procedures is required after each general election to identify local policy relevance and updates or at other times, a Council wishes to review a local policy. The Local Government Act requires that policies are displayed for public comment and allow public submissions to be received.

**REPORT**

A review of Councils policies and procedures has identified that Council is required to update its governance areas to comply with the Local Government Act and Regulations and to ensure that the Councillors, staff and public are aware of the requirements that govern Council.

The Act requires Council to review its policies within 12 months of a general election or from time to time as required. A full review of policies should be undertaken regularly to ensure compliance with legislation and general procedures for employment or within a work place.

Council at its October Ordinary Meeting considered the draft policies and placed these on public advertising via its website.

At the time of preparing this report, Council had not received any public comments.

A list of policies is included below.

**STAKEHOLDER CONSULTATION**

All Policies have been publicly displayed as per the Local Government Act 1993. Council has not received any public submissions at the time of preparing this report. If Council receives advice prior to this meeting a copy of this advice will be forwarded to Council.

Council will display all finalised policies on its web site.

**OPTIONS**

The policies have been develop as required under the Act, the Regulations or Standards applicable to Council. Some operational areas have had policies developed to ensure that staff are aware of issues around employment, bullying and harassment or general use of plant and other items.

**FINANCIAL IMPLICATION**

Council staff has prepared the policies and procedures in house.

**LEGISLATIVE IMPLICATION**

Many of the policies are requirements of the Local Government Act or Regulations or standards that apply to Council. Council should not dismiss the requirements of the Act.

Policies have been reviewed by Councils internal Auditor Mr Keith Coates and advice has been presented to Councils ARIC Committee.

**RISK RATING**

Council is required to have many of the local policies listed below. Councils recent audit review process has been undertaken to ensure that Council follows all relevant State Government requirements. The policies as listed will assist Council to comply with the Act, regulations or standards expected.

**CONCLUSION**

Attached is a list of policy and procedure items that have been prioritised to ensure compliance with the laws that govern local councils.

Council is required under s165 to review its policies within 12 months of a general election or as necessary to ensure compliance.

The policies have been advertised on Councils web site and if approved shall remain on the website for public and staff reference.

**LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN**

Ensure Council is informed of changes to legislation that impact on the business of Council.

**ATTACHMENTS**

1. **Draft Policies List** 

**9 CORPORATE & COMMUNITY SERVICES REPORTS****9.1 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM PHASE 3**

|                                    |                                                                                                                     |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.59569</b>                                                                                                    |
| <b>Reporting Officer:</b>          | <b>Hodi Beauliv, Director Corporate &amp; Community Services</b>                                                    |
| <b>Responsible Officer:</b>        | <b>Glenn Wilcox, Acting General Manager</b>                                                                         |
| <b>Operational Plan Objective:</b> | <b>Pillar 5: Our Infrastructure – A community that maintains and strengthens its natural and built environment.</b> |

**OFFICER RECOMMENDATION**

That Council approve the list of projects for funding under Phase 3 of the Local Roads and Community Infrastructure Program

1. Euston Multi-Court Conversion and Shade Estimated Cost: \$250,000
2. Tennis Club Lights Estimated Cost - \$150,000
3. Balranald Cricket Club Nets Estimated Cost - \$40,000
4. Road upgrades – All remaining funds and under expenditure will be put towards local and regional road upgrades – Estimated Cost - \$1,225,842

**PURPOSE OF REPORT**

On 11 May 2021, as part of the 2021-22 Budget, the Australian Government announced a further \$1 billion for the continuation of the Local Roads and Community Infrastructure (LRCI) Program Phase 3. Council has received an additional \$1,665,842 of grant funding in this Phase and need to identify how it will nominate for this funding to be expended.

**REPORT**Introduction

On 11 May 2021, as part of the 2021-22 Budget, the Australian Government announced a further \$1 billion for the continuation of the Local Roads and Community Infrastructure (LRCI) Program Phase 3. The purpose of the LRCI Program is to support local councils to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic. Council has received an additional \$1,665,842 of grant funding in this Phase.

The guidelines for Phase 3 of the Program were released in October 2021 (attached). As with earlier Phases, Council can select a broad range of projects to fund so that communities can continue to be provided with the infrastructure they require. It is expected Council will use local businesses and workforces to deliver projects wherever possible to ensure stimulus funding flows into local communities.

The construction time period commences from 3 January 2022. Project construction can commence once Project Nominations are approved by the Department with projects required to be physically completed by 30 June 2023. The purpose of this report is to identify the projects Council nominates for funding.

Phase 3 Project Nominations

The following projects are proposed for LRCI Phase 3:

*Euston Multi-Court Conversion and Shade* – improve useability of the facility, which is currently a single netball court with an aging surface and no shade.

Cost: \$250,000

*Tennis Club Lights* – Inadequate lights at newly surfaced all weather tennis courts. Project will install floodlighting to Tennis Courts to make them more accessible all year round for night tennis.

Cost - \$150,000

*Balranald Cricket Club Nets* – the local Balranald Cricket Club has requested funds to install new training nets and replace the wicket.

Cost - \$40,000

*Road upgrades* – All remaining funding will be put towards local and regional road upgrades.

Cost - \$1,225,842

### **FINANCIAL IMPLICATION**

An additional \$1,665,842 of grant funding has been provided under Phase 3 of the Local Roads and Community Infrastructure Program. This will increase revenue and expenditure accordingly in the 2020/21 budget.

### **LEGISLATIVE IMPLICATION**

Nil

### **POLICY IMPLICATION**

Nil

### **RISK RATING**

Low

### **ATTACHMENTS**

1. **LRCI Phase 3 Guidelines** 

**9.2 BIDGEE HAVEN RETIREMENT HOSTEL SECTION 355 COMMITTEE**

|                                    |                                                                                                                                      |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.59567</b>                                                                                                                     |
| <b>Reporting Officer:</b>          | <b>Hodi Beauliv, Director Corporate &amp; Community Services</b>                                                                     |
| <b>Responsible Officer:</b>        | <b>Glenn Wilcox, Acting General Manager</b>                                                                                          |
| <b>Operational Plan Objective:</b> | <b>Pillar 6: Our Leadership – A community that values and fosters leadership, lifelong learning, innovation and good governance.</b> |

**OFFICER RECOMMENDATION**

1. That Council establish a Section 355 committee under the Local Government Act 1993 to manage the Bidgee Haven Hostel complex and to undertake the roles and functions determined by Council,
2. That the Section 355 Committee Constitution as attached to this report and any amendments be adopted as the roles and responsibilities for the section 355 Committee,
3. That Council call for public nominations to be a member of the Bidgee Haven Hostel Section 355 Committee and that the application process require the applicants to complete the nomination form as attached to this report and to provide details of experience to meet the identified committee positions, professional or industry qualifications and experience in the management and operation of an aged care or public health facility; and
4. That all nominations are assessed, referee and background checks are undertaken by Council and or commercial advisors and the appointments are formally adopted at the February 2022 Council meeting.

**PURPOSE OF REPORT**

This report provides an update on the status of the Hostel Expansion Project.

**BACKGROUND**

At the November Ordinary Meeting of Council, Council resolved to place on hold the future sale of the Bidgee Haven Hostel. At that time the Acting General Manager advised a process to manage the Hostel should be considered by Council, based on community advice. A meeting was held with the Chairs of the Advisory Committees, as per the minutes contained in the December 2021 Business Paper. At this meeting a section 355 committee structure was discussed for the management of the Hostel including its finances, staffing and governance.

**REPORT**

Under s.355 of the Local Government Act 1993, Council may appoint a committee to undertake the management of facilities for and on behalf of Council. The Committee represents Council and contains Councillors (Administrator) to chair and report back to Council, decisions that are made subject to the committee's role and function.

Attached to this report is a draft s.355 Committee Constitution to allow the appointment and management of the Bidgee Haven Hostel. The constitution allows for the day to day management with the Hostel manager, external financial services and governance process to ensure compliance with the Federal aged care legislation.

It should be noted that to achieve this, the committee should have a range of skills to meet the operational, financial and community service delivery requirements of the Hostel and to allow members to raise questions as to the service levels. As a result, an application process is

attached outlining the process to call for nominations for the committee, requirements for the applicants including details of their professional or employment qualifications and previous involvement in aged care or health services areas and reference checks as to the candidates suitability.

### **FINANCE AND RESOURCE IMPLICATIONS**

The proposed s.355 Committee will have the ability to review and manage finances (income and expenditure) outcomes with the Hostel Manager. It is a key role of the committee to look at all aspects of the Hostel operations and to budget and plan for improvements including the provision of depreciation and renewal.

Council can provide remuneration to the committee members based on an annual fee to attend meetings of \$2000/year. The committee may review this and recommend changes to council following appointment.

### **LEGAL IMPLICATIONS**

The development of this committee is under the Local Government Act 1993 and must be adopted by Council.

It is important that the members of the committee receive training as per the adopted Model Code of Conduct and the Model Code of Meeting Practice.

Members of the Committee cannot direct any staff member as per the Local Government Act 1993 and the Model Code of Conduct. The Hostel Manager will be the key staff member that the s.355 Committee shall have as a point of contact and reports to the General Manager.

All decisions of the s.355 Committee shall be reported to Council via the minute format and Council will then decide on any action to be taken, or recommendations to be adopted. The s.355 Committee is a committee of Council, it does not replace or override the council decision making process.

### **RISK IMPLICATIONS**

By Council calling for nominations formally and undertaking a process of formal review of applicants prior to appointment, the risk of unskilled committee members is reduced.

The community should have the best people overseeing the Hostel and this will include a range of committee members with appropriate professional or employment qualifications.

Council must invest time into training committee members on matters of Code of Conduct, meeting procedure and governance areas to ensure they have a high level of operational and legislative understanding.

### **STAKEHOLDER CONSULTATION**

All positions on the proposed s.355 Committee shall be advertised in the December community newsletter, on Council's website and through Councils social media sites. The Shire does not have a local newspaper, which limits the ability to advertise.

### **OPTIONS**

There is no requirement for Council to establish a s.355 Committee to operate the Bidgee Haven Aged Care Hostel. Council has consulted with the Advisory Committee chairs and made a

suggestion that this s.355 Committee could be established to support the Hostel and to consider future options in management at a community, financial and governance level.

**CONCLUSION**

This report has been prepared to allow consideration of establishing a s.355 Committee under the Local Government Act 1993 to assist Council in the management of the Bidgee Haven Aged Care Hostel, as per the draft constitution.

**LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN**

Ensure Council is informed of changes to legislation that impact on the business of Council.

**ATTACHMENTS**

1. **Constitution - S355 Committee Bidgee Haven December 2021** 
2. **Hostel Committee - COMMITTEE MEMBERSHIP FORM - Dec 2021** 



**9.3 PRESENTATION OF THE ANNUAL FINANCIAL STATEMENTS TO COUNCIL AND THE PUBLIC FOR THE YEAR ENDED 30 JUNE 2020**

|                                    |                                                                                                                                      |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.59568</b>                                                                                                                     |
| <b>Reporting Officer:</b>          | <b>Hodi Beauliv, Director Corporate &amp; Community Services</b>                                                                     |
| <b>Responsible Officer:</b>        | <b>Glenn Wilcox, Acting General Manager</b>                                                                                          |
| <b>Operational Plan Objective:</b> | <b>Pillar 6: Our Leadership – A community that values and fosters leadership, lifelong learning, innovation and good governance.</b> |

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**OFFICER RECOMMENDATION**

1. That Council's audited Annual Financial Statements for the year ended 30 June 2021 be received and noted.
2. That the Financial Statements are displayed on Council's website with the Annual Report 2020/21

**PURPOSE OF REPORT**

To present Council's 2020/21 Annual Financial Statements, as audited by Nexia Australia on behalf of the NSW Audit Office, pursuant to the Local Government Act (1993).

**REPORT**

Section 419 of the Local Government Act (1993) (the Act) requires Council to present the Annual Financial Statements with the Auditor's reports. Council received a copy of the auditor's report on 9 December 2021. As per Section 418 of the Act, public notice of the presentation of these financial reports was provided through the following mediums:

- The Guardian newspaper – 9 December 2021
- Council's website – 9-17 December 2021
- Council's Facebook page – 13 & 16 December 2021

The Draft Annual Financial Statements were presented to Council at the October 2021 Meeting for audit purposes. At this time, Council was advised that an extension of time had been requested from the Office of Local Government under s.416 of the Act, as Council was not able to meet the external audit time frames. An extension of time was provided to 31 January 2022 for Council to complete its 2020-21 Financial Statements.

Council was issued with an unqualified Audit Report from the NSW Auditor General on 9 December 2021. The Auditors found the Financial Statements were fairly and appropriately presented, without any identified exceptions, and in compliance with generally accepted accounting principles.

Attached to this report is a full copy of the General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules including the Auditors Reports for the year ending 30 June 2021. They can also be accessed on Council's website at the following link:

<http://www.balranald.nsw.gov.au/council-documents/exhibition-of-draft-documents/>

Council's Auditor Brett Hanger, Nexia Australia, and Manuel Moncado, NSW Audit Office, will be linking into the meeting via video conference from Sydney, to comment on the Statements.

## GENERAL PURPOSE FINANCIAL REPORTS

Under the requirements of the Australian Accounting Standards, Council is required to prepare the following reports for each financial year:

Income Statement: summarises Council's financial performance for the year, listing all income and expenses. This statement also displays Council's original adopted budget to provide a comparison between what was projected and what actually occurred.

Statement of Comprehensive Income: primarily records changes in the fair value of Council's Infrastructure, property, plant and equipment.

Statement of Financial Position: provides a snapshot as at 30 June of Council's financial position, indicating its assets, liabilities and "net wealth".

Statement of Changes in Equity: shows the overall change for the year (in dollars) of Council's "net wealth".

Statement of Cash Flow: indicates where Council's cash came from and where it was spent. This statement also displays Council's original adopted budget to provide a comparison between what was projected and what actually occurred.

Notes to the Financial Statements: disclose the accounting policies adopted by Council and provide additional material necessary for evaluating and interpreting the financial statements.

Auditor's Reports: in addition to the General Purpose Financial Reports, Council must also submit the Auditor's Reports in accordance with Section 417(1) of the Act and Council's Statement in accordance with Section 413(2)(c) of the Act. These are included in the statements.

## SPECIAL PURPOSE FINANCIAL REPORTS

The National Competition Policy requires Local Government to complete Special Purpose Financial Reports for all Council's declared business activities: Water, Sewer and Waste.

## SPECIAL SCHEDULES

The Office of Local Government requires schedules on permissible income from general rates and a report on Infrastructure Assets.

## PERFORMANCE INDICATORS

| Performance Indicators               | 2020/21    | 2019/20    |
|--------------------------------------|------------|------------|
| Operating Performance Ratio          | 6.35%      | (2.65)%    |
| Own Source Operating Revenue Ratio   | 34.73%     | 35.48%     |
| Unrestricted Current Ratio           | 6.14x      | 5.72x      |
| Debt Service Cover Ratio             | 16.54x     | 12.22x     |
| Rates and Annual Charges outstanding | 3.80%      | 6.74%      |
| Cash Expense Cover Ratio             | 20.51 mths | 12.64 mths |

Operating Performance Ratio: This ratio measures Council's achievement of containing operating expenditure within operating revenue. (Benchmark: >= 0%)

Own Source Operating Revenue Ratio: This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions. (Benchmark:>60%)

Unrestricted Current Ratio: This liquidity ratio is used to assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council. (Benchmark:>1.50:1)

Debt Service Cover Ratio: This ratio measures the ability of operating cash to service debt including interest, principal and lease payments. (Benchmark:>2.0)

Rates, Annual Charges, Interest and Extra Charges Outstanding Percentage: This ratio is used to assess the impact of uncollected rates, annual charges, interest and extra charges on Council's liquidity and the adequacy of recovery efforts. (Benchmark:<10%)

Cash Expense Cover Ratio: This liquidity ratio indicates the number of months a Council can continue paying for its immediate expenses without additional cash inflow. (Benchmark:>3 months)

## MANAGEMENT LETTER

At the conclusion of the audit, Council has also been provided with a draft Management letter from the Audit Office, which outlines:

- matters of governance interest identified during the current audit
- unresolved matters identified during previous audits
- matters the Audit Office is required to communicate under Australian Auditing Standards

The Management Letter identified 15 prior year issues that have not yet been resolved by management and two current matters that were identified in this year's audit. The draft letter is attached for information.

## SUMMARY

The General Purpose Financial Statements, the Specific Purpose Financial Statements and the Special Schedules have been audited by the NSW Audit Office.

Details of the audit are included in the report and Council and the NSW Audit Office will be presenting the Statements to the Public as advertised at the February Meeting of Council on 16 February 2021.

## FINANCIAL IMPLICATION

Due to the challenges with preparing the financial statements this year, costs were greater than budgeted. External contractors had to be appointed late in the process to prepare the accounts ready for audit due to the loss of key staff and historical knowledge.

Auditor's fees will also be more than budgeted, due to the need to follow up outstanding items from the interim audit and Council's delay in being prepared for the final audit. As a result, additional time was required to audit the accounts.

While Council is yet to receive the final invoices for this work, it is anticipated the additional cost will be approximately \$40,000. Savings will need to be made in the corporate operational budget to cover these additional costs.

## LEGISLATIVE IMPLICATION

The Annual Financial Statements have been prepared in line with the requirements under the Local Government Act 1993, particularly Part 3 Financial Management.

**POLICY IMPLICATION**

Nil

**RISK RATING**

Low

**ATTACHMENTS**

1. 2020/21 Annual Financial Statements 
2. Draft Management Letter 2021 

|            |                                                                               |
|------------|-------------------------------------------------------------------------------|
| <b>9.4</b> | <b>REPORT ON EXTERNAL AND INTERNAL RESTRICTIONS HELD AS AT 30TH JUNE 2021</b> |
|------------|-------------------------------------------------------------------------------|

**File Number:** D21.59747

**Reporting Officer:** Hodi Beauliv, Director Corporate & Community Services

**Responsible Officer:** Glenn Wilcox, Acting General Manager

**Operational Plan Objective:** Pillar 6: Our Leadership – A community that values and fosters leadership, lifelong learning, innovation and good governance.

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### OFFICER RECOMMENDATION

In accordance with Best Practice it is recommended that -

1. The report be received and noted
2. Council resolves to internally restrict the following funds as at 1 July 2021 for future use:

#### **Discretionary Use**

|                                                          |               |                    |
|----------------------------------------------------------|---------------|--------------------|
| Plant and Vehicle Replacement                            | 366,104       |                    |
| Infrastructure Replacement                               | 469,405       |                    |
| Employee Leave Entitlements                              | 269,000       |                    |
| Gravel Pits Rehabilitation                               | 234,065       |                    |
| Future Development Fund                                  | 441,456       |                    |
| Bidgee Haven Hostel – Other                              | <u>63,530</u> | <u>\$1,843,560</u> |
| Financial Assistance Grant – operational revenue 2021/22 |               | <u>\$2,290,600</u> |

#### **Non Discretionary Use**

|                                           |                |                           |
|-------------------------------------------|----------------|---------------------------|
| Deposits, Retentions and Bonds            | 127,842        |                           |
| Caravan Park                              | 139,368        |                           |
| Bidgee Haven Hostel Bonds                 | 1,747,060      |                           |
| Self-Care Unit Bonds                      | <u>140,000</u> | <u>\$2,154,270</u>        |
| <b><u>Total Internal Restrictions</u></b> |                | <b><u>\$6,288,430</u></b> |

3. Council resolve to release funds held as at 1 July 2021 in the Bidgee Haven Hostel - Other internal restriction (\$63,530) to partially offset losses incurred in 2019/20 and 2020/21.

### PURPOSE OF REPORT

The purpose of this report is to inform Council of external and internal restrictions held as at 30 June 2021 following completion of the 2020/21 Financial Statements.

A copy of all External and Internal Restrictions held as at 30 June 2021 is attached.

**REPORT**

This report provides details of all external and internal restrictions held by Council as at 30 June 2021, and proposed as at 1 July 2021.

External Restrictions as at 30 June 2021

- Unexpended Grants

|                               |                              |  |
|-------------------------------|------------------------------|--|
| Specific Purpose General Fund | \$3,061,236.32               |  |
| Specific Purpose General Fund | 548,517.48                   |  |
| Specific Purpose Water Fund   | <u>5,965.40</u>              |  |
|                               | <b><u>\$3,615,719.20</u></b> |  |

*Note: A separate report is provided in relation to Unexpended Grants*

|                                           |                |                           |
|-------------------------------------------|----------------|---------------------------|
| Water Supplies                            | \$2,198,000    |                           |
| Sewerage Services                         | 1,028,000      |                           |
| Domestic Waste Management                 | <u>616,066</u> | <b><u>\$3,842,066</u></b> |
| <b><u>Total External Restrictions</u></b> |                | <b><u>\$7,457,785</u></b> |

Internal Restrictions as at 30 June 2021

Council currently holds a number of small and aged internal restrictions that, for the sake of simplicity, should be transferred to more meaningful restrictions should funds be required at some future point in time.

In particular, reference is made to the following:

|                                   |                        |
|-----------------------------------|------------------------|
| Euston Cemetery                   | \$14,466               |
| Health                            | \$ 6,000               |
| Lake Benanee capital improvements | \$ 1,126               |
| Town Clock                        | \$ 3,000               |
| Berrett Park revitalisation       | <u>\$ 2,000</u>        |
|                                   | <b><u>\$26,592</u></b> |

It is proposed that funds held (\$26,592) in these restrictions be transferred into the Future Development Fund as at 1 July 2021.

In addition, it is proposed that funds held in the other Assets Replacement restriction (\$286,000), be transferred to the Infrastructure Replacement restriction. This will give that restriction a more meaningful total of \$500,000. It should be noted, however, that a transfer of \$30,595 to Bidgee Haven Hostel – Other is also proposed as at 1 July 2021. This leaves a balance of \$469,405 as at 1 July 2021.

Whilst Council can only expend externally restricted funds on set projects or provision of services such as water, sewerage or domestic waste management, the same rules do not apply to funds Council wishes to internally restrict for future uses, such as infrastructure development, asset replacement, employee leave entitlements or plant and vehicle replacement.

It should be noted, however, that internal restrictions for the Caravan Park, Bidgee Haven Hostel bonds, the Self-Care Unit bonds, and Deposit Bonds and Retentions must also be isolated and accounted for separately. Council does not have discretionary use of these funds totalling \$2,154,270.

So, in essence, Council only has discretionary use of the following internal restrictions, with these proposed balances as at 1 July 2021:

|                                  |                    |
|----------------------------------|--------------------|
| Plant and Vehicle Replacement    | \$ 366,104         |
| Infrastructure Replacement       | 469,405            |
| Employee Leave Entitlements      | 269,000            |
| Gravel Pits Rehabilitation       | 234,065            |
| Financial Assistance Grant Funds | 2,290,600          |
| Future Development Fund          | 414,456            |
| Bidgee Haven Hostel – Other      | <u>63,530</u>      |
|                                  | <u>\$4,134,160</u> |

However, if you take out the Federal Government Financial Assistance Grant (FAG) of \$2,290,600, which is included in operational revenue budget for 2021/22, Council only has discretionary use of the amount of \$1,843,560.

Given the depreciation of assets for the following classes in the 2020/21 Financial Statements totalled \$4,769,000, there needs to be some serious consideration given to how Council will maintain its asset base into the future.

Below is a list of the asset classes and depreciation for 2020/21:

|                             |                     |
|-----------------------------|---------------------|
| Plant and Equipment         | \$ 379,000          |
| Office Equipment            | 26,000              |
| Furniture and Fittings      | 21,000              |
| Buildings – Non Specialised | 556,000             |
| Buildings – Specialised     | 8,000               |
| Other Structures            | 285,000             |
| Roads and Bridges           | 3,265,000           |
| Kerb and Gutter             | 63,000              |
| Footpaths                   | 32,000              |
| Stormwater Drainage         | 56,000              |
| Swimming Pool               | 34,000              |
| Other Assets                | <u>44,000</u>       |
|                             | <u>\$ 4,769,000</u> |

The major concern is that Council has a little over \$1.84m in discretionary use of funds, and an annual depreciation amount of \$4.769m on General Fund classes of assets.

The only positive in the current situation is that depreciation on Roads and Bridges of \$3.265m could be partially offset by the value of improvement and maintenance works undertaken each year. The value of these works in 2020/21 was \$1.703m.

Expenditure on renewal of assets within the Water and Sewerage Funds exceeded the level of depreciation in 2020/21. This is a good sign, however, the level of restrictions remains fairly low given the age of the infrastructure. Council has received recent good news that it will receive a \$5.2m grant for the upgrade of the water treatment filtration

plant. This grant, from the Small Country Towns Water Supplies, will not require a council contribution.

**SUMMARY**

An overall assessment of External and Internal restrictions is that Council will need to develop a strategy to substantially increase the level of its restrictions to ensure ongoing viability of its asset base.

**FINANCIAL IMPLICATION**

Council needs to consider how it will maintain its asset base into the future.

**LEGISLATIVE IMPLICATION**

Nil

**POLICY IMPLICATION**

Nil

**RISK RATING**

Low

**ATTACHMENTS**

1. External and Internal Restrictions 



**9.5 INTERNAL RESTRICTION BIDGEE HAVEN HOSTEL**

|                                    |                                                                                                                                      |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.59749</b>                                                                                                                     |
| <b>Reporting Officer:</b>          | <b>Hodi Beauliv, Director Corporate &amp; Community Services</b>                                                                     |
| <b>Responsible Officer:</b>        | <b>Glenn Wilcox, Acting General Manager</b>                                                                                          |
| <b>Operational Plan Objective:</b> | <b>Pillar 6: Our Leadership – A community that values and fosters leadership, lifelong learning, innovation and good governance.</b> |

**OFFICER RECOMMENDATION**

It is recommended –

1. That the report on the Bidgee Haven Hostel internal restriction be received and noted;
2. The balance of funds held in the Bidgee Haven Hostel – Other internal restriction (\$63,530) be released to help offset losses being carried by the General Fund for the operation of the Bidgee Haven Hostel; and
3. A review of operations be undertaken and a strategic plan be developed for the Hostel that will deliver operational surpluses into the future.

**PURPOSE OF REPORT**

The purpose of this report is to inform Council of the position of the internal restriction for Bidgee Haven Hostel – Other as at 30 June 2021, following completion of the audited Financial Statements for 2020/21.

**REPORT**Background and Introduction

At its Meeting on 17 November 2020, Council considered a report by the Director Corporate and Community Services (DCCS) on the establishment of an internal restriction for the Bidgee Haven Hostel. The internal restriction was to assist with funding any projected deficits during, and following, the anticipated construction of the 15 bed dementia wing. A copy of the report by the DCCS is attached.

As a result, after consideration of this report, Council passed the following resolution:

***RESOLUTION 2020/213***

*Moved: Administrator Mike Colreavy*

*That Council Approves the establishment of the Bidgee Haven Retirement Hostel Reserve as internally restricted funds equivalent \$63,530 which is the balance for all surplus and deficit funds from the financial year ending 30 June 2003 to 30 June 2020.*

**CARRIED**

During the 2020/21 financial year an amount of \$32,935 was transferred to the internal restriction Bidgee Hostel – Other, and this is the reported figure contained in the 2020/21 audited financial statements.

Comment

To comply with Council's resolution a further amount of \$30,595 is required to be transferred to the internal restriction.

As noted in the report, the purpose of the internal restriction is to fund future anticipated operational deficits at the Bidgee Haven Hostel during construction, and to fund the initial years of operating the 15 bed dementia wing.

One glaring omission from the report is the exclusion of depreciation costs from the calculations. Notwithstanding this, Council's resolution still stands and in the absence of a rescission motion, and for transparency, Council will transfer the \$30,595 required for compliance with Council's resolution. This will be done during the current 2021/22 financial year (as at 1/07/2021), and will come from the Infrastructure Replacement restriction.

#### Returns to ACFR on operation of Bidgee Haven Hostel

Each year Council is required to submit an Aged Care Financial Return (ACFR) with details of Income and Expenditure, including Capital Income and Expenditure to receive Australian Government operational approval and funding.

This return incorporates the total cost of running the Bidgee Haven Retirement Hostel. The result for 2019/20 was a nett loss of \$25,515 on operations, with a total loss on operations of \$79,515 when depreciation is included.

For 2020/21 the nett operating loss was \$15,389, with a total loss on operations of \$64,999 when depreciation is included.

#### Timeline of funds movement

##### 1. Report by DCCS – Council Meeting 17/11/2020

|                                                                                     |                  |
|-------------------------------------------------------------------------------------|------------------|
| Balance as at 30/6/2019 as per the report<br>(Note – Does not include depreciation) | \$104,222        |
| Anticipated loss for 2019/20 as per report                                          | <u>(40,692)</u>  |
| <b>Anticipated balance as at 30/6/2020</b>                                          | <b>\$ 63,530</b> |
| As per Council Resolution 2020/213 to create Restriction                            |                  |

##### 2. ACFR Reports detailing total income and expenditure for each financial year

|     |                                       |                 |                 |
|-----|---------------------------------------|-----------------|-----------------|
| i)  | 2019/20 Actual ACFR Loss              | (79,515)        |                 |
|     | Anticipated Loss (as per DCCS Report) | <u>(40,692)</u> |                 |
|     | Additional Loss                       | (38,823)        | <u>(38,823)</u> |
|     | <b>Actual Balance as at 30/6/2020</b> |                 | <b>24,707</b>   |
| ii) | 2020/21 Actual ACFR Loss              |                 | <u>(64,999)</u> |
|     | <b>Balance as at 30/6/2021</b>        |                 | <b>(40,292)</b> |

As a result, this report details the following:

- i) Council's Resolution 2020/213 was to create the Internal Restriction Bidgee Haven Hostel – Other with an amount of \$63,530 internally restricted
- ii) The losses as reported in the ACFR return for the years:
 

|         |                 |
|---------|-----------------|
| 2019/20 | (\$79,515) Loss |
| 2020/21 | (\$64,999) Loss |

- iii) Actual losses for 2019/20 and 2020/21 have left the Restriction with a deficit balance of (\$40,292) as at 30 June 2021

### **SUMMARY**

All funds previously set aside in the Internal Restriction – Bidgee Haven Hostel – Other to cover operational losses have been exhausted. As at 30 June 2021 the operation of the Hostel actually owes Council \$40,292. Or another way of considering this is that Council is now subsidising the Hostel operations whenever it is running at a loss.

The immediate step Council should take is to release all funds currently held in the restriction (\$63,530), to help partially offset the losses from the Hostel's operations in 2019/20 and 2020/21.

To minimise any future losses, the next step should be to address any operational issues and develop a strategic plan for the Hostel that will deliver operational surpluses into the future as Council does not have the financial capacity to continue to subsidise operations of the Hostel into the future. To continue to do so will mean reducing service levels in other areas of Council's operations.

### **FINANCIAL IMPLICATION**

The Hostel has run at a loss in 2019/20 and 2020/21 and Council has subsidised these losses. Using the funds placed in the internal restriction will allow Council to partially offset this loss.

### **LEGISLATIVE IMPLICATION**

Nil

### **POLICY IMPLICATION**

Nil

### **RISK RATING**

Medium

### **ATTACHMENTS**

1. Council Report BIDGEE HAVEN RETIREMENT HOSTEL RESERVE ESTABLISHMENT  
17 November 2020 

**9.6 DONATION REQUEST - ROBINVALE-EUSTON 80 SKI RACE SPONSORSHIP REQUEST**

|                                    |                                                                                                                  |
|------------------------------------|------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.59868</b>                                                                                                 |
| <b>Reporting Officer:</b>          | <b>Hodi Beauliv, Director Corporate &amp; Community Services</b>                                                 |
| <b>Responsible Officer:</b>        | <b>Glenn Wilcox, Acting General Manager</b>                                                                      |
| <b>Operational Plan Objective:</b> | <b>Pillar 4: Our Culture – A community that respects and celebrates its diverse cultures, heritage and arts.</b> |

**OFFICER RECOMMENDATION**

That Council

1. Approve the request from the Robinvale-Euston 80 Ski Race Committee for sponsorship of \$2,000 for the 2022 event.

**PURPOSE OF REPORT**

To advise Council of a donation request for sponsorship of the Robinvale-Euston 80 Ski Race from the Robinvale/Euston 80 Ski Race Committee.

**REPORT**

Council has received a request for sponsorship from the Robinvale-Euston 80 Ski Race Committee Inc. The race will be held on the Victoria Labour Day long weekend (11-13 March 2022). There is up to 250 entries for the weekend of competition.

The event attracts a few thousand competitors and visitors to the district over the weekend, and they estimate the event provides an economic boost of in excess of \$1.5 million into the Robinvale and Euston communities.

Council has regularly sponsored the event since 2012, including sponsoring the event for \$2,000 per annum since 2017.

The guidelines in Council's Donation Policy are as follows:

- Organisations must be incorporated and formally structured to service the residents in Balranald Shire Council area and be based in Balranald Shire or alternatively have a regional focus that will benefit the residents within the Shire.
- Organisations must be a non-profit group involved in cultural, tourism, sporting, educational, health or community affairs.
- Requests for donations to charities/organisations registered outside the Balranald Shire area will not be considered.
- Council will consider one off contributions to other areas as a result of natural disaster.
- Organisations are required to complete Council's donation application form to have their request considered.
- A maximum of \$500 per annum applies for organisations.

Officers have made an assessment of this request in line with criteria set out within Council's Donation Policy. While the amount requested is above the \$500 per annum requirement in the guidelines, as Council has always sponsored this event in excess of this amount, it is recommended that Council continue to support the event to the value of \$2,000 due to the value this event brings to the local community.

**FINANCIAL IMPLICATION**

Should Council approve the request of \$2,000, it will leave a remaining balance of \$8,230 within the Community Donation funding.

**LEGISLATIVE IMPLICATION**

Nil

**POLICY IMPLICATION**

Donation Policy

**RISK RATING**

Low

**ATTACHMENTS**

1. **Robinvale Euston Ski Race - Sponsorship Request 23 November 2021** 

**10 INFRASTRUCTURE & DEVELOPMENT REPORTS****10.1 TENDER RFT 21/22-001 TAYLOR-LESLIE ROAD WIDENING AND KILPATRICK ROAD REHABILITATION**

**File Number:** D21.59902  
**Reporting Officer:** Carol Holmes, Senior Executive Assistant  
**Responsible Officer:** Glenn Wilcox, Acting General Manager  
**Operational Plan Objective:** Pillar 5: Our Infrastructure – A community that maintains and strengthens its natural and built environment.

---

**PURPOSE OF REPORT**

This report will be provided to Council at the meeting on Friday 17 December 2021

**REPORT****FINANCIAL IMPLICATION****LEGISLATIVE IMPLICATION****POLICY IMPLICATION****RISK RATING****ATTACHMENTS**

Nil

**10.2 TENDER - RFT 21/22-002 - TAPALIN MAIL ROAD CONSTRUCTION**

**File Number:** D21.59903  
**Reporting Officer:** Carol Holmes, Senior Executive Assistant  
**Responsible Officer:** Glenn Wilcox, Acting General Manager  
**Operational Plan Objective:** Pillar 5: Our Infrastructure – A community that maintains and strengthens its natural and built environment.

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**OFFICER RECOMMENDATION**

That

**PURPOSE OF REPORT**

This report will be provided to Council at the meeting on Friday 17th December 2021.

**REPORT****FINANCIAL IMPLICATION****LEGISLATIVE IMPLICATION****POLICY IMPLICATION****RISK RATING****ATTACHMENTS**

Nil

**PART B – ITEMS FOR INFORMATION****11 GENERAL MANAGER’S REPORTS****11.1 OUTSTANDING ACTIONS**

|                                    |                                                                                                                                      |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.59193</b>                                                                                                                     |
| <b>Reporting Officer:</b>          | <b>Carol Holmes, Senior Executive Assistant</b>                                                                                      |
| <b>Responsible Officer:</b>        | <b>Glenn Wilcox, Acting General Manager</b>                                                                                          |
| <b>Operational Plan Objective:</b> | <b>Pillar 6: Our Leadership – A community that values and fosters leadership, lifelong learning, innovation and good governance.</b> |

**OFFICER RECOMMENDATION**

That the report be received and noted.

**PURPOSE OF REPORT**

To bring forward for information the Action Report with actions taken on previous Council resolutions.

**REPORT**

A list of the outstanding actions from previous Council meetings is attached to this report.

**FINANCIAL IMPLICATION**

Nil

**LEGISLATIVE IMPLICATION**

Nil

**POLICY IMPLICATION**

Nil

**RISK RATING**

Moderate

**ATTACHMENTS**

1. **Outstanding Actions - December 2021** 



**11.2 ADMINISTRATOR, GENERAL MANAGER AND DIRECTORS MEETINGS**

|                                    |                                                                                                                                      |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.59194</b>                                                                                                                     |
| <b>Reporting Officer:</b>          | <b>Carol Holmes, Senior Executive Assistant</b>                                                                                      |
| <b>Responsible Officer:</b>        | <b>Glenn Wilcox, Acting General Manager</b>                                                                                          |
| <b>Operational Plan Objective:</b> | <b>Pillar 6: Our Leadership – A community that values and fosters leadership, lifelong learning, innovation and good governance.</b> |

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**OFFICER RECOMMENDATION**

That the report be received and noted.

**PURPOSE OF REPORT**

To advise Council of the meetings undertaken on behalf of Council by the Administrator, General Manager and Directors since November 2021 Ordinary Meeting.

**REPORT**

In addition to meetings shown in the table attached, the following repeat meetings regarding Covid-19 response and Cross Border control issues since the last monthly update:

DID and SEA attended Joint Wentworth and Balranald Shire LEMC extraordinary (Covid management) meetings on 29 November.

DID attended Joint Wentworth and Balranald Shire Recovery Committee meeting on 26 November & 10 December

DID attended cross-border coordination meetings & REOC Meetings on 18, 25 & 29 November

**FINANCIAL IMPLICATION**

Budgetted

**LEGISLATIVE IMPLICATION**

N/A

**POLICY IMPLICATION**

Payment of Expenses and Provisions for Administrator, Mayor and Councillors Policy

Code of Conduct

Conferences Seminar Attendance Policy

**RISK RATING**

Low

**ATTACHMENTS**

1. Meetings - Executive Staff and Administrator - 2021 

**11.3 CIRCULARS FROM OFFICE LOCAL GOVERNMENT**

|                                    |                                                                                                |
|------------------------------------|------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.59195</b>                                                                               |
| <b>Reporting Officer:</b>          | <b>Carol Holmes, Senior Executive Assistant</b>                                                |
| <b>Responsible Officer:</b>        | <b>Glenn Wilcox, Acting General Manager</b>                                                    |
| <b>Operational Plan Objective:</b> | <b>Pillar 1: Our People – A community that is proactive, engaged, inclusive and connected.</b> |

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**OFFICER RECOMMENDATION**

That Council receive and note this report.

**PURPOSE OF REPORT**

To provide Council with copies of the circulars received from Office Local Government since November Council Meeting.

**REPORT**

Council receives circulars from Office of Local Government with updates and information relevant to our Council. Whilst many of the circulars are of an administrative nature, there may be matters that are of interest to Community members.

Circulars Council has received since the October Council Meeting;

1. Circular 21-36 - Update to the Guidelines for designated Rehoming Organisations under Section 88B of the Companion Animals Act 1998
2. Circular 21-37 - Amendments to the Public Health Order relating to voting at the 2021 local government elections.
3. Circular 21-38 - Consultation on Review of the Councillor misconduct framework.
4. Circular 21-39 - The NSW Government's Public Spaces (Unattended Property) Act 2021.
5. Circular 21-40 - Hit the Ground Running Councillor Webinars.
6. Circular 21-41 - Annual Reporting of Labour Statistics by Councils

All the circulars can be found on OLG's website <https://www.olg.nsw.gov.au/circulars/>

**ATTACHMENTS**

**Nil**

**11.4 BETTER PRACTICE RECOMMENDATIONS**

|                                    |                                                                                                                                      |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.59874</b>                                                                                                                     |
| <b>Reporting Officer:</b>          | <b>Carol Holmes, Senior Executive Assistant</b>                                                                                      |
| <b>Responsible Officer:</b>        | <b>Glenn Wilcox, Acting General Manager</b>                                                                                          |
| <b>Operational Plan Objective:</b> | <b>Pillar 6: Our Leadership – A community that values and fosters leadership, lifelong learning, innovation and good governance.</b> |

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**OFFICER RECOMMENDATION**

That the report be received and noted.

**PURPOSE OF REPORT**

Council at its November 2021 Meeting resolved to adopt the report on the Voluntary assessment of the organisation under the Office of Local Governments Better Practice Review assessment program.

**REPORT**

This report is to provide an update each month to Council and the community to indicate the internal improvements being made to ensure Council is compliant with legislation and to move towards an open and transparent council organisation.

**FINANCIAL IMPLICATION**

Funded through internal resources or budget provisions.

**LEGISLATIVE IMPLICATION**

This report is to identify changes in governance required to improve councils overall service and legislative delivery.

**POLICY IMPLICATION**

Various policies apply.

**RISK RATING**

Medium

**ATTACHMENTS**

1. **Better Practice Review - Recommendations - December 2021** 

**12 CORPORATE & COMMUNITY SERVICES REPORTS****12.1 2020/21 REGIONAL ROAD REPAIR PROGRAM IMPLICATIONS OF DELAYED COMPLETION**

|                                    |                                                                                                                                      |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.59750</b>                                                                                                                     |
| <b>Reporting Officer:</b>          | <b>Hodi Beauliv, Director Corporate &amp; Community Services</b>                                                                     |
| <b>Responsible Officer:</b>        | <b>Glenn Wilcox, Acting General Manager</b>                                                                                          |
| <b>Operational Plan Objective:</b> | <b>Pillar 6: Our Leadership – A community that values and fosters leadership, lifelong learning, innovation and good governance.</b> |

**OFFICER RECOMMENDATION**

That the report be received and noted.

**PURPOSE OF REPORT**

To advise Council on the implications of the delayed completion of the 2020/2021 Regional Road Repair Program.

**REPORT**

Under the 2020/21 Regional Road Repair Program Council received funding for two projects: the Moulamein Kyalite Road and Oxley Road. Both projects were to be completed by 30 June 2021.

Due to timing and weather delays, neither project was completed by the due date. As a result, at the regular monthly meeting, discussions were held with Transport for NSW about extending the timeline for completion of the project to the end of July. This approval was not provided in writing, but \$348,000 was expended in July and August of this year, under a 50/50 split of Regional Road Repair funding and the block grant.

Council has already received all of the funding from the Regional Road Repair program for this project. So Council is now in the process of seeking written approval from Transport for NSW for an extension to the program, to confirm that Council does not have to return the funds that were expended this financial year.

The Regional Road Repair program, however, requires matching funding to be provided. Council funded this commitment through the annual Block Grant funding, which is provided by Transport for NSW for road maintenance. Council can expended this money as it sees fit, but it must be expended by 30 June each year. Historically, the Block Grant funding could be carried forward into the new financial year if there were unforeseen delays in expending the funding. Under the current funding agreement, however, this is no longer possible. As a result, Council has underspent it's 2020/21 Block Grant by \$174,000.

**FINANCIAL IMPLICATION**

If an extension is provided under the Regional Road Repair Program, Council will still receive a deduction of \$174,000 in Block Grant Funding for 2021/22.

If an extension is not provided under the Regional Road Repair Program, Council will be required to return all of the funds paid for works completed in July and August 2021, resulting in a loss of revenue of \$348,000 across the two funding streams.

**LEGISLATIVE IMPLICATION**

Nil

**POLICY IMPLICATION**

Nil

**RISK RATING**

Medium

**ATTACHMENTS**

Nil

**12.2 STATEMENT OF FUNDS - NOVEMBER 2021**

|                                    |                                                                                                                                      |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.59770</b>                                                                                                                     |
| <b>Reporting Officer:</b>          | <b>Kristy Cameron, Finance Officer</b>                                                                                               |
| <b>Responsible Officer:</b>        | <b>Hodi Beauliv, Director Corporate &amp; Community Services</b>                                                                     |
| <b>Operational Plan Objective:</b> | <b>Pillar 6: Our Leadership – A community that values and fosters leadership, lifelong learning, innovation and good governance.</b> |

**OFFICER RECOMMENDATION**

That Council receives and notes the Statement of Funds for the period ending 30 November 2021.

**PURPOSE OF REPORT**

The purpose of this report is to:

1. Advise Council of the balance of funds and investments held for the month ending 30 November 2021
2. Certify that Council's investments have been made in accordance with the *Local Government Act 1993 (Section 625)*, the Local Government (General) Regulation 2005 (Section 212) and are moving towards compliance with Council's Investment Policy, which was adopted by Council on the 17 October 2017

**REPORT**

Council's total investments including cash as at 30 November 2021 is \$17,749,412. This is an increase of \$659,282 on the previous month's total of \$17,090,130. It should be noted the balance of Council's cash at bank account changes daily with revenue received and payments made.

Receipts for November 2021 included:-

- Financial Assistance Grant Quarter 2 Payment - \$607,708
- Roads to Recovery - \$298,378
- Hostel Rebate - \$66,096
- Pensioner Rebate - \$31,778

Payments for November 2021 included:-

- Contractors – \$75,952
- Plant Hire - \$314,205
- Sewer Relining - \$174,990
- Architects - \$53,146
- Laptops - \$25,015

Total interest received on investments for November 2021 is \$10,858.

Council's cash and at call accounts are used for the purpose of day to day operations of Council. Term Deposit investments are \$12,501,726 as at 30 November 2021.

A summary of Council's investment and cash balances as at 30 November 2021 is as follows:

## MONTHLY BANK &amp; INVESTMENT REPORT

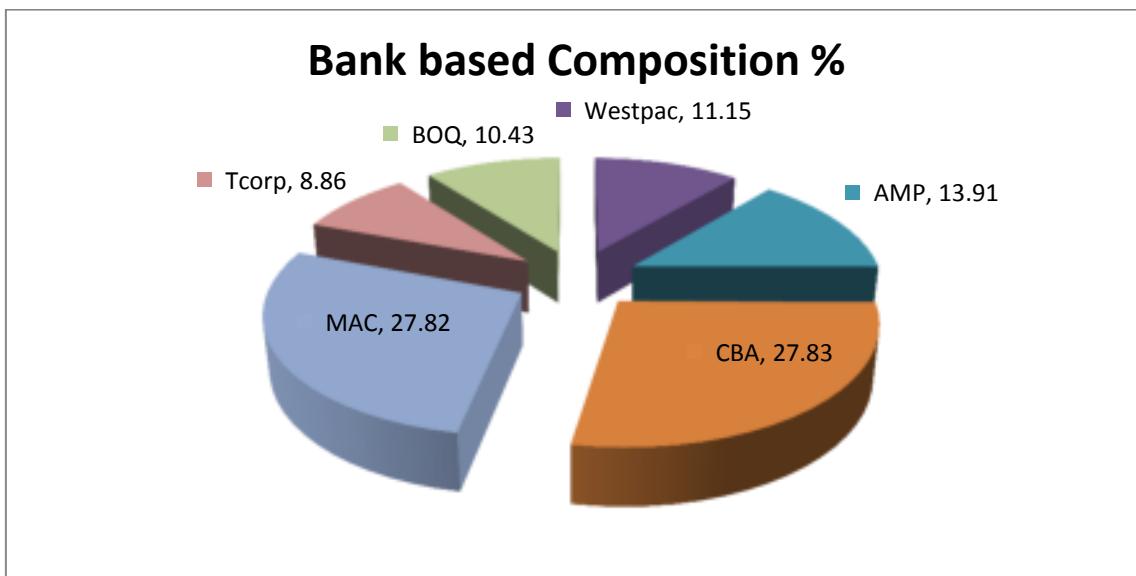
30/11/2021

|                                                   | S&P Rating | Term (Days) | Start Date | Maturity Date | Interest Rate/ Rate of Return | Investment Value  |
|---------------------------------------------------|------------|-------------|------------|---------------|-------------------------------|-------------------|
| <b>Term Deposits</b>                              |            |             |            |               |                               |                   |
| <a href="#">Westpac Bank A/C 176-576</a>          | A-1+       | 371         | 16/11/2021 | 22/11/2022    | 0.25%                         | 1,000,000         |
| <a href="#">Commonwealth Bank</a>                 | A-1+       | 365         | 4/03/2021  | 4/03/2022     | 0.46%                         | 500,000           |
| <a href="#">Commonwealth Bank</a>                 | A-1+       | 365         | 4/03/2021  | 4/03/2022     | 0.46%                         | 1,000,000         |
| <a href="#">Macquarie Bank - 051049</a>           | A-1        | 180         | 2/09/2021  | 1/03/2022     | 0.40%                         | 500,000           |
| <a href="#">Commonwealth Bank</a>                 | A-1+       | 300         | 19/03/2021 | 13/01/2022    | 0.39%                         | 500,000           |
| <a href="#">AMP - 51396</a>                       | A-2        | 340         | 19/08/2021 | 25/07/2022    | 0.75%                         | 500,000           |
| <a href="#">Commonwealth Bank</a>                 | A-1+       | 365         | 22/03/2021 | 18/03/2022    | 0.42%                         | 500,000           |
| <a href="#">Macquarie Bank - 051553</a>           | A-1        | 268         | 30/03/2021 | 23/12/2021    | 0.40%                         | 500,000           |
| <a href="#">AMP - 53454</a>                       | A-2        | 240         | 20/07/2021 | 17/03/2022    | 0.60%                         | 500,000           |
| <a href="#">AMP - 53473</a>                       | A-2        | 243         | 21/07/2021 | 21/03/2022    | 0.60%                         | 500,000           |
| <a href="#">Commonwealth Bank</a>                 | A-1+       | 180         | 25/06/2021 | 22/12/2021    | 0.35%                         | 500,000           |
| <a href="#">AMP - 53356</a>                       | A-2        | 180         | 14/07/2021 | 10/01/2022    | 0.50%                         | 500,000           |
| <a href="#">Macquarie Bank - 053986</a>           | A-1        | 180         | 2/09/2021  | 1/03/2022     | 0.40%                         | 500,000           |
| <a href="#">Macquarie Bank - 054099</a>           | A-1        | 180         | 9/09/2021  | 8/03/2022     | 0.40%                         | 500,000           |
| <a href="#">Macquarie Bank - 054394</a>           | A-1        | 365         | 28/09/2021 | 28/09/2022    | 0.40%                         | 500,000           |
| <a href="#">Commonwealth Bank</a>                 | A-1+       | 179         | 13/09/2021 | 11/03/2022    | 0.27%                         | 500,863           |
| <a href="#">Commonwealth Bank</a>                 | A-1+       | 179         | 13/09/2021 | 11/03/2022    | 0.27%                         | 500,863           |
| <a href="#">Bank of Queensland - 054317</a>       | A-2        | 181         | 24/09/2021 | 24/02/2022    | 0.33%                         | 1,000,000         |
| <a href="#">Bank of Queensland - 053999</a>       | A-2        | 244         | 7/09/2021  | 9/05/2021     | 0.33%                         | 500,000           |
| <a href="#">Macquarie Bank - 055055</a>           | A-1        | 333         | 29/10/2021 | 27/09/2022    | 0.50%                         | 1,000,000         |
| <a href="#">Macquarie Bank - 055370</a>           | A-1        | 332         | 23/11/2021 | 21/10/2022    | 0.50%                         | 500,000           |
|                                                   |            |             |            |               |                               |                   |
|                                                   |            |             |            |               |                               |                   |
| <b>Total Term Deposits</b>                        |            |             |            | Avg Rate      | 0.43%                         | <b>12,501,726</b> |
| <b>At Call Accounts</b>                           |            |             |            |               |                               |                   |
| Westpac Cash Reserves A/C 162 975                 | A-1+       |             |            | At Call       | 0.01%                         | 603,417           |
| Tcorp A/C 1268                                    | A-1+       |             |            | At Call       | 0.01%                         | 1,274,047         |
| <b>Total At Call Accounts</b>                     |            |             |            |               |                               | <b>1,877,464</b>  |
|                                                   |            |             |            |               |                               |                   |
| <b>Total Investment Accounts</b>                  |            |             |            |               |                               | <b>14,379,190</b> |
|                                                   |            |             |            |               |                               |                   |
| <b>Cash Accounts</b>                              |            |             |            |               |                               |                   |
| Westpac Bank A/C 000 060                          | A-1+       |             |            | Cash at Bank  | 0.01%                         | 3,370,222         |
| <b>TOTAL CASH AT BANK</b>                         |            |             |            |               |                               | <b>3,370,222</b>  |
| <b>TOTAL INVESTMENTS PORTFOLIO INCLUDING CASH</b> |            |             |            |               |                               | <b>17,749,412</b> |

The table and graph below show the composition of investments (including cash) with financial institutions.

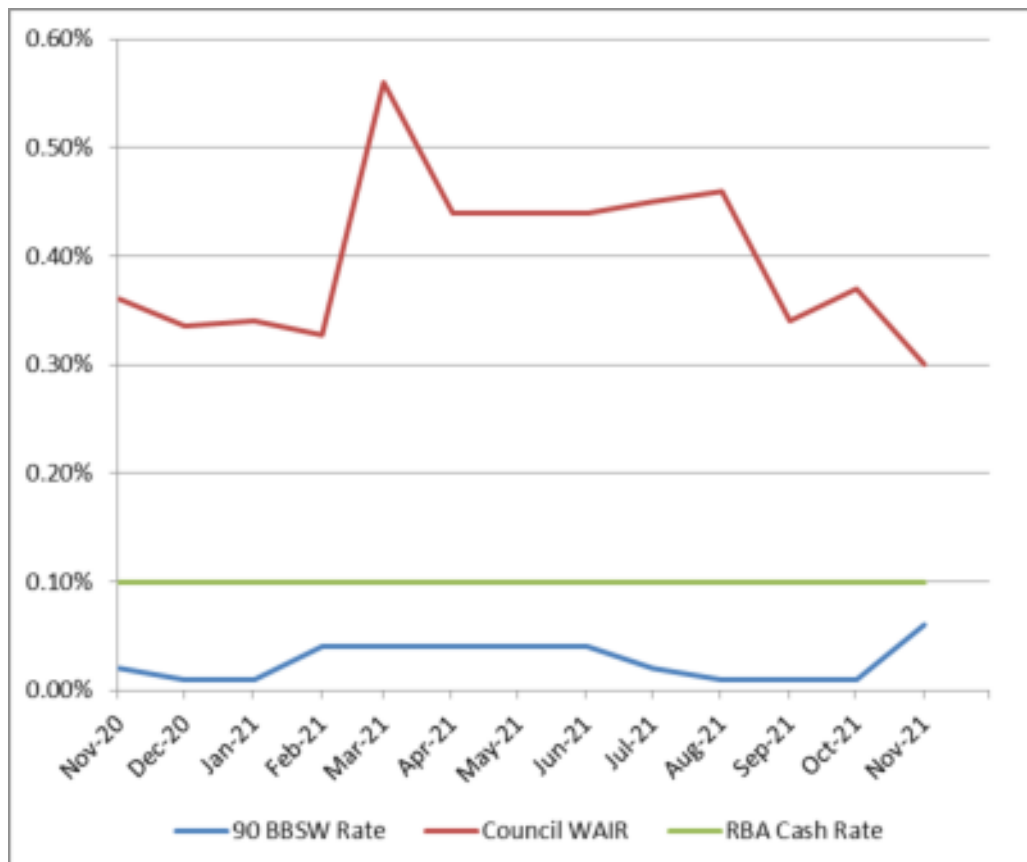
| Ratings      | Composition % | Amount ('000) |
|--------------|---------------|---------------|
| A-1+         | 47.84         | 6,879         |
| A-1          | 27.82         | 4,000         |
| A-2          | 24.34         | 3,500         |
| <b>TOTAL</b> | <b>100.00</b> | <b>14,379</b> |

As advised in October's report, it was identified that the current investment mix is not in compliance with Council's Investment Policy as Council is not compliant with the portfolio credit limit of 10% for any individual A-2 rated financial institution. Currently the funds invested with AMP (who are now rated as A-2 under the Standard & Poor rating system) are in excess of this amount. This will be rectified as the next investment falls due in January 2022. Council is expected to be compliant by the end of January 2022.



Council’s weighted average return for all investments and cash accounts for the month is 0.30%, which is above the required 90 day bank bill swap reference rate of 0.06% as at 30 November 2021. Note the official cash rate stayed at 0.10% for November. The weighted average return rate is the rate which considers the size of the investment as well as the interest rate of the investment. The graph below shows Council’s performance for the past 12 months against the 90 day bank bill swap reference rate.

**Month End Return on Investments for Past 12 Months**

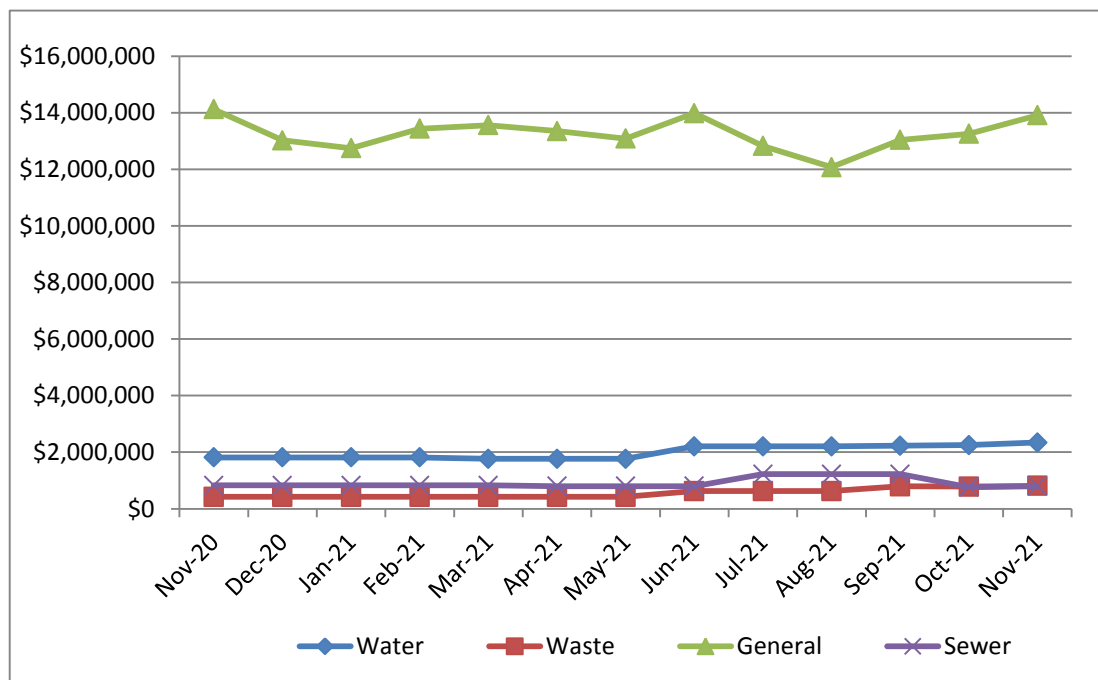




Council’s total investment and cash accounts balance of \$17,749,412 across the funds as listed below:

| FUNDS HELD              | General Fund      | Waste Fund     | Water Fund       | Sewer Fund     | TOTAL             |
|-------------------------|-------------------|----------------|------------------|----------------|-------------------|
| Restricted              | 4,299,148         | 810,407        | 2,339,846        | 688,136        | 8,137,537         |
| Unrestricted            | 9,611,875         | 0              | 0                | 0              | 9,611,875         |
| <b>TOTAL FUNDS HELD</b> | <b>13,911,023</b> | <b>810,407</b> | <b>2,339,846</b> | <b>688,136</b> | <b>17,749,412</b> |

**Balance by Funds for Past 12 Months**



The table below shows the individual make-up of the restricted amounts that combine to a total of \$8,137,537 at end of month:

| RESTRICTED FUNDS                   | External         | Internal         | 30/11/2021 Total |
|------------------------------------|------------------|------------------|------------------|
| Specific Purpose Unexpended Grants | 255,000          |                  | 255,000          |
| Domestic Waste Management          | 810,407          |                  | 810,407          |
| Water Supplies                     | 2,207,195        |                  | 2,207,195        |
| Sewerage Service                   | 688,136          |                  | 688,136          |
| Other (Unexpended Cont. Euston)    | 50,000           |                  | 50,000           |
| Hostel Bonds                       |                  | 1,743,377        | 1,743,377        |
| Other Internal Restrictions        |                  | 2,383,421        | 2,383,421        |
| <b>TOTAL RESTRICTED FUNDS</b>      | <b>4,010,739</b> | <b>4,126,798</b> | <b>8,137,537</b> |

The internal reserves above are based on historical information from last financial year. A report on the full review and adjustment has been provided as part of the December business papers. Once approved, these changes will be modified in the next monthly report.

The bank reconciliation on the Westpac cash account, or operating account, has been reconciled as at 30 November 2021 and is shown below:

|                                                   |                  |
|---------------------------------------------------|------------------|
| <b>Cashbook Summary</b>                           |                  |
| Opening Cashbook Balance                          | 1,711,614        |
| Plus Receipts                                     | 3,201,324        |
| Less Payments                                     | (1,542,716)      |
| <b>Cashbook Balance at 30 November 2021</b>       | <b>3,370,222</b> |
| <b>Statement Summary</b>                          |                  |
| Opening Statement Balance                         | 1,714,875        |
| Plus Receipts                                     | 3,172,094        |
| Less Payments                                     | (1,542,716)      |
| <b>Bank Statement Balance at 30 November 2021</b> | <b>3,344,253</b> |
| Plus Unpresented Receipts                         | 29,393           |
| Less Unpresented Payments                         | (3,425)          |
| <b>Reconciliation Balance at 30 November 2021</b> | <b>3,370,222</b> |

## SUMMARY

Council currently holds \$17,749,412 in Cash and Investments. The average interest rate trend has decreased for November 2021 being 0.30% overall.

As with all financial reports, the reported figures are based on a point of time only and vary daily. However, Council is in a reasonable financial position but it is essential that all expenditure is kept within the approved budget to achieve a breakeven point or better position for this financial year.

I hereby certify that the investments listed within this report were made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy, subject to the changes required above with respect to the investments with AMP.



## FINANCIAL IMPLICATION

Nil

## LEGISLATIVE IMPLICATION

The Local Government Act 1993  
 The Local Government (General) Regulation 2005  
 Ministerial Investment Order (Gazetted 11 February 2011)

## POLICY IMPLICATION

Council's Investment Policy (Approved 17<sup>th</sup> October 2017)

## RISK RATING

Low

## ATTACHMENTS

Nil

**12.3 MONTHLY FINANCE REPORT - NOVEMBER 2021**

|                                    |                                                                                                                                      |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.59879</b>                                                                                                                     |
| <b>Reporting Officer:</b>          | <b>Hodi Beauliv, Director Corporate &amp; Community Services</b>                                                                     |
| <b>Responsible Officer:</b>        | <b>Hodi Beauliv, Director Corporate &amp; Community Services</b>                                                                     |
| <b>Operational Plan Objective:</b> | <b>Pillar 6: Our Leadership – A community that values and fosters leadership, lifelong learning, innovation and good governance.</b> |

**OFFICER RECOMMENDATION**

That Council receives and notes the report on the status of Council's financial operating systems and processes.

**PURPOSE OF REPORT**

The purpose of this report is to advise Council of the actions undertaken during November 2021 to ensure Council's transactions are up-to-date and correct in the Practical and subsidiary ledger systems for the month ending 30 November 2021

**REPORT***Background*

At the October Council meeting, to provide Council with ongoing assurance that accounting transactions are kept up to date and correct, Council resolved the following recommendations:

1. Council is to be provided with ongoing assurance that transactions are up-to-date and correct in the Practical and subsidiary ledger systems;
2. A Statement is to be submitted to each Ordinary Council Meeting, in a form acceptable to Council, certified by the General Manager and the Responsible Accounting Officer, confirming the status of the following work to the end of the preceding month, indicating if the work is up-to-date, or the extent of any arrears:
  - o All payroll, stores, plant hire, creditors, rates, debtors, asset, liability and journal transactions are correctly entered into the Practical and subsidiary financial management systems;
  - o All subsidiary ledgers/financial management systems have been balanced with the general ledger;
  - o The asset management system is up-to-date;
  - o Bank reconciliations have been completed for all bank accounts; and
  - o Ratepayers and other debtors have been invoiced/charged for all monies due to Council.

*Review of current processes*

The following internal control processes are still in place to ensure data entered into Practical and subsidiary ledger systems are up-to-date and correct:

- Payroll – processed fortnightly, reviewed by independent finance officer prior to processing
- Stores –
  - o Store Items (excluding fuel) – recorded manually on daily store sheet (in duplicate), entered into Practical by storeperson – current practice under review
  - o Fuel on-site – recorded using fob system, data uploaded to Practical – current practice under review
  - o Fuel Tankers off-site - recorded manually on daily stores sheet (in duplicate), entered into Practical by store person – current practice under review

- Plant Hire – processed through timesheet entry fortnightly with payroll after verified by Technical Officer, Practical data reviewed by Manager Finance or Senior Finance Officer
- Orders – created by various staff across Council, approved by relevant Manager with appropriate delegations, not always generated prior to commitment of funding
- Creditors – processed fortnightly and ad hoc special payment runs if required, reviewed by independent finance officer prior to processing
- Rates – processed annually and receipted quarterly, reviewed by Manager Finance
- Debtors – processed monthly and ad hoc as required, normally reviewed by Manager Finance but currently being reviewed by Director Corporate and Community Services
- Assets – processed annually at end of financial year, calculations determined through excel spreadsheet and manual journals processed, reviewed by Director Corporate and Community Services
- Journal transactions – processed as required, Council's Auditors, Nexia Australia, identified in their Management Letter no review process is in place
- Bank Reconciliation – processed daily and reconciled at end of each month before being reported in Monthly Statement of Funds report to Council, procedure to be developed and back-up staff member trained

#### *Areas still requiring improvement*

In order to get to a stage, where the General Manager and the Responsible Accounting Officer can certify that the systems for the preceding month are up to date, the following areas for improvement still need to be addressed:

- Restructuring General Ledger Chart of Accounts
- Assets Management
- Grants
- Bank Reconciliation
- Orders/Procurement
- Reporting
- GST/Business Activity Statement

#### *November tasks*

The majority of November was taken up with responding to requests from the auditors for the completion of the end of year audit. In undertaking this process, Council was required to respond to a number of issues that had not been dealt with from the interim audit in June.

This year all finance staff were involved with the end of year audit, to up skill staff and increase their awareness of the process. This has allowed them to better understand what they are doing throughout the year, so they can establish their own processes to better capture the information during the year in preparation for next year's audit.

The external finance consultants have also continued to identify business improvement opportunities for next financial year through the audit. These tasks will be added into a work plan for the consultants to progress now that the 2020/21 Financial Statements are finalised.

Following the completion of the financial statements, there has also been a review of the internal and external restrictions. This has included tidying up some of the restrictions, as per the report tabled in this month's Council business paper.

#### *December Workplan*

The following activities are planned to be undertaken during December to help work towards providing Council with assurance that transactions are up-to-date and correct:

- appointment of external finance consultants, including finalisation of their work plan and clarification of roles and responsibilities
- performance appraisals with all finance staff to confirm roles and responsibilities
- review of organisational structure of finance team, to match changes in responsibilities to the structure and position descriptions
- commence actions to respond to the Auditor's management letter
- liaison and provision of information to Council's Asset Management consultant, to conduct the revaluation of all of Council's asset classes

**SUMMARY**

Key activities undertaken in November to work towards improving Council's internal financial systems and procedures include:

- completion of the 2020/21 Financials, tabled in this month's business papers
- further refinement of business improvement processes
- review of internal and external restrictions

Substantial work is still required to improve Council's internal financial systems and procedures. Until these processes are implemented, it is not possible for the General Manager and Responsible Accounting Officer to certify the status of the work is up-to-date.

**FINANCIAL IMPLICATION**

Nil

**LEGISLATIVE IMPLICATION**

Local Government Act 1993

Local Government (General) Regulation 2005

Ministerial Investment Order (Gazetted 11 February 2011)

**POLICY IMPLICATION**

Nil

**RISK RATING**

High

**ATTACHMENTS**

Nil

**13 INFRASTRUCTURE & DEVELOPMENT REPORTS****13.1 PLANNING ADMINISTRATION**

|                                    |                                                                                                                     |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.59036</b>                                                                                                    |
| <b>Reporting Officer:</b>          | <b>Ray Mitchell, Health &amp; Development Officer<br/>Nikkita Manning-Rayner, Administration Assistant</b>          |
| <b>Responsible Officer:</b>        | <b>Glenn Wilcox, Acting General Manager</b>                                                                         |
| <b>Operational Plan Objective:</b> | <b>Pillar 5: Our Infrastructure – A community that maintains and strengthens its natural and built environment.</b> |

**OFFICER RECOMMENDATION**

That the report be received and noted.

**PURPOSE OF REPORT**

To advise Council of activities in the Planning area

**REPORT**

The following Notices of Determination, Construction Certificates, Complying Development Certificates, Section 68 Certificates, Subdivision Certificates and / or Occupation Certificates have been issued under delegated authority since the November meeting of Council.

| Application | Owner/Applicant                                              | Locality                                                                             | Description                                                                |
|-------------|--------------------------------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| DA 05/2022  | Mrs Alisha Devereux for Mr Peter & Mrs Janis Lawler          | 114A Ballandella Street, Balranald                                                   | Transportable Dwelling                                                     |
| DA 11/2022  | Nathan Condely for Canally Orchards Pty Ltd                  | 1885 Windomal Road, Balranald                                                        | Rural Workers Accommodation & Associated Facilities                        |
| DA 12/2022  | Mrs Simone Carmichael                                        | Bank of Wakool River, Road Reserves (Kyalite & Keogh Road) and Kyalite Road, Kyalite | Domestic Pump Station                                                      |
| DA 17/2022  | Mr Richard Myers for Mr Peter & Mrs Karen Jackson            | 62 Market Street, Balranald                                                          | Shed                                                                       |
| DA 18/2022  | Darren Lambert for Euston Co-operative Rural Society Limited | 9 Bates Drive, Euston                                                                | Shed                                                                       |
| DA 19/2022  | Decentralised Demountables for Mr Henry Leslie               | 20 Murray Terrace, Euston                                                            | Partial demolition of shed & installation of transportable for post office |
| CC 05/2022  | Mr Michael Griffiths                                         | 131 Boynton Street, Balranald                                                        | Shed                                                                       |

|                                           |                                                               |                                                                                 |                                                                                    |
|-------------------------------------------|---------------------------------------------------------------|---------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| CC 06/2022                                | Mr Richard Myers for Mr Peter & Mrs Karen Jackson             | 62 Market Street, Balranald                                                     | Shed                                                                               |
| CC 07/2022                                | Decentralised Demountables for Mr Henry Leslie                | 20 Murray Terrace, Euston                                                       | Installation of transportable for post office                                      |
| S68 02/2022                               | Mr Paul Freckleton for Duxton Dried Fruits Pty Ltd            | Tillara Road, Balranald                                                         | Workers Accommodation (Four Transportables) & Onsite Sewage Management Systems (2) |
| SDC 06/2022                               | Mr Brian Mitsch for Mr Darren & Mrs Tracy O'Halloran          | Kungie 45207 Sturt Highway, Balranald & Waldaira 46019 Sturt Highway, Balranald | Four Lot Subdivision                                                               |
| OC 04/2022<br>(certificate of completion) | Expandable Container Homes for Newnham Holdings Pty Ltd       | 164 Lily Street, Balranald                                                      | Transportable Secondary Dwelling                                                   |
| OC 05/2022                                | Trendvil Pty Ltd T/A James Harwood Homes for Ms Megan Zaffina | 14 Garreffa Parade, Euston                                                      | Dwelling                                                                           |
| OC 06/2022<br>(certificate of completion) | JG King Homes for Mr Giuseppe & Mrs Carmela Cimino            | 20 Garreffa Parade, Euston                                                      | Sanitary plumbing for dwelling                                                     |
| OC 07/2022                                | Mr Sam Papa                                                   | 122 Harben Street, Balranald                                                    | Swimming Pool                                                                      |

The following numbers of certificates relating to conveyancing have been issued since the November meeting of Council.

|                                                                                          |    |
|------------------------------------------------------------------------------------------|----|
| Environmental Planning & Assessment Act 1979<br>Planning Information Certificates (10.7) | 12 |
| Environmental Planning & Assessment Act 1979<br>Building Certificates (6.24)             | 0  |
| Environmental Planning & Assessment Act 1979<br>Outstanding Orders (121ZP)               | 1  |
| Local Government Act 1993<br>Outstanding Orders (735A)                                   | 1  |
| Local Government Act 1993<br>Drainage Diagram                                            | 4  |
| Biosecurity Act 2015<br>Outstanding Orders (Noxious Weeds)                               | 0  |

The following Section 4.6 Variations have been issued under delegated authority since the November meeting of Council.

| Application | Owner/Applicant | Locality | Description |
|-------------|-----------------|----------|-------------|
| Nil         | -               | -        | -           |

**FINANCIAL IMPLICATION**

Nil

**LEGISLATIVE IMPLICATION**

Environmental Planning & Assessment Act 1979

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Local Government Act 1993

Biosecurity Act 2015

Conveyancing Act 1919

**POLICY IMPLICATION**

Nil

**ATTACHMENTS**

Nil



**14 NOTICE OF MOTION / QUESTIONS ON NOTICE**

Nil

**15 CONFIDENTIAL MATTERS**

Nil

**16 CLOSURE OF MEETING**